

N. 4404/50. of 100
K.R. & A.I. COMMITTEE,
134 Citadel,

17th November 1950

Dear Willis,

Many thanks for letting me see the extracts from P.Q.485/50 about White Ensigns on shore, which I return herewith.

2. The approved text of the relevant article in the new K.R. & A.I. reads as follows:-

"3. The White Ensign may be worn at a naval establishment on shore which is commissioned as one of His Majesty's ships. It may also be worn at naval establishments such as Naval Patrol Headquarters, camps, temporary airfields and by detached units on special service, which though not independently commissioned are, in fact, organised units of the Royal Navy. Naval Recruiting Offices may also wear the White Ensign in suitable cases where special permission is given.

4. The White and Blue Ensigns may be used on Cenotaphs and other memorials to members of the naval service, but must not be used elsewhere on shore (except as stated above) without special permission. "

3. Para.4 above might be held to imply that special permission could be given in other cases not mentioned, but taking the article as a whole it seems to me that there is not really any authority covering the Admiralty main building or Queen Anne's Mansions, which can hardly be described as detached units on special service or as organised units of the Royal Navy. I believe also that St. Martins in the Fields church claims to hold Admiralty permission to fly a White Ensign. Other places not really covered are the Commander-in-Chiefs' shore headquarters at naval ports, R.N. Hospitals, H.M.T.E. DAUNTLESS.

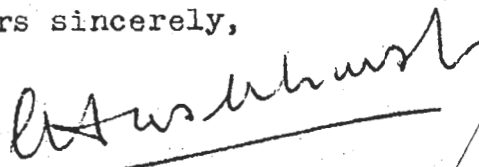
4. This is a matter on which there is bound to be "sniping" at the Admiralty from time to time. Should we not therefore take the opportunity of the present revision, which avoids the publicity of a L.R. Amendment, to make the regulations comprehensive, so that future questioners can simply be told that "the King's Regulations state as follows....." ?

5. I suggest the following wording:-

"3. The White Ensign may be worn at a naval establishment on shore which is commissioned as one of His Majesty's ships. It may also be worn at the shore headquarters of a Flag or Senior Officer, at R.N. Hospitals, and at naval establishments such as patrol headquarters, camps, temporary airfields and detached units which, though not independently commissioned, are in fact organised units of the Royal Navy. With the special permission of the Admiralty the white ensign may also be worn on appropriate occasions on other buildings, including naval recruiting offices, which are used by the Admiralty or for naval purposes.

4. The White and Blue Ensigns may be used on Cenotaphs and other memorials to members of the naval service, but must not be flown elsewhere on shore except as in Clause 3."

Yours sincerely,



F.A. Willis, Esq.,
Naval Law Branch



K.R. & A.I. COMMITTEE,
134 Citadel,

27th November 1950

Dear Willis,

When a decision is given on N.L.2628/50, I presume it will be desired to incorporate this in the new K.R. & A.I. Perhaps you will let me know the result in due course.

2. In this connection the following extract from articles in the new Chapter 11 - Ceremonial - may be of interest.

Article 8 - "The Union Flag is to be worn by an Admiral of the Fleet at the main as his proper flag. "

Article 14 - "Under the provisions of Order in Council of 16th February, 1903, the Admiralty may authorise an officer entitled to wear a flag, broad pendant or pendant afloat to wear the same flag, broad pendant or pendant ashore at **any naval establishment** or other place on shore where naval jurisdiction may for the time being prevail."

3. This rather seems to rule out flying the Union Flag at at the masthead in a naval hospital (or in any naval establishment other than the H.Q. of an Admiral of the Fleet). If the Union Flag has to be used at R.N. Hospitals, it would seem that it must be at the yardarm.

4. I do not however see quite what is the objection to letting R.N. Hospitals fly the white Ensign. They are just as much naval establishments as, say, recruiting offices or patrol headquarters; they are "organised units of the Royal Navy", and, under the definition approved on N.L.4404/50, they are "buildings used for naval purposes".

5. The Geneva Convention says that hospitals should fly the Red Cross Flag and the national flag. Surely the white Ensign is the national flag as far as the Royal Navy is concerned. (See K.R. Art.129, which says that the red ensign is the proper national colours for all ships except His Majesty's ships, and K.R. Art.117(2A), which says that the white ensign is the appropriate flag to be hoisted by foreign ships when saluting R.M. Ships and British Flag Officers.)

6. If all hospitals are distinguished by flying the red Cross flag (either always or in time of war), is there any reason why they should not also fly the appropriate national flag (White Ensign, Union Flag or R.A.F. Ensign) to denote which Service they belong to ?

7. The red Cross flag may presumably be confused with an Admirals flag and so should not perhaps be flown at the masthead. Could not R.M. Hospitals fly the white ensign and the red Cross flag, one at each yardarm ? This would appear to be within the Board decision on N.L. 4843/48, where the 4th Sea Lord minuted "The wearing of the White Ensign at places ashore.....has much to commend it, both on the grounds of morale, and to indicate to all concerned that the Royal Navy is present."

Yours sincerely,

F.A. Willis, Esq.,
Naval Law Branch

