

# Police Service of Northern Ireland

**ABSTRACT – This Service Procedure provides guidance and procedure for dealing with public processions and related protest meeting applications**

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## SERVICE PROCEDURE

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### **PUBLIC PROCESSIONS (NORTHERN IRELAND) ACT 1998 AND THE PARADES COMMISSION**

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#### 1. SERVICE PROCEDURE IDENTIFICATION

**SERVICE PROCEDURE TITLE:** Public Processions (Northern Ireland) Act 1998 and the Parades Commission

**PROCEDURAL OWNERSHIP:**

**DEPARTMENT** Operational Support  
**BRANCH** Operational Policy and Support – Parades Liaison

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**PROCEDURE APPROVED BY:** Superintendent, Ops Policy and Support

**CCF REF/OTHER**  
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## **2. AIM OF SERVICE PROCEDURE**

- (1) The aim of this Service Procedure is to provide guidance and procedure for dealing with public processions and related protest meeting applications.
- (2) To provide advice on the interaction between the Parades Commission and the Police Service of Northern Ireland (the Police).

## **3. INTRODUCTION**

### **(1) Executive Summary**

There are a large number of events which fall within the scope of the Public Processions (NI) Act 1998 where notification is received by police. This notification must be dealt with efficiently and forwarded to the Parades Commission as set out within this Service Procedure. All interaction with the Parades Commission will be as per the guidance within this Service Procedure.

### **(2) Origin**

This Service Procedure is as a result of the establishment of the Parades Commission under the Public Processions (NI) Act 1998 and the statutory powers under that Act. These powers were extended by the Public Processions (Amendment) (NI) Order 2005.

### **(3) Implications of Service Procedure**

Failure to follow the procedures outlined in this service procedure may leave officers subject to complaints from members of the public and in particular those who organise events and protests which are subject to the provisions of the Public Processions (NI) Act 1998. This could lead to disciplinary proceedings. Clearly failure to properly apply these procedures could have a detrimental impact on the image of the Police given the sensitivities which surround some processions.

### **(4) Application**

This applies to all officers who deal in any way with public processions or related protest meetings as defined by the Public Processions (NI) Act 1998.

## **4. LEGAL BASIS**

- (1) The Public Processions (NI) Act 1998 established the Parades Commission with statutory powers in respect of public processions.
- (2) The Act was amended in 2005 to extend the powers of the Parades Commission to cover protests related to parades and supporters of parades.
- (3) A public procession is described in section 17(1) of the Act as 'a procession in a public place whether or not involving the use of vehicles or other conveyances'. The only processions exempted from application under the law are a funeral procession and a procession of a class or description specified in an order made by the Secretary of State. The only order made so far relates to processions held by the Salvation Army along a route customarily followed by them. Other not so obvious events come within this legislation, such as vintage car rallies and sponsored walks.
- (4) A protest meeting is described in the Act as 'an open air public meeting' within the meaning of the Public Order (Northern Ireland) Order 1987
  - (a) which is, or is to be, held:
    - (i) at a place which is on or in the vicinity of the route or proposed route of a public procession, and
    - (ii) at or about the same time as the procession is being or is to be held, and

- (b) the purpose (or one of the purposes) of which is to demonstrate opposition to the holding of that procession on that route or proposed route.
- (5) If there is any question as to whether a parade or protest meeting needs to submit notification a check should be made through the Parades Commission Liaison Officer (PCLO) to the Parades Commission based at Police Headquarters, Brooklyn.

## **5. PARADES COMMISSION**

- (1) The Parades Commission consists of a chairman and not more than 6 other members appointed by the Secretary of State for a term not exceeding 3 years.
- (2) The Parades Commission's statutory duty is to:
  - (a) promote greater understanding by the general public of issues concerning public processions;
  - (b) promote and facilitate mediation as a means of resolving disputes concerning public processions;
  - (c) keep itself generally informed as to the conduct of public processions and protest meetings;
  - (d) keep under review, and make such recommendations as it thinks fit to the Secretary of State concerning, the operation of the Act.
- (3) The Parades Commission may:
  - (a) facilitate mediation between parties to particular disputes concerning proposed public processions and take such other steps as appear to the Commission to be appropriate for resolving such disputes;
  - (b) issue determinations in respect of particular proposed public processions.
- (4) The Parades Commission has issued a Code of Conduct, which provides guidance to persons organising a procession or a related protest meeting.
- (5) They have also issued a set of Procedural Rules for the purpose of regulating and prescribing the practice and procedure to be followed by the Commission in the exercise of its functions, and by other persons or bodies in their dealings with the Commission in connection with the exercise of those functions.
- (6) The Commission has also issued Guidelines for Commission members. These three booklets are available in pack form and have been widely distributed to the Service. Copies should be handed to everyone who submits a parade or protest application form. Copies are available from the PCLO.
- (7) The Commission is supported and advised by a full-time secretariat consisting of a small team of permanent civil servants and a Commission Secretary.
- (8) The Commission's 'on the ground' work is carried out by a number of Authorised Officers. These Authorised Officers have been given specific geographical areas to work in. They provide the Commission with valuable additional information and should be in contact with everyone associated with a parade or protest, including local police. They will also attend parades and protests and provide a post event report.

## **6. PROCEDURE AND GUIDANCE POLICE SERVICE OF NORTHERN IRELAND (THE POLICE) INTERACTION WITH THE PARADES COMMISSION**

- (1) The procedure in respect of the giving of advance notice (including late notice) of a public procession or related protest meeting by organisers and its onward transmission to the Parades Commission is included in Appendix 'A'.
- (2) The procedure in respect of the provision of post event returns for the information of the Parades Commission is included in Appendix 'A'.
- (3) The procedure for the provision of police evidence (either by way of a written police report or additional oral evidence) to the Parades Commission is included in Appendix 'B'. This will include evidence of efforts by the Police Service to work with parade/protest organisers and/or representatives of the involved neighbourhoods in the planning process. Annex A of Appendix 'B' provides guidance on the completion of Form 11/9. A new Form 11/9 must be completed in relation to each event, even if that is a regular occurrence. The Form 11/9 must reflect the actual facts and circumstances prevailing at that particular time and will form a critical part of the planning audit trail.
- (4) For the day-to-day interactions between the Parades Commission and the Police which are not covered in the Procedural Rules, additional agreed protocols between the two are included in Appendix 'C'.
- (5) An aide memoire of the parade process is attached at Appendix 'D'.
- (6) An aide memoire for protest notifications is included at Appendix 'E'.
- (7) The aims and limits of police consultation for sensitive parades and related protests are outlined at Appendix 'F'.

## **7. CONSULTATION**

The views of the Deputy Chief Constable, Assistant Chief Constables (ACCs) Urban and Rural, The Legal Adviser and District Commanders were sought in the preparation of this Service Procedure.

## **8. HUMAN RIGHTS/UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)/EQUALITY/CODE OF ETHICS/FREEDOM OF INFORMATION**

This Service Procedure is deemed to be Human Rights compliant and consideration has been given to the United Nations Convention on the Rights of the Child (UNCRC). It has been screened for Section 75 considerations and complies with the PSNI Code of Ethics. This Service Procedure is suitable for disclosure under Freedom of Information with the exception of Appendix 'C' – Protocols Between the Parades Commission and the Police Service of Northern Ireland (the Police) and Appendix 'F' – The Aims and Limits of Police Consultation for Sensitive Parades and Related Protests (For Internal Use).

## **9. MONITORING AND REVIEW**

The Chief Inspector, Emergency Planning, Operational Support Department as owner of this Service Procedure, will be responsible for carrying out any review.

**NOTIFICATION TO POLICE OF NOTICE OF INTENTION TO  
ORGANISE A PUBLIC PROCESSION OR RELATED PROTEST MEETING  
AND POST PROCESSION RETURNS**

**1. PUBLIC PROCESSIONS**

- (1) A person proposing to organise a public procession shall give notice of that proposal to a member of the Police Service of Northern Ireland (the Police) not below the rank of Sergeant by leaving the notice with them at the police station nearest to the proposed starting place of that procession [Section 6(1)] [of The Public Processions (NI) Act 1998 (The Act)]. In exceptional circumstances or for personal security reasons it may not always be possible for the organiser to submit notification at the nearest police station to the start. In these circumstances the form should be accepted with a note being made on the rear page explaining the circumstances. Members of the public leaving notification forms at police stations should not however be required to wait lengthy periods of time for Sergeants to arrive where they are engaged in other duties elsewhere within the District. In cases where an officer not below the rank of Sergeant is unavailable, Station Enquiry Assistants (SEAs)/Constables should ensure that the person submitting the form can be contacted, so that the reviewing Sergeant can contact them as appropriate in order to clarify issues as needed. This will be the case only where there is a genuine difficulty in securing an officer of appropriate rank. In all cases the final page of the respective forms which is headed, 'For Police Use' must be completed by a Sergeant before being forwarded to the Parades Commission.
- (2) This notice shall be given not less than 28 days before the date on which the procession is to be held; or if that is not reasonably practicable, as soon as it is reasonably practicable to give such notice [Section 6(2)].
- (3) The notice shall be given on the prescribed Form 11/1 (available on PoliceNet and the Parades Commission website) and be signed by the person giving the notice. Police officers receiving such notices should ensure that all sections of the notice have been fully completed. Where they appear to be incomplete in any way, organisers/persons notifying should be advised that notices containing inadequate or insufficient detail may be refused by the Parades Commission (this also includes forms which are submitted with multiple signatures as organisers). Where such advice is given, the officer doing so will record full details on the checklist at the rear of the Form 11/1 and in their notebook, as this may be required in evidence at a later date. All forms, no matter how incomplete they may seem should be submitted to the Parades Commission for their adjudication.
- (4) This section does not apply to a funeral procession or a procession held by the Salvation Army along a route customarily followed by them.
- (5) The Chief Constable shall ensure that a copy of a notice given under section 6(1) is immediately sent to the Parades Commission [Section 6(6)]. In practice, every Form 11/1 must be faxed to the Commission within one working day to 028 9032 2988.
- (6) A Form 11/4 must be completed by the sender which also acts as a cover facsimile sheet (available on PoliceNet).
- (7) The Form 11/1 must be certified by the officer authorising the transmission as a true copy of the original. In the vast majority of cases operational planning staff can authorise the transmission to the Parades Commission and complete Form 11/4. In cases where the answers to questions 2, 3 or 4 is 'yes', Form 11/4 will require the personal attention of the District Commander or their deputy.

- (8) Where a Form 11/1 served in one District notifies that the procession will enter other Districts, the Form 11/4 will be completed accordingly and forwarded to the Parades Commission. A copy of the Form 11/1 will be immediately forwarded to the other affected Districts who will also complete and forward a Form 11/4 in respect of the portion of the route in that District.
- (9) If the District Commander becomes aware of the possibility of a sensitive parade occurring at some date in the future, they should fax brief details to the Parades Commission via the Parades Commission Liaison Officer (PCLO) so that they are aware of it during the evidence gathering procedures.
- (10) Where proper notice of the parade has been given (ie not less than 28 days) only questions 1-4 on Form 11/4 need to be completed. If less than 28 days notice has been given the responsibility for the decision in respect of the legality of the procession rests with the Parades Commission. To assist them in this decision-making process, questions 5-7 on Form 11/4 must be completed by the District Commander or their deputy.
- (11) If the notice is handed in with very short notice (ie less than 7 days) outside office hours it may be necessary to contact the Police PCLO via the duty officer Belfast Regional Control to liaise directly with the Parades Commission regarding the short notification and any determination which might arise. The Police PCLO will advise the Parades Commission of the short notification through a call-out system for the Parades Commission Secretariat.
- (12) Every Form 11/4 must be copied to the appropriate District by fax or electronically. In the event of parades which give concerns or are sensitive a copy of the Forms 11/4 and 11/1 must be transmitted to Regional Command and the Police PCLO, Operational Support Department, Headquarters.
- (13) Where the Parades Commission determines that the reason for a late notification does not comply with section 6(2) of the Act the Commission will:
  - (a) in the case of a 'non-sensitive' public procession which it feels should not take place, write to the organiser setting out the reason for its decision and copy the same to the Police PCLO for the information of the Police. The PCLO will pass a copy of the written notice to the appropriate local police commanders;
  - (b) in the case of a 'sensitive' public procession which it feels should not take place, issue a decision explaining that because of the lack of time between notification and the parade, which did not facilitate a full consideration of the parade, the Commission has, in accordance with section 6(2) of the Act, decided that the notice given did not comply with the Act and therefore the parade should not take place. The Commission will communicate this decision in writing to the Police PCLO and refer to the most recent determination issued in respect of the parade in question (or a similar parade) noting that the Commission was unable to undertake any evidence gathering. The Police PCLO will pass a copy of the decision to appropriate local police commanders.

**Note:** The term 'contentious' has caused some difficulties in the past, with some organisations accusing the police of labelling their parade. Form 11/4 has been amended accordingly removing any reference to the word 'contentious'. Instead we highlight any concerns or sensitivities associated with the parade to the Parades Commission. Parades should be referred to as 'sensitive' instead of 'contentious'.

## 2. PROTEST MEETINGS

- (1) Where notice has been given under section 6 in relation to a public procession, a person proposing to organise a related protest meeting shall give notice of that proposal to a member of the Police Service not below the rank of Sergeant by leaving the notice with them at the police station nearest to the place at which the meeting is to be held [Section 7(1)].
- (2) This notice shall be given not later than 14 days before the date on which the meeting is to be held; or if that is not reasonably practicable, as soon as it is reasonably practicable to give such notice [Section 7(2)].

- (3) This notice shall be given on the prescribed Form 11/3 (available on PoliceNet and the Parades Commission website) and be signed by the person giving the notice.
- (4) The Chief Constable shall ensure that a copy of a notice given under section 7(1) is immediately sent to the Parades Commission [Section 7(5)]. In practice, every Form 11/3 must be faxed to the Commission within one working day to 028 9032 2988.
- (5) A Form 11/4(a) must be completed by the sender which also acts as a cover facsimile sheet (available on PoliceNet).
- (6) In the event of less than 14 days notice being given it is the responsibility of the Parades Commission to decide on whether a related protest meeting will be treated as complying with Section 7(2) of the Act.
- (7) Every Form 11/3 and 11/4(a) must also be copied to the appropriate District and regional level of command and to the Police PCLO, Operational Support Department by fax.

### **3. PRESCRIBED FORMS**

Forms 11/1 and 11/3 are prescribed forms under the Public Order (Prescribed Forms) Regulations (Northern Ireland) 2004. The format and information requested cannot therefore be amended by anyone. All other forms mentioned in this Service Procedure are Police forms designed for purpose.

### **4. POST PROCESSION RETURNS**

In all cases where a parade/protest has been highlighted to the Parades Commission, when a determination has been issued, or when disorder or breaches of the Codes of Conduct have occurred, the District Commander will furnish a short factual report to the Parades Commission via the Police PCLO. This report will be as per Form 11/8 (available on PoliceNet) and should be submitted as soon as possible after the event and in any case **not later than 21 days**, although on occasions reports will be required much earlier, ie the Drumcree weekly parade. Where there are subsequent court proceedings arising from the disorder (etc) a further report on the outcome of the proceedings should likewise be forwarded for the information of the Commission. Form 11/8 is available electronically on PoliceNet and should be typed to ensure legibility.

### **5. UN-NOTIFIED PARADE/PROTEST**

District Commanders will ensure that when an un-notified parades/protest occurs this will be reported to the PCLO using Form 11/8. The procedure outlined at paragraph 4 above will apply in relation to un-notified parades/protests.

**PROCEDURE FOR PROVIDING POLICE EVIDENCE  
TO THE PARADES COMMISSION**

**1. WRITTEN EVIDENCE TO THE COMMISSION**

- (1) Following the receipt of a Form 11/1 and 11/4 in respect of a proposed public procession which is potentially 'sensitive', the Parades Commission will request from the Assistant Chief Constable (ACC), Operational Support [via the Police Parades Commission Liaison Officer (PCLO)], police evidence (hereafter called a 'police report'). This will be a written submission on a Form 11/9 (available on PoliceNet). This will normally be drafted by the relevant District Commander and be forwarded to the Police PCLO, a copy also being forwarded to the Regional Commander.
- (2) The written submission will be verified by the PCLO and forwarded on to the Parades Commission.
- (3) Where a parade crosses a District boundary a joint report will normally be submitted. Any variation to this is likely to be rare and will be subject to the corporate decision-making process. Advice should be sought from Regional Command.
- (4) The police report must be on the proforma supplied. A circumspect approach must be adopted in the giving of written evidence particularly in relation to the history of previous parades and with regard to public disorder and damage to property. The submission must be a professional assessment of the evidence and intelligence available to the officer compiling the report - this is not opinion. Factual evidence to support the assessment should be quoted where available such as arrests effected, offences committed, extent of damage to property etc. An example completed report is available at Annex 'A' to this Appendix.
- (5)
  - (a) The author of the police report should be aware that several applications for disclosure have been made, both through the courts and under the Freedom of Information Act.
  - (b) The case of *Tweed v The Parades Commission* in which discovery of a police report from 11/9 in respect of a 'sensitive' procession was sought, reached the House of Lords in December 2006. The Lords ruled that the Judge to whom application for disclosure is made must then rule on whether and to what extent, disclosure should be made. This ruling means the Judge would see the police report and make a decision as to its disclosure. The Crown would be heard on the issue and the Police would have a chance to be represented as to whether the police report should be disclosed, (in part or in full).
  - (c) Subsequent to the *Tweed* case after consultation with the regional commanders it has been directed that, with effect from 9 February 2007, 'There should be full disclosure of the police report with interested parties by District Commanders. This is in keeping with the Police being as open and transparent as possible. This direction to disclose the police report will not apply retrospectively.' This Service Procedure will apply equally to any post parade report.
  - (d) It is imperative that the authors of police reports ensure that they are prepared on the understanding that their contents will be shared with any interested parties.
- (6) In circumstances where commanders wish to provide the Parades Commission with potentially sensitive information then application should be made to do so in person.
- (7) The written police report includes date, time and location of the parade; the police area(s) involved; the parade route; parading history; compliance (or otherwise) with the Codes of Conduct and a section on disorder/damage caused by parades or protests in the past.
- (8) At section 6 of the report an assessment of the supporters likely to accompany the parade should be included, including expected numbers. This can be based on previous parades and local intelligence.

- (9) The final section of the police report takes the form of a Community Impact Assessment which is sub-divided into four sections:
- (a) impact the procession may have on relationships within the community - where an assessment is given of good or detrimental effects a procession will have. This should also cover historical facts which have caused division in the past. If they are available tension indicators such as frequency of sectarian attacks, slogan writing and graffiti etc should also be quoted;
  - (b) disruption to the life of the community - adverse effects caused to the normal patterns of life. These may be transitory in nature or more prolonged;
  - (c) human rights impacts of the parade or protest (and resultant police strategy) - here actual effects caused by previous parades/protests, insofar as they impact upon human rights can be quoted although the Parades Commission itself is responsible for these effects in respect of its determination for a parade. In addition, the author must quote the effects police tactics have had in the past and may have in the future upon individual human rights. The author should in particular note the circumstances under which a human right can be restricted in furtherance of a legitimate aim by a public authority;
  - (d) miscellaneous - here the author should quote factual material which goes to form an overall professional assessment of community feeling. This will have been gleaned through normal day to day contacts with parading organisations, residents groups, clergy, commercial and business sources, community groups and so on.
- (10) Notice of the deadline date for the submission of police reports to the Parades Commission, via the Police PCLO, will be circulated to District commanders a few weeks in advance or as soon as the Parades Commission requests such a report.

## **2. ORAL EVIDENCE TO THE COMMISSION**

- (1) Following an examination of the written police report the Commission may request a verbal elaboration of items contained in the police report or to clarify evidence provided to the Parades Commission. Their request will be directed to the PCLO on behalf of ACC, Operational Support. The ACC will notify the Parades Commission of the nominated officer(s) to present additional evidence, which will normally be the District Commander for the police area involved.
- (2) The officer so nominated will attend at a venue notified to ACC, Operational Support by the Parades Commission. The officer nominated will be accompanied by the PCLO. The officer's function will be to respond to questions from the Commission which are aimed to clarify and elaborate upon the written report. To this end, it will be clear from the outset where the areas of ambiguity or difficulty lie and an attempt will be made to anticipate the areas of questioning, to allow a written aide memoire to be available for the officer to use. The PCLO will take notes of the meeting which will form part of the official audit trail in the event file created and maintained in the area where the procession is due.
- (3) The officer attending should be fully briefed in respect of all discussions between police and interested parties regarding the sensitive parade under consideration. In responding to questions Commanders should avoid opinion and provide answers based upon evidence and intelligence available.
- (4) Prior to the parade taking place the ACC, Operational Support or Regional Commanders may convey to the Parades Commission, a police submission of the forthcoming parade either orally or in writing depending on the circumstances. This will be given without prejudice to the final position the Chief Constable may take before the event. It is envisaged that this protocol will only be used where a number of sensitive parades are due to take place at or about the same time and an overview of all the events, from a police perspective, is thought relevant to any deliberations the Parades Commission may be currently engaged upon.

### **3. REVIEWS**

- (1) In exceptional circumstances, fresh information might come to light which the Parades Commission might consider to be sufficient to require a review of its formal decision. In such circumstances the Commission will consider the original information, evidence and advice, together with the new information, and by a majority vote come to a decision. At this stage additional police information may be requested giving up to date information or a new community impact assessment. It is important that police do not make recommendations or advise the Parades Commission on preferred actions. This decision will either confirm the initial formal decision or may, where a determination has been issued, amend or revoke any element of that determination. Where the Parades Commission has decided to change its decision, it will provide the earliest possible written notification to the PCLO.
  
- (2) Within Section 9 of the Act the Secretary of State may on application made by the Chief Constable review a determination issued by the Parades Commission. In these circumstances the Secretary of State may revoke the determination, amend the determination or confirm the determination. A determination which has been amended by the Secretary of State will be treated as if it had been issued by the Parades Commission as so amended.

**NOT PROTECTIVELY MARKED****PUBLIC PROCESSION REPORT**

1	<b>Report on</b> (Name, Location and Date of Parade)	<ol style="list-style-type: none"> <li>1. The title of the parade as given on the Commission's request for a Police Report should be given.</li> <li>2. Include time of parade.</li> </ol>
2	<b>District</b> (List affected Districts in order parade enters)	Self-explanatory,, however, this report must encompass all issues relevant to this parade, eg sensitive areas in more than one District.
3	<b>Notified Parade Route</b> (Set out the notified route highlighting variations specific to the parade if applicable. A map should be attached where possible.)	Self-explanatory, however it is preferable that a map is included that clearly shows the route.
4	<b>Recent Parading History</b> (A factual synopsis of sensitive parades at this venue for last 2/3 years should be given. Where there has been significant disorder or protests in a particular area this should be quoted. Human rights implications of previous police strategies should be included. Great depth of detail is not required. Reference should be made to other evidence that is available – for example, video footage.)	<ol style="list-style-type: none"> <li>1. A brief resume of ALL sensitive parades at this venue should be given.</li> <li>2. In some areas such a list may be extensive. In these circumstances the parades could be grouped under the various titles of the organising bodies and listed as per year.</li> <li>3. If disorder or protests are mentioned, then it is advisable to include the dates of such incidents.</li> <li>4. Highlight if video evidence is available.</li> </ol>

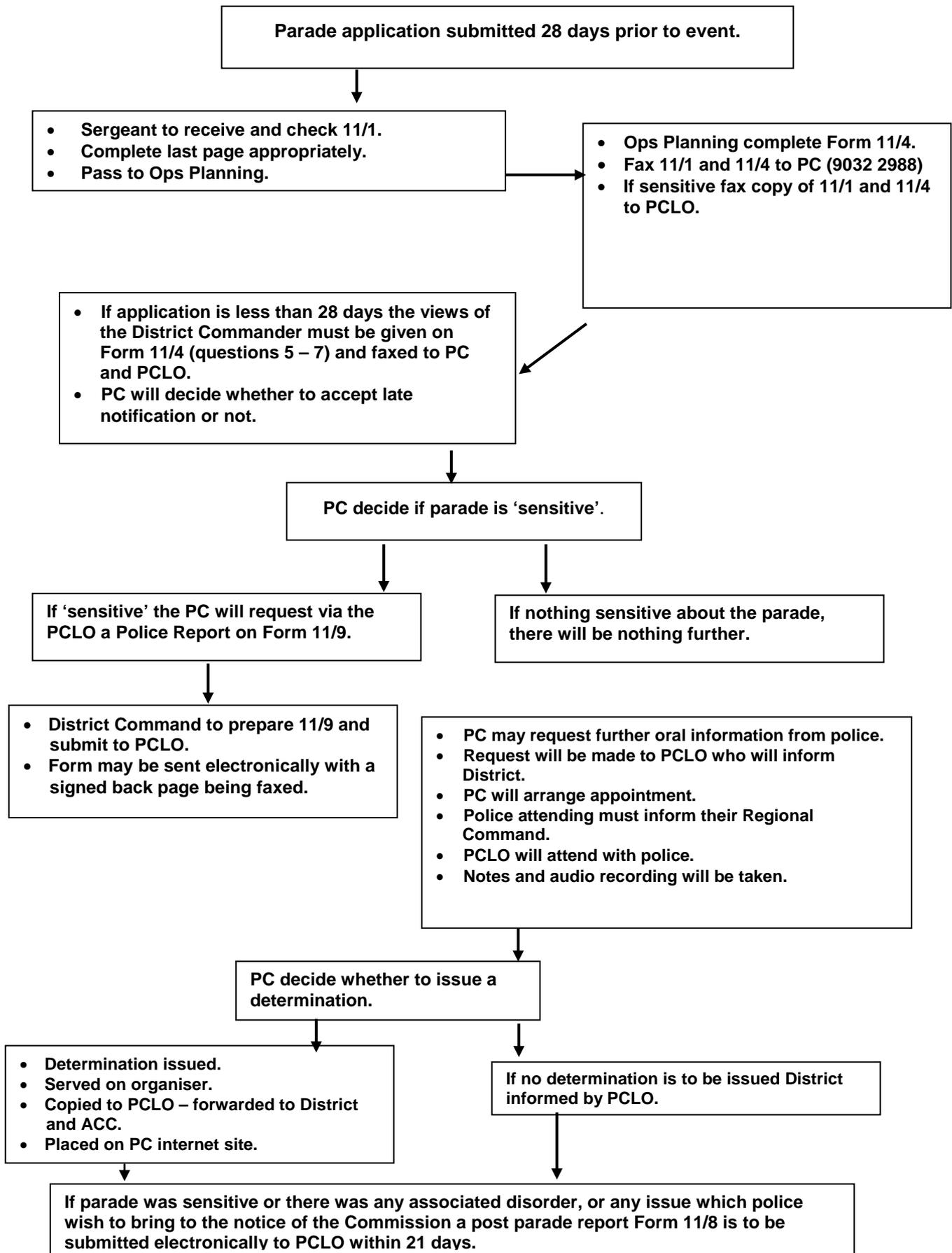
<b>5</b>	<p><b>Compliance with The Codes of Conduct</b></p> <p>(The Parades Commission has issued a Code of Conduct for parade and protest organisers, copies of which have been distributed within the Police Service of Northern Ireland. Clear breaches of the Code on previous occasions should be included here.)</p>	<ol style="list-style-type: none"> <li>1. If the organisers of this parade, band members or other participants or protestors have breached the Codes of Conduct then quote the relevant dates.</li> <li>2. If the police have drawn the attention of the organisers etc to any breach, including reporting facts to PPS, then include relevant details.</li> <li>3. If no such breach has occurred then clearly state this.</li> </ol>
<b>6</b>	<p><b>Public Disorder or Damage to Property which has occurred previously</b></p> <p>(This part must include details of factors that the Parades Commission must take into account when making their determination. Actions which infringed the law by those parading or protesting, must be included under the two subheadings.)</p> <p>(Parades – the extent to which participants gave rise to the disorder or damage to property and the likelihood that the behaviour of participants directly caused or led to the disorder. Numbers of participants and details of arrests/prosecutions should be quoted.)</p>	<p><b>(1) Parades</b></p> <ol style="list-style-type: none"> <li>1. Quote dates, the locations on parade route that disorder previously occurred, and the relevant name of the parades organising body.</li> <li>2. If supporters accompanying the parade have been involved in disorder then mention these facts.</li> <li>3. Highlight if previous disorder has accompanied the notified parade under discussion.</li> <li>4. Details and results of prosecutions should also be provided.</li> <li>5. If the parade participants have not been involved in disorder then state this.</li> </ol>
	<p>(Protests – the extent to which the protesters gave rise to the disorder or damage to property and the likelihood that the behaviour of protesters directly caused or led to the disorder. Numbers of protesters and details of arrests/prosecutions should be quoted.)</p>	<p><b>(2) Protests</b></p> <ol style="list-style-type: none"> <li>1. Quote dates, the location at which disorder occurred and the relevant name of the organising body, if known.</li> <li>2. Was the protest in the form of a counter march, notified or illegal?</li> <li>3. If a protest meeting, was this notified or ad-hoc.</li> <li>4. If the protestors have not been involved in disorder then state this.</li> <li>5. Details and results of prosecutions should also be provided.</li> </ol>
<b>7</b>	<p><b>Community Impact Assessment</b></p> <p>Impacts within the community should cover the degree to which a parade or parades have already caused or might cause division between communities. Where pertinent historic reasons exist why a parade is sensitive and if relevant they should be included. Relevant tension indicators should be quoted.)</p>	<p><b>(1) Impacts of the process on relationships within the community</b></p> <ol style="list-style-type: none"> <li>1. A history of a community impacts of previous parades may be included.</li> <li>2. Reference should be made to relevant ‘tension indicators’ leading up to the notified parade under discussion ie press statements by organising body or persons opposed to march, acts of intimidation, repainting of wall murals, repainting of kerbs, renewals of flags and emblems etc.</li> <li>3. Have discussions between relevant organisers/community groups taken place?</li> <li>4. Has local accommodation(s) been arranged?</li> <li>5. Importantly include an assessment of the impact of the notified parade under discussion.</li> </ol>
	<p>(Disruption to the life of the community would include adverse effects the procession would cause to normal everyday life.)</p>	<p><b>(2) Disruption to the life of the community</b></p> <ol style="list-style-type: none"> <li>1. Does the parade restrict access for residents residing along the notified route?</li> <li>2. Would the passage of the parade block off entrance and egress from housing estates?</li> <li>3. Are alternative routes for residents available?</li> <li>4. Will the parade impact on the business community, eg public houses, restaurants, clubs etc?</li> </ol>

		<ol style="list-style-type: none"> <li>5. Do such businesses close their doors if their patrons are from the opposite community etc?</li> <li>6. Are there alternative access to such premises?</li> <li>7. What is the impact of the parade on traffic?</li> <li>8. Is commercial traffic affected?</li> <li>9. Will there be extensive traffic diversions?</li> <li>10. How long will the passage of the parade take?</li> <li>11. Can the passage of emergency vehicles be facilitated?</li> <li>12. If police impose sterile areas for the purpose of preventing crime and public disorder, how will this impact on the life of the community?</li> <li>13. Will pedestrians be permitted to have access?</li> </ol>
	<p><b>Consider the Rights outlined below and make a judged assessment of how police strategies might affect the rights of individuals who may be affected.</b></p>	<p>(3) Human rights impacts of the parade or protest (and resultant police strategies)</p>
	<p><b>Police use of Force</b></p> <p><b>Article 2 of the European Convention on Human Rights (incorporated into UK Law by the Human Rights Act 1998)</b></p> <p>Individuals' right to life</p> <p>Everyone's right to life shall be protected by law. Deprivation of life which results from the use of force which is no more than absolutely necessary for a specified purpose does not contravene this Article.</p> <p>Article 2, in general, concerns the use of lethal or potentially lethal force.</p> <p><b>Article 3 of the European Convention on Human Rights (incorporated into UK law by the Human Rights Act 1998)</b></p> <p>No one shall be subjected to torture or to inhuman or degrading treatment or punishment.</p> <p>Article 3, in general, concerns the use of non-lethal force. It also extends to police tactics in public order situations. Any use of force by the police must be no greater than is made necessary by the person's conduct. Non-lethal force used by the police must be no greater than reasonably necessary in the particular circumstances of the case.</p>	<ol style="list-style-type: none"> <li>1. Police have a positive obligation to protect the lives of all persons, including marchers, residents, band members, protestors, supporters, bystanders, and police on duty.</li> <li>2. Risk to life may either be real and immediate or ought to have been reasonably predicted by police. The police response to a risk to life may involve the use of force, which may be lethal or non-lethal.</li> <li>3. Any lethal or potentially lethal force used must be no more than is absolutely necessary. Non-lethal force used must be reasonable in the circumstances.</li> <li>4. What is the threat assessment in respect of the parade?</li> <li>5. What are the likely threats to the parade? Likely failure to comply with Parades Commission determination? Action of protestors? Actions of supporters?</li> <li>6. What tactics will the police employ to protect life, ie creation of sterile areas etc?</li> <li>7. What authorisations will be requested (eg for AEPs, water cannon), etc?</li> <li>8. Has all necessary planning been undertaken?</li> <li>9. How will decisions made be recorded during the operations?</li> <li>10. Has the appropriate Gold Public Order Strategy been followed?</li> </ol>
	<p><b>Article 5 of the European Convention on Human Rights (incorporated into UK law by the Human Rights Act 1998)</b></p> <p>Individuals' right to liberty.</p> <p>This will cover issues such as detentions and arrests.</p> <p>It also covers the wider issues of restricting individual's freedom of movement by creating sterile zones etc.</p>	<ol style="list-style-type: none"> <li>1. How will the police tactics used to ensure the passage of the parade, affect the liberty of others?</li> <li>2. Consider the impact of traffic diversions, the effects of sterile areas etc.</li> <li>3. State the purpose for the adoption of such tactics, eg protect public safety, prevention of crime and disorder etc.</li> <li>4. Are these tactics proportionate, legal and necessary?</li> <li>5. Is there a policy for arrests?</li> <li>6. If arrests are made then they must be proportionate to the situation, legal and necessary.</li> <li>7. Do tactics amount to detention or merely restriction of movement, ie is there an alternative route for people to take? Can people freely leave the area, even if only by a prescribed route?</li> </ol>

<p><b>Article 8 of the European Convention on Human Rights (incorporated into UK law by the Human Rights Act 1998)</b></p> <p>Individuals' rights to respect for private and family life.</p> <p>Disallows interference by a public authority of this right except as is in accordance with the law and is necessary in the interests of national security, public safety, economic well being of the country, prevention of disorder and crime, protection of health and morals or the protection of rights and freedoms of others.</p>	<ol style="list-style-type: none"> <li>1. Will the police tactics affect the private lives of individuals and families?</li> <li>2. What justification are there for such limitations, eg to protect public safety, prevention of crime and disorder etc?</li> <li>3. Will police for example, when creating a sterile area affect the privacy of individuals or families eg block off access to homes?</li> <li>4. Are evidence gathering teams to be deployed, using audio and video equipment? If so state the justification for doing so and what their objectives are.</li> <li>5. Are the above tactics proportionate, legal and necessary to achieve one or more of the legitimate aims?</li> </ol>
<p><b>Article 9 of the European Convention on Human Rights (incorporated into UK law by the Human Rights Act 1998)</b></p> <p>Right to freedom of thought, conscience and religion.</p> <p>Gives individuals freedom to manifest religion in worship, teaching, practice and observance. Limitations prescribed by law only by interests of public safety, public order, health or morals or for protection of rights and freedoms of others.</p>	<ol style="list-style-type: none"> <li>1. Are the police tactics likely to have an impact on residents who wish to leave an area to attend their place of worship, or to take part in an act of worship?</li> <li>2. What justification is there for imposing limitations eg for public safety, prevention of crime and disorder etc?</li> <li>3. Have local clergy been advised of relevant police restrictions?</li> <li>4. Have the times of services been voluntarily changed to minimise impact?</li> <li>5. Are these tactics proportionate, legal and necessary to achieve one or more the legitimate aims?</li> </ol>
<p><b>Article 10 of the European Convention on Human Rights (incorporated into UK Law by the Human Rights Act 1998)</b></p> <p>Right to freedom of expression.</p> <p>Freedom to hold opinions and to receive or impart information and ideas without interference by public authorities and regardless of frontiers. The exercise of these freedoms, since they carry duty and responsibility, may be limited as prescribed by law and necessary in a democratic society in the interests of national security, territorial integrity, public safety, prevention of disorder and crime, protection of health or morals, protection of the reputation or rights of others, preventing disclosure of confidential information or to maintain the authority and impartiality of judiciary.</p>	<ol style="list-style-type: none"> <li>1. Will police tactics permit peaceful freedom of expression?</li> <li>2. Referring to list on left, under what circumstances will this freedom be limited?</li> <li>3. Given previous history and current knowledge are such expressions likely to present a threat to public safety and lead to crime and disorder etc?</li> <li>4. If police tactics are designed to limit such expression then quote the legislation permitting such limitation, eg the Public Order (Northern Ireland) Order 1987.</li> <li>5. Based on previous knowledge, what action will the police take to prevent incitement or breaches of the police, eg arrest or deployment evidence-gathering teams etc?</li> <li>6. Are the adopted tactics proportionate, legal and necessary to achieve one or more of the legitimate aims?</li> </ol>
<p><b>Article 11 of the European Convention on Human Rights (incorporated into UK law by the Human Rights Act 1998)</b></p> <p>Right to freedom of assembly and association.</p> <p>Everyone has the right to freedom of <b>peaceful</b> assembly and association with others.</p> <p>Can only be restricted as prescribed by law and as are necessary in a democratic society in the interests of national security, public safety, prevention of disorder or crime, protection of health or morals or for the protection of the rights or freedoms of others. This shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, the police or the administration of the State.</p>	<ol style="list-style-type: none"> <li>1. Will the police permit peaceful assembly and association?</li> <li>2. Given previous history and current knowledge are such assemblies likely to present a threat to public safety and lead to crime and disorder etc?</li> <li>3. Based on previous knowledge, what tactics will the police adopt to prevent assemblies likely to endanger public safety to engage in crime and disorder etc, eg containment, dispersal, arrest or the deployment of evidence-gathering teams.</li> <li>4. If police tactics intend to limit such assemblies then quote the legislation permitting such limitation, eg the Public Order (Northern Ireland) Order 1987.</li> <li>5. Are proposed tactics proportionate, legal and necessary to achieve one or more of the legitimate aims?</li> </ol>

	<p><b>Article 14 of the European Convention on Human Rights (incorporated into UK law by the Human Rights Act 1998)</b></p> <p>Prohibition of discrimination.</p> <p>All the rights and freedoms in the Convention shall be enjoyed without discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, natural or social origin, association with a national minority, property, birth or other status.</p>	<ol style="list-style-type: none"> <li>1. This section is essentially to demonstrate that police tactics present an equitable approach to all parties, ie marchers, residents and protestors.</li> <li>2. Are the competing rights of marchers, residents and protestors if any, to be balanced by effective police deployments?</li> <li>3. State broadly the anticipated police tactics etc, cordons, sterile area etc.</li> </ol>
	<p>(This section should contain any other relevant information, which has been obtained through community contacts etc. A professional assessment of the value of such information must be given.)</p>	<p><b>(3) Human rights impact of the parade or protest (and resultant police strategies)</b></p> <ol style="list-style-type: none"> <li>1. Have there been recent meetings of residents' associations?</li> <li>2. Has notice of counter protests/parades been served?</li> <li>3. Has the District Commander, for example had representations from residents, community groups etc.</li> </ol>
<p><b>8</b></p>	<p><b>Signature</b></p> <p>This report should be signed by the District Commander or if crossing police boundaries by the senior officer responsible.</p> <p><b>(Name, Location and Date of Parade)</b></p>	

AIDE MEMOIRE – PARADE APPLICATIONS



AIDE MEMOIRE – PARADE RELATED PROTEST APPLICATIONS

