

Public Processions and **Related Protest Meetings**



Parades and Related Protests

A Code of Conduct

April 2005

Public Processions

and

Related Protest Meetings

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Public Processions and Related Protest Meetings

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1. INTRODUCTION

Section 3 of the Public Processions (Northern Ireland) Act 1998 as amended requires the Parades Commission to issue a Code providing guidance to persons organising a public procession or related protest meeting; and regulating the conduct of persons organising, taking part in or supporting a public procession, and organising or taking part in a related protest meeting. For the purposes of this Code of Conduct the expression “related protest meeting” refers to protest meetings as defined in Section 17(1) of the Act.

This Code has therefore been prepared as a source of advice for those organising public processions and marches for any purpose in public places and for those organising related protest meetings. It is designed to assist organisers by providing both a checklist and reminder of the points they will need to cover and the issues they will need to address in planning, and on the day.

Its aim is to ensure that those participating in public processions can do so legally and peacefully while at the same time minimising disruption, annoyance or offence to those who work or live on or near the routes along which they pass. It also aims to provide guidance on how related protest meetings should be conducted.

Compliance with this Code will be a factor which the Commission will take into account in deciding whether to impose conditions on a public procession or related protest meeting in accordance with Sections 8 and 9A of the Act as amended. If the Commission determines to impose conditions on a public procession or related protest meeting, such conditions may incorporate provisions of this Code or be framed by reference thereto.

To understand fully the importance of this Code of Conduct in organising public processions or related protest meetings, it is important to read the Guidelines and Procedural Rules which have also been produced under the Act. These are to be read in conjunction with this document.

2. PUBLIC PROCESSIONS

2.1 Routes

Having established the date, timing and size of the public procession which is being organised, as well as the starting point and the destination, it will be necessary to give careful consideration to the route along which it is proposed that the public procession should pass. While many of the routes may be traditional, in other words routes that have been followed by public processions for many years, in finalising the route it will be necessary for organisers to gauge the following factors:

- a) **Does the route pass through a city, town or village centre location or any other location on a day of the week and at a time when there would normally be a high level of commercial activity?**

If so, it would be important to give those who carry out business in the area the maximum notice possible of the intention to hold a public procession in order that they might make alternative arrangements for receiving deliveries etc. It would also be prudent to consider the possibility of an alternative timing.

This could be done by, for example, distributing flysheets with details of the public procession and organisers around shopkeepers in the area and seeking agreement to have some posted prominently in shop windows, or placing a public notice in the local newspaper.

- b) **Does the route pass churches or other places of worship? In this case it will be important to determine beforehand whether any services, weddings or meetings will be taking place at the time of the public procession. This can be ascertained by an approach to the relevant clergy. A final check should be made in the 36 hours before the event for any emergency (eg funeral services).**

If there are, and it is not deemed possible or feasible to re-route the public procession, public procession organisers should explore the possibility of adjustment being made to the time of the public procession in order to avoid any disruption in access to or egress from the premises.

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c) Will the route pass through a residential area?

There are two primary considerations here. First, in order to minimise the impact of the public procession on the local community, organisers should take steps to let local people know the details of the public procession as early as possible so that individuals might make any adjustments necessary to their daily patterns of activity. For example, a normal route of shopping or making hospital or other appointments can be changed, provided people have advance notice. In fact, if your organisation proposes to hold a number of public processions in the same area, it is best to give early notice of the complete pattern of public processions for the year ahead.

Second, if the public procession will pass through an area where the majority population are of a different tradition, or through an interface area, it would be important for the organiser to take steps to establish a line of communication between the parties.

Efforts should be made to meet the reasonable concerns of residents.

Where for any reason it is difficult to establish communication, interested parties should avail themselves of assistance from people with skills in mediating and facilitating. The Commission can help here by suggesting individuals who have experience and training in performing this role.

d) Will the route pass along a main road or arterial route?

In most instances, public processions will at some stage follow a main road and will require a considerable degree of co-operation and assistance from the police in diverting traffic. This can normally be done with minimum disruption to traffic, but it will nonetheless be important to ensure that stewards are well informed of what action should be taken in an emergency situation where, for example, an ambulance, police vehicle or fire engine requires urgent passage along the route.



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2.2 Timing

Public processions after dark pose health and safety issues not only for participants, but also for the police, spectators and other road users. This should be borne in mind when organising public processions. Public processions should begin and end at the time stated on Form 11/1. Such timings should be regarded as definitive and not merely a rough guide.

2.3 Bands

Bands are often a key element of a procession and whether directly linked to the main parading organisation or not, will be closely associated with that organisation by onlookers. Their standards of dress, performance, music and behaviour have the potential to enhance or diminish the public's perception of the organisation.

It will be important, therefore, to establish and enforce high standards with bands at the outset and to ensure that these are reflected in any form of contract such as that used by the Orange Order ("Conditions of Engagement for bands taking part in processions within any jurisdiction under the Grand Orange Lodge of Ireland").

It will also be important to ensure that band leaders are given written details of any restrictions which have been agreed or imposed and that these are complied with.

2.4 Stewarding

Stewarding is an important aspect in the control of those participating in public processions. Steps should be taken well in advance of the event to ensure that a chief steward and a sufficient number of trained stewards has been appointed. Training of stewards will not only involve providing clear instructions on the extent and limits of their responsibilities, but also giving advice on how to handle a range of unforeseen and difficult circumstances. Training must also ensure that stewards are fully aware of the provisions of public order legislation.

Some of the points to be covered will include basic first aid and crowd management. The number of stewards required will be influenced by the size of the public procession, the length of the route to be covered and the nature of the route. In built-up areas, for example, it may be necessary to ensure that there are stationary

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as well as mobile stewards. It will also be necessary to ensure that stewards seek to ensure that supporters, as defined by the 1998 Act as amended, behave in an orderly and dignified manner where they are in proximity to the public procession.

It will be necessary to provide a clear and prominent means by which stewards might be identified by members of the public as well as public procession participants and police officers. They should also have an effective means of communication. All stewards must be fully aware of any conditions imposed on the public procession by the Commission.

2.5 Providing Notice

The Public Processions (Northern Ireland) Act 1998 enacts the general rule that at least 28 days advance notice of a public procession is provided to the police on a prescribed form. The form must be fully completed and signed by the public procession organiser and handed in to a police officer, not below the rank of sergeant, at the police station nearest to the place of commencement of the public procession.

While there is no legal obligation to do so, there is no reason why notice should not be served for a series of proposed public processions for the year ahead. Doing so will help everyone in the planning process.

2.6 Preparation – The Event

Good preparation along the lines described above will help to ensure a successful event. On the day, it will be important to ensure that stewards and participants are fully aware of the route, of any last minute adjustments, and of the need to comply with any conditions or agreements to which the organisers have agreed, or which have been imposed by the Commission. Appendices A and B provide more detailed guidance on behaviour on the day.

Stewards should be particularly aware of any such details and should know how to contact police and organisers.

Participants should also be aware of the provisions in the Public Processions (Northern Ireland) Act 1998 relating to the consumption of alcohol. These give the police power to require the surrender of alcohol in certain circumstances: where a person is consuming alcohol and is taking part – or is about to take part – in a public procession, or who is present at or in the vicinity of any place on the route of a public procession.

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The police also have power to require alcohol to be handed over where it is in the possession of someone travelling in a passenger vehicle (adapted to carry more than 8 passengers, eg a minibus or bus) which is travelling to a public procession.

It will also be important to ensure that all participants, including bands, have clear information on any arrangements to ensure rapid and peaceful dispersal.

3. RELATED PROTEST MEETINGS

Protest meetings related to a public procession are a legitimate expression of concerns about, or opposition to, that public procession. In the same way as there are responsibilities on a public procession organiser to ensure that a public procession is organised to the highest possible standard compliant with legislation, there is a responsibility on the organiser of a protest meeting related to a public procession to ensure that the protest meeting meets the highest possible standards and is carried out in a dignified manner and in compliance with legislation.

Providing Notice

Section 7 of the Public Processions (Northern Ireland) Act 1998 requires a person proposing to organise a protest meeting that is related to a public procession to give, where practicable, a minimum of 14 days notice of that proposal to the police on a prescribed form. The form must be signed by the organiser and handed in to a police officer, not below the rank of sergeant, at the police station nearest to the place at which the related protest meeting is to be held.

Location

The related protest meeting organiser should consider the proposed location of a related protest meeting to ensure that the related protest meeting does not obstruct unreasonably the legal rights of other persons or the free flow of traffic.

Timing

Related protest meetings should begin and end at the times stated on the prescribed form. These timings should be regarded as definitive and not merely a rough guide. Protest meeting organisers should be aware of the difficulties that could arise if a related protest meeting, and any related security operation, goes on past the notified time in a sensitive or difficult location.



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Stewarding

The proper control of those taking part in a related protest meeting will be enhanced by proper stewarding. The organiser should ensure that a chief steward and a sufficient number of trained stewards are appointed well in advance of the protest meeting. Stewards must have clear instructions on the extent and limits of their responsibilities, and on how to handle a range of unforeseen and difficult circumstances. Stewards must also be fully aware of the provisions of public order legislation.

Some of these points will include basic first aid training and crowd management. The number of stewards required will be influenced by the size of the protest meeting, and the nature of the area in which it will take place. It will be necessary to provide clear and prominent means by which stewards will be recognised by members of the public, by participants in the protest meeting, and by police officers. Stewards should also have an effective means of communication, and must be fully aware of any conditions which the Commission has imposed on the related protest meeting.

Appendix C provides guidance on general behaviour for anyone participating in a protest meeting against a public procession.



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APPENDIX A

Guidance for Anyone Participating in Public Processions

The following guidance for participants should be observed, in addition to any constraints or conditions agreed beforehand with local residents or imposed by the Parades Commission:

A. Behaviour

All participants, and supporters associated with or accompanying the public procession, should:

- behave with due regard for the rights, traditions and feelings of others in the vicinity;
- refrain from using words or behaviour which could reasonably be perceived as being intentionally sectarian, provocative, threatening, abusive, insulting or lewd;
- obey the lawful directions of public procession organisers and stewards at all times, from assembly to dispersal;
- abide by the conditions of this Code of Conduct;
- comply with police directions and in accordance with legislation.

B. Dress

No paramilitary-style clothing is to be worn at any time during a public procession.

C. Public Procession

Whenever possible, the public procession should be positioned on one side of the carriageway so as to allow for the free flow of traffic, or as otherwise stipulated by police.

D. Route

Participants, and supporters associated with or accompanying the public procession, should keep to the designated route as directed by the police.

E. Alcohol

Alcohol should not be consumed immediately prior to, or during a public procession. An organiser or steward, who believes a participant to be under the influence of alcohol, should take the necessary measures to remove that person from the public procession.



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F. Bands and Music

Each band must clearly display its name. Restrictions on the playing of music will be in accordance with the conditions as set out in Appendix B of this Code. No musical instrument will bear any inscription or mark of a proscribed organisation.

G. Flags etc.

Flags and other displays often have a legitimate historical significance, but in no circumstances should such items relating to a proscribed organisation be displayed.

H. Stewards

The names of stewards will have been notified to the police and the Parades Commission at the time of notifying the proposed public procession.

Stewards should:

- be properly trained;
- be briefed by the organisers prior to the public procession;
- carry proof of their status at all times during the event, and provide this information to police on request;
- be fully aware of their responsibilities and role;
- be highly visible by means of jackets, singlets, armbands, etc.
- not consume alcohol before or during the public procession;
- co-operate with the police;
- be prepared to identify to the police any persons in the public procession who may be committing any offence against criminal law.

I. Policing

Organisers of public processions must co-operate with the police from the time of submission of the notice of intention to organise a public procession until the public procession disperses.

J. Dispersal

When a public procession has concluded, all those taking part must disperse immediately. It will be the responsibility of the organiser to ensure compliance with instructions in this regard.

K. Abiding by Conditions

Organisers must ensure that all participants in any public procession have been informed of any conditions imposed. As a general principle, the organiser is responsible for the behaviour of all participants and for ensuring compliance with the Code of Conduct.



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APPENDIX B

Guidance for Anyone Participating in Public Processions in the Vicinity of Sensitive Locations

A. Places of Worship

Only hymn tunes should be played.

When church services are taking place, no music should be played.

There should be no irreverent behaviour.

Marching should be dignified.

B. War Memorials and Cemeteries

Only hymn tunes should be played.

Behaviour should be respectful.

Marching should be dignified.

C. Where the Majority Population of the Vicinity are of a Different Tradition, and in Interface Areas

Behaviour should be respectful.

There should be no excessively loud drumming.

Participants should refrain from conduct, words, music or behaviour which could reasonably be perceived as intentionally sectarian, provocative, threatening, abusive, insulting or lewd.

Marching should be dignified.



APPENDIX C:

Guidance for Anyone Participating in Lawful Protest Meetings Against a Public Procession

A. Behaviour

While there is a right to lawful protest, it is to be exercised responsibly. All participants in related protest meetings should:

- behave with due regard for the rights, traditions and feelings of others in the vicinity;
- not attempt to stop, impede or otherwise interfere with a legal public procession;
- avoid using words or behaviour which could reasonably be perceived as intentionally sectarian, provocative, threatening, abusive, insulting or lewd;
- obey the lawful directions of protest meeting organisers and stewards at all times, from assembly to dispersal;
- abide by the conditions of this Code of Conduct;
- comply with police directions and in accordance with legislation.

B. Dress

No paramilitary-style clothing is to be worn at any time during a related protest meeting.

C. Location

Related protest meetings should be positioned so as not to obstruct a legal public procession or the free flow of traffic. They must comply with any requirement of the police in this regard.

D. Alcohol

Alcohol should not be consumed immediately prior to, or during a related protest meeting. An organiser or steward, who believes a participant to be under the influence of alcohol, should take the necessary measures to remove that person from the related protest meeting.

E. Flags

No flags or other displays relating to a proscribed organisation should be displayed during a related protest meeting.

F. Stewards

The names of stewards will have been notified to the police and the Parades Commission at the time of notifying the proposed related protest meeting.

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Stewards should:

- be properly trained;
- be briefed by the organisers prior to the related protest meeting;
- carry proof of their status at all times during the event, and provide this information to police on request;
- be fully aware of their responsibilities and role;
- be highly visible by means of jackets, singlets, armbands, etc.
- not consume alcohol before or during the related protest meeting;
- co-operate with the police;
- be prepared to identify to the police any persons in the public procession who may be committing any offence against criminal law.

G. Policing

Organisers of related protest meetings must co-operate with the police from the time of submission of the notice of intention to hold a related protest meeting until the related protest meeting disperses.

H. Dispersal

When a related protest meeting has concluded, all those taking part must disperse immediately. It will be the responsibility of the organiser to ensure compliance with police instructions in this regard.

I. Abiding by Conditions

Organisers must ensure that all participants in any related protest meeting have been informed of any conditions imposed by the police. As a general principle, the related protest meeting organiser is responsible for the behaviour of all participants and for ensuring compliance with the Code of Conduct.



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