



FREEDOM OF INFORMATION REQUEST



Request Number: F-2015-00128

Keyword: Operational Policing

Subject: Correspondence Relating to South Belfast Parade 2014

Request and Answer:

Question

Under the Freedom of Information Act, I would like to request details of correspondence sent and received by the PSNI in relation to a parade held last year in south Belfast (Ref: PAR\61591).

The details of the July 31st 2014 parade can be found here:

<http://www.paradescommission.org/viewparade.aspx?id=49450>

Please disclose the following:

- A copy of all correspondence (redacted where appropriate if necessary) sent and received since August 2014 in relation to the parade.
- A copy of any reports or evaluations (redacted where appropriate if necessary) compiled in relation to the parade.

Please note, I will not accept the imposition of qualified exemptions on a blanket basis. I would appreciate, at the very least, evidence that an attempt has been made to make a partial disclosure of available information in a redacted form.

Clarification

To clarify my request, the time period does not relate to the second query. However, if this would result in the request being refused due to the FOI Act's time and/or cost constraints, please feel free to apply this time limit to the second part.

Answer

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- Disclose information in response to all of your questions, subject to the deletion of information pursuant to the provisions of Section 40, Section 31, and Section 38 of the Freedom of Information 2000 (the Act).

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31 (1) (a) (b) – Law Enforcement

Section 38 (a) and (b) – Health and Safety

Section 40 (2) (a) (b) by virtue of Section 40 (3) (a) (i)- Personal Information

Section 40 Personal Information is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure. This is so because personal data is governed by other law (The Data Protection Act 1998).

To answer your request would require the release of personal details about individuals other than the applicant. The names of police officers could be used in conjunction with other information which may already be in the public domain or which may become available in the future to compromise their security. The PSNI have a duty of care to ensure the safety of police officers. A release under the Freedom of Information Act is considered to be a release to the public at large. This would be a breach of the Data Protection Act and is catered for within Freedom of Information by the exemptions under Section 40(2) as outlined below.

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any of the data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly.

Members of staff and the public are entitled to protection under the Data Protection Act 1998. The Service would be failing in its lawful duty were it to breach the Data Protection Act in order to furnish a disclosure under the Freedom of Information Act 2000. The Service has a duty to protect the personal data of all individuals. Therefore, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Both Section 31 and Section 38 are prejudice based qualified exemptions and this means that the public authority is required to provide harm that could occur following disclosure of the requested information and must consider the balance of the public interest in releasing the information against the public interest in withholding it.

The summary of the Harm and Public Interest considerations for Sections 38 and 31 are provided below:

Harm

The release of this information would allow criminals to identify the number of police officers that are used to police parades and they would be likely to see this as an opportunity to commit crime against participants in the parades or in the locations they are taking place, therefore both directly and indirectly impacting on the prevention and detection of crime and the apprehension of criminals by

the PSNI.

Disclosure of the names of persons in various roles within PSNI and members of the public could put these individuals at risk and impact on their safety. The disclosure of this level of information would likely be valuable intelligence for terrorist groups thereby exposing both officers and community at large to risk of attack. The Service is currently under threat from terrorists and releasing names of personnel could assist these terrorists in targeting individuals.

Public Interest Test

Factors favouring release - Section 31

Release of this information could inform how public money is spent and provide an insight into resources used in law enforcement and in this case in the planning and policing of parades.

Factors favouring retention - Section 31

Disclosure could reveal resource levels and capabilities within the PSNI. Disclosures of this information could compromise law enforcement tactics which could potentially lead to more crime being committed and individuals being placed at risk. The use of this type of information may be of particular concern in light of the nature and extent of the prevailing terrorist threat. It may also be used by criminals/terrorists in combination with other information they have gathered to try and prejudice law enforcement.

Factors favouring release – Section 38

The considerations favouring release in this case are generic and arise from the purpose and rationale for Freedom of Information legislation. The factors outlined above in favour of release under Section 31 are therefore also relevant to Section 38.

Factors favouring retention – Section 38

Release of this information would be likely to place at risk the lives of officers and the public. This is because the detailed information in question would be useful to terrorists planning to carry out attacks on police, which have in the past been known to be indiscriminate in nature, therefore endangering unsuspecting bystanders in addition to the intended target.

Decision

The PSNI has a duty to fulfil its law enforcement function and whilst there is a public interest in the transparency of policing activities and the appropriateness of how public funds are allocated, in the policing of parades, the delivery of effective law enforcement is of paramount importance. Disclosing information regarding parades could also assist any protesters to cause disruption at any future parades and carry out attacks on the police, which have the potential to endanger both the lives of police officers and / or members of the public. Once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a disclosure to the world in general.

The Service is currently under severe threat from terrorists and disclosure of this level of information has the potential to assist those criminal elements seeking to carry out attacks against police officers. The Police Service will not disclose information that will put officers' lives at risk as the safety of individuals is of paramount importance.

In this case I am satisfied that both exemptions at Section 31 and Section 38 are applicable to this information. This therefore should be considered a refusal notice in relation to this request.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

MEMORY TRANSMISSION REPORT

TIME : 09-06-2014 09:03
 TEL NUMBER : 02890700842 21842
 NAME : OPS PLANNING EVENTS PSNI MUSGRAVE

FILE NUMBER : 443
 DATE : 09-06 09:01
 TO : 990322988
 DOCUMENT PAGES : 008
 START TIME : 09-06 09:01
 END TIME : 09-06 09:03
 SENT PAGES : 008
 STATUS : OK
 FILE NUMBER : 443

***** SUCCESSFUL TX NOTICE *****

Personal, Professional, Protective Policing



NOT PROTECTIVELY MARKED

For Commission Use Only
 ID

**NOTICE OF INTENTION TO ORGANISE A PUBLIC PROCESSION
 FACSIMILE MESSAGE**

To	Parades Commission	Parade	Ballynafelgh/Annadale Cultural/Heritage Soci
Fax	028 9032 2988 or 028 9024 8882	Date	31st July 2014
Phone	028 9089 5900	From	Ops Planning Musgrave
Parades Commission Liaison Officer		Pages	This + 7
Fax:	[REDACTED]		

- 1 Is this notification an annual parade? NO
 - 2 Does this parade pass through any other District? NO
 - 3 Has this parade previously been subject to a determination? NO
 - 4 Are there any local concerns or sensitivities which the Commission should be made aware of? NO
- If you have answered yes to questions 2, 3, or 4 please provide a brief explanation.

(Questions 5-7 to be completed only when less than 28 days' notice has been given)

- 5 Reasons given for the late notification
- 6 What is the view of the District Commander on the reasons given for late notification?
- 7 Any other exceptional reasons?

Contact Name [REDACTED] Rank Constable
 Station Musgrave Tel No [REDACTED]

Form 11/4
 05/11

s.F40
 s.F40(2)
 s.F40(2)(a)
 s.F40(2)(b)
 s.F40(3)(a)
 s.F40(3)(ai)

NOT PROTECTIVELY MARKED



NOT PROTECTIVELY MARKED

For Commission Use Only
ID

NOTICE OF INTENTION TO ORGANISE A PUBLIC PROCESSION

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Phone	028 9089 5900	From	Ops Planning Musgrave
Parades Commission Liaison Officer Fax: 9056 1643/Internal 33643		Pages	This + 7

- | | | |
|---|---|----|
| 1 | Is this notification an annual parade? | NO |
| 2 | Does this parade pass through any other District? | NO |
| 3 | Has this parade previously been subject to a determination? | NO |
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-
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-
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Contact Name	[REDACTED]	<u>s.F40</u>	<u>s.F40(2)</u>	<u>s.F40(2)(a)</u>	<u>s.F40(2)(b)</u>
Station	Musgrave	<u>s.F40(2)(a)</u>	<u>s.F40(2)(b)</u>	<u>s.F40(3)(a)</u>	<u>s.F40(3)(ai)</u>
		<u>s.F40(3)(a)</u>	<u>s.F40(3)(ai)</u>		
		<u>s.F40(3)(ai)</u>			



Form 11/1 ✓

NOTICE OF INTENTION TO ORGANISE A PUBLIC PROCESSION

Section 6 of the Public Processions (Northern Ireland) Act 1998

Organising body BALLYNAFEIGH AND ANNADALE CULTURAL AND HERITAGE SOCIETY BELFAST
Location of parade (for example, town) BELFAST (ORMEAU RD) Date of parade 31.7.14

Notes for organisers

- This notice must be completed by the organiser of a public procession¹. Your refusal or failure to complete all relevant sections of this notification form may mean that you have not satisfied the statutory requirement for advance notice. The Parades Commission may refuse to accept an incomplete form.

Warning

Any person who organises or takes part in a public procession shall be guilty of an offence if:

- the requirements as to notice have not been satisfied;
 - the parade is held on a date, at a time or along a route which differs from those specified in this notice.
- You should read the Parades Commission's booklet 'A Code of Conduct', and ensure that marshals are also familiar with it, as failure to comply with the Code will be taken into account by the Commission in consideration of any future notice. Copies may be obtained from your local police station or from the Parades Commission (028 9089 5900).
 - The parade organiser must ensure that all participants, and in particular the marshals, have been informed before the start of the parade of any conditions imposed by the Parades Commission.
 - This notice must be submitted to a member of the police not below the rank of sergeant, at the police station nearest to the proposed starting place of the procession. It must be submitted not less than 28 days before the date of the procession or, if that is not reasonably practicable, as soon as is reasonably practicable to do so.
 - If notification is less than the required 28 days, you must complete the section below.

Reason for delay

- Please complete in CAPITALS and in black ink.
- If there is not enough room in any section, please continue on a separate sheet.

¹This notice is not required in respect of funeral processions or processions held by the Salvation Army along a route customarily followed by them.

Part 1 - Organiser's details			
Organising body	BALLYNAFEIGH AND ANNADALE CULTURAL AND HERITAGE SOC		
Name of person organising parade	[REDACTED]	s.F40	
Home address	[REDACTED]	s.F40(2)	
		s.F40(2)(a)	
		s.F40(2)(b)	
		s.F40(3)(a)	
		s.F40(3)(ai)	
Telephone No	Home N/A	Work	Mobile [REDACTED]

Part 2 - Procession details

General information (If you intend to parade out to a location and then parade back from there, fully or even partly along your outward route, then you must give details of both the outward and return routes and the timings etc as set out below)

Outward parade	Date 31.7.2014		
	Assembly	Time 7 am/pm	Place BALLYNAFEIGH ORANGE HALL
	Dispersal	Time 11 am/pm	Place ANNADALE FLATS
	Purpose OPENING OF A MEMORIAL GARDEN		

Return parade	Assembly	Time	am/pm	Place
	Dispersal	Time	am/pm	Place

Anticipated number of participants (including band members)	500	Number of bands	2 1 ¹⁸	Likely number of supporters	300
---	-----	-----------------	------------------------------	-----------------------------	-----

Will there be a street collection in conjunction with the procession? (Note: If 'Yes', a separate application to the police is required)	Yes	<input checked="" type="radio"/> No
---	-----	-------------------------------------

Will uniform/regalia be worn?	<input checked="" type="radio"/> Yes	No
-------------------------------	--------------------------------------	----

Will banners/flags be carried?	<input checked="" type="radio"/> Yes	No
--------------------------------	--------------------------------------	----

In this regard, the attention of organisers and marshals is particularly drawn to paragraphs B, F and G of Appendix A to the Code of Conduct.

If the purpose of the procession is to attend a religious service/public meeting, please provide the following details:

Location of service/meeting	
Starting time	am/pm
Finishing time	am/pm

Part 2 - Procession details (cont'd)

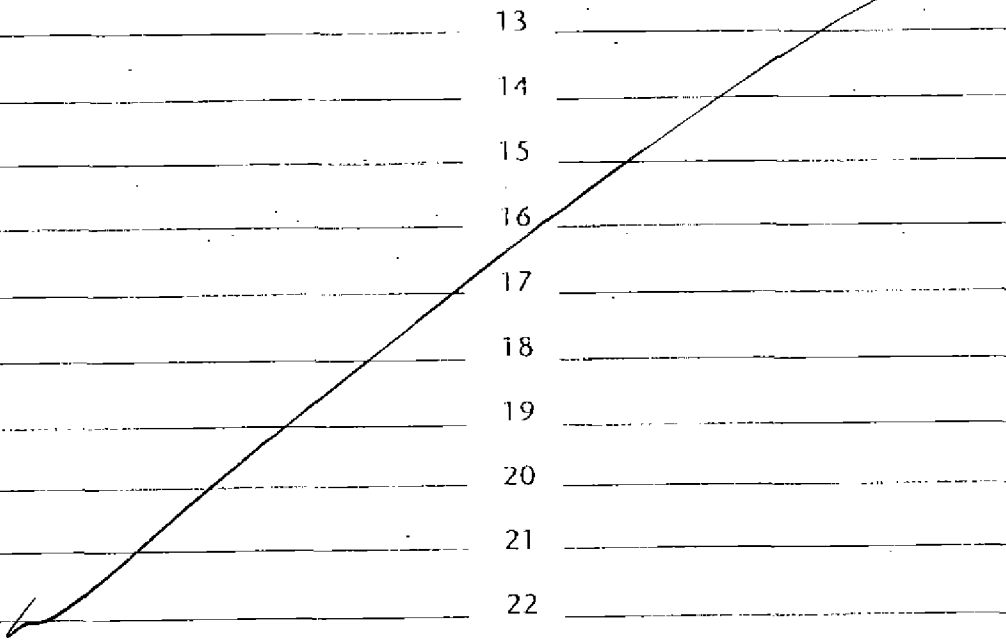
Proposed route (name all streets in order)

In addition, you may wish to include a map outlining the proposed route.

Outward journey: starting time 7 am/pm

- 1 ORMEAU ROAD 13
- 2 AVA AVE 14
- 3 DERLETT STREET 15
- 4 BLACKWOOD STREET 16
- 5 KIMBERLEY STREET 17
- 6 SUNNYSIDE STREET 18
- 7 ANNADALE FLATS 19
- 8 HAYWOOD AVE 20
- 9 HAYWOOD DRIVE (FINISH)
- 10 _____ 22
- 11 _____ 23
- 12 _____ 24

Return journey: starting time _____ am/pm

- 1 _____ 13
 - 2 _____ 14
 - 3 _____ 15
 - 4 _____ 16
 - 5 _____ 17
 - 6 _____ 18
 - 7 _____ 19
 - 8 _____ 20
 - 9 _____ 21
 - 10 _____ 22
 - 11 _____ 23
 - 12 _____ 24
- 

Is more than one circuit of the route proposed?

Yes No

Part 2 - Procession details (cont'd)

Organiser's control arrangements

The booklet 'A Code of Conduct' has been prepared as a source of advice for those organising parades and marches for any purpose in public places. 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.

How many marshals will be in attendance? Please give their names (*this information must be provided*).

1.
2.
3.

Have they had formal training?

Yes No

s.F40 s.F40(2) s.F40(2)(a) s.F40(2)(b)
s.F40(3)(a) s.F40(3)(ai)

If 'Yes', please give details _____

What form of identification will be worn by marshals?

Armbands

Coats

Other

If 'Other' please give details _____

What method of communication will there be between the organiser and marshals during the parade?

Mobile telephone

Radio

Verbal

Other

If 'Other' please specify _____

What method of communication will there be between:

Organisers/marshals
and police?

Mobile
telephone

Radio

Verbal

Other

Organisers/marshals and
other emergency services?

Mobile
telephone

Radio

Verbal

Other

If 'Other' please specify _____

Part 3 - Details of accompanying bands (cont'd)

Name of band	Town of origin	No. of people in band
SANDY ROW FIRST FLUTE	BELFAST	35
PRIDE OF LAGAN VALLEY	BELFAST	30
BALLNAFEIGH APPRENTICE BOYS	BELFAST	30
FINAGHY TRUE BLUES	BELFAST	35
DUNMARRY PROD BOYS	BELFAST	35
UPPER FALLS PROD BOYS	BELFAST	40
TULLYCARNET	BELFAST	40
CLOUGHFEAN	GLENGARMELLY	40
LISBURN FUSHERS	LISBURN	30
CROWN DEFENDERS	CLOUGHMILLS	40
GERTRUDE STAR	BELFAST	50
BALLYMACASH	LISBURN	30
NORTH DOWN DEFENDERS	NEWTONARDS	35
LAMBEG ORANGE + BLUE	LISBURN	30
PRIDE OF KNOCKMORE	LISBURN	35
IMPERIAL BLUES	SCOTLAND	20
NORTH DOWN FIRST FLUTE	NEWTONARDS	35
PRIDE OF THE BAWN	COLERAINE	40
GIANTS CAWSWAY	BUSHMILLS	40
DOLLINGSTOWN STAR OF THE NORTH	DOLLINGSTOWN	40
OMAGH TRUE BLUES	OMAGH	40
SOUTH BELFAST YOUNG CONCOR.	BELFAST	40

Part 4 - Details of further destinations

(To be completed where it is intended that the procession members/bands will travel collectively to a further destination.)

Will the procession be travelling to another town or place?

Yes

No

If 'Yes', please give the following details:

Destination _____ Time of departure _____ am/pm Place of departure _____

What method of travel will be used?

Bus

Car

Train

Towns on route to destination:

Intermediate stops _____

Time of arrival _____ am/pm

Arrival point _____

After arrival, do you intend to parade?

Yes

No

If 'Yes', please note that if you are the organiser of a procession at a different location, a separate notice must be handed to the police at that location in respect of each procession.

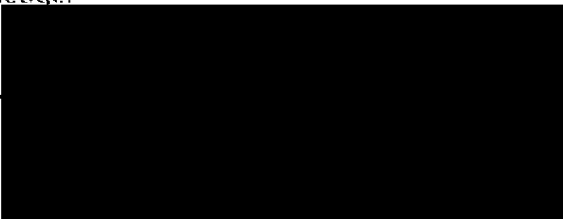
What is the intended return route?

Final destination _____ Time of arrival at final destination _____ am/pm

Declaration and signature of the organiser

I confirm that I have read and understood the booklet 'A Code of Conduct' and that I am aware of my responsibilities as a parade organiser. I confirm that the information I have given is correct to the best of my knowledge.

Signature



s.F40

s.F40(2)

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai)

Date

7.6.14

Part 5 - For Police Use

(To be completed by Police Officer not below rank of sergeant)

Notice handed in by:

Name

Address

Telephone number

s.F40

s.F40(2)

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai)

Notice received on:

Date 7/6/14 Time 1252 ~~am~~/pm

Checklist:

- All sections of form complete? Yes No
- If 'No', I have advised the organiser/person notifying the parade that a form containing inadequate or insufficient details may not satisfy the statutory requirement for advance notice, in which case it will not be accepted by the Parades Commission; and that persons organising or taking part in a parade for which the statutory requirement for notice has not been satisfied may be guilty of an offence.
- I have offered the organiser/person notifying the parade a copy of the Parades Commission's statutory documents: A Code of Conduct; Procedural Rules; and Guidelines. BOOKLET DATED 2004 ISSUED TO

Name

Rank

Station

Date faxed to Parades Commission

s.F40

s.F40(2)

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai)

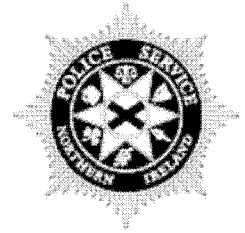
Part 6 - For Parades Commission use

Received and checked by: (initials)

Date

Data input by: (initials)

Date



NOT PROTECTIVELY MARKED
POST PUBLIC PROCESSION RETURN
FACSIMILE MESSAGE

To Police Service of Northern Ireland Parades Commission Liaison Officer

From Ops Planning Strandtown

Fax [REDACTED] Pages This + 0

Phone [REDACTED] Date Sat 04/05/13

Re Post Procession Return in relation to: Ballynafeigh Cultural / Heritage Society Parade

Date, Time and Venue of Procession From 1900hrs 31st July 2014, Ormeau Rd to Hayward Drive, Belfast.

Organisation[s] involved The Ballynafeigh Cultural and Heritage Society

Was a determination by the Commission issued? Yes No

Was there a protest meeting involved? Yes No

Please give a brief résumé of the procession including numbers of bands and marchers, any disorder/breaches of codes of conduct by procession and/or protesters. [Please include any significant damage to property etc.]

At 7.10pm 16 bands paraded the notified route from Ormeau Road to Haywood Drive. Police received two reports of band members urinating in public which is being investigated. A UDA banner was on display and a plaque was unveiled in remembrance of local deceased UDA members. There was no disorder. There was no damage to any property.

Were any arrests effected? Yes No

What were the arrests for? (please specify) _____

Are any follow up arrests planned? Yes No

If prosecutions follow an update must be submitted in due course.

Contact Name	[REDACTED]	s.F40 s.F40(2)	Rank	T/Insp	s.F40 s.F40(2)
Station	Musgrave	s.F40(2)(a) s.F40(2)(b) s.F40(3)(a) s.F40(3)(a)	Tel No	[REDACTED]	s.F40(2)(a) s.F40(2)(b) s.F40(3)(a) s.F40(3)(a)

POLICE SERVICE OF NORTHERN IRELAND

Form 11/2 (a)
APPENDIX 'A'

Event File Ref : EF/ B/149/14

POLICE DEPLOYMENTS

'B' District

SENIOR OFFICER



Name

s.F40

s.F40(2)

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai)

Date

INSPECTOR

Rank

Event BALLYNAFEIGH CULTURAL AND HERITAGE PARADE

THURS 31st JULY 2014

Ser N ^o	Location	Call Sign	Personnel/Strength	(1) Nature of Duty (2) Trouble Anticipated (3) Times Points to be Manned	This Section to be completed by the Officer i/c Serial & handed in after the event.				
					Costing Information				
					Hours Worked	Overtime			
					x 1 1/3	x 1 1/2	x 2	x 2 PH	
1	Supervision	BD 10		1. Parade duty					
2	Supervision	BD 60		2. Trouble is not anticipated					
3.	Ormeau Rd / Sunnyside St.	BB900		3. Parade 1800hrs Lisburn Rd On Points 1845hrs.					
				<ul style="list-style-type: none"> Overall Supervision of all points. Liaise with parade organisers at assembly point. Facilitate parade to form up and escort throughout route in 'B' District. 					

s.F38
s.F38(1)
s.F38(1)(a)
s.F38(1)(b)

Totals By Rank

Insp					
Sgt					
Con					

POLICE SERVICE OF NORTHERN IRELAND

Form 11/2 (a)
APPENDIX 'A'

Event File Ref : EF/ B/149/14

POLICE DEPLOYMENTS

s.F38
s.F38(1)
s.F38(1)(a)
s.F38(1)(b)

Ser N ^o	Location	Call Sign	Personnel/Strength	(1) Nature of Duty (2) Trouble Anticipated (3) Times Points to be manned	This Section to be completed by the Officer i/c Serial & handed in after the event.					
					Costing Information					
					Hours Worked	Overtime				
					x 1 1/3	x 1 1/2	x 2	x 2 PH		
4.	Ormeau Bridge (Land rover)	BB 80		<ul style="list-style-type: none"> • [Redacted] • [Redacted] 1. [Redacted] 2. [Redacted] 3. [Redacted] • [Redacted] 						
5.	Anadale Embankment Kings Bridge	BB902		<ul style="list-style-type: none"> • [Redacted] 						
6.	Ormeau Road	BB903		<ul style="list-style-type: none"> • Escort parade front and rear implementing traffic diversions as required. 						
7.	Motorcyclists	BD 102 BD 103		<ul style="list-style-type: none"> • Assist main parade to form up and escort implementing traffic diversions as required. • Advise other call signs when to implement / lift diversions. 						
Totals By Rank					Insp					
					Con					



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

RESTRICTED

Event file Ref: EF/B/149/14

Operational Order

Ballynafeigh Cultural / Heritage Society Parade

Event

Ballynafeigh

Location

Thursday 31st July 2014

Date

s.F40 s.F40(2) s.F40(2)(a) s.F40(2)(b)
s.F40(3)(a) s.F40(3)(ai)

Prepared by:

██████████

Name

s.F40

s.F40(2) Constable

s.F40(2)(a) Rank

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai)

██████████

Number

Musgrave

Station / Unit

Contents

Section	Title	Page(s)
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4.	Method	
5.	Administration	
6.	Communications	
7.	Human Rights	
''		
Appendix 'A'	Police Deployments	
Appendix 'B'		
Appendix 'C'		
Appendix 'D'		

OPERATIONAL ORDER (MINOR EVENT)

Ref: EF/ B /149/14

1. **INFORMATION**

The Ballynafeigh Cultural and Heritage Society have informed Police and the Parades Commission that they intend to hold a parade on Thursday 31st July 2014.

The parade will assemble at 1900hrs at the Ballynafeigh Orange Hall, Ormeau Road, Belfast, moving off at 1930hrs along the following route:-

Ormeau Road – Ava Avenue – Derlett Street – Blackwood Street – Kimberly Street – Sunnyside Street – Anadale Flats – Haywood Ave – Haywood Drive to finish.

500 participants and 18 bands are expected.

1.1 **Dispersal**

The purpose of the parade is to open a new memorial garden in Anadale Flats. There will be some speeches in it before the parade disperses. **There will be no return parade.**

INTENTION

2. **Policy**

The Police intention for this event is based on the Chief Constable's policy in respect of policing public events (including Public Processions). This states:

'It is our aim to provide a high quality, effective policing service to all the people of Northern Ireland. We will work to achieve this in partnership with the community and in co-operation with other agencies. In policing public events this aim will be to the fore. The human rights of all those affected by such events will be central to all stages of police preparations and subsequent actions. It is recognised that not all human rights are absolute rights and in some instances the rights of individuals must be balanced with those of others, including those of differing and wider communities'.

2.1 **Intention**

The Police intention in respect of this event is

1. Ensure the safety of those attending the parade.
2. Ensure the safety of the general public in the area
3. Minimise disruption to traffic.
4. Ensure no one interferes with the parade.
5. Ensure the safety of Police on duty.

3. **RISK ASSESSMENT**

s.F40 s.F40(2) s.F40(2)(a) s.F40(2)(b)s.F40(3)(a) s.F40(3)(ai

3.1 Insp [REDACTED] Musgrave, has carried out a Risk Assessment in respect of this operation.

No special Risk factors have been identified. Unless otherwise mentioned, the generic the generic risk assessments for the particular activity apply

4. **METHOD**

s.F40 s.F40(2) s.F40(2)(a) s.F40(2)(b)s.F40(3)(a) s.F40(3)(ai

4.1 **Senior Officer**

	Officer	Station /Unit	Call Sign	Duty Location
Senior Officer	[REDACTED]	Lisburn Road	BD10	B District

4.2 **Summary of Resources**

The following Human Resources will be used for this operation:

Resource	ACC	C/Supt	Supt	C/Insp	Insp	Sergt	Const	Other
Local Uniform	[REDACTED]							
Local Roads Policing								
Local 'C' Department								
Local TSG								
Local other								
TOTAL LOCAL								
Outside uniform								
Outside TSG								
Outside other								
TOTAL OUTSIDE								
GRAND TOTAL								

s.F31(1) s.F38(1)

s.F31(1)(a) s.F38(1)(a)

s.F31(1)(b) s.F38(1)(b)

4.4 **Duties of Personnel Involved.**

The duties of all personnel involved in this operation are attached at **Appendix A**

4.5 **Evidence Gathering Teams.**

N/A.

4.6 **Complaints**

Duty Inspector, Lisburn Road will act as complaints officer for this event.

4.7 **Prisoners**

Prisoners will be conveyed as directed by Belfast Regional Control.

4.8 **PUBLIC CONFIDENCE**

The importance of communication- Personal, professional, effective communication is at the heart of building confidence in our ability to recognise and deal with the issues that matter locally. It is critically important that officers consider first impressions when engaging with the public. Ensure you look professional and act professionally. Treat people as you would expect to be treated yourself and remember " Courtesy is an essential quality and one which will smooth many a path !!"

Prisoners will be conveyed as directed by Belfast Regional Control.

4.9 **Welfare Officer**

Duty Inspector, Lisburn Road.

4.10 **Press**

No member of the service will make any statements to the press without the approval of the Senior Officer. It is essential that the Police maintain a good relationship with the news media. Reporters and photographers should be treated with tact, courtesy and consideration and should be facilitated as far as reasonable and practical, consistent with police requirements. Any incidents likely to be used by the media must be reported as soon as possible to the relevant Senior Officer. The Press Office will be briefed reference this event.

4.11 **TSG**



s.F31
s.F31(1)(a)
s.F31(1)(b)

5. **ADMINISTRATION**

5.1 **Heli-Tele / Air Support Unit**

N/A

5.2 **C Department Involvement**

Any intelligence provided by C3 will be disseminated to all personnel.

5.3 **Dog Section.**

N/A

5.4 **Transport**

Local vehicles

5.5 **Time and place to report.**

1800hrs, Lisburn Road

s.F40s.F40(2)s.F40(2)(a)s.F40(2)(b)

5.6 **Briefings**

s.F40(3)(a) s.F40(3)(ai)

	Date	Time	Location	Officer(s) Conducting
Main Briefing	31/07/14	1800hrs	Lisburn Road	

5.7 **Dress Code**

- Local personnel will deploy in uniform beat and patrol equipment including hi visibility jackets for all officers performing traffic duties.
- All supervisors to ensure that officers deployed are wearing correct identification numerals.
- All personnel will wear either ballistic or dual purpose vests, if issued, in compliance with the District Commander's directions.

- All uniform personnel deployed on duty in connection with this parade will wear name badges as defined in PSNI Style Guide Section:4.16b.

5.8 Equipment to be carried

General Beat & Patrol Equipment to be carried including baton, handcuffs and CS Spray if issued

5.10 Traffic

Traffic diversions will be in place during the course of the parade.

5.11 Miscellaneous

Debriefing forms to be completed and returned to Operational Planning.

s.F40
s.F40(2)
s.F40(2)(a)
s.F40(2)(b)
s.F40(3)(a)
s.F40(3)(ai)

Operational Returns

All operational returns and overtime returns are to be forwarded electronically to Inspector [REDACTED] at Ops Planning, post event

Miscellaneous Administration Items

A Command and Control Serial Log will be opened in relation to this event and all related incidents linked to it. This C&C Serial number for this log must be included on the completed operational return

6. COMMUNICATIONS

6.1 Channels

Command channel	B District Event 1
Working channel(s)	As Above
District channel	B District 1

All personnel are reminded of the need to exercise good radio discipline and to keep radio transmissions to a minimum. Official RT call signs as per Service Procedure 19/96 File Box D(b) **MUST** be adhered to. Serial call signs will be listed in the attached 11/2 Personnel Deployments.

6.2 Telephones / Contacts

<u>NAME</u>	<u>ROLE / RANK</u>	<u>TELEPHONE NUMBER</u>
[REDACTED]	Organiser	[REDACTED]

s.F40 s.F40(2) s.F40(2)(a) s.F40(2)(b) s.F40(3)(a) s.F40(3)(ai)

7.0 Human Rights

7.1 Human Rights Act 1998:

The Human Rights Act 1998 incorporates the European Convention on Human Rights (ECHR) into UK Law.

It is imperative that all operational policing decisions are made against the background of the effects of this legislation.

The legislation covers areas such as detention, rights to freedom of thought and expression, rights to protest and the use of force by enforcement agencies.

The following is an extract from Article 1 of the Code of conduct for law enforcement officers:-

“Police Officers shall at all times fulfil the duty imposed on them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

In discharging their duties, Police Officers will be cognisant of the provisions of the UN Code of Conduct for Law Enforcement Officers and of their obligation to uphold Human Rights”.

The following Policy Directive applies: PD 07/07 and PD 12/08.

The following Human Rights may be impacted during this operation:

Art 2 – Right to Life	X
Art 3 – Prohibition of Torture	X
Art 4 – Prohibition of Slavery	
Art 5 – Right to Liberty	X
Art 6 – Right to Fair Trial	X
Art 7 – Right Not to be held Liable	X
Art 8 – Right to Respect for Private and Family Life	X
Art 9 – Right to Freedom of Thought	X
Art 10 – Right to Freedom of Expression	X
Art 11 – Right to Freedom of Assembly	X
Art 12 – Right to Marry	
Art 14 – Prohibition of Discrimination	X
Protocol 1, Art 1 – Protection of Property	X
Protocol 1, Art 2 – Right to Education	
Protocol 1, Art 3 – Right to Free Elections	
Protocol 6, Art 1 – Abolition of Death Penalty	

This operation has considered Section 75 compliance in relation to Age, Gender, Marital Status, Sexual Orientation, Religious Belief, Political Opinion, Race, Disability and Dependants. The operation was assessed to be of neutral impact.

7.2 **Use of Firearms by Police**

The lawful use of firearms by police is governed by guidelines set out in Policy Directive 12/08, Section 3 Criminal Law Act 1967 and Article 88 PACE.

Article 2 ECHR provides that no one shall be deprived of his / her life intentionally however deprivation of life shall not be regarded as being inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary: -

- (i) In the defence of any person from unlawful violence.
- (ii) In order to affect a lawful arrest or to prevent the escape of a person lawfully detained.

- (iii) In action lawfully taken for the purpose of quelling a riot or insurrection.

Policy Directive 12/08 represents the Chief Constable’s policy in respect of the use of firearms by police officers. It complies with the principles of the Human Rights Act 1988 and other international human rights instruments.

“It is our aim to uphold and protect the human rights of all the people of Northern Ireland by providing a high quality, effective policing service in partnership with the community and in co-operation with other agencies. In carrying out our duties, police officers shall, as far as possible, apply non-violent means before resorting to the use of force.

Police officers will only resort to the use of force if other means remain ineffective and there is no realistic promise of achieving the lawful objective without exposing police officers, or anyone whom it is their duty to protect, to a real risk of harm or injury. Whenever police officers resort to the lawful use of force they shall: -

- a) Minimise any interference with human rights.
- b) Exercise restraint in such use and act in proportion to the seriousness of the offence and the lawful objective to be achieved.
- c) Minimise damage and injury.
- d) Ensure that medical aid is secured for any persons requiring it at the earliest opportunity.

If force used by police officers results in death, it will only be justified when the use of force is no more than absolutely necessary and is proportional to the achievement of the aim and perceived threat.

The European Court of Human Rights has interpreted Article 2 ECHR as also imposing a positive obligation on police on police to protect life and that ‘any person’ referred to at (i) above includes victims, bystanders, members of the general public, other police officers and the officer concerned.

In summary, the use of firearms by police will be subject to the most thorough investigation to ensure such use was justified. Members are to be reminded of Force Aide Memoiré booklet on Human Rights Act 1998.

7.3 **Use of Force**

From Legal Services -

Police Officers may use force in order to defend themselves or another, effect an arrest, carry out a lawful power, secure and preserve evidence or uphold the peace, provided such force is lawful, proportionate and reasonable in the circumstances.

	Name	Rank	No	Station/Unit
Operations Manager	██████████	C/Insp	██████████	Musgrave
	s.F40 s.F40(2)	s.F40(2)(a)	s.F40(2)(b)	s.F40(3)(a) s.F40(3)(ai)

Signed:

Date:

s.F40 s.F40(2)

s.F40(2)(a)s.F40(2)(b)

From: [REDACTED] **s.F40(3)(a)s.F40(3)(ai**
Sent: 01 August 2014 12:22
To: [REDACTED]
Subject: : Ballynafeigh Parade 31/08/14
Mervyn,

The two reports surrounding the parade last night are 1258 31/08/14 and 1128 31/08/14. Both relate to members of a band dressed all in black urinating in public. I made a note of the band dressed all in black who were [REDACTED]

s.F38(1)

I just wanted to let you know for future reference.

s.F38(1)(a)

Thanks [REDACTED]

s.F38(1)(b)

s.F40

s.F40(2)

s.F40(2)(a)

s.F40(2)(b)

s.F40(3)(a)

s.F40(3)(ai