



IR70

PROTESTS & CIVIL DISOBEDIENCE

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Contents

POLICY 1

REASON FOR POLICY 2

RELATED POLICIES 3

PROCEDURES 3

 Incident Command 3

 Members’ Response 5

 Prisoner Wagon 5

 Emergent Events 6

 Planned Events 6

 Briefing 7

 Media 8

 Use of Force 8

POLICY

1. Persons are considered to be engaged in protest when, in a public place or place generally accessible to the public, they overtly promote a cause or grievance that may or may not involve the inadvertent commission of offences or temporarily disregarding that an offence is being committed.
2. When it is deemed necessary to provide police engagement in relation to a protest, such engagement is expected to be professional, non-oppressive, and with emphasis on allowing the peaceful and lawful freedom of expression by protesters.
3. Persons are considered to be engaged in civil disobedience when they are publicly flagrantly disregarding the law or otherwise conducting unlawful activity, using non-violent means and accepting of the eventualities of penal sanctions, for the purpose of raising public awareness for a specific cause or grievance.
4. While police officers have both a statutory and common law duty to enforce the law, courts and prosecutors have recognized the exercise of discretion as a paramount consideration, and the B.C. Crown Counsel Manual’s direction encourages police discretion, but recognizes a compelling public

IR70

Protests & Civil Disobedience

IR70



- interest for prosecution if conduct involves actual or apprehended violence, property damage, physical harm or assault, persistent disruption of public activities, or the public interest clearly requires a prosecution.
5. When responding to incidents involving civil disobedience or protest, members are expected to exercise their discretionary powers proportionally, relative to the circumstances, and always in the absence of personally-held bias, and may temporarily permit non-violent unlawful conduct, but should intervene if the rightful public or private use of property is unreasonably or detrimentally interfered with.
 6. In response to civil disobedience, in the absence of a court order directing a peace officer to enforce the order's specific provisions, it is anticipated that engagement and intervention will be immediate, if the conduct of one or more persons, absent intervention, would likely result in:
 - a) a breach of the peace capable of escalating into general mayhem;
 - b) violence against persons causing injury or harm;
 - c) violence to property causing serious damage;
 - d) serious interference with an economic interest; and
 - e) an assault against a member or an attending first-responder.
 7. The Chief Constable shall provide direction to members regarding their response to incidents of protest and civil disobedience through Procedures pursuant to the Policy, or additional directives or guidelines

REASON FOR POLICY

8. Freedom of expression, and the freedom of peaceful assembly are constitutionally-protected rights, but are subject to reasonable limitations.
9. The right to freedom of expression and assembly must be exercised peacefully and not to the detriment of the safety of both the general public and the attending members.
10. To maintain the public peace, respect for the rule-of-law and the public's confidence in the fair and unbiased application of the law.



RELATED POLICIES

- CS27 – Special Events
- CS41 – Media Relations & Social Media
- IC10 – Use of force
- IC40 – Transportation of Persons in Custody
- IR40 – Emergency Command
- IR71 – Labour Disputes

PROCEDURES

Incident Command

11. Incident Command in relation to protests or civil disobedience events shall be one of the following, depending on the circumstances of the event:
 - a) initial and ongoing command by the Duty Officer as Incident Commander, if the event is unanticipated;
 - b) command by an assigned Incident Commander to relieve the Duty Officer or if so assigned in pre-event planning; or
 - c) command in accordance with a *Gold* (strategic), *Silver* (tactical), *Bronze* (operational) *command* structure (GSB Command), if so established in an Operational Plan.
12. The Incident Commander will establish the overall response to the event and will be responsible for the following:
 - a) the deployment of the number of members the Incident Commander assesses to be necessary to maintain or establish the peace, ensure the safety of other members and the public, and protect property;
 - b) callout of the Lower Mainland District Integrated Tactical Support Group (LMDITSG), to support the Department under the Department's command or under LMDITSG command, if determined necessary after consultation with Chief Constable or Deputy Chief i/c Community Policing Bureau;
 - c) deployment and authorization of equipment and tactics;



- d) in the event the LMDITSG is deployed, liaison with the LMDITSG Commander with respect to mission, objectives, deployment and tactics; and
 - e) conducting a debriefing at conclusion of event.
13. The Incident Commander is to assign a Staff Sergeant or Sergeant as Field Commander, and the Field Commander shall be responsible for the following:
- a) assisting in the production of the Operational Plan, if produced;
 - b) conducting pre-event briefings;
 - c) directing the activities of members in direct contact with protesters or persons engaged in civil disobedience, including members' use of force options, implementation of tactics and making arrests;
 - d) providing updates to Incident Commander; and
 - e) ensuring compliance with the overall Operations Plan strategy or other determined strategy when no Operations Plan was able to be prepared.

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]



- [REDACTED]
- [REDACTED]

15. The response, and the supporting strategies or tactics, authorized or directed by the Incident Commander, for use by the Field Commander and members, are to seek to ensure:
- a) public safety of all involved;
 - b) initial contact;
 - c) a graduated tactical approach;
 - d) informed targeted intervention;
 - e) clear concise communication; and
 - f) public awareness of likely police action.

Members' Response

16. Members shall respond to persons engaging in protest or civil disobedience as directed by the Incident and Field Commanders, but may take reasonably necessary action if the conduct of one or more persons, absent the member's intervention, would likely result in:
- a) a breach of the peace capable of escalating into general mayhem;
 - b) violence against persons causing injury or harm;
 - c) violence to property causing serious damage;
 - d) serious interference with an economic interest; and
 - e) an assault against a member or an attending first-responder.

Prisoner Wagon

17. When deployed, two members shall be assigned to the prisoner wagon, and where an Operational Plan has been prepared, those members shall ensure



- the wagon is equipped with the number of field arrest kits as may be determined in the Plan.
18. The driver of the prisoner wagon shall park it as directed by the Incident or Field Commander, or as provided for in an Operational Plan.

Emergent Events

19. A member encountering an unanticipated protest or civil disobedience event shall report the matter to their supervisor, who shall report the same through the chain of command to the Duty Officer.
20. When advised of an unanticipated event, the Duty Officer is to:
- a) attend the scene;
 - b) assume the role of Incident Commander, if determined necessary;
 - c) assess the situation and direct any necessary immediate response; and
 - d) consult with the Inspector i/c Public Safety Operations to determine that Inspector's availability to attend and assume command.
21. In directing the immediate and on-going response, the Incident Commander shall apply the appropriate responses, strategies and tactics referenced in paragraphs 13 through 16 above.

Planned Events

22. A member becoming aware of a planned demonstration or civil disobedience event shall inform their supervisor, who shall ensure that the Inspector i/c Public Safety Operations is notified.
23. The Inspector shall instruct the Sergeant i/c Public Safety Operations, or delegate, to:
- a) gather available information about, and conduct an analysis of, the planned event;
 - b) determine whether an Operational Plan is required to manage the Department's response; and
 - c) if required, prepare an Operational Plan.



24. An Operational Plan prepared by the Sergeant i/c Public Safety Operations is to include the following:
- a) an assessment and description of the nature of the event;
 - b) identification of protest groups, participants and previous activities;
 - c) a description of the understood objectives of the event;
 - d) the potential for violence (threat assessment);
 - e) anticipated number of public participants;
 - f) an event location analysis and potential impacts and risks;
 - g) details of Department personnel, equipment and resources necessary to respond, and the deployment of the same;
 - h) the command structure and members to be assigned to specific roles; and
 - i) a determination whether to utilize the Emergency Command Vehicle or conduct command from the Headquarters or Public Safety Building.
25. The Incident Commander shall ensure that the Field Commander has been provided with a copy of, and understands, the Operational Plan or a summary thereof that includes all key aspects of the event and the Department's planned response.

Briefing

26. Whether or not an Operational Plan has been prepared, the Incident Commander, or the Field Commander if so instructed, shall advise all assigned members, prior to deployment, of:
- a) known details of the event, including known intelligence updates and threat assessments;
 - b) the objectives of the policing actions to be taken;
 - c) the command structure;
 - d) the roles of individual or groups of members; and



- e) authorized uses of force.
27. Following the conclusion of the Department's response to a protest or civil disobedience, the Incident Commander shall engage in a review of the response to determine its effectiveness and whether it gives rise to any recommendations specific to future responses.

Media

28. Members are not to prevent attending accredited journalists and supporting personnel (e.g., camera operators) from interacting with persons engaging in protests or civil disobedience, nor from observing or recording events, unless their actions interfere with the carrying out police legal duties or put the safety of members, other persons, or their own safety at risk.
29. When practicable, the Incident Commander will identify a member as liaison to journalists who are present.

Use of Force

30. The Incident Commander, in consultation with the Field Commander, will determine the force options that members responding to a protests or civil disobedience are authorized to use, but at no time is a member precluded from employing force that the member reasonably believes to be necessary to protect the lives or safety of themselves or others.

*Revised Dates:
17 March 2014