Peaceful assembly

* an assembly means the intentional and temporary presence of a number of individuals in a public place for a common expressive purpose. Pg. 15
* Only peaceful assemblies are protected
* freedom of peaceful assembly should, insofar as possible, be enjoyed without regulation. Anything not expressly forbidden by law should be presumed to be permissible, and those wishing to assemble should not be required to obtain permission to do so. Pg. 16
* The public should be informed which body is responsible for taking decisions about the regulation of freedom of assembly, and this must be clearly stated in law. The regulatory authority should ensure that the general public has adequate access to reliable information about its procedures and operation. Pg. 17

Law enforcement (use for interview bit)

* If the force used is not authorized by law, or more force was used than necessary in the circumstances, law-enforcement personnel should face civil and/or criminal liability, as well as disciplinary action.
* If a stand-off or other dispute arises during the course of an assembly, negotiation or mediated dialogue may be an appropriate means of trying to reach an acceptable resolution.
* Organizers of assemblies should not be held liable for failure to perform their responsibilities if they have made reasonable efforts to do so. The organizers should not be liable for the actions of individual participants or for the actions of non-participants or agents provocateurs. Instead, there should be individual liability for any individual who personally commits an offence or fails to carry out the lawful directions of law-enforcement officials.

Guidelines on freedom of peaceful assembly

The OSCE office for Democratic Institutions and Human Rights published a document titled Guidelines on freedom of peaceful assembly. The pages in this document offer several example set for peaceful assemblies. The ODIHR defined an assembly as “the temporary presence of a number of individuals in a public place for a common expressive purpose. (pg. 15)” They also went on to explain that the right to peaceful assembly also lets people assemble without regulation. This seems to be a problem in most assemblies. The majority of the group seems harmless and march for a common purpose, but there seems to be a distinct few that always take advantage of the situation. Thus, I believe any peaceful assembly should have regulations where enforcement is involved to restrict these deviants. Often times, it seems that once one person diverges from the crowd, others follow pursuit and the peaceful assembly isn’t so peaceful anymore. Nonetheless, regulation is necessary to protect the majority of the crowd expressing their opinions in a march or a stagnant location. Although the document says no regulation is necessary, I argue that some regulation is necessary to keep an assembly peaceful and avoid the damage that could be caused by the few violent protesters in the crowd.

Interview

I interviewed a close friend of mine’s uncle, James, who is a crowd control specialist on the matter of legal enforcement in peaceful assemblies. I became interested in the aspect of what enforcement authorities were limited to do as they regulate or intervene in a peaceful assembly. One thing he has mentioned was that the police were only allowed to use force if given the authority to and face discipline. Another thing he has said was the first course of action to take with a wild crowd was to try and negotiate before engaging with force. I was curious as to how often the police actually attempted to negotiate with the crowd before everything got out of control. Often times, the police weren’t able to negotiate because at that point it was already too late to diffuse a situation without force.