



Response to

Consultation on Draft Public Assemblies, Parades and Protests (Northern Ireland) Bill

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Policy Subgroup
Women's Centres Regional Partnership (WCRP)
c/o 6 Mount Charles
Belfast
BT7 1NZ
Tel: 028 90 23 02 12
Email info@wcrp.org.uk

1.0 Introduction

1.1 The Women's Centres Regional Partnership (WCRP) is a partnership of four lead regional women's organisations linking with fourteen frontline women's organisations across Northern Ireland to provide support and services to women living in disadvantaged areas.

1.2 Vision

WCRP's vision is "our vision of communities where women are recognized and valued as equal partners working toward a future based upon shared values of equality, participation and inclusion."

1.3 Mission

WCRP's mission is "To work in partnership to support and strengthen the voice of community based women's organizations."

1.4 Background

The four key lead partners of the Partnership are the Women's Resource and Development Agency (WRDA), Women's Support Network (WSN), Northern Ireland Rural Women's Network (NIRWN) and The Women's Centre, Derry. The fourteen women's organisations are spread across Northern Ireland with seven from the Greater Belfast and Lisburn area, four in the North West and three in Dungannon, Magherafelt and Craigavon. Together the WCRP seeks to develop and strengthen a regional infrastructure which will support community based women's organisations across Northern Ireland.

- To build a strong, effective and inclusive partnership for the benefit of partners and stakeholders;
- To advocate for the sustainability of frontline services for WCRP partners and stakeholders;
- To promoting best practice and quality standards training, education, advice and childcare services in the women's centres;
- To Influence policy relating to women's lives by identifying and publicising emerging issues facing women in disadvantaged areas.¹

1.5 WCRP welcomes the opportunity to respond to this consultation on Public Assemblies, Parades, and Protests (Northern Ireland) Bill.

¹ <http://www.wcrp.org.uk/mission.php>

2.0 Comments

- 2.1** WCRP is very concerned about the proposals contained within this Bill. We are particularly concerned at the severe restrictions contained within the Bill regarding the notice and detail which is required to gain permission to conduct a peaceful assembly or meeting.
- 2.2** The proposals would regulate not only public processions and protests but all forms of public assembly. The proposals do not explain why it is necessary to extend regulations to cover all forms of public assembly. WCRP is not aware of any pressing social need to extend the regulatory regime to cover all forms of public assembly.
- 2.3** Apart from this general objection, there are specific proposals that are worrying.
- 2.4** Clause 13 of the Bill provides that any person who proposes to organise a public procession or public meeting must give 37 days advance notice to the Office of Public Assemblies, Parades and Protests (OPAPP), specifying the date, times and categories of person including groups expected to attend the procession or meeting.
- 2.5** We believe that this clause will place unnecessary restrictions on the voluntary and community sector, including the women's sector, in lobbying on key issues when urgent announcements are made by Government departments in relation to key policy changes.
- 2.6** We believe that this clause is particularly restrictive given some of the lobbying issues that concern the women's sector, for example, cuts in public spending affecting health services, cuts in funding frontline services for women and lack of access to affordable, quality childcare, amongst other issues.
- 2.7** Recently, representatives from the Women's sector were involved in a spontaneous rally at the Royal Jubilee hospital to protest in response to the Minister for Health's announcement in the same week of public health cuts which have impacted on the delay of the building of the women's and children's hospital for the foreseeable future.
- 2.8** Had this Bill been in force at the time, this rally would not have been able to happen until a later date. This would have minimised any impact the rally and other lobbying may have had. We believe this Bill could have a detrimental impact on any future lobbying and campaigning activities the voluntary and community sector may wish to participate in to influence positive policy change.

- 2.9 WCRP is also very concerned at the punitive measures contained within clause 37 of the Bill which makes it an offence to organise a meeting if notice has not been given in accordance with the legislation. Clause 37 (6) provides that a person guilty of an offence can be liable to a six month prison term and a fine of up to level 5 which the explanatory notes explain is currently £5000. WCRP believes that these measures are punitive and disproportionate.
- 2.10 This clause is very concerning given that organisers of an event may not expect more than 50 people to attend. The organiser may genuinely believe that the event may not come under the scope of this Bill and therefore may not provide the required notice. Potentially a situation may occur where people may not have been aware of the event until a later date but wish to lend their support at the last moment.
- 2.11 Clause 38 (2) sets out that it is a defence for a person to show failure to comply with a requirement arose from circumstances beyond their control. However we believe that the list of defences should be extended to include the circumstance that the organiser reasonably believed less than 50 people were to attend the meeting.
- 2.12 There are international human rights standards which we believe are relevant to this Bill which we would like to draw to the attention of OFMDFM. Article 11 of the European Convention on Human Rights and Fundamental Freedoms (ECHR) provides for “the Right to Freedom of Peaceful Assembly and to the Freedom of Assembly and to the Freedom of Association with others...” Article 11 (2) of the ECHR provides that no restrictions shall be placed on the exercise of this right unless prescribed by law and necessary in a democratic society. Similarly Article 21 of the International Covenant on Civil and Political Rights (ICCPR) provides for the Right to Peace Assembly.²
- 2.13 WCRP believes that some of the proposals in the Bill do not comply with Article 11 of the ECHR as the requirement of 37 days notice is a disproportionate and unnecessary restriction on the right to peaceful assembly.
- 2.14 The punitive measures of a prison term of six months and a fine contained within the Bill are also disproportionate if they result in the punishment of

² Article 21 of the International Covenant of Civil and Political Rights (ICCPR) provides for “the right to peaceful assembly shall be recognised. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, protection of the public, the protection of public health or morals or the protection of the rights and freedoms of the others.”

someone who may have reasonably believed that an assembly would not have been attended by 50 people or more.

- 2.15 WCRP urges OFMDFM to reconsider the clauses in the Bill to ensure they correspond to a pressing social need and do not go further than is necessary to achieve the Executive's legitimate aim.