

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006

CODE OF CONDUCT - PUBLIC PROCESSION

(1)	A minimum of 28 days notice will be given to the Council of the intention to hold a procession. If possible, a greater period of notice should be given and notification should be made as early as possible in any instance in which a series of similar processions is proposed. Provision of a minimum of 28 days notice is a statutory requirement. Only in exceptional circumstances can a public procession take place without notification being given at least 28 days before the date of the proposed procession. In any instance in which a full 28 days notice is not given the onus is on the organiser to satisfy the Council that exceptional circumstances exist sufficient to justify the Council in making an Order waiving the legislative requirement for full 28 days prior notice.
(2)	The organiser shall co-operate with the Council and the police from the time of submission of the notification of intention to hold a procession until the procession disperses.
(3)	The organiser shall identify him or herself to the police officer in charge immediately on the assembly of the procession.
(4)	The organiser shall ensure that, in the event of the procession being cancelled, the Council and police are informed of this promptly and that the cancellation is confirmed in writing to the Council within 48 hours. No band other than the bands specified in the notification shall take part in the procession and in the event of any change in participants – including the withdrawal of any band specified in the notification – the organiser shall immediately advise the Council and the police.
(5)	The organiser shall ensure that all participants are informed of any condition imposed on the procession including any condition regarding change to timing or route.
(6)	The organiser shall ensure that any person under the influence of alcohol or drugs does not participate in the procession.
(7)	<p>The organiser shall ensure that the number of stewards or marshals present at the procession is in the ratio 1 steward/marshal per 10 participants and the organiser shall ensure that all stewards and marshals</p> <ul style="list-style-type: none"> · are briefed by the organisers and given guidance and instructions on their role prior to the procession including written directions/instructions in respect of legislation; · carry proof of their status; · co-operate with the police as required; · are highly visible and easily identifiable by means of high visibility wear which cannot be confused with police attire; · conduct themselves in a proper manner; · ensure that participants comply with directions regarding their own public safety and that of all other members of the public.
(8)	The organiser shall take responsibility for the behaviour of all participants and, where appropriate, bands and for ensuring general compliance with the Council's Code of Conduct on Public Processions and police instructions;
(9)	The organiser shall ensure that the behaviour of participants is not such as can be reasonably perceived

	to be aggressive, threatening, abusive, homophobic, sectarian or racist. The organiser shall exercise reasonable diligence to ensure that any follower of the procession also refrains from such behaviour, for example by bringing such matters to the attention of the Police as soon as possible;
(10)	The organiser shall ensure that, in the event that persons attached to or following the procession engage in behaviour which is aggressive, threatening, abusive, homophobic, sectarian or racist, and the police are of the view that the playing of music is exacerbating the situation, the organiser/band major should immediately instruct a band to cease playing when asked to do so by Police Scotland;
(11)	The organiser shall ensure that, wherever possible, proposed routes follow main roads and do not go through residential housing developments;
(12)	The organiser shall ensure that all participants do not march more than four abreast and that they keep to the near or left hand side of the street except on one way streets where they shall keep to the right hand side;
(13)	The organiser shall ensure that the police are assisted in guaranteeing that passage is allowed for traffic and pedestrians;
(14)	The organiser shall ensure that the procession is split into sections in order to avoid serious dislocation of traffic and to facilitate the crossing of pedestrians who have a right of free access and passage to and through any public area;
(15)	Any band or bands taking part in a parade/procession shall cease playing when approaching and passing any place of worship or any other location where a recognised religious, cultural or legal ceremony is taking place;
(16)	The organiser shall ensure that all participants disperse immediately the procession concludes.
(17)	The organiser shall ensure that all participants behave with due regard for the rights, traditions and feelings of others in the vicinity of the procession, particularly in any area in which there has, on any previous occasion, been public disorder in relation to processions;
(18)	The organiser shall ensure that all participants behave with due respect at sensitive areas such as areas adjacent to places of worship;
(19)	All participants must obey the lawful direction of procession organisers, stewards and the police at all times;
(20)	All participants must keep to the designated route as directed by the police;
(21)	All participants must refrain from consuming alcohol or drugs prior to or during the procession;
(22)	No flags relating to proscribed organisations or which are likely to cause offence shall be displayed;
(23)	All participants in processions shall disperse in good order immediately the procession concludes;
(24)	No halberds, weapons or spear topped banner poles of any description shall be carried;
(25)	No obstruction shall be caused;
(26)	No procession shall commence before the hour of 7.30 am and no procession shall conclude after the hour of 9.00 pm;
(27)	Unless specifically stipulated in the notification, no band shall play or music shall be played before 9.00 am or after 9.00 pm.
(28)	The procession and all participants shall comply with all legal requirements including, without prejudice to the foregoing generality <ul style="list-style-type: none"> - Section 62 of the Control of Pollution Act 1974 in relation to the use of loudspeakers;

	<ul style="list-style-type: none">· The Public Order Act 1986 in relation to the prohibition of wearing of uniforms signifying association with any political organisations etc;
--	--

A copy of this Code of Conduct is provided to organisers alongside the notification form.