

FREQUENTLY ASKED QUESTIONS

What is the difference between public and private property?

In the context of a demonstration, public property means property owned by the federal, provincial or municipal government or one of its agencies, divisions or entities. It includes parks, streets, sidewalks, schools, libraries and other property regularly used by members of the public.

Private property refers to property owned by an individual, corporation or other non-public entity. Owners of private property have exclusive legal rights to the property.

When should police be called?

Police should be called if there is a risk to public safety, there has been, or is about to be, a breach of the peace or a criminal offence has been committed. In an emergency, call 9-1-1. In non-emergency situations, call the non-emergency line toll free at 1-866-876-5423.

What is an injunction? Can police enforce an injunction?

An injunction is a civil court order that commands or prevents an action by a party to a dispute. Sheriffs generally enforce injunctions, however, police may assist them if necessary. The role of police in this regard is to keep the peace.

How can I obtain further information or assistance?

In any dispute relating to picket activity or relating to an employer's ability to carry on business during a dispute, the Ontario Labour Relations Board may be of assistance at 416-326-1260 or at www.olrb.gov.on.ca.

To reach members of York Regional Police, email demonstrations@yrp.ca.



RESPONDING OFFICER'S INFORMATION

Name _____

Badge _____

Occurrence Number _____

YORK REGIONAL POLICE

DEMONSTRATION INFORMATION

1-866-8POLICE (1-866-876-5423)
demonstrations@yrp.ca
yrp.ca

YRP 334(11/12)

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ROLE OF THE POLICE IN LABOUR DISPUTES

York Regional Police maintains a Labour Relations Unit. Its mandate is to:

- Establish a liaison with members of organized labour and management
- Advise and assist with labour disputes where possible
- Ensure all people involved in the dispute are aware of their lawful rights

York Regional Police operates on the premise that a labour dispute is a civil contractual dispute between management and labour and, providing no breach of the peace occurs, the police have no reason to intervene. Police officers are instructed to maintain a neutral presence in such disputes. Police will limit their involvement to the maintenance of peace and order, preventing the commission of offences, enforcing the law and safeguarding the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms and the Human Rights Code.

In the interest of public safety, it may become necessary for police officers at the scene to ensure the free and safe flow of pedestrians and vehicular traffic on the roadway and sidewalk and to remove any obstructions, according to the provisions of the Highway Traffic Act and the Criminal Code of Canada.

Where a breach of the law occurs during the course of a labour dispute, police will treat the situation as they would under any other circumstances.

Police will not provide advice on possible civil remedies to parties involved in a labour dispute.

ROLE OF EMPLOYERS, UNION OFFICIALS AND PICKETERS IN LABOUR DISPUTES

Employers, union officials and picketers should be aware of their legal rights and responsibilities. These responsibilities include regulating the behavior of their respective members and representatives at labour disputes and maintaining peaceful picketing.

An employer may lawfully carry on business during a labour dispute. This may include the use of replacement employees.

LAWFUL PICKETING

Peaceful picketing on public property for the purpose of obtaining or communicating information is lawful. It is legal for a picketer to use peaceful persuasion and display signage to persons about to enter or leave picketed premises. Freedom of expression is protected by the Canadian Charter of Rights and Freedoms.

Where delays at picket lines are occurring, reasonable delay times may be negotiated between the parties. An informal, non-binding agreement or protocol, by which parties can abide, is useful for picket line activities. Protocols typically define picket-line conduct, picket facilities and other related issues. In cases where an agreement cannot be achieved in order to form a protocol, legal counsel should be consulted.

The use of barricades, force, threats, intimidation or the blocking of access to or from a premise is illegal. This tactic is commonly referred to as "blocking". Blocking does not include reasonable delays caused by picketers in order to communicate information.

ROLE OF THE POLICE IN PROTESTS

The Canadian Charter of Rights and Freedoms guarantees certain rights and fundamental freedoms, including the freedoms of opinion, expression and peaceful assembly. It states, everyone has the following:

- Freedom of conscience and religion
- Freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication
- Freedom of peaceful assembly
- Freedom of peaceful association

York Regional Police has a sworn duty to preserve the peace, prevent offences, enforce the law, protect property, preserve life and protect against serious injury.

Police will limit their involvement to safeguarding the fundamental rights of citizens guaranteed by the Canadian Charter of Rights and Freedoms and the Human Rights Code.

Officers will maintain neutrality and impartiality when dealing with any participants involved in a protest and ensure that all parties involved are able to exercise their legal rights where possible.

However, the Supreme Court recognized "freedom of expression does not extend to protect threats of violence or acts of violence. It would not protect the destruction of property, assaults, or other clearly unlawful conduct."

If a breach of the law occurs during the course of a protest, police will treat the situation as they would under any other circumstance.