



Does the *Charter* protect my right to protest?

Yes, freedom of expression, freedom of association, and the right to peaceful assembly are fundamental freedoms guaranteed by our *Charter*.

These rights allow people to speak up peacefully and non-violently about issues they care about, and to advocate together for their vision of a better world.

These rights protect various peaceful activities like meetings, sit-ins, parades, vigils, strikes, rallies, and protests.

What should I do before I go to a protest?

Let someone close to you know where you are going and how to provide you with legal support if you are detained or arrested.

Use a password, not a fingerprint or facial recognition, on your phone to protect against searches.

Write down and memorize the phone numbers of someone close to you and a lawyer who you can call, or write those numbers on your body.

Take three days' worth of essential medicine with you in their original bottles.

If you are a caregiver or have children, make emergency care plans.

If you have a language barrier or a disability that affects communication, consider wearing a bracelet or carrying a card explaining your circumstances.

Avoid bringing anything you would not want the police to search or find.

Avoid wearing distinctive clothing if possible, or having visible tattoos, to reduce the risk of being monitored.

If the police ask me a question at the protest, do I have to answer it?

No. You have the right to remain silent, but providing false information to the police can lead to criminal charges.

Be aware that the police may mislead or act friendly toward you in order to convince you to answer their questions.

If a police officer approaches me, can I walk away from them?

Ask the police officer, am I free to go? If they say you are, you may walk away. If they answer no, you may ask why.

Or ask the police officer, am I under arrest or detained? If they answer no, you may walk away. If they answer yes, you may ask why.

What are my rights if the police officer says I am not free to go, I am detained, or I am under arrest?

You have the right to ask and know why you are being arrested or detained. Be aware that if you physically resist a detention, arrest, or search, the police may use more force against you or charge you with a criminal offence.

You have the right to remain silent. You should only provide the police with your name, date of birth, and address. Say, "I do not want to answer any questions." Any information you provide can be used against you or others.

Be aware the police may mislead you or act friendly toward you to convince you to answer their questions, even hours later. You still and always have the right to remain silent, and should repeat, "I do not want to answer any questions."

You have the right to speak to a lawyer, including a free legal aid lawyer. Say, "I want to speak to a lawyer now." You can ask for a translator if you need one.

The police must provide you with a reasonable opportunity to speak with a lawyer, for example by providing access to a telephone and the ability to make multiple calls. However, you may only get one call with your lawyer.

You or your belongings may be lawfully searched. But if the police ask for your permission or consent to search you or your belongings, you can say, "I do not consent to a search."

Speak to your lawyer before you sign anything from the police.

Special situations

If you are under 18, you have the right to have a parent or guardian present if the police ask you any questions.

If you need accommodation for your disability, gender identity, religion, or other protected grounds, you can let a police officer know what you need and that they are required to accommodate you under human rights legislation.

What if I think the police illegally detained or arrested me, used excessive force against me, or violated my rights?

You should record and document anything you can about the incident.

When speaking to a police officer, ask and record what police force they are from and their badge number.

If anyone saw or took pictures/videos of what happened, ask for their contact information so you can reach them later.

If you were injured, seek medical attention and take careful photos of any injuries. Keep all documentation related to your medical treatment.

You should explore what accountability options are available to you, including by consulting a lawyer. Refer to this resource to find a free or low cost lawyer: ccla.org/get-informed/talk-rights/legal-resources-clinics-and-referral-information/

Filing a complaint

For information about how to file a complaint about a police officer, please see our full guide on page 9 at the following link: ccla.org/KYRguidetoprotests

You do not have to be a citizen to file a complaint. You may be able to file a complaint on another person's behalf depending on the complaints body.



CCLA.org

Download the full CCLA guide for details.

This document is for information purposes only and does not constitute legal advice.