

GGGZZ 999 22

50

**NATIONAL INSTRUCTION # OF 2012
PUBLIC ORDER POLICE: CROWD REGULATION AND
MANAGEMENT DURING PUBLIC GATHERINGS AND
DEMONSTRATIONS**

1. Background

- (1) The role of Public Order Police (POP) in South Africa is mandated by section 205(3) of the Constitution of the Republic of South Africa, 1996, which determines that the main functions of the Service are inter alia to **maintain public order**, protect and secure the inhabitants of South Africa and their property, and to uphold and enforce the law.
- (2) In terms of section 17(1) and (2) of the South African Police Service Act, 1995 (Act No 68 of 1995), the National Commissioner must, in accordance with section 218(1)(k) of the Constitution, establish and maintain a national public order policing unit. (Section 218(1)(k) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) remains in force by virtue of paragraph 24 of schedule 6 of the Constitution of the Republic of South Africa, 1996).
- (3) The mandate implies that POP "maintains public order firstly by ensuring public order during public gatherings and demonstrations and secondly by intelligence driven crime combating and prevention operations.
- (4) The purpose of this Instruction is to regulate the crowd management environment and, if violence has occurred during any gathering or demonstration, the restoration of public order according to acceptable international standards.
- (5) The Regulation of Gatherings Act, 1996 (Act No. 205 of 1993), shifted the focus away from obtaining permission to hold a gathering, to giving notice of an intended gathering. This Act prescribes the procedures that must be followed when the Constitutional rights to protest, petition and freedom of speech are exercised. In order to give effect to the purpose and objectives of the Act, this Instruction must be read in conjunction with the Act.
- (6) A centralized management approach is the most effective manner of managing POP to deal with public gatherings and demonstrations. This means that the all units will function under the direct authority of the Divisional Commissioner: Operational Response Service (ORS).

- (7) The South African Police Service (the Service) must, in partnership with the community, Metropolitan Police services and other agencies, devise effective methods to promote public safety, as well as reassuring the various communities that they are protected. To ensure this, the Service must play a pro-active role in attempting to identify and diffuse any possible conflict before it escalates into violence. This is to be done by playing a pro-active role in communicating with the public through Community Policing Forums (CPF) or other channels.

2. Definitions

In this Order, unless the content otherwise indicates,—

- (a) "*authorised member*" means a member of the Service designated in terms of section 2(2)(a) of *the Act*;
- (b) "*Constitution*" means the Constitution of the Republic of South Africa, 1996;
- (c) "*convener*" means a convener as defined in section 1 of *the Act*;
- (d) "*crowd*" means a large number of people gathered together or a large audience, especially at a sporting event or an informal (often rowdy) group of people with a common interest;
- (e) "*crowd management*" means the policing of assemblies, *demonstrations* and all gatherings, as defined in *the Act*, whether recreational, peaceful, or of an unrest nature;
- (f) "*defensive measures*" refer to pro-active tactical measures such as static barriers (which are used to protect and safeguard people or property), negotiation, cordon, block, isolate, patrol, escort and canalize;
- (g) "*demonstration*" means a demonstration as defined in section 1 of *the Act*;
- (h) "*gathering*" means a gathering as defined in section 1 of *the Act*;
- (i) "*information manager*" means the member of POP designated to take responsibility for the collection and supply of all pro-active information to the operational commander before, during and after *gatherings*, to ensure informed tactical decision making in order to professionally police all *gatherings*. The *information manager* must liaise with all information based role-players without getting involved in covert or undercover information *gathering*;

- (j) "*IRIS*" the Incident Registration Information System used by the Division: Visible Policing as a database to record incidents and store information.
- (k) "*JOC*" means the joint operational centre that is activated at the scene of an incident or event;
- (l) "*member*" refers to a member of the South African Police Service appointed in terms of the South African Police Act 1995 (Act No. 68 of 1995);
- (m) "*OCT*"- means Operational Commander Training;
- (n) "*offensive measures*" refers to reactive tactical measures required to normalize a situation which ranges from making arrests, using of pyrotechnics to responding with firearms and includes search and seizure, push back, evacuation, encircling and dispersal;
- (o) "*operational commander*" means an operational officer or *member* who is responsible for the operational execution and coordination of an operation;
- (p) "*overall commander*" means the commander of the joint operational centre. This person is overall in command of the operation and not only in command of the Joint Operational Centre and must remain in the *JOC* for the duration of the event.
- (q) "*PCCF*" means the Provincial Crime Combating Forum, chaired by the Provincial Commissioner, and attended by the identified provincial commanders. The *PCCF* will collect and analyse crime information and public order threats on a daily basis. Specific requests may be made from police stations for support during planned intelligence driven crime prevention/combating operations and/or *crowd management* situations.
- (r) "*POP*" means Public Order Police unit, a specialized national competency for day to day operations, trained to manage and control *crowds* and restore public order. This includes managing pre-planned and spontaneous assemblies, *gatherings* and *demonstrations* whether of a peaceful or unrest nature.
- (s) "*public order*" means the state of tranquillity and security that is needed in a society and that should be pursued by the state in order to exercise of constitutional rights and to thus benefit a harmonious development of society.

- (t) "responsible officer" means a person as defined in section 1 of *the Act* (appointed by the relevant local authority);
- (u) "the Act" means the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993);
- (v) "VISPOL" means Visible Policing, and
- (w) "VOC" means the Venue Operational Centre.

3. **Command and control**

- (1) The Divisional Commissioner: ORS is in full command and control of *POP* as a national competency and must maintain the capacity to provide effective *crowd management* in order to maintain *public order*.
- (2) The Head: National *POP* established within the Division ORS will be directly accountable to the Divisional Commissioner: ORS. The Head: National *POP* will have direct command and control over *POP* units in the provinces, and the Section Head: *POP* Operations will be accountable to the Head.
- (3) The Section Head: *POP* Operations will have direct operational command and control in respect of the *POP* units in the provinces and the Section Head: ORS Support Services will perform the support functions (such as, finance budget needs in terms of all equipment, armoured vehicle serviceability and maintenance, etc., human resources, supply chain management, policy development and human resource development matters).
- (3) National operations will be initiated by the National Commissioner or the Divisional Commissioner: ORS.
- (4) The Divisional Commissioner ORS has the authority to move *POP members* as well as physical resources across-provincial borders for national operations or priorities. The *POP members* will, irrespective of area of deployment, remain under national command and receive operational support from the Division: ORS.
- (5) At provincial level, the Provincial Head: ORS, as a representative of the Divisional Commissioner ORS, will attend the *PCCF* in order to gather information relating to *POP* functions. The *POP* Commander in the province, will be responsible for day to day operations in the province.

- (6) The Divisional Commissioner ORS is responsible for the development and revision of all policy and standards, the drafting of directives and standard operating procedures (SOP's) in respect of POP, while the POP Commander in the province must ensure the implementation of standards, operationalize policy, circulate directives and SOP's, and monitor adherence thereto.
- (7) In terms of monitoring and evaluation the Provincial Head: ORS may, at the request of the Divisional Commissioner ORS, conduct inspections of the various units within the province. The Division: ORS must, at least annually, visit, evaluate and inspect the units.

4. Operational functions

(1) Functions and tasks of POP units

(a) The policing of public gatherings

This includes conducting crowd management operations at major events and public gatherings or demonstrations where the POP unit commander is satisfied that there is a possibility of violence, and rendering assistance by controlling perimeters, managing crowds and providing tactical reserves at major events and public gatherings or demonstrations. POP units must manage level three incidents and support stations in level one and two incidents which must be handled by the relevant local station

(b) Crime prevention and combating of serious and violent crime

This includes stabilizing outbreaks of public violence at incidents of serious and violent crime and dealing with any occurrences of crowd gathering during the management of crime incidents (such as cash in transit heists, armed robberies and transport sector violence and farm attacks) to protect people and property.

(c) Rendering specialized operational support

This includes rendering support to other police components or divisions (such as assisting the detectives in the search for, apprehending and escorting of dangerous and violent suspects, assisting Protection and Security Service (PSS) in protecting VIPs by controlling perimeters, protecting key points, managing crowds and providing tactical reserves).

(2) Information management

In order to achieve the above, every POP commander must ensure that information is used and managed effectively. This includes acquiring and capturing all relevant tactical and operational information on the

functions of *POP*, as well as on all *public order* incidents, events or operations and ensuring a constant flow of accurate information on the incident, event or operation. This includes the planning of operations, coordination of information and reporting of preview information to the national office. The relevant Information Management manual and related directives and instructions must be adhered to.

- (3) Every *POP* commander must monitor all information registered on *IRIS* and to ensure data integrity. All units must at least have one person per shift who can register incidents on *IRIS* and at least one *IRIS* Controller per unit to monitor data integrity on *IRIS*.
- (4) Video camera operators must be designated at all events to monitor the event with video footage. The relevant Video Administration guideline, related directives and instructions must be adhered to.

5. Pro-active conflict resolution

- (1) Station Commanders must identify indicators of potential violent disorder in their areas by continuously gathering information.
- (2) All potential or existing problems must be analysed by intelligence and information structures and reported to the Provincial Commissioners, the Provincial Head: *ORS*, Commander of the *POP* units in the province. If there is any threat to public safety, the Station Commanders concerned must initiate a facilitation process to resolve the factors that underlie the disorder peacefully. They must identify role players and stake holders who can play a role in resolving the problem, bring them together for talks and identify and implement problem solving initiatives. They must engage in conflict resolution processes to prevent any form of physical conflict or the eruption of violence.
- (3) Station Commanders must support and act in partnership with the community by —
 - (a) building positive and constructive relationships with event organizers, community leaders and non-governmental organizations;
 - (b) participating in safety advisory groups of local authorities to deal with issues relating to public safety; and
 - (c) exploring the potential for establishing formal liaison panels, to prevent and defuse community disorder in conjunction with institutions such as local authorities, civic associations, community policing forums and non-governmental organizations.

6. Designation of authorized members

- (1) The POP commander in the province or his or her delegate must, in writing, designate an experienced officer at every station, as the *authorized member*.
- (2) The POP commander in the province must —
 - (a) keep and maintain a register with the particulars of the *authorized members* (containing the personnel number, rank, name, contact numbers of each *members*) at his or her office; and
 - (b) ensure that the particulars of the *authorized members* are submitted, in writing, to every municipality and executive head within the area and to the Provincial Head; ORS.
- (3) A Station Commander must ensure that a notice containing the name and contact particulars of the designated *authorized member(s)*, as well as *responsible officers* for his or her station area, is displayed in the Community Service Centre of the station.

7. Duties and responsibilities of an authorized member

The duties and responsibilities of an *authorized member* are to—

- (a) represent the Service and liaise with the *responsible officer* and *conveners* during all negotiations and consultations prescribed by *the Act*;
- (b) maintain a good relationship with the *responsible officer* and *conveners*;
- (c) arrange and negotiate the extent of security forces to be deployed for the operation;
- (d) inform the *responsible officer* of any unforeseen (spontaneous) *gathering*;
- (e) keep all records of operational plans and reports on the execution of operations and debriefing reports, for three years;
- (f) take part in the overall debriefing of events by attending the debriefing;
- (g) request conditions or prohibitions;
- (h) brief all *members* performing duties at a *gathering* or *demonstration* regarding the content of a notice, conditions and amendments thereto, issued in accordance with *the Act*; and
- (i) consult with the relevant *POP* unit commander regarding the conditions and prohibitions determined for a *demonstration* or *gathering* and the deployment of the *POP* Unit during such *gathering* or *demonstration*.

8. Receiving notice or information of a gathering

- (1) If an *authorized member* receives a notice or information regarding a *gathering*, the following action must be taken:

If...	then...
the <i>authorized member</i> received a notice from a <i>convener</i> of a <i>gathering</i> ,	he or she must inform the <i>convener</i> that such notice is to be handed to the <i>responsible officer</i> and indicate how the <i>convener</i> is to contact the <i>responsible officer</i> . The <i>authorized member</i> must consult with the <i>responsible officer</i> and ensure that such notice has been received.
the <i>authorized member</i> received information from other internal police sources that a <i>gathering</i> is to take place,	he or she must consult with the <i>responsible officer</i> and enquire whether notice has been given to him or her. If notice has not been given to the <i>responsible officer</i> , the <i>authorized member</i> must contact the <i>convener</i> and inform him or her that notice is to be given and inform them of the provisions of the Act. The <i>authorized member</i> must consult with the <i>responsible officer</i> in this regard.
the <i>authorized member</i> is contacted by the <i>responsible officer</i> to inform him or her that a <i>gathering</i> is to take place,	the <i>authorized member</i> must make an attempt to gather further information pertaining to the proposed <i>gathering</i> by using the <i>POP</i> unit information network and requesting a meeting in terms of section 4 of the Act.

- (2) During consultations referred to in subparagraph (1) –
- (a) all the arrangements for the proposed event must be finalized; and
 - (b) the necessity for negotiations with the *convener* concerning any aspect of, or any condition about the proposed *gathering*, must be decided.
- (3) The *authorized member* must inform the Commander of the *POP* unit in the province or the Provincial Commissioner of the arrangements made in accordance with subparagraph (2).

9. Threat assessment after information has been received

- (1) After notification or information has been received by the *authorized member* or the *POP* information component of a *crowd management* situation, the information must be conveyed to the Commander of *POP* in the province to enable him or her to determine the threat level involved.
- (2) The assessment of the threat level must be based on available operational information (taking into account the level of the risk, discussions and arrangements with the convenor, history of peaceful or violent protests by the parties involved, past experiences with the parties, suitability or vicinity or venue in terms of alleviating or aggravating risk, etc).
- (4) The threat must be categorised as –
 - (a) Level One: (A peaceful *gathering* and less significant sport or entertainment event which can be policed by *members* of *VISPOL* or the Metro Police (trained in basic *Crowd Management* skills) with the *POP* unit on standby: Provided that the *POP* unit may take over control of the management of the *crowd*, if the commander of the *POP* unit deems it necessary.) *Members* doing *crowd management* must form part of a unified command structure and must work in sections, platoons or companies. All *members* trained in basic *crowd management* (even Metro police officers) must be in possession of the necessary *crowd management* equipment.
 - (b) Level Two: (Unconfirmed information regarding a possibility of a threat against lives and property - *members* of *VISPOL* and the Metro police service that are trained in basic *crowd management* skills are the primary role-players, with the relevant *POP* unit in reserve at the scene.) *Members* doing *crowd management* must form part of a unified command structure and work in sections, platoons or companies. All *members* trained in basic *crowd management* (even Metro police officials) must be in possession of the necessary *crowd management* equipment.
 - (c) Level Three: Confirmed information regarding a likely threat against lives and property. (The *POP* unit must take operational command. *VISPOL* and the Metro Police service may be utilised to assist in the policing of the event. If a *crowd management* or public order situation progresses to the extent that public violence erupts and the necessity to restore *public order* is required, *POP* must take operational command and stabilize the situation.)

10. Designation of an Overall Commander

- (1) The specific Station Commander of that station area must act as the *Overall Commander* for level 1 and 2 events in his or her station area (unless otherwise determined by the Divisional Commissioner: ORS). The Divisional Commissioner: ORS, or an officer designated by him or her, must ensure that an *Overall Commander* is designated, and that he or she is conversant with this instruction, relevant legislation and is well trained in the duties and responsibilities of the operation.
- (2) The *Overall Commander* is in overall command of the specific operation for which he or she is designated and is responsible for all actions taken.

11. Pre-planning of operations

- (1) The designated *Overall Commander* is responsible for well-planned and co-ordinated actions for the duration of an operation.
- (2) All operational plans must be implemented according to *OCT* planning directives.
- (3) The Overall Commander of the operation must follow the following steps:

Step	Action
1	Activate or implement an effective information gathering system for the operation to pro-actively gather up to the minute, relevant and accurate information, by enlisting the assistance of <i>VISPOL members</i> , Metro police officials, discussions with the public or the use of the information network of the <i>POP Unit</i> .
2	Collect the following information: (i) the actual route the participants plan to follow; (ii) the likelihood of an outbreak of violence; (iii) whether the participants are aggravated; (iv) whether any firearms are or will be present; (v) the intention of the participants; (vi) the actual number of participants that will take part; and (vii) any other information which is of importance for the

National Instruction # of 2012 Public order police: crowd regulation and management during public gatherings and demonstrations

	operation.
3	A thorough assessment must be done on the available means, the mission, the menace as well as the milieu. This will enable the <i>Overall Commander</i> to have a broad overview of what is expected and how he or she can achieve the objective.
4	A security meeting must be arranged with all the relevant role players needed to conduct the operation (for example; private security, the supervisor of the Marshals, Traffic Police, Emergency Medical Services (EMS), Disaster Management as well as other relevant police units)
5	Develop a comprehensive written operational plan
6	Submit the operational plan for approval to the Head: National POP (or the functionary designated by him or her).
7	Submit the written plan to the relevant role players and units as well as the Station Commanders in whose policing area the event will take place. A copy of all crowd related event plans must be submitted to the relevant <i>POP</i> unit for registration on the <i>IRIS</i> system and to the relevant Executive Head of Metro Police (if applicable) for information purposes.
8	All the commanders and relevant command structures of the different Units or Departments must be thoroughly briefed.
9	Activate a <i>JOC</i> and designate an <i>operational commander</i> , taking into account the circumstances and the results of the threat assessment in the event of a level 2 threat. In the event of a level 3 threat, a relevant <i>POP</i> unit <i>operational commander</i> must be designated in consultation with the relevant <i>POP</i> unit Commander and Commander of <i>POP</i> in the province.
10	Ensure an information network to supply up to the minute information of a tactical nature to the <i>JOC</i> .
11	Use this information to effectively apply the available resources or means. In all instances where the <i>POP</i> unit is actively involved in any operation (such as level 3) they must approach their <i>information managers</i> to gather information before, during and after the operation.

12	Ensure that a situation report is given to the POP operational room at the POP unit for the completion of an IRIS.
13	Ensure that a copy of the de-briefing report is submitted to the relevant POP unit for filing.

- (3) All information gathered before, during and after an operation must be reported to the Overall Commander so that he or she is continuously aware of the actions of the participants. The members must report all information to their officer in charge at the scene who must report it to the Overall Commander. POP information members must always be deployed with their operational members and tasked to gather specific information relating to possible threats. This information must be reported either telephonically or by radio (using the designated channel) to the Operational Commander, who will in turn inform the Overall Commander.

12. Briefing of members

- (1) Members must be properly briefed before they are deployed to perform crowd management or restoring of public order duties.
- (2) The Overall Commander or a designated officer must —
 - (a) personally brief all members in the command structure;
 - (b) ensure that all members in the command structure communicate the objectives of the operation clearly to all members deployed for the event;
 - (c) instruct all commanders or section leaders to furnish detailed written plans on their specific tasks,
 - (d) ensure that trained video camera operators are designated to record video material of the duties performed; and
 - (e) ensure that members trained in first aid (medical ordinances) are also tasked should the need arise .
- (3) During the briefing, the tasks of all role players involved in the operation must be defined in detail by the operational commander. The communication channel must also be communicated to all members before the operation.
- (4) A name list (SAPS 15) is to be compiled of all members present (as well as the equipment and firearms and ammunition at their disposal) when a briefing is given. Section leaders must be identified and briefed in

accordance with the operational plan on what is to be done. *Members* must be questioned to ensure that they understand what is expected of them. A briefing certificate must be completed by each *member*, stating that he/ she understands what is expected of him/her. Section leaders and commanders must then brief their *members* following the same procedure. This will ensure that everyone involved is properly briefed.

- (5) The *operational commander* must ensure that *members* are inspected in order to ensure that their name badges are clearly visible and that every *member* has at least the following equipment:
- (a) body armour (leg, chest and arm protection) and helmet (with gas mask and filter);
 - (b) a shield;
 - (c) a tonfa;
 - (d) pepper spray;
 - (e) handcuffs;
 - (f) CS teargas grenades (to designated *members*);
 - (h) Thunder flashes and/or stun grenades;
 - (i) a shotgun and approved rounds;
 - (j) 40 mm Launcher with rounds (to designated *members*); and
 - (h) 9 mm firearm and rounds of ammunition.

13. Execution of peaceful crowd management operations

- (1) The following guidelines should be taken cognizance of when executing an operation:
- (a) All *members* involved in executing the operation must adhere to the operational plan;
 - (b) no operation should be conducted without a reserve (a reserve can be a section, platoon, company or even a group, depending on the size of the operation) as it provides the *operational commander* with options. The sections are utilised as part of the *defensive measures*. The reserve section must have the capability to carry out offensive actions;
 - (c) all sections, platoons, companies, groups, etc. must remain in their positions as instructed by the *operational commander*. No *member* is permitted to change, leave or abandon their position unless instructed to do so by the *operational commander*;
 - (d) the *operational commander* remains in charge of the operation and all tactical and operational decisions must be taken by him or her. In order to do so, the *operational commander* must always be a member trained in operational tactics and techniques of crowd management be well experienced in the handling of very stressful situations;

- (e) only a *member* that is trained in *POP* operational tactics and techniques may be designated as operational commander and take operational command of *POP members*. For this reason the minimum rank of a commander of any deployed *POP members* must at least have the rank of Warrant Officer or a higher rank in order to meet the criteria of section 9 of the Act;
 - (g) in all cases of *crowd management*, the senior *POP member* always takes operational command of *POP members*. All other members of all agencies/disciplines supporting *POP* in a *crowd management* operation will resort under the authority of the JOC; and
 - (h) a *member* of any other agency, discipline, unit or station may not be permitted to perform duties in the same section, platoon, company, or groups with *POP members*. *POP* units have specialized training and should operate independently from all other *members*, unless such agency, discipline, unit or station has trained together with the *POP* unit and is able to function as a cohesive unit. This is to ensure the safety of the *POP members* as well as the safety of other *members* at a scene. This is especially important in cases of medium and high risk operations.
- (2) The use of force must be avoided at all costs and *members* deployed for the operation must display the highest degree of tolerance. The use of force and dispersal of *crowds* must comply with the requirements of section 9(1) and (2) of *the Act*. During any operation, ongoing negotiations must take place between police officers and *conveners* or other leadership elements to resolve issues before they escalate.

14. Execution of public order restoration operations

- (1) The use of force and dispersal of *crowds* must only be conducted by those *members* of *POP* trained in *crowd management* and equipped with the relevant *crowd management* equipment. The situation must be contained by *VISPOL* and Metro Police until *POP members* can take over the situation. If it is not possible to wait for *POP* to arrive, only *VISPOL* and Metro Police *members* trained in *crowd management* with the relevant equipment may use the necessary force. No *member* of the Service or Metro Police in civilian clothing (for example detectives, *members* of crime intelligence etc.) may become involved in any *crowd management* situation. During all *crowd management* situations, *members* must be dressed in field dress in order to display uniformity and professionalism.

(2) If negotiations fail and life or property is in danger, the following procedure must be followed by trained and equipped members:

Step	Action
1	Put <i>defensive measures</i> in place as a priority and contact the POP operational room immediately.
2	Warn participants according to section 9 of <i>the Act</i> in at least two official languages and if possible also in the language that is most commonly spoken in that area. The warning must include the action that will be taken against them, and is applicable should <i>defensive measures</i> fail. The warning should give the participants enough time to disperse peacefully, yet the time should not be so long that it gives the participants the impression that the Service is not serious. In cases of violence immediate action may be required.
3	Bring forward the reserve or reaction section or platoon that will be responsible for <i>offensive measures</i> , as a deterrent to further violence, should the above-mentioned measures not achieve the desired result.
4	Give a second warning in at least two official languages and if possible also in the language that is most commonly spoken in that area before the commencement of the <i>offensive measures</i> , giving innocent bystanders the opportunity to leave the area. The warning should give the participants and innocent bystanders enough time to leave the area, yet the time should not be so long that it gives the participants the impression that the Service is not serious. In cases where violence has already started the time frame should be "immediately".
5	The <i>operational commander</i> must plan all offensive actions well and execute them under strict command after approval by the <i>Overall Commander</i> .

(3) If the use of force is unavoidable, it must meet the following requirements:

- (a) the purpose of offensive actions are to de-escalate conflict with the minimum force to accomplish the goal and therefore the success of the actions will be measured by the results of the

- operation in terms of loss of life, injuries to people, damage to property and cost;
- (b) the degree of force must be proportional to the seriousness of the situation and the threat posed in terms of situational appropriateness;
 - (c) it must be reasonable in the circumstances;
 - (d) the minimum force must be used to accomplish the goal; and
 - (e) the use of force must be discontinued once the objective has been achieved;
 - (f) if the participants are going to be dispersed, make sure that they have enough escape routes in order to try and avoid serious injuries or possible deaths as a result of a stampede;
 - (g) If dispersion is unavoidable, try to disperse the participants in the direction of a positive attraction point (an area where participants would most likely be willing to move to); and
 - (h) always implement gradual police response.
- (4) The force may only be applied in a coordinated manner and on command. No individual action will be permitted unless in instances of self- or private defence.
- (5) The use of the following are prohibited or restricted during *crowd management* operations:
- (a) pepper spray (or capsicum) is prohibited, unless the relevant commander has issued a specific instruction to do so;
 - (b) firearms and sharp ammunition including, birdshot (fine lead pellets) and buckshot (small lead pellets) are prohibited; and
 - (c) teargas (CS) may be used only by *POP members* on command of the *operational commander* in situations that allow for its use, but never in stadia or confined spaces that could lead to a stampede.
- (6) The approved rubber rounds may only be used as *offensive measures* to disperse a *crowd* in extreme circumstances, if less forceful methods have proved to be ineffective.
- (7) Approved 40 mm rounds may only be used on command.
- (8) All other measures such as water cannons, *crowd management* trained equestrian units, etc., may be utilized upon the command of the *operational commander*.

- (9) Force may only be used upon the command of the *Operational Commander*. A *Member* may never act individually without receiving a command from his or her commander.
- (10) *Members* involved in the operation must form part of a unified command structure resorting under the JOC. Only *members* forming part of the operational plan may take part in the operation. All *VISPOL members* and Metro Police *members* deployed for such purposes must have been trained in crowd management.
- (11) Common law principles of private defence are not affected by this Instruction.
- (12) Containing the operational area is essential to prevent violence spreading, innocent persons becoming victims of violence or outside elements joining the violent protest. Roadblocks and vehicle check points manned by *members* from *VISPOL* and the Metro Police can be used to contain the area.

15. First member(s) at the scene of an unforeseen (spontaneous) gathering

- (1) The first *member* who arrives at the scene or venue of an unforeseen (spontaneous) *gathering* must seek to preserve the peace, to protect and help the community.
- (2) The first *member* who arrives at the scene or venue must —

Step	Action
1	contact the <i>POP</i> unit operational room and request back-up by personnel trained in <i>crowd management</i> ;
2	set up a mobile <i>VOC</i> and notify the relevant <i>POP</i> Unit. The <i>POP</i> Unit will assess the situation and will take operational command of the policing of the <i>gathering</i> with the assistance of <i>VISPOL</i> or Metro Police. If the first <i>member</i> who arrived at the scene is a <i>member</i> of a Metro Police, the commander of the <i>POP</i> Unit may, depending on the circumstances, inform the commander of the Metro Police at the scene to continue to exercise operational command over the policing of the situation;

3	attempt to create an atmosphere which is conducive to negotiations by refraining from the display of aggression (for example; the brandishing of firearms and special equipment);
4	identify the leadership element in order to establish communication and to start negotiations;
5	set the highest standards of tolerance and do not use any firearms against the demonstrators except in the case of private defence should if lives are in serious danger;
6	consult with the local authorities and <i>authorized member</i> concerning the <i>gathering</i> and the purpose of the <i>gathering</i> ;
7	bring the contents of section 9(1)(c) of <i>the Act</i> to the attention of the leadership element;
8	if negotiations fail, start with gradual police response as stipulated in par 14(3) of this instruction; and
9	if a national road is being blocked, the road needs to be cleared first before negotiations may start. Other roads will depend on the discretion of the <i>operational commander</i> .

16. Normalization of an area where public order was restored by the use of force

- (1) After the outbreak of any kind of violence or where *members* of the Service have been compelled to use force, it is of vital importance that the area should be restored and normalized as soon as possible.
- (2) In order to achieve this, the member in command at the scene must —
 - (a) involve all relevant role players from all other departments or institutions to maintain public order (eg ward councillors and other community and church leaders may address the people and urge them to remain calm). Roads need to be cleared and all signs of violence should be cleared by the responsible departments as soon as possible. These clean-up operations are not the responsibility of the Service;
 - (b) ensure that *POP* remains in the area to conduct saturation patrols and contain the situation by means of vehicle check points and roadblocks. Any form of violence or group forming must immediately be handled by *POP* in accordance with the

prescripts. It is of vital importance that no violence should be tolerated and that perpetrators should be dealt with in terms of the law;

- (c) after peace has been restored to the area, *POP* should hand over the area to the local station *members* in order to do further patrols of the area. This should be done because the local police are part of the immediate community and they should start to restore the police community relationships in that area. *POP* should however remain in reserve nearby in order to handle any eventuality should violence flair up again.
- (d) after it has become clear that the area has normalized, *POP* should hand over the area to the local police in order for them to continue with the normal day to day policing. At this stage *POP* may withdraw.
- (e) in worst case scenarios where normal day to day policing cannot continue in an area due to violence in that area, the normal day to day policing should, depending on the seriousness of the situation, become the responsibility of *POP*. This should continue until the situation is normalized.
- (f) in all cases of violence, ensure that only *members* with the right equipment and training should handle the situation. The use of armoured vehicles is of utmost importance in order to handle these kinds of situations and for the safety of the *members*. It is the responsibility of the Division: ORS to maintain an armoured fleet. It will however be the responsibility of each *POP* unit commander to see to the maintenance of the fleet under his or her control.

17. Reporting and record keeping

- (1) *Members* involved in an operation must keep the *JOC* up to date on actions and developments during the operation.
- (2) The *Overall Commander* must ensure that a detailed record is kept of all activities during the operation. All vehicles must have an operational diary which is completed by a *member* on that specific vehicle. The operational diary must contain all postings and instructions issued and all activities of participants during the event. An Occurrence Book entry

must be made of the action taken and measures instituted by all functional role players involved in the operation.

- (3) Records of operational plans, all reports on the execution of operations, and debriefing reports must be filed together and kept according to the Record Classification System of the Service, with an additional copy at the *POP* information component.
- (4) The representatives of all main role-players must be present at the *JOC* for the duration of the event.
- (5) All incidents of *crowd management* or restoration of *public order* operations must be reported to the local *POP* unit for registration on the *IRIS*, irrespective of the threat level or whether *POP* was involved or not.
- (6) Video footage recorded as well as the water cannon *DVR* must be handed in and preserved according to the relevant prescripts in dealing with video evidence.
- (7) In all cases where force has been used to disperse *crowds*, relevant case dockets must be opened.
- (8) In cases where force has been used to disperse *crowds*, the Independent Police Investigative Directorate must be notified.

18. Debriefing

- (1) The *Overall Commander* must ensure that a debriefing takes place after each event or *gathering* and that record is kept thereof.
- (2) Every level of command must debrief the levels below it individually, followed by an in-depth debriefing by the commanders of the operation. Afterwards a debriefing must be held with all role-players to determine whether the operation was effective and whether communication with the role-players was adequate.
- (3) A thorough evaluation must be conducted and, if possible, video footage must be shown.
- (4) All best practices, as well as shortcomings, must be recorded as part of a learning process to enhance best practices and address or prevent recurrences of identified mistakes.

- (5) Trainers and instructors must attend the debriefings, to review actions taken by *members*, and to address improper conduct by means of in-service training in *crowd management* techniques.
- (6) The *Overall Commander* must ensure that all appropriate assistance is provided to the Independent Complaints Directorate during an investigation which resulted from policing actions during an event or *gathering*.