NATIONAL INSTRUCTION 4 OF 2014
PUBLIC ORDER POLICE: CROWD MANAGEMENT DURING PUBLIC GATHERINGS AND DEMONSTRATIONS

1. Background

(1) The Bill of Rights set out in chapter 2 of the Constitution of the Republic of South Africa, 1996 is the cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom. The Service respects and aims to protect, promote and fulfil the rights in the Bill of Rights.

(2) Everyone is equal before the law and has the right to equal protection and benefit of the law. Members of the Service may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth. The Service respects that everyone has the right, to assemble peacefully and unarmed, to demonstrate, picket and present petitions.

(3) The rights in the Bill of Rights are however subject to the limitations contained or referred to in the Bill of Rights.

(4) The mandate of the Service, as set out in section 205(3) of the Constitution of the Republic of South Africa is, inter alia, to **maintain public order**, protect and secure the inhabitants of South Africa and to uphold and enforce the law.

(5) 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 1993 (Act No 200 of 1993), establish and maintain a national public order policing unit.

(6) Public Order Policing requires the maintenance of public order firstly by ensuring public order during public gatherings and demonstrations and secondly by intelligence driven crime combating and prevention operations.

(7) The purpose of this Instruction is to regulate the crowd management environment and, if violence is anticipated or has occurred during any gathering or demonstration, the restoration of public order.

(8) The Regulation of Gatherings Act, 1993 (Act No. 205 of 1993), shifted the focus away from obtaining permission to hold a gathering, to giving notice of an intended gathering. *The Act* prescribes the procedure 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 together with *the Act*.

(9) 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 community 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 communicating with the public, organisers and participants.

(10) The Divisional Commissioner: ORS is in full command and control of national *POP* units deployed and geographically situated in the provinces and must together with the provincial commissioners maintain the capacity to provide effective *crowd management* in order to maintain *public order*.

2. Definitions

In this Instruction, 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* to represent the police.

(b) "*Constitution*" means the Constitution of the Republic of South Africa, 1996;

(c) "*convener*" means any person who, of his own accord, convenes a gathering; and in relation to any organization or branch of any organization, any person representing such organization or branch in terms of section 2(1) of the *Act (*also referred to as *"the organiser")*;

(d) "*crowd*" means a number (more than 15) persons gathered together or an audience (consisting of more than 15 persons), at a sporting event or an 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) *"dangerous weapon"* means any object which may be used to cause serious bodily injury or death of a person;

(g) "*defensive measures*" refer to pro-active tactical measures such as static barriers (which are used to protect and safeguard people or property), negotiation, cordoning off, block, isolate, patrol, escort and channel;

(h) "*demonstration*" means a congregation of persons consisting of more than one person (but not more than 15 persons), demonstrating for or against any person, cause, action, or failure to take action;

(i) *"first responder"* means the first official who responds to and arrives at the scene of a spontaneous *gathering (*such an official may be from a POP unit, Visible Policing, the Metro Police or other law-enforcement agency);

(j) "*gathering*" means an assembly, concourse or procession of more than 15 persons in or on any public road or any other public place or premises wholly or partly open to the air, as defined in section 1 of *the Act*;

(k) *"information manager*" means the member of POP designated to take responsibility for the collection and supply of all information to the operational commander before, during and after a *gathering*, to ensure informed tactical decision making in order to professionally police all *gatherings* . The *information manager* must liaise with all role-players;

(l) "*IRIS*" the Incident Registration Information System used by the Service as a database to record incidents and store information;

(m) "*JOC*" means the joint operation centre that is activated at the scene of an incident or event;

(n) "*member*" refers to a member of the South African Police Service appointed in terms of the South African Police Service Act 1995 (Act No. 68 of 1995);

(o) "*OCT*"- means Operational Commander Training;

(p) "*offensive measures*" refers to reactive tactical measures required to normalize a situation and includes search and seizure, push back, evacuation, encircling and dispersal and requires the systematic escalation of appropriate force;

(q) "*operational commander*" means an operational officer or *member* who is responsible for the operational execution and coordination of an operation, and who has been designated in writing;

(r) "*overall commander*" means the member, designated in writing, who is in overall command of the operation (not only of the Joint Operation Centre, but of all persons and resources engaged in the operation);

(s) "*PCCF*" means the Provincial Crime Combating Forum, chaired by the Provincial Commissioner;

(t) "*POP*" means the specialized Public Order Police unit, trained to manage and control *crowds* or persons engaged in a gathering or demonstration with a view to restore public order. (This includes managing pre-planned and spontaneous assemblies, *gatherings* and *demonstration*s whether of a peaceful or unrest nature.)

(u) "*public order*" means the state of normality and security that is needed in a society and that should be pursued by the state in order to exercise constitutional rights and to thus benefit a harmonious development of society.

(v) "*responsible officer*" means a person designated as responsible officer or deputy responsible officer by the local authority and includes any person deemed to be a responsible officer as contemplated in section 2(4)(b) or 3(4) of *the Act*;
(w) "*the Act*" means the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993);
(x) "*Video camera operator*" refers to a POP member trained and designated to record incidents of crowd management; and
(y) "*VOC*" means the Venue Operation Centre.

3. Command and control

(1) 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.

(2) The Section Head: *POP* Operations (at the division: ORS) will have direct operational command and control in respect of the national *POP* units in the provinces and the Section Head: *ORS* Support Services (at the Division: ORS) will perform the support functions (such as, finance budget needs in terms of all equipment, armoured vehicle serviceability and maintenance, 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 deploy *POP members* of national POP units as well as physical resources across-provincial borders for national operations or priorities.

(5) The Divisional Commissioner ORS may, in consultation with the relevant provincial commissioner, deploy *POP members* as well as physical resources of provincial POP units in that province across-provincial borders for national operations or priorities. The *POP members* will, irrespective of the area of their deployment, remain under national command and receive operational support from the Division: ORS.

(6) At provincial level, the Provincial Head: ORS and the commander of the National POP unit in that province will attend the *PCCF* in order to gather information relating to *POP* functions.

(7) The Divisional Commissioner ORS is responsible for the development, revision and implementation of all policy and standards, the development of directives and standard operating procedures (SOP's) in respect of *POP*. The Section Head: *POP* Operations (at the Division: ORS) and the Provincial Heads: ORS in the provinces must ensure the implementation of standards, operationalise policy, circulate directives and SOP's, and monitor adherence thereto.

(8) The Provincial Commissioner 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 units.

4. Operational functions

(1) Functions and tasks of *POP* units

(a) The policing of public *gatherings*

The policing of public *gatherings* 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 in 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) Combating of serious and violent crime

Combating of serious and violent **crime** includes stabilizing outbreaks of public violence at incidents of (and the combating 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 persons and property.

(c) Rendering of specialised operational support

Rendering of specialised operational support 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 National 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 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 ensure that all notices in respect of his or her area of responsibility is captured within one hour after becoming aware thereof and monitor all information registered on *IRIS* to ensure data integrity. All units must at least have one person per shift who 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 and deployed by the information manager at all events to monitor the event with evidence based video footage regarding events that have been identified in the treat assessment. 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 and tasking Crime Intelligence to gather information on potential violent disorder.

(2) All potential or existing challenges and underlying factors must be analysed by intelligence and information structures and reported to the relevant Provincial Commissioners, the relevant Provincial Head: ORS, *POP* unit commanders in the province and the Section Head responsible for *POP* (at the Division: ORS). If there is any threat to public safety, the Station Commanders concerned, supported by his or her cluster commander, must initiate a facilitation process to resolve the factors that underlie the disorder peacefully. They must identify role players and stakeholders who can play a role in resolving the problem, bring them together, if possible, 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 Provincial Commissioner must, in writing, designate an experienced officer for every station, as the *authorized member* for that station area.

(2) The Provincial Head: ORS must ─

(a) keep and maintain a register with the particulars of the *authorized members* (containing the personnel number, rank, name, contact numbers of each *member*) 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.

(3) A Station Commander must obtain the contact particulars of the designated *authorized member(s)*, as well as designated *responsible officers* for his or her station area, and must ensure that a list containing this information is displayed in the Community Service Centre of the station.

(4) Where a *gathering* or *demonstration* is likely to take place in or over more than one station area, all the relevant *authorized members* must be involved, but the relevant cluster commander must determine which *authorized member* will lead the contingent.

7. Duties and responsibilities of an authorized member

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

(a) attend every Station Crime Combating Forum (SCCF) meeting, 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 in respect of a *demonstration* or *gathering* and the deployment of the *POP* Unit during the *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 *authorized member* received a notice (in writing) from a *convener* of a *gathering*,	he or she must inform the *convener* that such notice is to be handed to the *responsible officer* and indicate how the *convener* is to contact the *responsible officer*. The *authorized member* must consult with the *responsible officer* and ensure that such notice has been received.
the *authorized member* received information from other internal police sources that a *gathering* is to take place,	he or she must consult with the *responsible officer* and enquire whether notice has been given to him or her. If notice has not been given to the *responsible officer*, the *authorized member* must contact the *convener* and inform him or her that notice is to be given and inform them of the provisions of *the Act*. The *authorized member* must consult with the *responsible officer* in this regard.

the *authorized member* is contacted by the *responsible officer* to inform him or her that a *gathering* is to take place,	the *authorized member* must make an attempt to gather information pertaining to the proposed *gathering* by using the *POP* unit information network (and crime intelligence network where appropriate) and requesting a meeting in terms of section 4 of *the Act*.

(2) During consultations referred to in subparagraph (1) or at a pre-planning meeting between government role players (before the a meeting in terms of section 4 of *the Act* takes place) ─

(a) a common approach must be agreed upon on dealing with the proposed *gathering*

(b) all the arrangements for the proposed event must be finalized; and

(c) 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 Provincial Head: ORS 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 Provincial Head: ORS to enable him or her to determine the threat level involved, (together with Crime Intelligence and other relevant role players (such as the local authority)).

(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 experience with the parties, suitability, vicinity or venue in terms of alleviating or aggravating risk, etc). The Provincial Head: ORS must as soon as practically possible inform the relevant *authorized member, POP unit commander, station commander, provincial commissioner and the* Section Head: *POP* Operations (at the Division: ORS) regarding his or her assessment of the threat level involved in a *gathering* or *demonstration*.

(3) The threat must be categorised as –

(a) Level One: (A peaceful *gathering* and less significant sport, entertainment or social event which can be policed by *members* of Visible Policing at station level or the Metro Police (trained in basic *Crowd Management* skills) where there is no threat or need for the use of force is envisaged. The *POP* unit must be 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 Visible Policing at station level and the Metro police service, that are trained in basic *crowd management* skills, must be 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 must 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 to lives and property. The *POP* unit must take operational command. (Visible Policing at station level and the Metro Police service may be utilised to assist in policing the event).

If a *crowd management* or public order situation escalates to the extent that public violence erupts and the necessity to restore *public order* is required, *POP* must take full operational command and stabilize the situation.

10. Designation of an Overall Commander

(1) The specific Station Commander (or Visible Policing Commander) of the relevant 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 relevant Provincial Commissioner or a functionary designated by him or her).

(2) The Provincial Commissioner or the Divisional Commissioner: ORS, or an officer designated by him or her, must ensure that an *Overall*

Commander is designated for a level 3 event, and that he or she is conversant with this instruction, relevant legislation and is well trained in the duties and responsibilities relating to the operation.

(3) 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, and for all persons and resources deployed to manage that particular operation.

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 compiled and implemented according to a specific planning framework determined by guidelines of the Division: ORS. The planning framework (doctrine) must be integrated into and taught as part of a formal learning programme aimed at the development of command leadership.

(3) The *Overall Commander* of the operation must ─

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 *members* of Visible Policing at station level, Crime Intelligence, local authorities, Metro police officials, discussions with the public or the use of the information network of the *POP* Unit;
2	collect information regarding ─ (i) the actual route the participants plan to follow (the information on the planned route is normally obtained at a meeting held in terms of section 4 of *the Act)*; (ii) the likelihood of an outbreak of violence; (iii) whether the participants are aggravated; (iv) whether any firearms (or *dangerous weapons* or objects) 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 operation;
3	make a thorough assessment on the available means, the mission, the threat as well as the surrounding circumstances.

	This will enable the *Overall Commander* to have a broad overview of what is expected and how he or she can achieve the objective;
4	arrange a security meeting 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 developed operational plan to the Head: National POP (or the functionary designated by him or her), the provincial commissioner and cluster commander;
7	submit the written plan to the relevant role players and units as well as the Station Commander (in whose policing area the event will take place). A copy of all crowd related event plans must be submitted to the relevant *POP* unit for registration on the *IRIS* system and to the relevant Executive Head of Metro Police (if applicable) for information purposes;
8	activate a *JOC* and designate a *JOC* commander, *operational commander*, intelligence commander and a support commander, 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, the relevant *POP* unit *operational commander* must be designated in consultation with the relevant *POP* unit Commander and Provincial Head: ORS;
9	ensure an information network to supply up to the minute information of a tactical nature to the *JOC (*use this information to effectively apply the available resources or means. In all instances where the *POP* unit is actively involved in any operation (such as level 3) they must approach their *information managers* to gather information before, during and after the operation);
10	brief all the commanders and relevant command structures of the different Units or Departments;
11	ensure that a situation report is given to the *POP* operational room at the *POP* unit for the completion of an *IRIS; and*
12	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 *member*s must report all information to their officer in charge at the scene who must report it to the *JOC 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 *JOC Commander*. The *JOC* Commander must keep the *Overall Commander* informed of the actions of participants.

12. Briefing of members

(1) *All role players* must be properly briefed before they are deployed to perform *crowd management* or restoration of *public order* duties. The *Overall Commander* must ensure that Employee Health and Wellness is informed of the event or gathering.

(2) The *Overall Commander* or a designated officer must ─

(a) personally brief all *members* and other role players 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 command structure as set out in the operational plan must be clearly explained. 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 or she understands what is expected of him or her. Section leaders and commanders must then brief their *members*

(5) The *operational commander* must ensure that POP *members* are inspected in order to ensure that their name badges are clearly visible and that every *member* has at least –

(a) body armour (bullet resistant vest and 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*);
(g) stun grenades;
(h) a shotgun and approved rounds;
(i) 40 mm Launcher with rounds (to designated *members*); and
(j) 9 mm sidearm (official issue) firearm and rounds of ammunition.

(6) The *operational commander* must ensure that record is kept of each member's equipment, firearms and ammunition and that it is available once the inspection is finalised.

13. Execution of peaceful crowd management operations

(1) The overall commander must designate a *member,* trained in *POP* operational tactics and techniques, as *operational commander. The* commander must at least have the rank of Warrant Officer or a higher rank in order to meet the criteria set out in section 9 of the Act.

(2) An operation –

(a) must be conducted in accordance with the operational plan;
(b) must preferably be conducted with a reserve (a reserve may be a section, platoon, company or even a group, depending on the size of the operation). (A reserve will provide the *operational commander* with options. The sections of the reserve will be utilised as part of the *defensive measures,* although they must have the capability to carry out *offensive actions)*;
(c) the members taking part in the operation must be organised in sections, platoons, companies or groups. (A member must remain in his or her position, as instructed by the *operational commander, and may not* change, leave or abandon this position unless instructed to do so by the *operational commander)*;
(d) the *operational commander* remains in command of the operation and takes all tactical and operational decisions. (the

operational commander must be well experienced in the handling of stressful situations);

(e) a senior *POP member* must be designated to take operational command of *POP members*. (All other members of all agencies or disciplines supporting *POP* in a *crowd management* operation resort under the authority of the *operational commander)*; and

(f) a *member* of any other agency, discipline, unit or station may not be permitted to perform duties in the same section, platoon, company, or group with *POP members* (unless the specific agency, discipline, unit or station has trained together with the *POP* unit and is able to function together with them as a cohesive unit.) (*POP* units have specialized training and should operate independently from all other *members*, unless the specific agency, discipline, unit or station has trained together with the *POP* unit and is able to function together with them as a cohesive unit. This will ensure the safety of the *POP members* as well as the safety of other *members* at the scene. This is particularly important in cases of medium and high risk operations.)

(2) The *operational commander* must seek to build trust with the crowd and its representatives. This can be achieved by adhering to undertakings given. 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 *member*s of *POP* trained in *crowd management* and equipped with the relevant *crowd management* equipment. The situation must be contained by members of Visible Policing at station level and Metro Police until *POP members* can take over the situation. If it is not possible to contain the situation or wait for *POP* to arrive, only members of Visible Policing at station level 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 or the prescribed cover-alls in order to display uniformity and professionalism.

(2) If negotiations fail and life (and property) is in danger, members must —

Step	Action
1	put *defensive measures* in place as a priority and contact the *JOC* immediately;
2	warn participants according to section 9 of *the Act* in at least two official languages and if possible also in the language that is most commonly spoken in that area. The warning must be audible and must include the action that will be taken against them, and is applicable should *defensive measures* fail. The warning should, if the circumstances permit, include an explanation of the steps that are going to be taken to disperse the crowd and 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 *offensive measures*, 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 *offensive measures*, 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 shortened immediately; and
5	the *operational commander* must plan all offensive actions well and execute them under strict command after approval by the *Overall Commander*.

(3) If the use of force is unavoidable, —

(a) the purpose of offensive actions must be 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 immediately 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, an attempt must be made 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) Force may only be applied in a coordinated manner and on command. No individual action will be permitted except in instances of 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 (pepper spray may not be used in confined spaces or a stadium where it could lead to a stampede);
(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) Approved rubber rounds may only be used as *offensive measures* to disperse a *crowd* in extreme circumstances, if less forceful methods have proven 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 only be utilized upon the command of the *operational commander*.

(9) Force may only be used upon the command of the *Operational Commander, except if the member acts in private defence*.

(10) M*embers* involved in the operation must form part of a unified command structure resorting under the *JOC*. Only persons referred to in the operational plan may take part in the operation. All members of Visible Policing at station level and Metro Police deployed for such purposes must have been trained in crowd management and be operational. In this regard only members trained in crowd management should be called up and deployed in an operation.

(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 check points manned by *members* from Visible Policing at station level and the Metro Police may be used to contain the area.

15. First responder (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 *POP* unit operational room through his or her command structure and request back-up by personnel trained in *crowd management*;
2	inform his or her immediate commander and set up a mobile *VOC* in cooperation with the relevant role-players and notify the relevant *POP* Unit. The *POP* Unit will assess the situation and will take operational command of the policing of the *gathering* with the assistance of *members* of Visible Policing at station level or Metro Police. If the first *member* who arrived at the scene is a *member* of a Metro Police, the commander of the *POP* 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	contain the situation until the POP Unit arrives. He or she must not display aggression, such as for instance, by the

	brandishing firearms and special equipment but must attempt to create an atmosphere which is conducive to negotiations;
4	identify the leadership element in order to establish communication and start negotiations;
5	display the highest standards of tolerance and not use any firearms against the demonstrators except in the case of private defence should lives be in serious danger;
6	consult with the local authority and *authorized member* concerning the *gathering* and the purpose of the *gathering;*
7	bring the contents of section 9(1)(c) of *the Act* to the attention of the leadership element of the *crowd*;
8	be observant and keep a detailed record of the incident, as well as steps taken, in his or her pocket book (SAPS 206), including ─ (i) time of arrival at the scene or venue; (ii) exact location (address) of the *gathering;* (iii) number of participants involved in the *gathering;* (iv) the behaviour of the participants and their actions; (v) whether any firearms or weapons are observed; (vi) particulars and descriptions of the leaders of the *gathering;* (vii) descriptions of demonstrators breaking the law so that arrests can be made at a later stage if necessary; (viii) all steps and actions taken by *first responder;* (ix) development of the situation; (x) time at which the scene was handed over and to whom; and (xi) take photographs or video material of demonstrators breaking the law, if possible. (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 *operational commander*.

(3) Every station commander must ensure that visible policing members at his or her station undergo crowd management training and that a list is kept in the Community Service Centre of members trained in crowd

management. Station commanders must designate detectives to assist the Community Service Centre with statement taking during a crowd management incident.

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 (subject to the investigation of the crime scene, if applicable). 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, establish peace support to ensure peace building. *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 which is the responsibility of the local police

station, may, depending on the seriousness of the situation, become the responsibility of *POP* upon the decision by the relevant provincial commissioner. This should continue until the situation is normalized as determined by the relevant provincial commissioner.

(f) in all cases of violence, ensure that only *members* with the right equipment and training should manage 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 is however the responsibility of each *POP* unit commander to see to the maintenance of the fleet under his or her control and each provincial commissioner must ensure that sufficient funds are allocated on an annual basis for the licensing and maintenance of the armoured fleet under his or her command.

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 at all the different levels 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 at the water cannon DVR must be handed in and preserved according to the relevant prescripts in dealing with video evidence. Such video footage must be made available to the Division: ORS on request for evaluation and training purposes.

18. Investigation

(1) If force had been used to disperse *crowds* or offences had been committed, relevant case dockets must be opened.

(2) In cases where force had been used to disperse crowds, the Independent Police Investigative Directorate must be notified.

(3) It is the responsibility of section and platoon commanders to oversee and guide the laying of criminal charges and making of statements by members under their command.

(4) Notice must be taken of the Policy on Crime Scene Management, the National Instruction on the Registration of case dockets on the Crime Administration System, Standing Orders (General) 321 to 326 (relating to the management of dockets), Standing Order (General) 341 (arrest and the treatment of an arrested person until such person is handed over to the Community Service Centre Commander) and Standing Order (General) 361 (handling of persons in the custody of the Service from their arrival at the police station).

19. Debriefing

(1) The *Overall Commander* must ensure that a debriefing takes place after each event or *gathering* and that record is kept thereof. The *Overall Commander* must allow that Employee Health and Wellness to render the relevant support services to members once the operational debriefing has been completed.

(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 Police Investigative Directorate during an investigation which resulted from policing actions during an event or *gathering*.

20. Training and maintenance exercises

(1) First responder training

(a) All station commanders and their operational command structure must acquaint themselves with the duties of a first responder to spontaneous gatherings. Station lectures must be used to familiarize operational members at stations with first responder duties.

(b) POP Unit Commander must ensure that first responder training interventions are formally presented to station members as determined by provincial priorities. Training must be in line with national training guidelines. All first responder training interventions by POP units must be presented in liaison with the Provincial Head: HRD and recorded for statistical purposes by the Provincial Head: HRD.

(2) Maintenance exercises

POP Unit Commanders must ensure that members under their command undergo regular maintenance exercises at unit level to ensure their readiness for operational deployment. Record must be kept of these exercises held and those members in attendance.

(3) Lessons learned

Lessons learned from incidents should be captured during debriefings and shared with other units and where appropriate, incorporated into maintenance exercises.