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, cordonning 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 demonstrations 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.
“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;

“the Act” means the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993);

“Video camera operator” refers to a POP member trained and designated to record incidents of crowd management; and

“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.
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(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:

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<td>the authorized member received a notice (in writing) from a convener of a gathering,</td>
<td>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.</td>
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<td>the authorized member received information from other internal police sources that a gathering is to take place,</td>
<td>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.</td>
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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 convener, 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 —

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<td>1</td>
<td>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;</td>
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| 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;

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<th>4</th>
<th>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);</th>
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<td>5</td>
<td>develop a comprehensive written operational plan;</td>
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<td>6</td>
<td>submit the developed operational plan to the Head: National POP (or the functionary designated by him or her), the provincial commissioner and cluster commander;</td>
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<td>7</td>
<td>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 <em>IRIS</em> system and to the relevant Executive Head of Metro Police (if applicable) for information purposes;</td>
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<td>8</td>
<td>activate a <em>JOC</em> and designate a <em>JOC commander</em>, <em>operational commander</em>, 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 <em>operational commander</em> must be designated in consultation with the relevant POP unit Commander and Provincial Head: ORS;</td>
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<td>9</td>
<td>ensure an information network to supply up to the minute information of a tactical nature to the <em>JOC</em> (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 <em>information managers</em> to gather information before, during and after the operation);</td>
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<td>10</td>
<td>brief all the commanders and relevant command structures of the different Units or Departments;</td>
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<td>11</td>
<td>ensure that a situation report is given to the <em>POP</em> operational room at the POP unit for the completion of an <em>IRIS</em>; and</td>
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<td>12</td>
<td>ensure that a copy of the de-briefing report is submitted to the relevant POP unit for filing.</td>
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(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 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
(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 members 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 —

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<td>1</td>
<td>put defensive measures in place as a priority and contact the JOC immediately;</td>
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<td>2</td>
<td>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.</td>
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<td>3</td>
<td>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;</td>
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<td>4</td>
<td>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</td>
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<td>5</td>
<td>the operational commander must plan all offensive actions well and execute them under strict command after approval by the Overall Commander.</td>
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(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) Members 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 —

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
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<tbody>
<tr>
<td>1</td>
<td>contact the POP unit operational room through his or her command structure and request back-up by personnel trained in crowd management;</td>
</tr>
<tr>
<td>2</td>
<td>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;</td>
</tr>
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</table>
| 3    | contain the situation until the POP Unit arrives. He or she must not display aggression, such as for instance, by the
| 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.
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 (e.g., 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.
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 briefing has been completed.

(2) Every level of command must brief the levels below it individually, followed by an in-depth briefing by the commanders of the operation. Afterwards a briefing 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.