

EXPLORING SOUTH AFRICAN POLICE SERVICE'S MANAGEMENT OF CIVIL PROTESTS IN SOUTH AFRICA

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Abstract

More recently around 2015 and 2016, South Africa has experienced a growing number of protest action and unrest which, in some instances were accompanied by serious provocation, intimidation, public violence and even elements of criminality. The main challenge for the South African Police Service (SAPS) is to respond to these manifestations within the spirit and context of a community orientated policing model and the Bill of Rights. This requires a realistic balance between acknowledging the rights of citizens to demonstrate versus the police's need to ensure peace and stability. These challenges require us to assess the effectiveness of public order policing, especially with regard to its practice and response. In respect of the vested rights granted by the Constitution of the Republic of South Africa, 1996. Of note is that not all public protest can proceed unrestricted because the merits of public protest actions are not always clear-cut. The purpose of this paper is therefore, to seek to understand the SAPS management of civil protests in the selected areas in the Gauteng Province, South Africa. This study employed a quantitative research method. 103 respondents from the SAPS from Public Order Policing (POP) Johannesburg, POP Pretoria and POP Springs took part to identify the underlying causes relating to police brutality during public protests. Results show that the respondents were split whether there are no specific strategies or specific strategies available to deal with public protests in South Africa. The males disagreed more on this statement, thus more of the males than the females were of the perception that there are specific strategies available to deal with civil protests in South Africa. POP springs were more of the perception than the other two stations that there are no specific strategies available to deal with civil protests in SA.

Keywords: Brutality, civil protest, public order policing, crowd control

1. INTRODUCTION

It is argued that South Africa (SA) is the protest capital of the world as it displays the most rated of public protests in the world. According to Alexander, Runciman and Maruping (2015, p. 5), between 1997 and 2013 the SAPS' Incident Registration Information System (IRIS) recorded 156,230 'crowd incidents'; 90.0% of

these were classified as 'crowd (peaceful)' and 10.0% as 'crowd (unrest). These allegations are confirmed by other researchers who claim that the rate of protests has been escalating since 2004 after democratisation and that the reason for this phenomenon is very complicated to explain (Tait & Marks, 2011, p. 17). The complexity of politics, government interests, poor service delivery by municipalities, land ownership, indigenous authority such as traditional leaders or so-called chiefs, the role of community leaders, poverty and elitist interest, such as for example, in the mining industry, all contributes to the plethora of issues that underlie community protests that plague the country and its economy. Different types of public protests such as service delivery, taxi strikes as well as the boycotting of the general election, are often shown on the national television with protestors barricaded the roads, burning tyres and took to the streets, marched to the local municipalities or police stations with petitions seeking recourse from local leaders.

2. BACKGROUND OF THE STUDY

South Africa's transition to democracy in 1994 brought about many changes. For policing, this meant transforming from repressive apartheid-style policing to a police service willing to serve the people. Given the role played by the Internal Stability Units (ISUs) under the previous government, these units were in need of a major overhaul. Their central function at that time was "the enforcement of apartheid laws, the suppression of political unrest and the prevention of unrest, intimidation and unrest-related crimes (Rauch & Storey, 1998, p. 1). The dynamics in the policing of public protests in South Africa after the democratic dispensation from 1994 have undergone a major shift. Prior to 1994, the police, supported by the military, were tasked to suppress and use force to control unrests flowing from political opposition.

The early 1990s experience increased political activities that resulted in key control challenges for "riot control" within the police force. Political marches and rallies that characterised the early 1990s could not be managed with the same repressive style as was the case prior to democratic negotiations. Policing measures against public protest was generally characterized by arbitrary "riot control" and abusive actions of the Internal Stability Division (ISD) which brought controversy into public order policing" (Ministry of Police, 2013, p. 1). Transformation in the SAPS required the rationalisation of public order policing units, but has also exposed a serious gap within the policy environment. Post 1994, the SAPS.

Mottiar and Bond (2011:1) point out that the high levels of popular demonstrations in South African communities, often termed 'service delivery protests' suggest a significant amount of social discontent, even if the rise of a protest 'movement' with similar norms, values, strategies and tactics has not generated a transformational political agenda so far. Indeed some protests turn xenophobic, suggesting a backward looking localism rather than a liberatory insurrection. Mottiar and Bond (2011:1) postulate that reasons for protest often include lack of access to water, sanitation, electricity, housing and employment, discontent over a lack of political accountability, and specific grievances associated with student and worker strikes. In addition to students and workers, protesters include residents of townships and informal shack settlements, civil society organisations and members of political parties.

3. OBJECTIVES OF THE STUDY

This study is based on these objectives:

1. To investigate the police awareness and understanding of their constitutional role in civil protests.
2. To investigate whether the SAPS has got enough human and material resources capacity required to engage protests.
3. To examine the strategies or approaches utilised by the SAPS in dealing with protesters.
4. To ascertain the challenges and prospects for protests management strategies by the police.
5. To recommend best practices that could be adopted by SAPS in terms of civil protests management in South Africa.

4. PROBLEM STATEMENT

The most important police challenge today in South Africa is to maintain the social order in nine diverse provinces within different political contexts (Sheehan & Cordner, 1995, p. 11). Due to a lack of clear policy and guidelines, the SAPS reacted with operational policy based on lessons learned from a number of notable incidences involving the police and the public. United Nations (2011, p. iv) argues that for the police

to be able to take responsibility for actions and wrongdoings, they need to receive proper direction. They also need to be well-prepared and equipped to carry out their functions in a professional way, and need to be assured of proper working conditions. Line managers must supervise their staff, and police actions and operations need to be reviewed and evaluated. Moreover, effective police accountability involves many different actors representing the different layers of modern-day democracies, including government representatives, the parliament, the judiciary, civil society actors and independent oversight bodies such as national human rights institutions. Primarily, it involves the police themselves (United Nations, 2011, p. iv).

United Nations (2011, p.1) further asserts that efforts to enhance police oversight and accountability must focus on three key, related priorities. Firstly, where policing has been militarised and may be undemocratic and authoritarian, efforts must be made to enhance civilian control over the police. Secondly, it is necessary to increase public confidence in the police by upgrading levels of police service delivery as well as by investigating and acting in cases of police misconduct regarding police brutality. The main challenge for the SAPS is to respond to these manifestations within the spirit and context of a community orientated policing model and the Bill of Rights. This requires a realistic balance between acknowledging the rights of citizens to demonstrate versus the police's need to ensure peace and stability. These challenges require us to assess the effectiveness of public order policing, especially with regard to its practice and response.

5. THEORETICAL AND METHODOLOGICAL FRAMEWORK

5.1 Public protest in South Africa

Research indicates that the 1960s in South Africa were notable for the absence of riot control units (Omar, 2006, p. 7). According to Rauch and Storey (1998, p. 3), this can be attributed to the banning of political parties and the imprisonment of political leaders. Omar (2006, 7) argues that as a result of banning political parties, there were fewer public protests against the apartheid regime, which reduced the need for these units. When problems did arise, local police members, together with the military, were tasked to control the unrest. With no specialised police training or units, the consequences were dire when violence did break out at public events.

The early 1990s saw an increase in political activity in South Africa, which brought many challenges for the riot control units. The various marches and rallies that characterised the era could not be managed as was done previously. After several incidents, such as those at Sebokeng in 1990 and Daveyton in 1991, the government realised that the role and function of the riot control units in perpetrating violence had to be addressed (Omar, 2006, p. 7). It is argued that public protest in South Africa has reached extremely high levels and since 2005 is estimated at an average of more than 8000 'Gatherings Act' incidents per year (Bond, 2010, p.1). The varied nature of these local gatherings taking the form of protests makes them difficult to quantify, resulting in vast differences between the Incident Registration Information System (IRIS) maintained by the SAPS when the Gatherings Act (applicable to protests of 15 people or more) is relevant, and the far less frequent 'Hotspots Monitor' records gathered by Municipal IQ, a private research company (Alexander, 2010, pp. 25-40).

According to Alexander et al. (2015, p. 24), "turning to the proportion of crowd incidents classified as 'unrest', the average for the 17 years was precisely 10.0%. However, the balance shifts. The average for 1997-98 is 13.5%; for 1999-2007 it is 8.2%; and, if we exclude 2010, for 2007-13 it is 12.0%, with the highest figure, 15.1%, being recorded in 2012." Alexander et al. (2015, p. 24) point out that so far there are two rather obvious conclusions. The total number of crowd incidents, especially those defined as 'peaceful', declined rapidly after the 2006 reorganisation, and probably, in large measure, because of it, and then it rose steeply in 2010 as a consequence of the FIFA World Cup.

Beyond that, one can begin to describe a pattern, but it is necessary to analyse the data in different ways in order to begin to hazard possible explanations. In South Africa, 15,626 incidents recorded as 'unrest'. Gauteng also the most populous province, accounted for the highest unrest percentage for all provinces. While the Western Cape recorded over 15% of the unrest incidents, the North West, KwaZulu-Natal and Eastern Cape each recorded around 12% of the incidents. Mpumalanga, Limpopo and the Northern Cape recorded the lowest percentages of unrest incidents, all under 7% each (Alexander et al., 2015, p. 25).

Omar (2007, p. 23) postulates that public gatherings in South Africa are regulated by the Regulation of Gatherings Act (205 of 1993 - the Regulation of Gatherings Act Public gatherings in South Africa are regulated by the Regulation of Gatherings Act (205 of 1993). The Regulation of Gatherings Act (RGA) was developed in response to the findings of the Goldstone Commission of Inquiry which was set up 'to

investigate and expose the background and reasons for violence, thereby reducing the incidence of violence and intimidation' (Omar, 2006, 2007). The Goldstone Commission found that violence and police brutality were widely prevalent at mass marches and demonstrations in the early 1990s. It recommended that citizens be accorded the right to participate in peaceful public gatherings, and that the role of the police in these gatherings be changed (Omar, 2006, 2007).

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5.2 Legislative framework

Since 1996, unresolved social issues have resulted in some members of the public to expressing themselves through structured and non-structured public gatherings, marches and sometimes public protests. However even where the underlying causes of public protest actions are meritorious, the government has a residual effect to maintain public order. In addition there are some instances where organisers responsibilities are abdicated which led to criminality and criminal elements who have been able to make use of public gatherings and protests to serve their own narrow objectives and purposes.

The Constitution of the Republic of South Africa, 1996 (Section 205 sub-section (3)) clearly defines the functions of the police to include: *to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law* (Ministry of Police, 2013, p. 6). Section 205 (3) of this Constitution of the Republic of South Africa, 1996 stipulates that the objectives of the SAPS are to prevent, combat and investigate crime and to maintain public order, to protect and secure the inhabitants of the Republic and their property; and to uphold and enforce the law. Below are the components of legal and regulatory framework at preventing police brutality:

5.2.1 Criminal Procedure Act, 51 of 1977

The police function of maintaining law and order requires some powers to be imparted on police officers which involve the use of force at some point in time. Section 49 of the Criminal Procedure Act no 51 of 1977, states that the police may use force to protect themselves or other people who face an immediate threat of death. It also provides the use of force to prevent the flight of a person who presents a "future danger of such harm". On the other hand, section 49 of the Criminal Procedure Act no 51 of 1977 is also likely to be unsatisfactory as a legal provision in some way the public find it difficult interpreting the section in its current form as shown in Van der Walt (2011, p. 20) and Bruce (2011, p. 4). Botha and Visser (2012, p. 349) point out that the reasons for the use of force in affecting arrest were clearly spelt-out in the Criminal Procedure Acts no 51 of 1977 as follows:

- i. The police officer may use force if she/he believes that there is a substantial risk that the suspect will cause imminent/future death, grievous bodily harm if the arrest is delayed.
- ii. If the police officer attempt to arrest the suspect and the suspect resist the attempt, the police officer may use force to overcome the residence/to prevent suspect from fleeing.
- iii. Empowers the legally entitled police officer to use reasonable and necessary force to overcome any form of resistance against search.

Provisions which also impact on the investigation of incidents involving the use of force are those which provide or support, a right to remain silent to persons "arrested for alleged committing an offence" and this provisions are part and parcel of the functions of the SAPS as explained in the Constitution of the Republic of South Africa, 1996, Section 205 (3).

5.2.2 South African Police Service Act 68 of 1995

The functions of the SAPS are determined by the Constitution of the Republic of South Africa, 1996, Section 205 (3): (1) to prevent, combat and investigate crime; (2) to maintain public order; (3) to protect and secure the inhabitants of the Republic and their property; and (4) to uphold and enforce the law. Mwanajiti, Mhlanga, Sifuniso, Nkambikambi, Muuba and Mwananyanda (2002, p. 105) assert that the issue of the use of force is

when police members who performs an official duty is authorised by law to use force, he or she may use only the minimum force which is reasonable in the circumstances. There mechanisms in place for assisting the police with managing public order without the use of excessive force in communities, especially when there are protests. The SAPS therefore developed and implemented the Standing Order 262 for Crowd Management as a means to efficiently work with communities.

5.2.3 South African Police Service Standing Order No. 262

The SAPS Standing Order No. 262, highlights that 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 found in Section 9 (1) and (2) of the SAPS Act. The standing order further puts in place the procedure(s) to be followed by the police if negotiations fail in a public gathering which exposes the lives of people and property to danger. At the same time the standing order also prescribes the requirements which are to be followed by the police if the use of force becomes unavoidable. The use of excessive force in such circumstances is therefore guided by the SAPS Standing Order 262 as it gives clarity regarding the kind of weapons and ammunition that are allowed to be used during public protests.

5.2.4 Independent Police Investigative Directorate (IPID)

The Independent Police Investigative Directorate (IPID) has been established in terms of the Constitution of the Republic of South Africa, 1996 as an oversight structure, with the task of investigating allegations against the police in South Africa (Verma, Das & Abraham, 2013, p. 215). This means that the IPID is a watchdog that was established to ensure that the agencies that are tasked to conduct policing like the SAPS do not misuse their privileges as stated above which may result to excessive use of force.

The IPID, which was formerly known as the Independent Complaints Directorate (ICD), is an agency of the South African government responsible for investigating complaints against the SAPS and municipal police services. The ICD was established as an independent body charged with conducting oversight responsibility as provided by the Constitution, but later was transformed into the IPID in terms of the South African Police Service Act, 1995 (IPID Act 1 of 2011). In terms of section 25 (1) of the Constitution, the Directorate must investigate:

- i. Any deaths in police custody, or deaths as a result of police actions
- ii. Rape by a police officer, whether the police officer is on or off duty
- iii. Rape of a detainee by other detainees while that detainee is in police custody
- iv. Any matter that is referred to by the Minister or an MEC through the Executive Director
- v. Any complaint of torture that is referred to it by a Station Commissioner, Magistrate, Judge, legal representative or the complainant in the case where the complainant is unrepresented
- vi. Any other matter referred to as a result of a decision of the Executive Director, or if so requested by the Minister, an MEC or the Secretary, as the case may be.

It should be noted that in as much as the IPID is responsible for ensuring that all policing agencies in South Africa conduct themselves within the confines of the constitution, it is still not possible to completely do away with the use of excessive force even without any valid reasons at times. This therefore means that there will always be complains regarding the excessive use of force by police officers which then result to the government having to deal with law suits and many other reactionary actions that has costs the government a lot. The failure to completely do away with police brutality in terms of excessive use of force has also caused a lot of deaths and this gives the SAPS a bad reputation. An organisation like the SAPS is not supposed to have any of these remarks as its main objective is to protect society and be trusted by communities. There are very severe consequences of organisations like the SAPS when they are not trusted by the very same society that the SAPS has to work with.

6. RESEARCH METHODOLOGY

This paper utilised a quantitative research method testing the perceptions of police members within Public Order Policing Units in Pretoria, Springs and Johannesburg about their perceptions on the SAPS management of civil protests in South Africa. A structured questionnaire was compiled by the author to be used for the collection of data.

7. SAMPLING

In non-probability sampling the odds (sampling estimates) of selecting specific individuals are not known

simply because the size of the population is unknown or blurred due to imperfect sampling conditions (cf. Maxfield & Babbie, 1998). This study implements a non-probability approach and, more specifically, a purposive (judgmental) sampling technique, blended with accidental or convenient sampling. Purposive or judgmental sampling has been chosen for three practical reasons: (1) because of the widespread location of the different areas of sampling across the country, (2) the author has a specific purpose in mind with the present scientific inquiry and it was unknown whether the sampling units would be representative of the entire South African population prior to selecting an area due to unknown sampling estimates and (3) in essence, the present study remains exploratory in nature and extent.

Accidental sampling provided room for the convenient selection of sampling units (i.e. units of analysis) that can be reached relative easily and at a reasonable cost (Karademir, 2012, p. 132) and which are available for research purposes whenever the opportunity presented itself (Neuman & Wiegand, 2000, p. 197; Hagan, 2000, p. 143). Therefore, the sampling procedure does not entirely rest on the accidental sampling technique per se.

8. DATA COLLECTION

An expected frequency (f_e) estimated at $N=103$ sampling units across the three policing areas has been collectively accepted as constituting a large enough sample from which valid interpretations and descriptions of the data could be made. As a result, no generalisations will be effected from the specific (sample) to the three selected policing areas or South Africa in general, and subsequent pronouncements will therefore be based only on the observed frequency ($N=103$) only. The majority of the respondents at $N=78$ (75.7%) of the respondents were males whereas at $N=25$ (24.3%) were female. The least number of respondents at $N=23$ (22.3%) were from POP Johannesburg, whereas both POP Pretoria as well as POP Springs yielded the same number of respondents, at $N=40$ (38.8%) respectively.

9. DATA ANALYSIS

Descriptive statistics was utilised to analyse the data collected. The chi-square test for categories was also performed on the data set. This test is a statistical test to identify whether a sample set of observations has a different distribution from a hypothetical or population set of observations. Chi-square determines whether the given distribution differs significantly from the population distribution. These statistical applications yield information that gives a description of the data set.

The patterns and general tendencies of the statistical information help to describe each of the variables. The use of this set of statistical information helped decide if a relationship was considered to be real or just a chance fluctuation. In addition to the chi-square, simple descriptive statistics were utilized to analyse the data set. Percentages among the variables were calculated and listed, as well as the counts for each variable. The counts and percentages are listed in tables for visual comparison to each other. The interpretations of the data were completed once the data had been analysed using SPSS software. The descriptive statistics present the mean, median, and mode, which show the central tendency of the data, and the standard deviation, skewness and kurtosis to show the variation in the data.

Reliability tests (Cronbach's Alpha Coefficient) was done on the questions/statements that have a Likert scale. Advantages of using attitude measuring scales, like the Likert-type scale procedure, are that: (1) they provide more composite and accurate measuring, (2) are more suitable to undertake longitudinal assessments, and (3) they precipitate more thorough thinking and scale application on the part of a researcher. Scale measurement may create the idea of artificiality in regard to the variable language used (Hagan, 2000, p. 324). The results of the Cronbach Alpha tests for the raw variables are shown in tables 1 below. This table shows the correlation between the respective item and the total sum score (without the respective item) and the internal consistency of the scale (coefficient alpha) if the respective item would be deleted.

Table 1: Cronbach's Alpha Coefficient for items of the questionnaire

Nr	Statements (Test all statements without current one's input)	Variable nr.	Correlation with total	Cronbach's Alpha Coefficient
Likert scaled variables				
1.	I have been taught the Constitution of the RSA, 1996	B01	0.4339	0.8683
2.	I was taught and examined on the content of the constitution of SA during training	B02	0.6140	0.8545
3.	I was taught the constitutional role of the police basic of SA during the training	B03	0.5654	0.8586
4.	The constitutional role of the SAP regarding protests is simple and straight forward to be understood me	B04	0.6372	0.8538
5.	Enough attention is being given to the continued role of SAPS in terms of civil protests	B05	0.7369	0.8436
6.	I am aware of the constitutional role of the SAPS in terms of civil protests	B06	0.6677	0.8536
7.	Members are continuously being reminded of this constitutional roles on regular basis by station commanders	B07	0.6421	0.8525
8.	There are workshops where members are continuously reminded about this constitutional role in terms of civil protests	B08	0.6681	0.8498
9.	There are enough trainers/facilitators who train SAPS members on this constitutional role of the SAPS in terms of civil protests	B09	0.4803	0.8670
10.	I am knowledgeable of the constitutional role of the SAPS in terms of civil protests	B10	0.4819	0.8643
Cronbach's Coefficient Alpha for standardised variables				0.8731
Cronbach's Coefficient Alpha for raw variables				0.8693

The Cronbach's Alpha Coefficients of each of these items are more than 0.70 (the acceptable level according to Nunnally (1978, p. 245), and thus all these items (statements), proved to be reliable and consistent.

10. RESEARCH RESULTS AND DISCUSSIONS

The research findings indicated that the respondents were split whether there are no specific strategies or specific strategies available to deal with civil protests in South Africa. The males disagreed more on this statement, thus more of the males than the females were of the perception that there are specific strategies available to deal with civil protests in South Africa. Respondents from POP Springs were more of the perception than the other two stations that there were no specific strategies available to deal with civil

protests in South Africa. The respondents felt that there is a communication centre that handles relevant information from civil protests. There was however also a large percentage who did not think so. It seems that more males than females were of the perception that there was a communication centre that handles relevant information from civil.

POP Johannesburg disagreed more with this statement than the other two stations, thus they were more of the perception that there was a communication centre that handles relevant information from civil protests than the other two stations in the survey. The respondents were more so of the perception that there were no members in their station who specialised with intelligence gathering about civil protests. It is more the respondents who have more than 10 years of service who were of the perception that there were members in their station who specialised with intelligence gathering about civil protests than those who have less and equal to 10 years of service. The males also disagreed more on this statement, thus more of the males than the females were of the perception there were members in their station who specialised with intelligence gathering about civil protests. POP Johannesburg disagreed more with this statement, thus they are more of the perception that there are members in their station who specialised with intelligence gathering about civil protests.

As for the results obtained through this survey with respect to the factors which each represent a latent variable describing the different constructs in this survey; the following analogies can be drawn from this study, namely; the group with > 10 years of service in the SAPS agreed more with the statements with respect to factor 2 (Knowledge of the Constitution on role of SAPS at civil protests), with respect to factor 3 (Training and awareness of SAPS with respect to the Constitution of the Republic of South Africa, 1996) and with respect to factor 4 (Training to deal with civil protests). The males in the survey agreed more with the statements with respect to factor 3 (Training and awareness of SAPS with respect to the Constitution of the Republic of South Africa, 1996) and with respect to factor 4 (Training to deal with civil protests). POP Johannesburg and POP Springs groups agreed more with the statements with respect to factor 4 (Training to deal with civil protests) than the POP Pretoria group. The findings indicated that assistance for building the capacity of female members was clearly essential for supporting local political processes. In order to foster a culture of respect for the rule of law requires by all the POP units in South Africa, it is essential that a set of measures to be taken at all levels for all the SAPS members including female members, with policies and procedures, education, training and equipment, as well as an effective system of sanctions to enforce respect for the rules and regulations.

Though it was not the objective of this study, the research findings indicated that female officers were less knowledgeable regarding issues relating to crowd management. The SAPS is expected to ensure that the treatment of women within its rank and file does not result in lesser empowerment as compared to their male counterparts. The implications to the SAPS top management are that strict compliance with the applicable legal framework would not be possible as some of the female officers based on the findings, would not be able to ensure the success of the implementation of relevant pieces of legislation or maintain the balancing act between human rights and the enforcement of a specific law. Such deficiencies has long-lasting adverse consequences for the victim, the perpetrator, the law enforcement agency as a whole, the justice system and society in general.

No exceptional situations may justify a departure from this best practice of adequately empowering all law enforcement officials, so that when circumstances demand otherwise, these members would be able to enforce the law within the confinement of the human rights culture. Therefore, the leadership within POP units must also take a range of measures to ensure that all members constantly are exposed to a special training that enhances their crowd control interventions skills, as well as improving their communication skills in order to work in cooperation communities as well as other relevant stakeholders. The prevention of violence during civil protests and avoidance of the need to resort to force by the SAPS should be guiding principles in the management of any public order situation in South Africa.

According to the Ministry of Police (2013, p. 10), current international research supports continuous police training in crowd control and management. Education and training in crowd control depend on a *knowledge management system* available within the police, which capture operational reports on successes and failures. Knowledge management system is an organisation's ability to capture lessons-learned, and best and worst practices in the context of crowd control operations. The greater challenge in this area is that crowd control and management training appears by all intentions to be an internal police matter to benefit all citizens. This requires clear and comprehensive police leadership to ensure that such training actually occurs within all appropriate police structures. In principle every law enforcement agency is required to conduct and document semi-annual training for all officers on the lawful and appropriate or professional use of force and

deadly force.

11. CONCLUSION

The findings of this study no specific strategies or specific strategies available to deal with civil protests in South Africa. The relationship between the POP units and policy makers can not only assist in the upskilling of members regarding planning of deployments at protests and gatherings but also assist the POP unit to identify possible threats and targets proactively. The lack of policing skills and ignorance within the SAPS is identified as one of the contributing factors towards police not executing their duties diligently, hence resorting to the use of excessive force. Evident to this finding is the manner in which the Marikana protests was handled. Before the massacre, police were called to disperse protesting miners and when the police responded to the call, they came carrying life ammunition which shows lack of knowledge on the kind of tools that are prescribed for dealing with protests.

On the other hand the research findings reveal that police are sometimes found on the wrong side of the law because of their ignorance. The 2015 incidence which occurred in Krugersdorp where police officers were recorded by a closed circuit television (CCTV) executing a suspect who had already dropped his firearm. This execution style by police officers was also condemned by the then acting police commissioner Lieutenant-General Khomotso Phahlane where he emphasised that police officers are there to keep law and order and this should not degenerate into violence. The information provided by a news24 reporter (Areff, 2015, p. 1), Phahlane reiterated that what the police officers did calls for assertive policing as opposed to police brutality. Other than the CCTV footage, police officers also ignored the fact that there were members of the community who were present during the execution. There is no doubt that the media portrays the police in a continuous negative and bad light especially in the light of past incidents that have casted doubt about the behavior of individual police members in public (Govender, 2013, p. 7; Mahlangu & Ndabeni, 2013, p. 6).

It is therefore, of utmost importance for the SAPS members to act in full compliance with the legal framework governing the use of force and firearms and for them to comply with the highest possible standards of discipline and professionalism in that respect. Adequate reporting mechanisms should therefore be established, particularly where the use of force has resulted in death or injury or where a firearm has been used to the IPID. However, unnecessary or otherwise unlawful use of force and firearms needs should not be tolerated by the SAPS top management. It is the responsibility of the Unit Commanders to instill discipline within their respective units. Effective disciplinary procedures within the SAPS POP units is a necessity that should receive adequate attention in order to improve the image of the POP units.

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