Assessing the South African Police Service in crowd management

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Abstract

Crowd management functions have challenges to Public Order Policing (POP) members hence in their functions have to balance the constitutional rights of different parties. A qualitative research design was adopted to investigate crowd management by POP members. The data was collected through semi-structured, focus group with a total of three focus groups (6 members in each) comprising of POP members in Rosslyn, Pretoria. Findings indicated that the role of POP units is to maintain law and order, disperse crowds, monitor crowds, and protect human rights. The findings further indicated that POP units play a role in crowd dispersal when the event is over or when the crowd turns violent. Although POP members play an important role in crowd control there are still challenges when performing these functions. Finally, POP member's experiences were obtained to make recommendations for future crowd management functions.
Keywords: South African Police Service, crowd management, crowd control, public disorder, mass demonstration, protests.

Introduction

The primary role of the members of Public Order Policing (POP) unit of the South African Police Service (SAPS) includes attending to service delivery protests to defuse the situation. Mofokeng (2017:460) argues that the main challenge for the SAPS is to respond to service delivery protests in the spirit and context of a community-oriented

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policing model and the Bill of Rights, 1993 as guaranteed in the Constitution of the Republic of South Africa, 1996 and also 1948 Universal Declaration of Human Rights. Stefaniak and Seselja (2006:9) state that the actions of the police during the maintenance of public order should be examined. This requires the police to exercise their discretion about which objectives are of higher priority (Stefaniak & Seselja, 2006:9). The SAPS Standing Order 262 of 2014 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 (Mofokeng, 2017:464). The response of POP units to protest action has increased in the last decade (Roberts, Bohler-Muller, Struwig, Gordon, Mchunu, Mtyingzane & Runciman, 2017:63).

The central focus of this study was to investigate how members of the SAPS manage protesters and bystanders during protests. On the one hand, POP members are faced with challenges in terms of how effectively they can manage resources to deal with crowds that are expressing their constitutional right to protest. These service delivery protests result in deaths and injuries to both police and protesters. On the other hand, the police have to determine the level of force that should be used when protestors become unruly.

The response of POP units to protest action has increased in the last decade (Roberts, et al, 2017:63). In terms of Section 17 of the Constitution of the Republic (South Africa, 1996), provision is made for the right to assemble, demonstrate, picket and present petitions peacefully and unarmed, while section 8(4) of the Regulation of Gathering Act 205 of 1993 (RGA) places an obligation on the convener and marshals to take all reasonable steps to ensure that participants are unarmed. The 1996 Constitution defines the main function of the SAPS, among others, as the maintenance of public order. The police are obliged to maintain and calm society and to preserve life (Stefaniak & Seselja, 2006:9).

The capacity of the police to manage crowds has received negative publicity (Roberts et al. 2017:63). The aim of the Prevention of Public Violence and Intimidation Act 139 of 1991 was to establish a Commission of Inquiry that will investigate and expose the background and the reasons that lead to protests in order to reduce future violence during protests. However, the government seems to be dragging its feet in making use of the recommendations from such a commission, for instance, recommendations of the Marikana Commission of Inquiry.

Literature review

Capitelli, (2012:iv) states that a fundamental role of law enforcement is the protection of the rights all people have to peacefully assemble, demonstrate, protest, or rally. In the 1970s, public order policing globally came under the spotlight as policing of crowds became increasingly aggressive and specialized paramilitary units multiplied (Marks, 2005:39). Since the democratic elections the police continued to use force inappropriately like in the apartheid regime. This has resulted in the establishment of a number of commissions to deal with misconduct of public order policing members. Public Order Policing serves many functions; some of these functions are that POP units have the responsibility for policing crowds (Kinnes, 2017:75). Van Vuuren

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(2014:56) states that the primary task of POP units is crowd management and the secondary task is assisting police stations with crime prevention duties. POP units are also tasked to manage marches and events and to perform crime combating functions (Omar, 2007:7).

Baker (2015:369) states that Public Order Policing units operate within the police service. Tait and Marks (2011:16) state that "the POP unit is a specialized competency largely located in the Crime Combating Units and Tactical Response Teach established within the SAPS to deal with crowd management situations". Public Order Policing (POP) is the most heavily scrutinized aspect of police practice (Whelan & Molnar, 2017:1). It is the duty of the public order police to police the public disorder (Pillay, 2016:18).

The police may use force for crowd control in cases where there have apparent intention to kill or to seriously injure persons or to seriously damage or destroy property, but such use of force must be moderate and proportionate to the circumstance (Ngwanyanya, Tait & Newham, 2017:2). Bakera, Bronitt and Stenning (2017:425) state that the subject of public order in a free, permissive and democratic society requires that great allowance should be made for freedom of speech, expression and of protest in general. It is evident from this that the role of public order policing and police in particular is influenced by human rights.

The right to freedom of assembly was one of the earliest and among the most significant victories of the democratic transition in the South African context (Tait & Marks, 2011:15). According to Van Vuuren (2014:7), the root cause of many violent public protests is one of poor local government service delivery. The right to peaceful protest and the right of access to information are important enabling rights in South Africa's constitutional democracy (Mukumba & Abdullah, 2017:54).

Of importance is that training is an ongoing process for every law enforcement agency around the world (Narr, Toliver, Murphy, McFarland & Ederheimer, 2006:21). The aim of police training in crowd management was to supply the SAPS with new skills and knowledge that would demote the old methods and set in place a fresh set of expectations, for instance, interventions would henceforth be well planned, properly equipped, held in check by the provisions of the law, and guided by priorities of prevention. All existing members of POP units were expected to undergo re-training within a five-year period and all new recruits to underwent extensive initiation training before being able to work in the unit. Although POP members receive training to deal with crowd management situations, they are often faced with challenges of dealing with protest marches in a non-violent manner (Pillay, 2016:4).

Methodological framework

A qualitative research approach was used. It was adopted to obtain information from the on the South African Police Service in crowd management in Rosslyn, Pretoria. Qualitative research is often concerned with the understanding of a social phenomenon from the perspectives of the participants (White, 2005:81). A non-probability purposive sampling comprised of 3 focus groups [18 members] was used. The sample size was determined by data saturation where interviews were conducted

until no new information emerged, and then began with the analysis.

Data was analysed using thematic analysis as described by Braun and Clarke (2006:18). Open-ended questions were used regarding the POP member's experiences on crowd management. Interview guide was used as a tool to ensure adequacy of the questions in all the focus groups. A permission to use Audio-tape recorder was sought with participants prior the interviews. After the data collection process was completed, the data was subjected to transcription. The six-phased process as outlined by Braun and Clarke (2006:18). First, familiarization with the data which was achieved through reading and re-reading of the transcriptions more than once to identify issues of interests into the data. Second, generating initial codes based on issues on importance identified in the first phase. Transcription was done verbatim and notes to reflect the views of participants to assist in the provisional development of themes. Third, search for the themes from the codes to identify broader patterns and meanings of the data. Fourth, all the identified themes are reviewed in order to establish whether the themes are making any sense. Fifthly, defining all the themes from the refined themes in order to develop a detailed analysis of the themes. Sixth, writing-up the report after all the themes have been refined in order to present the findings in a dissertation or journal article.

In this study, ethical clearance was applied and granted by the Tshwane University of Technology on condition that the SAPS has approved granted permission to conduct research in the organization. In the context of the SAPS, permission was granted by the SAPS Head Office in terms of the National Instruction 1 of 2006. The sample consists of POP members employed in the Rosslyn, Pretoria.

Discussion of findings

The purpose of this section is to present the research findings related to the objectives of the study. The study consists of three objectives which are related to the research questions. These research questions are based on the SAPS crowd management. The research questions have themes and sub-themes. Question one has seven (7) themes and six (6) sub-themes, question two has four (4) themes and question three has five themes, which are presented below:

Theme 1: Maintain public order and crowd management

The question asked was "What is the primary role of the POP members in crowd management?" The question was posed to the participants in order to determine their understanding and experiences of POP members on the role of the POP members in crowd control. This question receives different responses from the participants which are indicated in verbatim statements:

"Our main role there is to maintain law and order." (G1, G2 & G3).

"We also have to establish whether a gathering is authorized or unauthorized." (G1, G2 & G3).

"Protesters should not engage in destroying the properties and harm other people as part of maintaining public order during protest" – (G1, G2 & G3).

"When we talk about maintaining public order, we also control them according to the law, so that they are not engaging in criminal activities, destroying properties and causing harm to

other people." (G1, G2 & G3).

It has established from the participants' views that they know that crowd management involves maintaining public order and crowd management. However, this is furthered by an obvious concern to protect people against violence and its effects. During crowd management the police also prevent disorderly conduct and possible riots (Yitay, 2014:9). According to Gillham (2011:637), the role of the police during crowd management is to maintain law and order.

Sub-theme 1: Barricade the crowd

"We have to contain the situation while they are gathering." (G1, G2 & G3).

"Without barricade we cannot manage them effectively." (G1, G2 & G3).

"Barricading is the most important task before we get there, but it is possible when he had information about the gathering before the event." (G1, G2 & G3).

"We are well equipped with the resources to resist the crowd from doing what they wish." (G1, G2 & G3).

"Once they force entry into the place which they complain about we need to resist by pushing them back." (G1, G2 & G3).

"In most cases the crowd use violence and then we should not allow then to enter where they are not supposed to be." (G1, G2 & G3).

According to the participants, POP members are tasked to manage crowds by blocking them on the way where they are expected to cause damage and possible harm. In support of the above statements of the participants, Gillham (2011:642) state that police have to drive the crowd into an enclosure of portable barricade. The crowd needs to be completely enclosed inside a razor wire barricade fence (Altunbas, 2013:647).

Sub-theme 2: Communications with the crowd

"There is a need to agree with them from the start, especially prior to the events." (G1, G2 & G3).

"Negotiation reduces some form of disagreement that will lead to tension with the police." (G1, G2 & G3).

"Negotiate with the crowd so that they are not going to be surprised by our action when they are not complying." (G1, G2 & G3).

"Communication is very important in crowd management" (G1, G2 & G3).

"We first need to communicate with the crowd before we use other techniques." (G1, G2 & G3).

It is clear from the participants that communication during crowd control is important in that it defuses the crowd and also highlights how members should respond to the situation. The above statements are supported by Wahlstrom (2011:37) who indicated that negotiation with members of a crowd will reduce the tension between the police and the crowd since negotiation is part of control. Wahlstrom (2011:37) also state that negotiations should take place when things are not promising to be as expected.

Sub-theme 3: Neutralising the crowd

"Sometime the crowd's behaviour is not in line with the requirements of the law." (G1, G2 & G3).

"Once we neutralise the crowd, we know we will be able to manage them properly." (G1, G2

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& G3).

"Once the crowd does not take the police instruction though negotiated, it becomes a serious problem" (G1, G2 & G3).

Neutralising crowds, especially violent crowd is important in that there will not be unnecessary use of force. When crowd is properly managed it becomes easier to control them. Gillham (2011:640) advices that it is important to neutralise that part of the crowd that is most likely to pose a security threat.

Theme 2: Use crowd management strategies

"The use of specific strategy is dependent on the behaviour of the group." (G1, G2 & G3).
"Different crowd management strategies can be used at some point." (G1, G2 & G3).
"It depends on the situation in terms of which strategy to be used." (G1, G2 & G3).

It is important that POP members are able to use different strategies when managing crowd. However, this needs members who are able to observe the behaviors of the crowd and use the strategy relevant to such behavior.

Sub-theme 1: Escalated force strategies

"Yes, one of the strategies to be used could be escalating force strategies." (G1, G2 & G3).
"Sometimes escalated force strategies are used to negotiate with the crowd." (G1, G2 & G3).
"Some of the escalated force strategies is to barricade the area of the event." (G1, G2 & G3).

Some of the participants responded that when they view the situation as going out control, escalated level of strategy to calm the crowd is envisaged. Gillham (2011:641) states that when applying an escalated force strategy the police usually refuse to allow disruption in the public discourse. In this context, the situation does not go to the level where the use of force is needed, and if there is a need for such force, the force should be proportional to the threat.

Sub-theme 2: Strategic incapacitation

"Strategic incapacitation can also be used when the situation so requires." (G1, G2 & G3).
"The use of strategic incapacitation can be used to neutralise the culprits within the crowd." (G1, G2 & G3).
"We use this strategy to monitor the risks within the crowd." (G1, G2 & G3).

The participants were of the view that sometimes they are obliged to use strategic incapacitation when it is clear that certain people within a crowd are influential to the crowd to act in a violent manner, such people are removed with immediate effect. According to Gillham (2011:637) this strategy can be used to monitor the risks through surveillance and information sharing. The reason is to incapacitate the crowd that engages in disruptive actions and to control the space where the crowd meets (Gillham, 2011:637). This is a policing strategy that is more offensive than focusing on incapacitating the crowd members (Wahlstrom, 2011:4).

Sub-theme 3: Negotiated management

"The key role of POP members is to use a negotiated management strategy in order to prevent damage to properties." (G1, G2 & G3).
"Communication can be enhanced with this strategy." (G1, G2 & G3).
"Through communication, the crowd members are informed prior the gathering about the rules and regulations that the crowd must adhere to during the gathering." (G1, G2 & G3).

A good crowd management is the one that prioritise communication starting from when the protest is requested to ensure that the protesters are properly communicated

to in terms of the requirements and expectations in terms of their behaviors at the protest. Wahlstrom (2011:47) states that a negotiated management strategy includes aspects such as discipline to enhance self-regulation by the crowd during the event. This strategy also involves communication between the crowd and the police (Woodall, 2013:12). The police appreciate the role that communication between the police and the crowd plays during the application stage of the event (Gillham, 2011:638).

Theme 3: Crowd dispersal

"We make sure that when the crowd begins to behave inappropriate, we disperse them." (G1, G2 & G3).

"Sometimes the crowd becomes angry with the police and the police does not have any other alternative but to disperse them." (G1, G2 & G3).

"The crowd throws stones at the police, and then we disperse the crowd away." (G1, G2 & G3).

The participants indicated that POP units play a role in crowd dispersal when the event is over or when the crowd turns violent. When crowds are dispersed, the police try not to cause any harm to members of the crowd. Hence, the police use rubber bullets and smoke grenades while keeping a safe distance from the crowd.

Theme 4: Planning for crowd management

"The crowd management needs to plan the events in terms of when, how, who, which, where and how of the events." (G1, G2 & G3).

"When we manage crowd, we make sure that the crowd does not act beyond the expectations and they should adhere to the rules and regulations." (G1, G2 & G3).

"Nothing can work out without a proper planning of the events." (G1, G2 & G3).

According to the participants, there is a need for planning crowd management.

Theme 5: Monitoring protests

"We are tasked to make sure that the protests run smoothly." (G1, G2 & G3).

"Monitoring ensures that the protesters are not out of order and destroy people's properties and are done within the law." (G1, G2 & G3).

"We observe what the protesters are doing and or also what they are not doing that they are not supposed to be doing." (G1, G2 & G3).

Another role of POP members during protests is to play a monitoring role. The purpose of monitoring the situation is to ensure that the events run smoothly. The participants and the literature concur that POP members have to monitor the whole situation regardless of whether it is calm or whether there are anyone in the group who becomes violent.

Theme 6: Protection of human rights

"We cannot allow any person to cause any form of harm to another. That is why we are there." (G1, G2 & G3).

"Every person, whether protesting or not, should have his/her rights protected by us." (G1, G2 & G3).

"It is necessary that we uphold the Constitution and other laws of the country to ensure that all people are safe." (G1, G2 & G3).

The participants indicated that during crowd management they ensure that protestors do not violate the rights of any person during the course of the events. Based on the

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Vol. 5 No. 3
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responses of the participants and the literature, it is clear that POP members should protect the rights of both the protesters and others in the area.

Theme 7: Enforce compliance with the law

"We are ensuring that the events do comply with the standing orders and public order policing policy as well as constitution." (G1, G2 & G3).

"The Constitution ensures that the police protect its citizens." (G1, G2 & G3).

"*An event should file a notice of their intention to march prior the commencement of the events." (G1, G2 & G3).*

The participants indicated that when there are protests, they ensure that the protests, marches and demonstrations adhere to the legal requirements for having such events. The participants emphasise that POP members do indeed protect the citizens against any form of harm and they comply with the legislative frameworks that govern protests.

In question 2, with a research question "How do the POP members use resources in crowd management? The purpose of this question was to explore how POP members utilize the resources allocated for crowd control. They state the type of resource and how practically that is used. In this question, four themes have emerged from the findings as discussed below:

Theme 1: Protecting the head, face and neck of POP members

"We are allocated resources such as helmets to use during protests to protect our heads, face and neck as well as the body." (G1, G2 & G3).

"Resources such as gas marks are important so that we are not to inhale the smoke used to disperse the crowd." (G1, G2 & G3).

"In case the protestors throw stones at US, we are able to defend ourselves." (G1, G2 & G3).

The participants indicated that there are different resources to protect different parts of their body, such as helmets to protect the head, face and neck. It is clear from the discussion above that POP members are well equipped with the necessary tools to protect themselves from toxins. The SAPS has taken precautionary measures against anything that may harm the health of POP members.

Theme 2: Crowd dispersal

"We are able to disperse the crowds with the resources allocated." (G1, G2 & G3).

"*Immediately when the crowd begins to turn violent and causes harm to other people, we disperse them with the resources that we have." (G1, G2 & G3).*

"Being equipped with the necessary resources, especially the shotguns and different forms of grenades, help us to disperse a violent crowd or crowd that is getting out of hand." - (G1, G2 & G3).

"We also use water cannons to disperse crowds." (G1, G2 & G3).

According to the participants, resources are used to disperse a crowd. For example, once the crowd becomes violent, the police may use resources such as grenade launchers, muzzle-loader shotguns, 12 bore gauges, rubber bullets, Stan grenades, smoke grenades and teargas grenades to disperse the crowd. These participants indicate that they are provided with the resources that they use for crowd control. The resources are used based on the reactions of the crowd. For example, they use helmets when a crowd turns violent.

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Vol. 5 No. 3
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Theme 3: Prevent inhalation of dangerous chemicals

"*Sometime we enter an area where protesters are too violent and they burn tyres to prevent us from entering the area.*" *(G1, G2 & G3).*

"*The SAPS is doing good because we are provided with equipment to protect our health.*" *(G1, G2 & G3).*

"*We are well protected from any health hazards such as smoke, and so on.*" *(G1, G2 & G3).*

The participants indicated that they use gas masks to prevent themselves from inhaling dangerous smoke substances such as smoke of burning tyres and other unhealthy environmental chemicals they come across when executing their duties. It is clear from the discussion that the police are well equipped with the necessary tools to protect themselves from toxins. The SAPS has taken precautionary measures against anything that may harm the health of its members.

Theme 4: Protecting members from been shot

"*Obviously, the state has to be concerned about the protection of our lives.*" *(G1, G2 & G3).*

"*We need to be more armed than those intending to defeat and harm us in the crowd.*" *(G1, G2 & G3).*

"*You cannot trust anyone in the crowd; they may shoot at us, and therefore, we need to ensure that we are all protected.*" *(G1, G2 & G3).*

The POP members indicated that they are provided with bullet proof vests, armour vehicles and firearms to protect themselves when a situation turns violent. This equipment complies with the requirements of the law. The participants indicated that they are well protected with resources allocated for crowd management. They also highlighted that they feel much safer with these resources.

Question three has five (5) themes that emerged from the participants "What recommendations can be made to the POP unit commander on how they can improve on crowd management? The purpose of this question was to determine what recommendations the POP members can provide regarding crowd management. The following themes have emerged:

Theme 1: Develop a South African model for crowd management

"*The French and Belgium models we are using are fine though have shortcoming there and there because of the different context, this is not France nor Belgium, the model has to fit our context.*" *(G1, G2 & G3).*

"*I think it is time that we develop one of our own; we have enough with Belgium and French models*" *(G1, G2 & G3).*

"*If we can have a South African model, the better because it will fit the South African context.*" *(G1, G2 & G3).*

"*The National Public Order Policing must have capacity to expand and grow heir techniques*" *(G1, G2 & G3).*

The participants recommended that the SAPS should develop its own model for crowd management that fit the South African context, rather than relying on the Belgium and French models. The shortcomings of the Belgium model are that police members form a solid line that makes it difficult for them to move freely or to cover a big area. The model uses a single line that does not have the strength to prevent any form of penetration. French model, uses a buddy system. The police work in pairs with at least a meter and half between them, which makes it easier for

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European Journal of Economics, Law and Social Sciences
IIPCCL Publishing, Graz-Austria

Vol. 5 No. 3
October, 2021

protestors to penetrate the line. The participants felt that the SAPS should do away with international models, such as the Belgium and French models, and introduce a South African model for crowd management.

Theme 2: Supporting peaceful protests

"The protesters should be supportive to ensure peaceful protests all the time to avoid lot of problems." (G1, G2 & G3).

"We are not happy when we chase the protesters who do not adhere to the rules, they must ensure that they protest peacefully." (G1, G2 & G3).

"Peaceful protests need to be supported at all the times by both the protesters and the POPs." (G1, G2 & G3).

There is a need to ensure that peaceful protests are supported by POP units. Supporting effective crowd management through peaceful protests is important. The participants were of the view that peaceful protests should be supported by the police and the protesters.

Theme 3: Effective planning of the operation

"Good planning will mean that we will be able to plan effectively and prepare accordingly." (G1, G2 & G3).

"We need to make sure that planning is up to standard to plan properly." (G1, G2 & G3).

"I think we need to plan so that we can prepare adequately" (G1, G2 & G3).

The participants were of the view that in order to ensure effective operation during protest, they need to plan effectively. According to the participants, both the protesters and the police need to plan their events.

Theme 4: Expand the capacity of the unit

"Increase manpower and or recruit members from the stations or other units." (G1, G2 & G3).

"We need more members to assist." (G1, G2 & G3).

"The SAPS should recruit more members, specifically for POP." (G1, G2 & G3).

"The SAPS should recruit more members, specifically for POP." (G1, G2 & G3).

According to the participants, there is a need for more staff members as they are of the view that the existing number of personnel is not enough to deal with crowds.

Theme 5: The need for relevant resources

"Supply the unit with the right tools for the job. For example, give us kombis instead of open bakkies." (G1, G2 & G3).

"New-generation nyalas need to be replaced with more user-friendly nyalas." (G1, G2 & G3).

"They need to provide us with shields of higher quality standard as the current one is making the members easy targets during demonstrations." (G1, G2 & G3).

The participants said that the SAPS need to provide them with relevant resources to perform their duties effectively and efficiently during crowd management.

Discussions

The importance of this study was presented in order to indicate that POP members do understand their primary roles in crowd management. The study will benefit the POP members through the development of skills and expertise in crowd management to effectively deal with crowd management. Crowd management refers to a police

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Vol. 5 No. 3
October, 2021

department's pre-planned, practiced, and rehearsed response to a small or large disturbance within a specific jurisdiction (Yitay, 2014:4). This is because the manner in which the SAPS handle protests has placed the police in South Africa under public scrutiny (Roberts et al. 2017:63). In this light, it is important that the POP members are effectively trained on crowd management to avoid acting contrary to the laws of the country. Unnecessary killing of protesters during the management of service delivery is not ideal and ways to avoid this must be investigated. South Africa is heavily reliant on international practice of crowd management.

The participant's response indicated that although POP members are clear regarding their roles in crowd management, they need to be attending refresher courses on a continuous basis. This will assist in keeping them abreast with the development on crowd management. The findings indicated that crowd management models of Belgium and France are regarded as ineffective hence the geographical location of South Africa differs with that of these countries. Therefore, South African can use this as a base to develop own model of crowd management which will fit well into the South African context.

The implication for the SAPS is that ineffective skills and experience in crowd management may results in law suits against the police. POP training in the SAPS should be benchmarked against best practices and should include training in crowd behaviour and the psychology of crowds (Ngwanyanya, Tait & Newham, 2017:8). Similarly, Tait and Marks (2011:20) state that the SAPS needs to identify useful techniques and tactics from a range of international models that have proven to be effective, while bearing in mind the long-term principles of democratic policing. There is no better guarantee for people to express themselves in a democratic country than having that right enshrined in the country's constitution (Kinnes, 2017:75). The right to freedom of assembly was one of the earliest and among the most significant victories of the democratic transition in the South African context (Tait & Marks, 2011:15). The right to peaceful protest and the right of access to information are important enabling rights in South Africa's constitutional democracy (Mukumba & Abdullah, 2017:54).

Implications for the SAPS intervention

POP members are clear in terms of their primary role in crowd management. They are also have experiences and skills on the use of resources allocated to them to use during crowd management. When crowd management is not effective it leads to unnecessary killings of the protesters. This may be regarded as human rights violation. The Constitution is the highest law of the country and must thus be adhered to. POP members needs to be conversant with the law to avoid killing or injuring protesters. Based on the participant's responses the Belgium and France model of crowd management, although they are good, but lack effectiveness in South Africa hence this areas differs. POP members also felt that there is a need for the training of POP members involved in controlling protests as well as the equipment used in crowd management. the police to exercise their discretion about which objectives are of higher priority (Stefaniak & Seselja, 2006:9). The SAPS Standing Order 262 of 2014

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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 (Mofokeng, 2017:464).

Conclusion

In conclusion, the purpose of the study was to investigate the POP members on crowd management. This was aimed at improving POP member's skills and experiences on crowd management. There is not much research conducted on crowd management in South Africa on crowd management. Of importance on the findings of this study is that there is a need for planning crowd management prior commencement of the event to ensure effective crowd management. It was clear from the participants that SAPS members are making use of the allocated resources as best as possible during protests, however, they feel that the SAPS needs to do more to improve the resources. The main task of POP members is to maintain law and order, and to protect the human rights of the people. The participants said that the new-generation nyala's should be replaced by a more user-friendly model because the new-generation vehicles are difficult to operate in informal settlements.

For the POP members to be effective, it is important to provide training continuously to keep abreast with the latest development on crowd management. Of importance is that training is an ongoing process for every law enforcement agency around the world (Narr, et al 2006:21). The aim of police training in crowd management was to supply the SAPS with new skills and knowledge that would demote the old methods and set in place a fresh set of expectations, for instance, interventions would henceforth be well planned, properly equipped, held in check by the provisions of the law, and guided by priorities of prevention.

References

Altunbas, F. 2013. Social media and riots: Case study of Gezi Park demonstration. *Social Media in Policing*, 181-195.

Baker, B. 2015. Unchanging public order policing in changing times in East Africa. *Journal of Modern African Studies*, 53(3), 365-389.

Bakera, D., Bronitt, S. & Stenning, P. 2017. Policing protest, security and freedom: The 2014 G20 experience. *Police Practice and Research*, 18(5), 425-448.

Braun, V. & Clarke, V. 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77-101.

Cappitelli, P. 2012. *Post guidelines: Crowd management, intervention, and control.* California: Commission on Peace Officer Standards and Training.

Gillham, P.F. 2011. Securitizing America: Strategic incapacitation and the policing of protest since the 11 September 2001 terrorist attacks. *Sociology Compass*, 5(7), 636-652.

Kinnes, I. 2017. *Contested governance: Police and gang interactions*. Cape Town: University of Cape Town. [DPhil-Thesis].

Marks, M. 2005. *Transforming the robocops: Changing police in South Africa*. Scottsville: University of KwaZulu-Natal Press.

Mofokeng, J.T. 2017. *Exploring South African Police Service's management of civil protests in South Africa.* Proceedings of ADVED, 3rd International Conference on Advances in Education and Social Sciences, 9-11 October 2017, Istanbul, Turkey.

Mukumba, T.A. & Abdullah, I. 2017. Enabling the enabler: Using access to information to   ensure the right to peaceful protest. *SA Crime Quarterly No 62*, 51-61.

Narr, T., Toliver, J., Murphy, J., Mcfarland, M. & Ederheimer, J. 2006. *Police management of mass demonstrations: Identifying issues and successful approaches.* Washington, D.C: Police Executive Research Forum.

Ngwanyanya, M., Tait, S. & Newham, G. 2017. *Dialogue on public order policing in   South Africa*. The dialogue was held in Johannesburg from 11-12 July 2017 as a joint initiative of the African Policing Civilian Oversight Forum (APCOF), the Legal   Resources Centre (LRC) and the Institute for Security Studies (ISS).

Omar, B. 2007. *SAPS costly restructuring: A review of public order policing capacity*. ISS Monograph Series No 138. Pretoria: Institute for Security Studies.

Pillay, D. 2016. *An analysis of the policing of service delivery protests in the Free State.* Unpublished Magister Technologiae in Policing, University of South Africa, Pretoria.

Roberts, B.J., Bohler-Muller, N., Struwig, J., Gordon, S.L., Mchunu, N.,   Mtyingzane, S. &   Runciman, C. 2017. Protest blues: Public opinion on the   policing of protest in South   Africa. *SA Crime Quarterly, No 62*, 63-80.

South Africa. 1996. *The Constitution of the Republic of South Africa (Act 108 of 1996)*. Pretoria: Government Printer.

South African Police Service. 1993. *Regulation of the Gatherings Act, 1993 (Act 205 of 1993)*. Pretoria: Government Printer.

Stefaniak, B. & Seselja, Z. 2006. *Police powers of crowd control.* Australia: Standing Committee on Legal Affairs. Available at: https://www.parliament.act.gov.au/__data/assets/pdf_file/0010/380386/06_police_powe   _final.pdf. Accessed on: 21 June 2020.

Tait, S. & Marks. M. 2011.You strike a gathering, you strike a rock. *SA Crime Quarterly 38*, 15-22.

Van Vuuren, M.D. 2014. *An evaluation of the training of police trainees for the policing of u n r e s t related incidents at the South African Police Services Mthatha police training   college.* Durban, KwaZulu-Natal: University of Zululand. [Master's – Dissertation].

Yitay, B. 2014. Service delivery in South Africa: Policing, causes and crowd management. Updates on service delivery protest in South Africa. Available at: https://www.academia.edu/6866278/Service_Delivery_Protest_In_South_Africa_Policig_Causes_and_Crowd_Management. Accessed on: 20 June 2020.

Wahlstrom, M. 2011. *The making of protest and protest policing: Negotiation, knowledge, space and narrative.* Gothenburg, Sweden: University of   Gothenburg. [PhD – Thesis].

Whelan, C. & Molnar, A. 2017. Policing political mega-events through 'hard' and 'soft' tactics: Reflections on local and organizational tensions in public order policing. *Policing and Society*, 1-17.