



Farlam Panel of Experts & July 2021 Unrest
Expert Panel Commissions

South African Police Service
Progress Report & Implementation Plan

Farlam Commission & July 2021 Unrest Commissions
Progress Report & Implementation Plan (August 2023)

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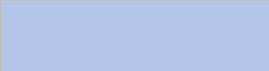
1. INTRODUCTION

1.1. This Progress Report and Implementation Plan addresses the following reports:

1.1.1. The Panel of Experts Report on Policing and Crowd Management was approved on 27 May 2018 and provided to the SAPS in 2021.

1.1.2. The Presidential Expert Panel Report into the July 2021 Civil Unrest was approved on 29 November 2021.

1.2. The following legend is applicable to the progress that is reported, in respect of each of the Recommendations:

The Recommendation has been implemented	
The implementation of the Recommendation is in process	
The implementation of the Recommendation has not been initiated	
The Recommendation cannot be implemented, at this time (only applicable to the July 2021 Unrest Report).	

2. FARLAM COMMISSION PANEL OF EXPERTS REPORT

2.1 Executive Summary

2.1.1 Overview of the Farlam Panel of Experts Report on Policing and Crowd Management Recommendations:

Total Recommendations	136
Recommendations that are applicable to the SAPS	102
Recommendations that are applicable to the Civilian Secretariat for Police Service	30
Recommendations that are applicable to the Independent Police Investigative Directorate	3
Recommendations applicable to the Department of Cooperative Governance	1

Total Recommendations that are applicable to the SAPS	102
The Recommendations have been implemented	63
The implementation of the Recommendations is in process	38
The implementation of the Recommendations has not been initiated	1

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2.1.2 Summary of progress achieved with the Recommendations that are applicable to the SAPS:

Recommendation	Responsibility	Status
1. SAPS' vicarious Liability.	Division: Legal Services	
2. SAPS recruitment criteria and the selection system.	Division: Human Resource Management	
3. Two-stream system to support retention of skilled personnel in roles that are aligned to their skills.	Division: Human Resource Management	
4. The Civilian Secretariat for Police Service should commission a review of relevant policing qualifications provided at the tertiary level, including internally by the SAPS, and by the tertiary education sector. The review should focus on to what degree current qualifications that are available are aligned with the objective of professionalising the police and how the contribution of the tertiary education sector to the objective of strengthening competency-based policing can be improved.	Civilian Secretariat for Police Service SAPS – Division: Human Resource Development	
5. In line with the NDP recommendation that a code of professional and ethical police practice should be developed and prescribed through regulations. The present SAPS Code of Conduct and Code of Ethics should be amalgamated and referred to as the South African Police Service Code of Conduct and Ethics.	Civilian Secretariat for Police Service SAPS – Component: Risk and Integrity Management	
6. Key Performance Areas for senior managers for promoting the principles embodied in the Codes of Conduct and Ethics.	Division: Human Resource Management	
7. Adoption of National Decision Model and integration into training.	Division: Human Resource Development	
8. Training material developed to ensure that the Code of Conduct and Ethics is internalized as part of police practice	Division: Human Resource Development	
9. SAPS members trained and tested on the Code of Conduct and members sign the Code of Conduct annually.	Division: Human Resource Development Component: Risk and Integrity Management	
10. SAPS to report to the Portfolio Committee for Police on the outcomes of disciplinary investigations and hearings against SMS officers.	Division: Human Resource Development	
11. The CSPS should monitor and audit progress made by the SAPS in resolving disciplinary matters against SMS officers, and report to the Portfolio Committee on Police on matters finalised and on cases outstanding for over six months.	Civilian Secretariat for Police Service	
12. The SAPS Act should be amended to ensure that all directions issued by the Minister are formally recorded. The Minister should ensure that a record of all directions is presented to the Portfolio Committee on Police on an annual basis.	Civilian Secretariat for Police Service	
13. The SAPS Act should be amended to affirm that SAPS commanders or other members:	Civilian Secretariat for Police Service	

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Recommendation	Responsibility	Status
<p>Should, wherever possible, consider and try to take into account reasonable concerns that are expressed by public officials, or others, if they can do so in a manner that is consistent with the principles of policing; Are obliged to exercise independent judgement in relation to the operational implications of such concerns; and may request that such concerns be provided in written form</p>		
<p>14. A plan should be developed and work study conducted to support the capacitation of the CSPS.</p>	Civilian Secretariat for Police Service	
<p>15. A National Policing Board (NPB) should be established by means of legislation.</p>	Civilian Secretariat for Police Service	
<p>16. The SAPS National Commissioner should be appointed by the President only on recommendation by the National Policing Board.</p>	Civilian Secretariat for Police Service	
<p>17. Appointment of Provincial Commissioners.</p>		
<p>18. The South African Police Service Act (No. 68 of 1995) as well as the Employment Regulations (2017) need to be amended to ensure that: There can be no deviation from the prescribed processes for: properly defining the scope and requirements of a post; the need to advertise a post; the requirements for applications for a post; and the requirement of having an independent and properly constituted panel for assessing the candidates applying for the post. No appointments or promotions in the SAPS should occur without the suitability of the person for the post being rigorously evaluated against objective criteria. All posts in the SAPS should only be filled following a transparent, competitive, and merit-based process to ensure that only the best suited person is appointed.</p>	Civilian Secretariat for Police Service	
<p>19. Regulation 11 of the SAPS Act (1995) should be amended as follows: Sub-regulation (1) should be amended to stipulate that there can be no appointment to any post without proper procedures being followed. There will never be a situation where professionalism of the organisation can be enhanced by failing to follow established processes for filling posts or effecting promotions. There should be no prohibition on the re-appointment of a former member of the Service, who meets other employment criteria, purely because they are older than 30 years of age. Former members of any age prior to that of retirement should be able to be appointed if they possess the necessary skills, qualifications, integrity, and expertise to add value to the SAPS. Former members who have obtained additional skills and experience in other sectors but prefer to work as police officers should be welcomed back to the SAPS if they can contribute to achieving the professionalization of the organisation.</p>	Civilian Secretariat for Police Service	
<p>20. The authority of the Minister, as provided for in Regulations, should be limited to approving the criteria for appointments and promotions, and for the creation of posts, but should not in any way extend to influence senior management decisions on the individual candidates who are appointed or promoted to specific posts.</p>	Civilian Secretariat for Police Service	
<p>21. The competency assessment recommended by the NDP should be implemented. The competency assessment should focus firstly on the top management, or SMS level (Brigadier and above) of the SAPS.</p>	Civilian Secretariat for Police Service	

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Recommendation	Responsibility	Status
22. Directives for police managers on dealing with the aftermath of shooting incidents should note that any public statements.	Component: Corporate Communication and Liaison	
23. Professional policing requires that the SAPS as an organisation gives much greater value to honesty.	Division: Visible Policing and Operations	
24. The Independent Police Investigative Directorate (IPID) should implement Marikana Commission Recommendation G5 (The recommendation is that: 'The forms used by IPID for recording statements from members of the SAPS should be amended so as to draw the attention of the members concerned to the provisions of section 24 (5) of the IPID Act and thereby encourage them to give full information about the events forming the subject of an IPID investigation without fear that they might incriminate themselves.' However, the provision should be understood as referring to 'police or other persons interviewed by IPID' and not just to 'the members concerned.'	Independent Police Investigative Directorate	
25. A legislative framework should be considered in respect of incidents where members have used lethal force as part of their official duties. The legislative framework should better support truth telling and accountability by SAPS and municipal police services members and also be consistent with the rights provided in the Bill of Rights including the right against self-incrimination.	Civilian Secretariat for Police Service	
26. A separate SAPS Anti-Corruption or Internal Investigation Unit should be established.	Division: Detective and Forensic Services Component: Organisational Development	
27. SAPS National Commissioner must establish a dedicated capacity of personnel, namely disciplinary officers, employer representatives and chairpersons to conduct SAPS disciplinary hearings.	Division: Human Resource Management	
28. There is a need for an overall review of the functioning of the internal and external accountability mechanisms, in order to identify how their functioning can be improved in order to ensure that they function in a mutually supportive manner. The review should be carried out under the auspices of the CSPS.	Civilian Secretariat for Police Service	
29. SAPS should implement disciplinary steps against all SAPS members against whom there is prima facie evidence of misconduct relating to the events at Marikana on 16 th of August 2012.	Division: Human Resource Management	
30. Disciplinary steps should be taken against the senior managers who bear ultimate responsibility for the fact that no disciplinary steps were taken against any member of the SAPS relating to the events at Marikana.	Division: Human Resource Management	
31. The required funds should be provided in order for a full reconstruction of the events at Marikana Scene 2 to be carried out, as recommended by the Marikana Commission.	Independent Police Investigative Directorate	
32. Professionalization requires that SAPS commanders who are alleged to have committed crimes or misconduct are held to account.	Division: Human Resource Management	
33. The IPID's budget should be increased in order for it to fulfil its mandate of investigating SAPS and MPS crime and misconduct complaints. This is a decision that must be taken by the Parliamentary Portfolio Committee of Police in consultation with IPID and presented to the Minister of Police for implementation.	Independent Police Investigative Directorate	
34. The use of force policy developed by the CSPS should urgently be adopted as an official policy.	Division: Visible Policing & Operations	

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Recommendation	Responsibility	Status
35. Parliament should consider the 'Model Bill for Use of Force by Police and other Law Enforcement Agencies in South Africa' as a suitable starting point for introducing an integrated law on the use of force by police and others in South Africa.	Civilian Secretariat for Police Service Dept. of Justice.	
36. SAPS should introduce an internal directive to establish the principle that SAPS members who have first aid training are required to provide first aid 'within the limits of their training' in situations where they encounter people requiring medical attention.	Division: Visible Policing & Operations	
37. The SAPS should develop a strategy and framework for expanding the provision of first aid training to operational SAPS members.	Division: Human Resource Development	
38. The SAPS to develop a resourcing plan to support the implementation of this recommendation including ensuring that members with first aid training have first aid kits.	Division: Visible Policing & Operations	
39. First aid training should be aligned with types of injuries or medical conditions that SAPS members are likely to encounter.	Division: Human Resource Development	
40. In crowd management operations and other large operations or operations where the use of lethal force is likely, police should provide their own first aid teams of trained SAPS members.	Division: Visible Policing & Operations	
41. First aid teams that are deployed in crowd management operations should be trained and equipped to deal with potentially fatal consequences of the use of less-lethal-weapons.	Division: Visible Policing & Operations Division: Human Resource Development	
42. The SAPS should also recognise and establish cooperative arrangements with other role-players involved in first aid provision at specific events.	Division: Visible Policing & Operations	
43. To further support efforts at understanding SAPS culture and promoting demilitarisation, an entity with expertise in organisational culture should undertake an assessment of the management and organisational practices within the SAPS that may continue to undermine the professional orientation of the organisation and contribute to forms of militarisation, as well as exploring those practices that may strengthen a professional culture within the SAPS.	Civilian Secretariat for Police Service	
44. The SAPS should re-affirm its commitment to an ethos that is service orientated and community policing orientated.	Division: Visible Policing & Operations Component: Research	
45. An independent assessment commissioned by the CSPS should examine the functioning and structure of all units, including the STF, NIU, TRT and K9 unit that were involved at Marikana.	Civilian Secretariat for Police Service	
46. In order to support greater use of formal procedures, steps should be taken to ensure that they are easier to comply with. This should include the RGA.	Civilian Secretariat for Police Service	
47. The current police categorisation of protest is based on the distinction between 'peaceful' and 'unrest.' However, the protest environment is multi-faceted.	Division: Visible Policing & Operations	
48. Police commanders and personnel responsible for data entry should be trained to apply the new categories that are adopted so that responses to protest incidents are clearly linked to the characteristics of the protest and data on protest incidents is based on the consistent criteria for classifying protest incidents.	Division: Visible Policing and Operations: Public Order Police Division: Human Resource Development	

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Recommendation	Responsibility	Status
49. Police commanders and personnel responsible for data entry should be trained to apply the new categories that are adopted so that responses to protest incidents are clearly linked to the characteristics of the protest and data on protest incidents is based on the consistent criteria for classifying protest incidents.	Division: Visible Policing & Operations Division: Human Resource Development	
50. The RGA provisions regarding administrative decision-making in relation to gatherings, including the roles and powers of the responsible officer and the overall function that they perform, need to be reviewed.	Civilian Secretariat for Police Service	
51. Steps should be taken to develop understanding about good practice in the manner in which the RGA is administered, and in which responsible officers should perform their functions, in order to improve administration of the RGA. Research should be conducted including interviews with responsible officers, with protest convenors, and with police, in order to understand more about the challenges of the responsible officer role. A training course and/or handbook should be developed and provided to responsible officers in order to promote understanding of good practice.	Civilian Secretariat for Police Service	
52. There should be a whole of government and cross-society initiative, convened by the most relevant ministry such as COGTA to support and strengthen the culture of peaceful protest and to strengthen local-level mechanisms for problem solving and the management of conflict.	Presidency/COGTA	
53. Law enforcement measures related to violent protest should be regarded as most applicable.	Division: Visible Policing & Operations	
54. In situations where there is a very high volume of criminal cases it may require that courts sit for additional hours, initially for purposes of addressing bail applications but also to expedite the hearing of cases.	Division: Detective and Forensic Services	
55. Taking into account the complex nature of the protest environment and the fluidity of protest situations, the ability of the SAPS to respond to protest in a manner which is consistent with Constitutional principles, will depend to a significant degree on SAPS being able to develop a much greater degree of flexibility and adaptability.	Division: Visible Policing & Operations	
56. Due to the scale of the phenomenon of protest and the challenge that it presents to the SAPS: It is important for the SAPS to urgently improve the quality of its information on protests and to be able to map trends in protest over time, including an evaluation of the IRIS.	Division: Technology Management Services	
57. Research should also be used more proactively as a tool for planning to answer critical questions relevant to the challenges of policing protest and the demand for public order policing.	Division: Visible Policing & Operations Component: Research	
58. Training should emphasise that Public Order Police members should take care to minimise the risk that vulnerable groups such as young children, people with disabilities, and elderly people, can be adversely affected by the use of Less-than-lethal Weapons (LLWs).	Division: Visible Policing & Operations Division: Human Resource Development	
59. The RGA provisions relating to notification should be amended to make them more user friendly and to seek to ensure that notification is provided where it is genuinely necessary.	Civilian Secretariat for Police Service	
60. The RGA should be amended to provide that, in so far as convenors of peaceful protest may face penalties, this should be limited to the imposition of a modest fine and should not carry a criminal record.	Civilian Secretariat for Police Service	
61. The RGA should be amended to provide that the grounds for imposing conditions or restrictions should be more clearly defined and clearly comply with Constitutional provisions and international standards.	Civilian Secretariat for Police Service	

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Recommendation	Responsibility	Status
62. With a view to developing greater clarity on the issue, research should be conducted by an appropriate body on current experience in relation to: Convening, regulating and managing assemblies in private space in South Africa and internationally. The role of private security in crowd management.	Civilian Secretariat for Police Service	
63. Section 9 (2) (d) (ii) of the RGA should be repealed.	Civilian Secretariat for Police Service	
64. The RGA should be amended to ensure that it more adequately grants the freedom of peaceful assembly in accordance with section 17 of the Constitution, 1996, and international human rights standards. The definition of peaceful assembly proposed by the Panel (see paragraph 440) should provide the basis for understanding the concept of peaceful assembly and should be incorporated into a revised Act.	Civilian Secretariat for Police Service	
65. SAPS should develop a more coherent framework to support negotiated management of protest.	Division: Visible Policing & Operations	
66. The SAPS should explore the potential for greater use of arrests, particularly the potential for the use of arrest teams, during violent protest.	Division: Visible Policing & Operations	
67. SAPS should consistently demonstrate that they treat peaceful protestors differently from those protestors engaging in violence.	Division: Visible Policing & Operations	
68. The SAPS crowd management doctrine must guide the SAPS in supporting and respecting the right to peaceful assembly.	Division: Visible Policing & Operations	
69. Crowd management training must be firmly grounded in the crowd management doctrine. Facilitating the right to peaceful assembly should be the pillar of crowd management policing and be the primary basis for the existence of Public Order Police units.	Division: Visible Policing & Operations Division: Human Resource Development	
70. In order to support institutionalisation of negotiated crowd management and the use of minimum force the SAPS should also use indicators that support the use of negotiation, de-escalation and minimum force.	Division: Visible Policing & Operations	
71. Crowd management, as broadly defined in this report, should be the primary function of POP units.	Division: Visible Policing & Operations	
72. Public Order Police should be centralised under one command at national level so that all Public Order Police units form part of the national public order policing unit provided for in section 17 of the SAPS Act, 68 of 1995.	Division: Visible Policing & Operations	
73. Key Performance Indicators for the head of Public Order Police (whether at component or division level) should include indicators related to the maintenance and deployment of the POP.	Division: Visible Policing & Operations	
74. Within each Public Order Police unit there should be a public order restoration capability consisting of one section for each platoon.	Division: Visible Policing & Operations	
75. Competency-based policing is premised on the recruitment of quality personnel into Public Order Police units.	Division: Visible Policing & Operations Division: Human Resource Management	
76. Public Order Police needs to be better able to both attract appropriate personnel and retain their services by creating an environment in terms of which employment in Public Order Police is seen as a 'choice' assignment within the SAPS and members remain committed to the unit.	Division: Visible Policing & Operations Division: Human Resource Management	

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Recommendation	Responsibility	Status
77. The provision of psychological and wellness support services to Public Order Police personnel should be mandatory and routine.	Division: Visible Policing & Operations Division: Human Resource Management	
78. Public order situations are dynamic and complex and therefore the training curriculum needs to be aligned to this reality.	Division: Visible Policing & Operations	
79. The SAPS should establish a guardian committee responsible for curriculum review and development with respect to crowd management. The guardian committee should consist of experienced operational members.	Division: Visible Policing & Operations Division: Human Resource Development	
80. Public Order Police should prioritise training and learning, with in-service training (both maintenance and refresher training) focusing on strengthening the core competencies of Public Order Police personnel.	Division: Visible Policing & Operations Division: Human Resource Development	
81. A dedicated, well designed crowd management training facility must be developed for crowd management training of Public Order Policing members.	Division: Human Resource Development	
82. Minimum standards should be developed and maintained for infrastructure requirements for each Public Order Police unit.	Division: Visible Policing & Operations Division: Supply Chain Management Component: Organisational Development	
83. Public Order Police deployments should at a minimum be of a section strength, comprising eight members and not less than that. In addition, training should be clearly linked to the framework for minimum deployment and should address deployment at section level.	Division: Visible Policing & Operations Division: Human Resource Development	
84. To ensure that Public Order Police is able to deploy the necessary resources in managing crowds, there should be a minimum of four platoons per unit.	Division: Visible Policing & Operations	
85. The crowd management training of SAPS visible policing personnel and municipal police should at least be at the level of first responder.	Division: Human Resource Development Division: Visible Policing & Operations	
86. In order to enhance co-ordination and co-operation during crowd management operations, joint training exercises should be held involving SAPS personnel who may be involved in crowd management.	Division: Human Resource Development Division: Visible Policing & Operations	
87. SAPS should not deploy tactical units to support POP in crowd management situations unless their specialist capabilities are requested by the responsible POP commander and that they remain under the overall command of the POP commander throughout the operation.	Division: Visible Policing & Operations	
88. As emphasised by Marikana Commission recommendation D2, the allocation of roles in the command structure of a crowd management operation is critical in ensuring that these be carried out in terms of appropriate standards.	Division: Visible Policing & Operations	
89. An operational commanders training curriculum that is specifically focused on and takes into account the complexities of the crowd management environment, and which is grounded in operational realities, should be developed and provided to Public Order Police officers and experienced platoon commanders.	Division: Human Resource Development Division: Visible Policing & Operations	
90. The training curriculum should be revised and adjusted to include among others, techniques, tactics and formations relevant for large Public Order Police deployments such as deployments at company and battalion (four companies) level so that commanders who are tasked with exercising a certain level of decision making can be trained to exercise tactical command at the relevant level of command.	Division: Human Resource Development Division: Visible Policing & Operations	

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Recommendation	Responsibility	Status
91. The SAPS should consistently use the term less-lethal-weapon when referring to the class of weapons used in crowd management situations, recognizing that all weapons including less-lethal have the potential to cause injury and death. This is in line with emerging international and regional good practice.	Division: Visible Policing & Operations	
92. Ensure that any less-lethal-weapons currently in use in the SAPS has been subject to rigorous pre-deployment testing in appropriate settings.	Division: Visible Policing & Operations	
93. Ensure that any future procurement of less-lethal-weapons by the SAPS for use in Public Order Police operations is based on need, and has been subject to pre-deployment testing both by the manufacturer and/or an independent instate to verify as well as during the training of Public Order Police unit members.	Division: Visible Policing & Operations Division: Supply Chain Management	
94. Adopt the approach suggested by Rappert to ensure that there is an independent verification process, which means that SAPS alone does not evaluate the testing of its own less lethal weapons and that the five steps suggested above are integrated into policy and practice within the SAPS.	Division: Visible Policing & Operations Division: Supply Chain Management	
95. Section 12(5)(f) and (i) of NI 4 indicate that CS teargas grenades and 40mm launchers with rounds are only to be issued to designated members.	Division: Visible Policing & Operations	
96. Only handcuffs or other approved physical restraints should, and only when necessary, be used against passively resistant individuals.	Division: Visible Policing & Operations	
97. Given that Kinetic Impact Projectiles (KIPs) are difficult to deploy safely and effectively they should only be used under strict command.	Division: Visible Policing & Operations	
98. Directives regarding the use of Kinetic Impact Projectiles (KIPs) should indicate: That these are to be used in line with the principle of differentiation.	Division: Visible Policing & Operations	
99. The SAPS should explore the possibility of equipping Public Order Police units with Safe Impact Rounds or Attenuated Energy Projectiles and launchers.	Division: Visible Policing & Operations	
100. Directives should be developed on the use of stun grenades in crowd management situations which includes clarity on their use by designated members, that they should only be used under command including that they should never be fired or thrown directly into a crowd unless this is to protect life.	Division: Visible Policing & Operations	
101. The SAPS should carry out research to identify alternative stun grenades that may be used more safely.	Division: Visible Policing & Operations Division: Supply Chain Management	
102. Directives should specify that water cannons should only be operated by specially trained members and under operational command.	Division: Visible Policing & Operations	
103. Regulations issued by the Minister of Police should prohibit the use of water mixed with foul odour when water cannons are used in crowd management.	Civilian Secretariat for Police Service	
104. Regulations issued by the Minister of Police should provide that the SAPS shall only use the Long Range Acoustic Device (LRAD) as a communications device in crowd management situations. This should be by specially trained members and under operational command. A directive to this effect must go out to all Public Order Police units.	Civilian Secretariat for Police Service	
105. The prohibition against the use of the R5 rifle and other weapons capable of automatic fire in crowd management should be formalised in regulations issued by the Minister of Police in terms of section 10 of the RGA. Such a	Civilian Secretariat for Police Service	

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Recommendation	Responsibility	Status
prohibition should apply not only to Public Order Police units but to other units who may be deployed, in support of Public Order Police, for crowd management purposes.		
106. Specialist firearms officers should form part of the restoration section (see Panel Recommendation 74) established within each Public Order Police platoon.	Division: Visible Policing & Operations	
107. To develop a training curriculum for specialist firearms officers who are authorised to use lethal force in crowd management situations. Training methodologies should ensure maximum compliance with the use of force policy, as well as national and international legislative frameworks.	Division: Visible Policing & Operations Division: Human Resource Development	
108. Training for Public Order Police commanders (see Panel Recommendations 90 and 91) should address questions to do with the deployment of specialist firearms officers.	Division: Visible Policing & Operations Division: Human Resource Development	
109. Public Order Police members should be provided with good quality fire-retardant overalls.	Division: Visible Policing & Operations Division: Supply Chain Management	
110. Public Order Police units should be provided with the necessary protective equipment including at least two ballistic shields per section.	Division: Visible Policing & Operations Division: Supply Chain Management	
111. The SAPS should ensure that each Public Order Police member's helmet carries a clearly identifiable number.	Division: Visible Policing & Operations Division: Supply Chain Management	
112. National Instruction 4 of 2014 should be revised to clarify provisions relating to inter-police communications.	Division: Visible Policing & Operations	
113. Section on communications in the proposed dedicated training programme for Public Order Police commanders (see Panel Recommendation 90) should strengthen and expand on the relevant sections of the OCT.	Division: Visible Policing & Operations Division: Human Resource Development	
114. Procurement of radio systems for Public Order Police units should ensure that this is standardised so that there is compatibility across provinces.	Division: Visible Policing & Operations Division: Technology Management Services	
115. Helmets should also include a built-in communication capability that enables members to communicate with their commander.	Division: Visible Policing & Operations Division: Supply Chain Management	
116. The RGA should be amended as to set standards that police must comply with in relation to information and data gathering, as well as the making of photographic, video or other recording, both prior to and during protests or other assemblies.	Civilian Secretariat for Police Service	
117. Marikana Commission recommendations E3 and E5, and information presented to the Panel, motivate for an overhaul of SAPS systems for technology management.	Division: Visible Policing & Operations Division: Supply Chain Management	
118. Procurement processes must take account of training and maintenance that will be required for equipment to be effectively operated. In relation to recordings of communications, and photographic and video records, there is also a need to deploy personnel and maintain systems to ensure the effective utilisation of records of operations in processes of accountability, criminal investigation or review.	Division: Visible Policing & Operations Division: Supply Chain Management	
119. The SAPS should adopt an approach to audio visual and other recording of protests that emphasises transparency and visibility.	Division: Visible Policing & Operations	

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Recommendation	Responsibility	Status
120. Public Order Police video operators should only be deployed after a proper risk management assessment has been undertaken and adequate security measures have been addressed.	Division: Visible Policing & Operations	
121. SAPS should draft directives to regulate Public Order Police video operators during crowd management operations: these must be in line with national and international legal frameworks.	Division: Visible Policing & Operations	
122. Training for personnel responsible for capturing, recording, and processing audio-visual material should address legal and human rights concerns (in particular related to privacy, decency, dignity, the use and storage of, and access to information).	Division: Visible Policing & Operations Division: Human Resource Development	
123. Specifications for communications for the mobile command centre should include: Recording equipment for radio communications; Facilities for live streaming of aerial video recordings; and Facilities for video recording of JOCCOM meetings and other JOC decision making.	Division: Visible Policing & Operations Division: Supply Chain Management Division: Technology Management Services	
124. A technical support function should be established in each Public Order Police unit to support effective use of radio communications, and live streaming and recording of Public Order Police operations.	Division: Visible Policing & Operations	
125. National Instruction 4 of 2014 should be amended to provide that: where recording facilities are available, all radio communications should be recorded. Paragraph 17, dealing with the Preservation of video recordings, should be amended to include the preservation of recordings of radio communications.	Division: Visible Policing & Operations	
126. Debriefing is critical to maintaining the effectiveness and preparedness of Public Order Police units and the well-being of their members. Nevertheless, paragraph 19 of NI 4 of 2014 should be amended to provide for a more differentiated approach that Public Order Police units are better able to comply with.	Division: Visible Policing & Operations	
127. NI 4 2014 must undergo substantial reform: It should shift the focus back to crowd management and be aligned with section 17 of the Constitution, 1996, international law standards, and the RGA, including any regulations issued thereunder and amendments thereto.	Division: Visible Policing & Operations	
128. To modify the existing notion of crowd management, reformulating it to mean "The policing of crowds, being peaceful assemblies or not, under the command of POP, including those defined in terms of the Regulation of Gatherings Act of 1993", thereby ensuring that NI 4 of 2014 is aligned with the Constitution, international human rights law and the RGA.	Division: Visible Policing & Operations	
129. Many of the definitions currently contained in paragraph 2 of NI 4 of 2014 are not definitions but simply acronyms. For example: "IRIS", "JOC", "OCT", "PCCF", "VOC".	Division: Visible Policing & Operations	
130. Provisions of NI 4 relating to the use of weapons should be revised in order to enhance clarity, inter alia by clearly distinguishing between weapons that are prohibited and those for which special authorisation by superiors is required.	Division: Visible Policing & Operations	
131. Paragraph 16 of NI 4 of 2014 should be reformulated (normalization of an area after public order was restored using force.	Division: Visible Policing & Operations	
132. National Instruction 4 of 2014 should be amended so that it more decisively focuses on crowd management and foregrounds negotiated management as originally envisaged by SO 262 of 2004.	Division: Visible Policing & Operations	

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Recommendation	Responsibility	Status
133. Training should be reviewed regularly to reflect operational realities and crowd dynamics. This will require curriculum changes and methodological changes to adequately prepare Public Order Police members and field test their tactics and techniques.	Division: Visible Policing & Operations	
134. Given that gatherings or protests are dynamic and can become violent, the training curriculum should expose trainees to realistic crowd situations and scenario-planning in order to strengthen their capacity to maintain tolerance levels, build their flexibility in responding appropriately to rapidly changing scenarios, and help build their resilience.	Division: Visible Policing & Operations	
135. The training curriculum should be expanded to include rural based operations or open space operations. The current curriculum which is anchored on a road network infrastructure and buildings falls short of operational realities in rural areas where such infrastructure does not exist.	Division: Visible Policing & Operations Division: Human Resource Development	
136. The Public Order Police training facilities should ensure that Public Order Police equipment and armoured vehicles that Public Order Police members will be utilising during operations is permanently available as part of their training, which is currently not the practice. This approach can serve to expose Public Order Police members to operational realities on the ground.	Division: Visible Policing & Operations Division: Human Resource Development	

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2.2 South African Police Service Progress Report and Implementation Plan

Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
<p><u>Panel of Experts Recommendation 1:</u></p> <p>In relation to the vicarious liability of the SAPS for the actions of its members, the manner in which state protection for members is being applied should be critically reviewed (i.e. application of state protection).</p> <p>Police officials require a high measure of protection for the lawful exercise of their powers; otherwise it might lead to reluctance to act where required. It must, however, be ensured that gross negligence, <i>mala fide actions</i>, including where a member acts purely in his or her own interest, ignorance of the law and instructions, and serious misconduct be addressed in all cases not only by means of disciplinary action, but also through recovering of damages incurred by the SAPS as a result of actions by the member.</p>	<p>Division: Legal Services</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The manner in which the vicarious liability of the SAPS for the actions of its members, in terms of the manner in which state protection for members is applied has been reviewed, as indicated below: <ul style="list-style-type: none"> - Standing Order (General) 109 was repealed by Consolidation Notice 2 of 2017, in that National Instruction 1 of 2017: Payment by the Service for Legal Representation of Employees in Criminal Matters and Inquiries, came into being. <ul style="list-style-type: none"> ▪ National Instruction 1 of 2017 sets out clear requirements for when legal representation at State cost can be provided. ▪ It was reviewed in March 2023 and a submission was made to the National Commissioner, to sign-off the inclusion of former SAPS members that request legal representation, at State cost, as a result of acts/omissions emanating from acting in the course and scope of their duties when they were still in the employ of the SAPS. ▪ No further amendments were necessary. ▪ It must also be noted that it makes provision for recovery of legal costs incurred under certain circumstances where a member was granted legal representation at State cost. ▪ Furthermore, it is premised on Treasury Regulation 12.2.7 that sets out the circumstances when members will forfeit State cover and this is applied in the event that a civil claim is instituted against the SAPS, as a result of a member’s actions, so as to recover capital paid out, where applicable. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
<p><u>Panel of Experts Recommendation 2:</u></p> <p>SAPS recruitment criteria and the selection system should be strengthened to support competency-based policing, including a greater focus on the quality of personnel.</p> <p>This should be informed by the work of the National Policing Board (see Panel Recommendation 15).</p> <p>The long-term view should allow for the possibility that the SAPS can fulfil its responsibilities more effectively with a smaller number of better qualified and better compensated personnel; integral to this approach is a two-tier recruitment system as recommended by the NDP.</p>	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS Recruitment Criteria was reviewed and a report was submitted to the Civilian Secretariat for Police Service, to repeal Regulation 11 and substitute Regulation 39 (SAPS Employment Regulations, 2018). <ul style="list-style-type: none"> - The Minister of Police issued a waiver on 2023-08-08, in respect of the following criteria: <ul style="list-style-type: none"> ▪ Age. ▪ Tattoos. ▪ Drivers' Licences. • A two-tier recruitment system has been introduced in the SAPS, please refer to approved directive, titled: "Advancing Different Streams for the Recruitment, Selection and Enlistment of Police Trainees: 2019/2020 Financial Year", dated 2019-09-19. <ul style="list-style-type: none"> - Stream 1 includes matriculates (grade 12), Military Skills Development Service, graduates in possession of qualifications other than law, policing criminology and forensic studies; and current serving Public Service Act personnel. - Stream 2 includes graduates who fully completed a three year national diploma degree or Registered Learner Record Database (NLRD) with at least a NQF 6 or higher in the following fields: law, policing, criminology, law enforcement or forensic investigation. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 3:</u></p> <p>In addition to a two-tier system, SAPS should introduce a two-stream system to support retention of skilled personnel in roles that are aligned to their skills.</p> <p>This could motivate personnel with specialised or scarce skills to remain in the SAPS and continue to perform these specialised functions.</p>	<p>Division: Human Resource Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The two-tier recruitment system has been implemented since 2019 and consists of the normal recruitment of trainees (9 months training) and graduates (shortened 6 months training). • The review of the scarce skills occupational categories in the SAPS has been finalised. A request has been submitted to secure additional funds for the implementation of the review. • The Directorate for Priority Crime Investigation (DPCI): <ul style="list-style-type: none"> - In terms of Section 17B, read with Section 17D of the South African Police Service Act, Act 68 of 1995, the DPCI was established as a Directorate in the Service to prevent, combat, and investigate National Priority Offences, in particular Serious Organised Crime, Serious Commercial Crime and Serious Corruption. 		<ul style="list-style-type: none"> • Dependent on the allocation of additional funding. 	<ul style="list-style-type: none"> • -

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> - The afore-mentioned crimes are serious and complex in nature which requires specific skills, knowledge and expertise to be able to investigate. - A combination of different skills are required for the investigation and they can be summarised as follows: <ul style="list-style-type: none"> ▪ Financial Investigators. ▪ Forensic Investigators. ▪ Fraud Examiners. ▪ Accounting and auditing skills. ▪ Forensic analysts. ▪ Cyber Forensic Investigation Specialists. ▪ Tactical skills. - The remuneration of the specialists should be compared with salaries available in the market, as an example, a Chartered Accountant employed to do forensic accounting investigations should be remunerated sufficiently to ensure the retention of such skills within the SAPS/DPCI. - The DPCI scarce skills consideration should be handled in line with the provisions Section 17G of the SAPS Act 68 of 1995. - Understanding critical aspects of the Constitutional judgement emanating from the Helen Suzman Foundation and Glenister Constitutional Court Case in respect to Chapter 6A of the SAPS Act, 68 of 1995, whereby the DPCI must implement and align its processes to the constitutional court litigation. - Section 17G of the SAPS Act 68 of 1995, which outlines the remuneration, allowances and other conditions of service of members of the Directorate shall be regulated in terms of section 24, however remains one of the critical areas and is outstanding since 2009. <ul style="list-style-type: none"> ▪ The implementation of section 17G (Conditions of Service) of the SAPS Act 68 of 1995 is very crucial to assist with the retaining of a skilled workforce in the DPCI and will serve as an Occupational Specific Dispensation for the DPCI. 			

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
<p><u>Panel of Experts Recommendation 6:</u></p> <p>Key Performance Areas (KPAs) for performance review of senior managers should include how they have taken responsibility for promoting the principles embodied in the Codes of Conduct and Ethics and in supporting members in understanding and applying them.</p>	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Senior managers assume responsibility for promoting the Codes of Conduct and Ethics as indicated below: <ul style="list-style-type: none"> - All employees are required to sign a copy of the code of conduct, on an annual basis. - In support of this, all commanders, including, senior managers, have to certify that the contents of the code of conduct have been brought to the attention of their employees. - A performance management framework has been implemented, which holds senior managers accountable for the execution of policies and prescripts of the organisation (managerial responsibilities), via annual performance agreements. <ul style="list-style-type: none"> ▪ One of the performance indicators in this framework relates to the mentioned responsibilities relating to the signing of the code of conduct and accompanying certification. ▪ This framework also establishes accountability for dealing with misconduct cases, via the SAPS Disciplinary Regulations. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 7:</u></p> <p>In order to support the integration of the awareness of police ethics into decision-making, the SAPS should adopt the <i>National Decision Model</i>, or a model that resembles it.</p> <p>The model should be integrated into training (including in-service training) on professional conduct and operational decisions.</p>	<p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS has integrated the awareness of police ethics into decision-making by integrating the requirement into the learning programmes that are reflected below. <ul style="list-style-type: none"> - The model for decision-making has been included as Module 1, in the Basic Police Development Learning Programme (HRD: 2020). <ul style="list-style-type: none"> ▪ Chapter 4 of the Basic Police Development Learning Programme addresses Organisational and Personal Ethics, Values and Standards and includes the following key issues: <ul style="list-style-type: none"> ○ Obedience of the Law. ○ Ethical Values and Standards within the Police Service. ○ Signposts of Ethical Principles. ○ Personal Ethical Values and Standards. ○ Professional Ethics and Codes of Conduct in the Police Service. ○ Ethical Decision Making the Plus Ethics Filters. <ul style="list-style-type: none"> ➤ P = Policies - Is It Consistent with my Organization's Policies, Procedures and Guidelines? ➤ L= Legal - Is It Acceptable Under the Applicable Laws and Regulations? 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> ➤U = Universal - Does It Conform To The Universal Principles/Values My Organization Has Adopted? ➤S= Self - Does it Satisfy my Personal Definition of Right, Good and Fair? ○ Management of Conflict Of Interest. <ul style="list-style-type: none"> ▪ Chapter 5 of the Basic Police Development Learning Programme addresses Information and Ethics as well as Ethical Conflict. - A model that shows the relationship between the police and a crowd, is included in Module 3: Prepare for Crowd Management Incidents, chapter 2, of the Crowd Management for Platoon Members Learning Programme (HRD: 2014). <ul style="list-style-type: none"> ▪ The decision model that has been included is the 5C Stairs Conflict Resolution Model (Cooperation, Communication, Comprehension, Conflict and Confrontation). <ul style="list-style-type: none"> ○ This Model supports the doctrine of crowd management, in that with regard to crowd management, it enables the resolution of conflict at the lowest level, using as little force or constraints as possible. - The 5C Stairs Conflict Resolution Model is also reflected in the Crowd Conflict Management learning Programme (HRD: 2016), refer to Chapter 5 - The Stages Related to Crowd Conflict Management. - The Basic Police Development Learning Programme, the Crowd Management for Platoon Members Learning Programme and the Crowd Conflict Management Learning Programme are all included in the SAPS' annual Training Provisioning Programme. • POP In-service Training <ul style="list-style-type: none"> - The Division: VP&OPs (POP) coordinates the conducting of in-service training by dedicated POP Trainers, which are allocated to the various POP Units. <ul style="list-style-type: none"> ▪ The need for in-service training is determined conjunctively by the national and provincial POP offices, but also by the POP Unit Commanders. ▪ In-service training addresses issues that are related to POP procedure that emerge during crowd management situations and which are identified during the debriefing process, as per paragraph 26(4) of NI 4 of 2014 (v2): 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. 			

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<p><u>Panel of Experts Recommendation 8:</u></p> <p>The SAPS should develop training material (including audio-visual) to ensure that the Code of Conduct and Ethics is internalized as part of police practice.</p> <p>This should be translated into all official South African languages.</p>	<p>Division: Human Resource Development</p> <p>Component Risk and Integrity Management and</p> <p>Component: Corporate Communication and Liaison.</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The SAPS' Division: Human Resource Development (HRD) has developed a module on the Code of Conduct and Code of Ethics, which is referred to as: Professional Conduct, and is included in Module 1 of the BPDLP (HRD: 2020). <ul style="list-style-type: none"> - The topics that are covered in this module are the following: <ul style="list-style-type: none"> ▪ 03: Discipline. ▪ 04: Organisational Ethic Values. ▪ 05: Personal Ethical Values and Standards. ▪ 06: Information and Ethics. ▪ 07: Ethical Conflict. • All of the training material this is developed by the SAPS, includes the Code of Conduct, as a pretext to all LPs. • All newly-developed learning material includes the Code of Conduct, which is only in English, as this is the medium of instruction during training. Training material will, therefore, not be translated. • In order to internalise the Code of Conduct and Ethics, learners are required to read it out at the commencement of their training, including any official event within the SAPS. • The SAPS (Division: HRD) has developed and piloted a Code of Conduct, Deeds of Commission and Code of Ethics e-Learning Workshop. <ul style="list-style-type: none"> - The Workshop has been approved, and the Train-the Trainer phase has been completed. - The Workshop will be decentralised to the Paarl Training Academy, for presentation with other LPs. • In order to ensure that the Code of Conduct and Ethics are internalized, as part of police practice, the Component: Risk Management and Integrity has ensured that the SAPS' Code of Conduct and Ethics are available in eleven official languages. 		<ul style="list-style-type: none"> • Division HRD to roll-out the e-learning workshop on the Code of Conduct. • Component: Corporate Communication and Liaison to ensure the internal and external distribution of the translated Code of conduct and Ethics. 	<ul style="list-style-type: none"> • 31 March 2024. • 31 March 2024.

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<p><u>Panel of Experts Recommendation 9:</u></p> <p>In line with the NDP recommendation, police members should be trained and tested in the Code of Conduct and Ethics and its application, as part of the Professional Conduct module; and the SAPS should continue with the practice which requires SAPS members to sign a copy of the Code each year, with the signed copy kept in their file.</p>	<p>Division: Human Resource Development</p> <p>Component: Risk and Integrity Management</p>	<p><u>The Recommendation has been implemented</u></p> <ul style="list-style-type: none"> • The SAPS has put specific measures in place to ensure that members are trained and tested on the Codes of Conduct and Codes of Ethics: <ul style="list-style-type: none"> - SAPS members trained and tested in the Code of Conduct: <ul style="list-style-type: none"> ▪ Please refer to Recommendation 8 above. • SAPS members sign the Code of Conduct annually: <ul style="list-style-type: none"> - All SAPS members are required to sign the Code of Conduct annually, a copy of which is kept on members' files. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 10:</u></p> <p>On an annual basis the SAPS should provide a report to the Portfolio Committee for Police on the outcomes of disciplinary investigations and hearings against SMS officers.</p> <p>This will enable the SAPS to publicly affirm its commitment to ethical conduct amongst its senior commanders and demonstrate that SAPS members, irrespective of rank, are accountable for their conduct (see also Panel Recommendation 32).</p>	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Reports on the outcomes of disciplinary investigations and hearings, against SMS members are maintained by the SAPS. • These reports will be provided to the Committee, as and when required. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 17:</u></p> <p>The appointment of Provincial Commissioners should follow a similar process to that recommended for the National Commissioner.</p> <p>The shortlist of recommended candidates for each Provincial Commissioner position should be submitted to the National Commissioner and provincial executive, with a copy being sent to the Minister of Police.</p>	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The appointment of Provincial Commissioners does follow a similar process to that recommended for the National Commissioner. <ul style="list-style-type: none"> - In terms of the Constitution of the Republic of South Africa, Act No. 108 of 1996, the National Commissioner, with the concurrence of the Provincial Executive, must appoint a woman or man as the Provincial Commissioner for that Province. - In practice, the office of the Provincial Executive is part of the selection committees that are appointed to consider applications for Provincial Commissioner posts, and to make recommendations for the appointment of a candidate. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 22:</u></p> <p>Directives for police managers on dealing with the aftermath of shooting incidents should note that any public statements:</p> <ol style="list-style-type: none"> 1. Should emphasise that the SAPS aims to uphold the principles of professionalism and accountability; 2. Should emphasise that the SAPS is in favour of thorough and impartial investigations in order to support accountability; 3. May give a summary of information that has been received but should not under any circumstances imply that management has reached final conclusions on what occurred during the incident (information provided should not undermine the potential for the incident to be investigated thoroughly); and 4. May note that the SAPS is committed to the principle of protection of life. In addition to the safety of members of the public it is also concerned about the safety and well-being of SAPS members and the potential for them to be harmed or traumatised in confrontations. 	<p>Component Head: Corporate Communication and Liaison</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Points 1 to 4: <ul style="list-style-type: none"> - Due to the sensitivity that is associated with incidents of shooting by the Police, communication on such incidents is confined to only the National and Provincial Commissioners, together with their spokespersons and/or Heads of Communication. <ul style="list-style-type: none"> ▪ While communicating at the discretion of the National/Provincial Commissioners, due regard will, however, be given so as not to compromise/jeopardise the investigation that will be undertaken by the IPID. - Speeches by the principals addressing operational parades, always contain key messages on: <ul style="list-style-type: none"> ▪ Exercising police duties and responsibilities within the confines of the law, e.g. Safer Festive Season Operations Launches and Ministerial countrywide operational visits. ▪ The Police Safety Month Communication Campaign. ▪ Upholding a professional and acceptable corporate image, especially on duty. ▪ Internal communication campaigns regularly educating and reminding members on performing their duties, within the confines of the law, and to also protect themselves in line with Police Safety Strategy. 		<ul style="list-style-type: none"> • None required 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 23:</u></p> <p>Professional policing requires that the SAPS as an organisation gives much greater value to honesty.</p> <p>The assessment of operations and efforts to improve organisational performance must emphasise the need for honesty and for accurate and truthful information.</p>	<p>Division: Visible Policing and Operations</p> <p>Component: Strategic Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Point 1 - The creation of an organizational environment in which post-operational debriefing provides room for members to express their views honestly (Division: VP&OPs): <ul style="list-style-type: none"> - The revised NI 4 of 2014 (NI 4 of 2014 was reviewed through a thorough process of consultation and was promulgated within the SAPS, through Consolidation Notice 12 of 2022, therefore, version 2) provides specifically for debriefing, as follows: 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>Compliance with principles of accountability and transparency is meaningless unless grounded on accurate and truthful information.</p> <ol style="list-style-type: none"> 1. In order to better support lesson learning SAPS leadership should facilitate the creation of an organizational environment in which post-operational debriefing provides room for members to express their views honestly. Processes should be used that create an environment that encourages members to express their views honestly about the strengths and weaknesses of an operation. 2. SAPS leadership across the organisation needs to ensure that statistics gathered against performance indicators are accurate, regardless of whether they meet the targets or not. In addition more attention should be paid to evidence that properly considered strategies have been put in place and are being properly implemented rather than focusing primarily on 'outcomes' as measured by performance indicators. 3. The selection of performance targets needs to be more carefully assessed in terms of their utility and likely contribution towards promoting public trust and improved levels of safety. Attention must be paid to the potential that targets will result in perverse incentives such as reducing the recording of crime or directing police resources away from addressing serious violent crime. 4. In order to support reliable and accurate recording of crime, crime statistics should not be measure of police 		<ul style="list-style-type: none"> - Paragraph 4(i) defines debriefing as: “debriefing” meeting where members are asked to give a report on an operation or task that they have just completed”. - Paragraph 13 – “Duties and responsibilities of an authorised member”, requires the following, in respect of debriefing, from authorised members: <ul style="list-style-type: none"> ▪ (h) take part in the overall debriefing of events by attending the debriefing ; and ▪ (i) keep all records of operational plans and reports on the execution of operations and debriefing reports, for three years. - Paragraph 26 – Debriefing indicates the following: <ul style="list-style-type: none"> ▪ (1) The Overall Commander must ensure that a debriefing takes place after each event or gathering and that record is kept. The Overall Commander must allow that Employee Health and Wellness to render the relevant support services to members once the operational debriefing has been completed. ▪ (2) Every level of command must debrief the levels below it individually, followed by an in-depth debriefing by the commanders of the operation. Afterwards, a debriefing must be held with all role-players to determine whether the operation was effective and whether communication with the role-players was adequate. ▪ (3) A thorough evaluation must be conducted and, if possible, video footage must be shown. All best practices, as well as shortcomings, must be recorded as part of a learning process to improve best practices and address or prevent identified mistakes from occurring again. ▪ (4) 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. ▪ (5) 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. - Paragraph 26 – Debriefing indicates the following: <ul style="list-style-type: none"> ▪ (3) Unit commanders must monitor and report the use and effects of all less-lethal weapons and related equipment procured, issued and used as analysed during debriefing reports, to the Section Head: POP Policy and Standards: (at the Component: POP) 			

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<p>performance but rather seen as measure of public safety and the crime burden facing the police.</p>		<ul style="list-style-type: none"> ▪ (4) Evaluation (Lessons learned) Incidents where constitutional rights have been compromised should be captured during debriefings and shared with other units to be incorporated into in-service training and where appropriate, with the POP Policy and Standards: (at the Component: POP) to be incorporated into future policies, procedures and training material. • Point 2 - Statistics gathered against performance indicators are accurate, regardless of whether they meet the targets or not - Component Head: SM: <ul style="list-style-type: none"> - The SAPS has numerous directives in place to ensure the accuracy of reported performance information. - The POP capability has achieved a clean audit result from the Auditor-General of South Africa for the last three consecutive years. • Point 3 - The selection of performance targets needs to be more carefully assessed in terms of their utility and likely contribution towards promoting public trust and improved levels of safety - Component Head: SM: <ul style="list-style-type: none"> - The performance indicators and targets within the Subprogramme: Specialised Policing that relate to POP are as follows: <ul style="list-style-type: none"> ▪ Percentage of peaceful crowd management incidents policed, in relation to requests received ▪ Percentage of unrest crowd management incidents stabilised, in relation to requests received. - The selection of these performance indicators is influenced by the fact that the SAPS has no forward knowledge of the number of incidents of peaceful or unrest protest that will take place, during the course of a quarter or a year. - These performance indicators do not have any obvious perverse incentives, for POP members. • Point 4 - Crime statistics should not be measure of police performance but rather seen as measure of public safety and the crime burden facing the police - Component Head: SM: <ul style="list-style-type: none"> - The Revised Medium-term Strategic Framework (MTSF) 2019 to 2024 includes contact crimes as a performance measure for the SAPS. - The Department of Planning, Monitoring and Evaluation (DPME) requires that departments include all relevant indicators in the MTSF, in their Annual Performance Plan. The utilisation of crime data as a measure of SAPS performance is, therefore unavoidable. 			

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<p><u>Panel of Experts Recommendation 26:</u></p> <p>A separate SAPS Anti-Corruption or Internal Investigation Unit should be established to investigate all cases of alleged corruption and police criminality that fall outside of the mandate of the DPCI and IPID.</p> <p>This unit should report directly to the SAPS National Commissioner and only upon the completion of an investigation of a case and not before.</p> <p>All attempts by other SAPS officers to influence or interfere in the investigations by these units to be viewed as an act of serious misconduct and immediately acted on once reported.</p> <p>This unit should be adequately resourced, for example by having its own budget, buildings, vehicles, internal database and procurement capacity.</p> <p>It should be staffed only with SAPS investigators who are known for high levels of skill, expertise and integrity.</p> <p>Appropriate incentives must be developed for serving in these units. This unit should have no fewer resources and capabilities than the SAPS Anti-Corruption Unit that existed between 1996 and 2000.</p>	<p>Division: Detective and Forensic Services</p> <p>Component: Organisational Development</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Anti-Corruption Units, within the Detective Service, have been established in all 9 Provinces. • The SAPS' Organisational Structure is currently subject to review, during which the placement of the Anti-Corruption Units will be addressed. • The Anti-Corruption Units have been established, however, not fully resourced, as of yet, due to prevailing budgetary constraints. The Units were reviewed during 2021 and a complete work-study regarding the post establishment, and resources for capacitation was completed. 		<ul style="list-style-type: none"> • The Deputy National Commissioner: Crime Detection to ensure the finalisation of the Review of the Anti-Corruption Units. 	<ul style="list-style-type: none"> • 31 March 2024.

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<p><u>Panel of Experts Recommendation 27:</u></p> <p>The SAPS National Commissioner must establish a dedicated capacity of personnel, namely disciplinary officers, employer representatives and chairpersons to conduct SAPS disciplinary hearings.</p> <p>This capacity should consist of commissioned officers who are properly selected, trained, and experienced to conduct SAPS disciplinary hearings.</p>	<p>Division: Human Resource Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> The National Commissioner has approved the establishment of Disciplinary Units in the in the SAPS, at provinces and national levels, which will comprise of desiccated discipline management personnel namely disciplinary officers, employer representatives and chairpersons, to conduct SAPS disciplinary hearings. The Discipline Units have been incorporated into the reviewed SAPS Organisational Structures, which was tabled at the Safety and Security Sector Bargaining Council (SSSBC), on 2023/07/20, for consultation with Labour Unions. 		<ul style="list-style-type: none"> Division HRM & Component OD finalise the Discipline Unit structures. Division: HRM to establish National and Provincial Disciplinary Units. 	<ul style="list-style-type: none"> 30 September 2023. 31 March 2024.
<p><u>Panel of Experts Recommendation 29:</u></p> <p>The SAPS should implement disciplinary steps against all SAPS members against whom there is <i>prima facie</i> evidence of misconduct relating to the events at Marikana on 16th August 2012.</p> <p>The outcome of all such investigations and all resulting disciplinary processes should be reported to the Portfolio Committee on Police and IPID.</p>	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> The IPID Recommendations in this regard were implemented accordingly and disciplinary steps against all SAPS members against whom there is prima facie evidence of misconduct relating to the events at Marikana in August 2012, were taken and are to this end all finalized. A report, in this regard, will be provided to the Committee, as and when required. 		<ul style="list-style-type: none"> None required. 	<ul style="list-style-type: none"> N/A
<p><u>Panel of Experts Recommendation 30:</u></p> <p>Disciplinary steps should be taken against the senior managers who bear ultimate responsibility for the fact that no disciplinary steps were taken against any member of the SAPS relating to the events at Marikana on 16th August 2012.</p> <p>The outcome of all such investigations and all resulting disciplinary processes should be reported to the Portfolio Committee on Police and IPID.</p>	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> The IPID Recommendations in this regard were implemented accordingly and disciplinary steps against all SAPS members against whom there is prima facie evidence of misconduct relating to the events at Marikana in August 2012, were taken and are to this end all finalized. A report, in this regard, will be provided to the Committee, as and when required. 		<ul style="list-style-type: none"> None required. 	<ul style="list-style-type: none"> N/A

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<p><u>Panel of Experts Recommendation 32:</u></p> <p>Professionalization requires that SAPS commanders who are alleged to have committed crimes or misconduct are held to account.</p> <p>In addition to the competency assessments (see Recommendation 21) there must be a purposeful focus on addressing unresolved allegations or disciplinary matters, particularly against members of the SMS.</p> <ol style="list-style-type: none"> 1. All allegations of criminality or serious misconduct, whether by commission or omission, against any member of the Senior Management Structure (Brigadier, Major-Generals, and Lieutenant-Generals) must be given priority for investigation. 2. All credible allegations of criminality or serious misconduct against top managers (Brigadiers and above) to result in immediate suspension. 3. All disciplinary hearings against SMS members must be chaired by an experienced independent chairperson who is not part of the SAPS. Currently, presiding officers in hearings of mid-level managers such as Captains and Colonels are usually higher-ranking officers. 4. Evidence of unreliable or dishonest evidence being provided under oath should be classified as a case of serious misconduct that may warrant dismissal from the SAPS. 5. The senior SAPS commanders named in the Heads of Argument by the Marikana Commission Evidence Leaders as having attempted to mislead the Commission, 	<p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Point 1 - All allegations of criminality or serious misconduct within the SAPS are acted upon as soon as SAPS becomes aware of the allegation, including allegations against Senior Management Service (SMS) members. These allegations are dealt with as prescribed in the SAPS' Discipline Regulations (2016). • Point 2 - Where allegations justify immediate suspension, that particular process is initiated, in line with SAPS' Discipline Regulations (2016). • Point 3 - All of the disciplinary cases involving SMS members are processed in line with the SAPS' Discipline Regulations (2016) and are treated as priority cases, within the Service. The utilisation of independent chairpersons to oversee departmental hearings against SMS members cannot be implemented at this stage, due to the cost associated within this requirement. • Point 4 - All evidence brought before the appointed Chairperson, is assessed, in accordance with the discipline management process. Evidence that is provided under oath that is determined to be dishonest is considered to be serious misconduct, as per paragraph 5(3)(aa) of the SAPS Disciplinary Regulations (2016) and is dealt with in line with prescribed procedure. • Point 5 - All SMS members who were involved in the Marikana incident, were charged accordingly, in line with SAPS' Discipline Regulations (2016). A report in this regard will be provided to the Committee, as and when required. • Point 6 - All SAPS Commanders who are facing serious allegations of misconduct, are subject to disciplinary steps, in line with the SAPS' Discipline Regulations (2016). • Point 7 - Panel Recommendation 10 has been addressed by the SAPS (reports on disciplinary charges involving SMS members provided to PCoP). Recommendation 11 must be addressed by the CSPP (audit of disciplinary action against SMS members). 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>or who lied under oath should not only face disciplinary steps but also should be charged criminally for perjury.</p> <p>6. SAPS commanders who are facing allegations of serious wrong doing should be subject to independent disciplinary investigations and hearings overseen by senior advocates within the prescribed time periods.</p> <p>7. See also Panel Recommendations 10 and 11.</p>					
<p>Panel of Experts Recommendation 34:</p> <p>The use of force policy developed by the CSPA should urgently be adopted as an official policy.</p> <p>The Annex to the CSPA policy 'Use of force by members of the SAPS: legal standards and professional guidelines' should be adopted as an internal directive by the SAPS and other relevant SAPS directives aligned with this.</p>	<p>Division: Legal Services</p> <p>Division: Visible Policing & Operations</p> <p>Division: Human Resource Development</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: Legal Services: <ul style="list-style-type: none"> - The Use of Force Policy was approved in 2008, for implementation by SAPS managers and members, at all levels. • Division: VP&OPs: <ul style="list-style-type: none"> - NI 1 of 2016 - The Use of Force in Effecting an Arrest, prescribes the following: <ul style="list-style-type: none"> ▪ The use of force to effect an arrest and the use of force in private defence. ▪ The authority to arrest and the manner of effecting an arrest. ▪ The requirement surrounding Section 49 of the Criminal Procedure Act 1977, (Act No. 51 of 1977), including: <ul style="list-style-type: none"> ○ Prerequisites for the use of force. ○ Minimum force reasonable in the circumstances. ○ Proportionality. ○ Use of lethal force. ○ Commanders' responsibilities. ▪ NI 2 of 2016 – The Use of Force in Effecting and Arrest, paragraph 7 – Proportionality, indicates that: <ul style="list-style-type: none"> ○ (1) The proportionality requirement involves a shift in emphasis. In the past, the law did not require that the harm done to reach the objective with the use of the force should be proportional in the circumstances. This has changed, proportionality will now always form part of the test to determine whether the force that was actually used in a specific instance, was legally permissible. 		<ul style="list-style-type: none"> • Division: VP&OPs to finalise the Use of Force during Crowd Management SOP. 	<ul style="list-style-type: none"> • 31 March 2024.

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		<ul style="list-style-type: none"> o (2) In exercising their powers, functions and duties, members are not allowed to indiscriminately use force to achieve even a legally permissible objective, but must ensure that the harm which may result from the use of the force, will be proportional in all the circumstances. This includes the seriousness and nature of the offence in respect of which the suspect is to be arrested, the conduct of the suspect, including any threats that the suspect makes, etc. o (3) If the crime is not serious, such as crossing a road in violation of the rules of the road (jaywalking) or illegal parking, it is not permissible to use force to arrest the suspect, unless other circumstances, such as the conduct of the suspect, requires the use of that degree of force (the minimum force) necessary to confine his or her body. National Instruction 1/2016 The use of force in effecting an arrest Legal Services: Governance, Policy and Legislation Management V 01.00 Page 9 of 12 Issued by Consolidation Notice 2/2016 o (4) If the crime is of a more serious nature, such as theft or damage to property, the minimum force necessary to effect the arrest, may be used. o (5) Circumstances could, however, rapidly change and members must continuously consider and re-evaluate the circumstances, and act accordingly. - The Division: VP&OPs has developed a draft standard operating procedure (SOP) on the Use of Force during Crowd Management. <ul style="list-style-type: none"> ▪ The purpose of the SOP is to establish uniform procedures whereby members of POP can be regulated when using any level of force along the use of force continuum. ▪ The SOP specifies the goals of POP, focusing on the shift from crowd control, to crowd management. The consultation of the Use of Force SOP will commence on 11 September 2023. • Division: HRD: <ul style="list-style-type: none"> - The use of force, as per Section 49 of the Criminal Procedure Act 1977, (Act No. 51 of 1977), is included in the Basic Police Development Learning Programme, Learning Area 6 – Street Survival, Module 3 – Use of Force. - The use of force is also addressed following Crowd Management Learning Programmes: 			

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		<ul style="list-style-type: none"> ▪ Crowd Conflict Management Learning Programme (HRD: 2016). ▪ Crowd Management for Platoon Members Learning Programme (HRD: 2006). <ul style="list-style-type: none"> ○ Chapter 3 - The Integration of the Use of Force Principles, refers. ▪ Crowd Management for Platoon Commanders Learning Programme (HRD: 2020). <ul style="list-style-type: none"> ○ Chapter 4 - Prepare for Crowd Management Incidents, paragraph 3.1 – Manage the use of force, refers. 			
<p><u>Panel of Experts Recommendation 36:</u></p> <p>The SAPS should introduce an internal directive to establish the principle that SAPS members who have first aid training are required to provide first aid ‘within the limits of their training’ in situations where they encounter people requiring medical attention.</p> <p>A specific directive should be developed on this issue as it is a general principle based on the duty of care and it will not be adequate to address it in directives on crime scene management or on arrested persons.</p> <p>The directive should make allowance for the fact that members who have been involved in a violent confrontation may not immediately be in a suitable frame of mind for providing first aid.</p>	<p>Division: Visible Policing & Operations</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Paragraph 6(b) of NI 4 of 2014 (v2) indicates that: with regard to the “Protection of Life”: <ul style="list-style-type: none"> - (i) Where the use of force is unavoidable, respect for and protection of life has highest priority. The duty to protect life requires the taking of all achievable precautions to minimise the recourse to potentially lethal force, as well as the rendering or facilitating of first aid in situations where serious injury does occur. • Paragraph 19(2)(e) of NI 4 of 2014 (v2) indicates that: “The Overall Commander or a designated officer must - <ul style="list-style-type: none"> - (e) Ensure that members trained in first aid are also equipped and tasked should the need arise”. • NI 1 of 2016 – The Use of Force in Effecting an Arrest, chapter 10 - Reporting, indicates that: <ul style="list-style-type: none"> - (1) If any person dies or is injured as a result of a police firearm being discharged, the responsible member must - <ul style="list-style-type: none"> ▪ Provide or secure appropriate medical attention for any injured person. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 37:</u></p> <p>The SAPS should develop a strategy and framework for expanding the provision of first aid training to operational SAPS members.</p> <p>This would better enable SAPS members to assist injured colleagues and others.</p>	<p>Division: Human Resource Development</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The SAPS has develop a First Aid Learning Programme which address the following: <ul style="list-style-type: none"> - Level 1 – Perform Basic Life Support and First Aid Procedures. - Level 2 – Provide Risk-based Emergency Care/First Aid in the Workplace. - Level 3 – Provide First Aid and an Advance First Responder. 		<ul style="list-style-type: none"> • Division: HRD to ensure the approval of the SAPS First Aid Learning Programme. • Division: HRD to coordinate the completion of the SASSETA funded First Aider training. 	<ul style="list-style-type: none"> • 31 March 2024. • 31 March 2024.

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<p>The SAPS should identify achievable targets for this, subject to the principle that members who receive such training should also have access to appropriate equipment and receive routine refresher training.</p>		<ul style="list-style-type: none"> • The First Aid Learning Programme was piloted on 17 to 28 July 2023. • The SAPS entered into an agreement with the Safety and Security Sector Training Authority (SASSETA), regarding the allocation of funding for the training of SAPS members in Basic First Aider Level 1 and 2. <ul style="list-style-type: none"> - 200 members will be trained during 2023/24, focussing primarily on POP members. - To date, 70 members have been trained from POP Units in the Gauteng, Free State, Eastern Cape and Northern Cape Provinces. • The targeted numbers for the provisioning of First Aid Training are included in the annual Training Provisioning Plan (TPP). 			
<p><u>Panel of Experts Recommendation 38:</u></p> <p>The SAPS to develop a resourcing plan to support the implementation of this recommendation including ensuring that members with first aid training have first aid kits.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Transversal contract RT 24 is in place for first aid boxes, which are a provisioning store item. • The provisioning of first aid boxes is based on the submission of annual demand plans by the relevant business units within the SAPS. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Recommendation 39:</u></p> <p>In so far as reasonably possible first aid training should be aligned with types of injuries or medical conditions that SAPS members are likely to encounter.</p> <p>SAPS members who are most likely to be involved in the use of lethal force should be trained to deal with gunshot injuries and other puncture wounds.</p>	<p>Division: Human Resource Development</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The SAPS has develop a First Aid Learning Programme which address the following: <ul style="list-style-type: none"> - Level 1 – Perform Basic Life Support and First Aid Procedures. - Level 2 – Provide Risk-based Emergency Care/First Aid in the Workplace. - Level 3 – Provide First Aid and an Advance First Responder. • The First Aid Learning Programme was piloted on 17 to 28 July 2023. • The SAPS entered into an agreement with the Safety and Security Sector Training Authority (SASSETA), regarding the allocation of funding for the training of SAPS members in Basic First Aider Level 1 and 2. 		<ul style="list-style-type: none"> • Refer to Recommendation 37 above. 	<ul style="list-style-type: none"> • -

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<p><u>Panel of Experts Recommendation 40:</u></p> <p>In crowd management operations and other large operations or operations where the use of lethal force is likely, police should provide their own first aid teams of trained SAPS members.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The Division: VP&OPs: <ul style="list-style-type: none"> - Paragraph 19(2)(e) of NI 4 of 2014 (v2) indicates that: "The Overall Commander or a designated officer must - <ul style="list-style-type: none"> ▪ (e) ensure that members trained in first aid are also equipped and tasked should the need arise". ▪ During large operations that are coordinated by National Operational Coordination, including operations initiated by the NATJOINT and PROVJOINTS, all key stakeholders are involved and their actions integrated into the relevant operational plan, this includes the deployment of First Aid Service Providers, where required. ▪ The requirement is also addressed through the issuing of operation-specific National Crime Combating Forum instructions. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 41:</u></p> <p>First aid teams that are deployed in crowd management operations should be trained and equipped to deal with potentially fatal consequences of the use of less-lethal-weapons (such as risk of asphyxiation from teargas, especially to young children) as well as other types of injuries likely to arise in these situations.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The implementation of this Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The Division: VP&OPs: <ul style="list-style-type: none"> - Paragraph 19(2)(e) of NI 4 of 2014 (v2) indicates that: "The Overall Commander or a designated officer must - <ul style="list-style-type: none"> ▪ (e) ensure that members trained in first aid are also equipped and tasked should the need arise". • Division: HRD: <ul style="list-style-type: none"> - The SAPS has develop a First Aid Learning Programme which address the following: <ul style="list-style-type: none"> ▪ Level 1 – Perform Basic Life Support and First Aid Procedures. ▪ Level 2 – Provide Risk-based Emergency Care/First Aid in the Workplace. ▪ Level 3 – Provide First Aid and an Advance First Responder. ▪ The First Aid Learning Programme has been piloted at the SAPS Atteridgeville Training Academy, from 17 to 28 July 2023. - The SAPS has entered into an agreement with the Safety and Security Sector Training Authority (SASSETA), regarding the allocation of funding for the training of SAPS members in Basic First Aider Level 1 and 2. 		<ul style="list-style-type: none"> • Refer to Recommendation 37 above. 	<ul style="list-style-type: none"> • -

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<p><u>Panel of Experts Recommendation 42:</u></p> <p>The SAPS should also recognize and establish cooperative arrangements with other role-players involved in first aid provision at specific events.</p> <p>During crowd management events, SAPS members should respect the neutrality of 'third party' first aid providers and this should be incorporated into training and National Instructions.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> ▪ During large operations that are coordinated by National Operational Coordination, including operations initiated by the NATJOINTS and PROVJOINTS, all key stakeholders are involved and their actions integrated into the relevant operational plan, this includes the deployment of First Aid Service Providers, where required. ▪ The requirement is also addressed through the issuing of operation-specific National Crime Combating Forum Instructions. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 44:</u></p> <p>In line with previous efforts that have been made by the SAPS in this regard, the SAPS should re-affirm its commitment to an ethos that is service orientated and community policing orientated.</p>	<p>Division: Visible Policing and Operations (Divisional Commissioner)</p> <p>Component: Research</p>	<p><u>The implementation of this Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The approach to the establishment of an ethos that is service and community policing-orientated is an ongoing process within the SAPS. - The latest initiative in this regard is the Increased Crime Prevention and Combating Action Plan (ICPCAP). As part of this process the following interventions are being implemented. <ul style="list-style-type: none"> ▪ Finalisation of new elections at all levels, in compliance with the State of the Nation Address (SoNA) statement, Provincial Commissioners were requested to ensure that elections are completed at all levels and newly elected CPFs and Board members are inducted. - Assessment of CPF functionality in all provinces: Engagement/assessment sessions have been conducted and completed in eight of the nine provinces - Capacity building sessions with provincial and district boards <ul style="list-style-type: none"> ▪ Capacity building sessions with the following provincial and district boards have been completed. - Conducting a "Community Policing Indaba" involving diverse stakeholders in order to generate more ideas as to how CPFs could be enhanced. <ul style="list-style-type: none"> ▪ The Community Policing Indaba was held from 17 to 19 May 2023 and was intended to enhance community and other stakeholder participation in crime prevention, through structured multidisciplinary collaboration. It was also intended to 		<ul style="list-style-type: none"> • Quarterly reporting on the implementation of the ICPCAP. 	<ul style="list-style-type: none"> • Within four weeks of the end of a Quarter.

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		<p>operationalise the Increased Crime Prevention and Combating Action Plan (ICPCAP) focus areas and the critical crime prevention outputs in the SAPS' APP.</p> <ul style="list-style-type: none"> ▪ A task team was established to develop an action plan emanating from the discussions during the Community Policing Indaba. - Provision of support to Community Police Forums: <ul style="list-style-type: none"> ▪ Financial support to the value of R70 million was allocated to CPFs by the National Commissioner, in 2023/2024. - With regard to POP, NI 4 of 2014 (v2), paragraph 11(5), "Proactive conflict resolution (formal protests), indicates that: <ul style="list-style-type: none"> ▪ (5) Station Commanders must support and act in partnership with the community (CPF) by – <ul style="list-style-type: none"> o (a) building positive and constructive relationships with event organisers, community leaders and non-governmental organisations; o (b) participating in safety advisory groups of local authorities to deal with issues relating to public safety; and o (c) exploring the potential for establishing formal liaison panels, to prevent and lessen community disorder together with institutions such as local authorities, civic associations, community policing forums and non-governmental organisations. • Component Research: <ul style="list-style-type: none"> - The SAPS Component: Research has adopted a new research project for the 2023/2024 financial year, namely – "Evaluation of community policing and reviewing the Community Policing Strategy. Alignment of the community policing strategy with the researched and developed policing model for the SAPS". <ul style="list-style-type: none"> ▪ Emanating from this research project the Component: Research will seek to address the following objectives: <ul style="list-style-type: none"> o Evaluate the current model of community policing. o Analyse, design and develop a resourcing model for community policing. o Analyse, design and develop a governance model for community policing. o Analyse and develop an interdepartmental approach to community policing. o Compare community policing with the Community Safety Forums. 		<ul style="list-style-type: none"> • Component Research to complete the Research Project on the Evaluation of Community Policing. 	<ul style="list-style-type: none"> • 31 March 2024.

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		<ul style="list-style-type: none"> o Review the Community Policing Strategy and align it with the researched and developed policing model for the SAPS. ▪ In addressing this recommendation, the Component: Research will incorporate the objective of determining the factors that have contributed to the concept of community-orientated policing losing traction, since its adoption. The research project will have been completed by 31 March 2024, subsequent to which the relevant business process owners within the SAPS, will be assisted with the development of specific initiatives, to address the research recommendations. 			
<p><u>Panel of Experts Recommendation 47:</u></p> <p>The current police categorisation of protest is based on the distinction between ‘peaceful’ and ‘unrest.’ However, the protest environment is multi-faceted.</p> <p>In order to respond in an appropriate way to protest, the SAPS need to have a way of analysing, categorising, and responding to protests that more clearly distinguishes the critical differences between them.</p> <p>The SAPS should therefore adopt a more multi-faceted approach to understanding and classifying protest.</p> <p>In adopting a new approach, the SAPS should consider the system of categorisation used in this report including the distinction between: Peaceful and non-peaceful protest; Formal and informal protest; Pre-planned and spontaneous; Disruptive and non-disruptive protest; Protest that is prohibited (unlawful) and which is not prohibited. (See also recommendation 56).</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS has adopted a more multi-faceted approach to understanding and classifying protest, as indicated below. <ul style="list-style-type: none"> - Paragraphs 6, 20 and 21 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to “Crowd Management Principles” and indicates that: “The POP doctrine of crowd management is captured in the maxim -“Negotiated management of public space”, therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination. ▪ Paragraph 6 2(c) indicates that: “Crowds must not be treated as identical and unchanging. They must distinguish between acts of violence, attributable to a person or a smaller group and peaceful behaviour of other participants and bystanders, to ensure that the rights of the latter can be respected, protected and facilitated. ▪ Paragraph 20 provides for the “Execution of operations to protect and facilitate peaceful gatherings”, and paragraph 21 for the: “Execution of operations to manage unrest or possible violence”. - NI 4 of 2014 (v2), paragraph 15 - Threat assessment after information has been received, enables the categorisation of protests, as follows: <ul style="list-style-type: none"> ▪ (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: Visible Policing and Operations to enable him or her to 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<p>determine the threat level involved (together with Crime Intelligence and other relevant role players (such as the local authority)).</p> <ul style="list-style-type: none"> ▪ (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: Visible Policing and Operations must as soon as practically possible inform the relevant authorised member, POP unit commander, station commander, provincial commissioner and the Section Head: POP Operations (at the Division: Visible Policing and Operations) regarding his or her assessment of the threat level involved in a gathering or demonstration. ▪ (3) The threat must be categorised as – <ul style="list-style-type: none"> ○ (a) Level One: (A peaceful gathering or protests) 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) The POP unit should manage these (gatherings or protests). Members doing crowd management must form part of a unified command structure and must work in sections, platoons or companies. Members of Visible Policing at station level and the Metro police service that are trained in basic crowd management skills, may be utilized to 			

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		<p>attend to these (gatherings or protests). All members trained in basic crowd management (even Metro police officials) must be in possession of the necessary crowd management equipment.</p> <ul style="list-style-type: none"> o (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 gatherings or protests. ▪ (4) If a crowd management or public order situation worsens to the extent that public violence breaks out and the necessity to restore public order is required, POP must take full operational command and stabilise the situation. If POP members cannot handle the incidents because violence escalated to such a level that lives are in imminent danger, the incident will be handed over to specialised units, e.g. TRT or NIU. 			
<p><u>Panel of Experts Recommendation 48:</u></p> <p>Police commanders and personnel responsible for data entry should be trained to apply the new categories that are adopted so that responses to protest incidents are clearly linked to the characteristics of the protest and data on protest incidents is based on the consistent criteria for classifying protest incidents.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The POP SOP on the Registration of Incidents in the Incident Registration Information System (POP: 2023), provides for the categorisation of protest incidents as: <ul style="list-style-type: none"> ▪ Crowd management (peaceful). ▪ Crowd management (unrest). ▪ Unrest Incident (other). ▪ Crime Prevention. ▪ Support. - The IRIS SOP provides a detailed breakdown of the characteristics of each of the above-mentioned categories. • Division: HRD: <ul style="list-style-type: none"> - The SAPS has an IRIS Learning Programme in place. - The annual Training Provisioning Plan provides for training on the IRIS. - A total number of 250 members have been trained on IRIS, as of 2023-05-31. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • -

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<p>Panel of Experts Recommendation 49:</p> <p>Taking into account the fact that the carrying of dangerous weapons at protests is illegal, the SAPS should explore whether preventive and proactive measures can play a role in addressing this problem.</p> <p>For this purpose:</p> <ol style="list-style-type: none"> 1. The SAPS should carry out an information gathering exercise to better understand the scale and nature of the problem of armed protest. 2. A media plan should be drafted and implemented, involving relevant forms of communication to inform the public of their rights and obligations in respect of unarmed protest as referred to in the SA Constitution. 3. In areas where armed protest is a problem it may be possible to engage with local leaders and in local public information campaigns about the issue. 4. Where there is advance information about a protest in which participants are likely to be armed preventive measures could be put in place to prevent people from bringing weapons to the protest. 5. Video recordings and photographs can also be used to identify persons who were armed during a protest, in order to prosecute them after the protest. 	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Component: Corporate Communication and Liaison</p> <p>Division: Visible Policing and Operations: Public Order Police (3-5)</p>	<p><u>The implementation of the recommendation is in process.</u></p> <ul style="list-style-type: none"> • Point 1 – Information Gathering Exercise: <ul style="list-style-type: none"> - The Component: Research conducted a study following the Farlam Commission’s Recommendations, before the release of the Panel of Experts’ report. - The study was finalised and later, after the release of the Panel of Experts’ report, incorporated their findings. - The report is titled “The Impact of the SAPS Implementation of the Farlam Commission of Inquiry Recommendations on Crowd Management” (SAPS Research Component: 2019), included the issue of the policing of armed protests. • Point 2 – Media Plan: <ul style="list-style-type: none"> - The Division: Visible Policing and Operations (POP) will develop a media campaign, during 2023/24 and 2024/25, to address point 2 of the Recommendation. • Point 3 – Areas where armed protest is a problem and Point 4 – Advanced information about a protest: <ul style="list-style-type: none"> - NI 4 of 2014 (v2), paragraph 11 – “Pro-active conflict resolution (Formal protests)”, indicates that: <ul style="list-style-type: none"> ▪ (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 Commissioner, (DPC) and the relevant Provincial Head: Visible Policing and Operations who will relay these challenges to the relevant POP unit commanders in the province and the Section Head responsible for POP (at the Component POP). ▪ (3) If there is any threat to public safety, the Station Commander concerned, supported by his or her District Commissioner must initiate a facilitation process to peacefully resolve the factors that underlie the disorder. ▪ (4) Role players and stakeholders who can play a role in resolving the problem must be identified and discussions started to implement problem-solving initiatives. They must engage in 		<ul style="list-style-type: none"> • Division: VP&OPs and Component: Research to ensure the integration of the Research Component Report into the Farlam Commission and July 2021 Unrest Implementation Plan and Progress Report and Implementation Plan. • Division: VP&OPs (POP) and the Component: Corporate Communications to develop a Public Protest Media Campaign. 	<ul style="list-style-type: none"> • 31 August 2023. • Draft by 31 October 2023.

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		<p>conflict resolution processes to prevent any form of physical conflict or violence from breaking out.</p> <ul style="list-style-type: none"> ▪ (5) Station Commanders must support and act in partnership with the community (CPF) by – <ul style="list-style-type: none"> ○ (a) building positive and constructive relationships with event organisers, community leaders and non-governmental organisations; ○ (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 lessen community disorder together with institutions such as local authorities, civic associations, community policing forums and non-governmental organisations. <p>• Point 5 – Video Recordings and Photographs to Identify Persons:</p> <ul style="list-style-type: none"> - Paragraph 20(6) of NI 4 of 2014 (v2) addresses the use of video material in respect of the execution of operations to protect and facilitate peaceful gatherings: “Video recording need to be taken of both members and potential law violators. The stop and search action mode should be strictly limited to circumstances in which there is a reasonable suspicion that the individual poses an actual risk of violence or is or has been involved in other serious criminal activity. - Paragraph 21 of NI 4 of 2014 (v2) also addresses the use of video material for evidential purposes, in respect of the execution of operations to manage unrest or possible violence: <ul style="list-style-type: none"> ▪ Paragraph (8) stipulates that: “For tracking and containing groups involved in illegal behaviour, video recording of both the members and the law violators must be taken. Amplified sound, to address the protestors, may be used only if there is no evident risk for causing indiscriminate harm”. ▪ Paragraph (15) stipulates that: indicates that: “The use of video recording equipment for documentation is mandatory. ▪ The SAPS has developed a NI on the Use of Remotely Piloted Aircraft Systems in South African Police Service, NI 1 of 2020. ▪ Paragraph 5 - Digital Evidence Management, inter alia, addresses issues related to: Recording and capturing and Observance of Right to Privacy. 			

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<p><u>Panel of Experts Recommendation 53:</u></p> <p>Law enforcement measures related to violent protest should be regarded as most applicable where:</p> <ol style="list-style-type: none"> 1. Protest violence involves violence against members of the public or substantial damage to property; or 2. Groups are repeatedly involved in violent protests; or 3. In broad 'civil disturbances' in which there is widespread destruction of property. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Points 1 to 3: <ul style="list-style-type: none"> - Paragraphs 21, 24 and 25 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 21 provides for the: "Execution of operations to manage unrest or possible violence". ▪ Paragraph 24 provides for reporting and record keeping during public protests and paragraph 25 for the investigation of incidents of public protest. - NI 4 of 2014 (v2), paragraph 15 - Threat assessment after information has been received, enables the law enforcement measures related to violent protest, as follows: <ul style="list-style-type: none"> ▪ (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: Visible Policing and Operations 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: Visible Policing and Operations must as soon as practically possible inform the relevant authorised member, POP unit commander, station commander, provincial commissioner and the Section Head: POP Operations (at the Division: Visible Policing and Operations) regarding his or her assessment of the threat level involved in a gathering or demonstration. ▪ (3) The threat must be categorised as – <ul style="list-style-type: none"> ○ (a) Level One: (A peaceful gathering or protests) 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 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<p>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.</p> <ul style="list-style-type: none"> o (b) Level Two: (Unconfirmed information regarding a possibility of a threat against lives and property) The POP unit should manage these (gatherings or protests). Members doing crowd management must form part of a unified command structure and must work in sections, platoons or companies. Members of Visible Policing at station level and the Metro police service that are trained in basic crowd management skills, may be utilized to attend to these (gatherings or protests). All members trained in basic crowd management (even Metro police officials) must be in possession of the necessary crowd management equipment. o (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 gatherings or protests. ▪ (4) If a crowd management or public order situation worsens to the extent that public violence breaks out and the necessity to restore public order is required, POP must take full operational command and stabilise the situation. If POP members cannot handle the incidents because violence escalated to such a level that lives are in imminent danger, the incident will be handed over to specialised units, e.g. TRT or NIU. 			

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<p><u>Panel of Experts Recommendation 54:</u></p> <p>In situations where there is a very high volume of criminal cases it may require that courts sit for additional hours, initially for purposes of addressing bail applications but also to expedite the hearing of cases.</p>	<p>Division: Detective and Forensic Services</p> <p>National Prosecuting Authority</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • There are quarterly Provincial Case Flow management meetings between SAPS and National Prosecuting Authority (NPA). • There are currently measures in place between SAPS and NPA for courts to operate for extended hours. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 55:</u></p> <p>Taking into account the complex nature of the protest environment and the fluidity of protest situations, the ability of the SAPS to respond to protest in a manner which is consistent with Constitutional principles, will depend to a significant degree on SAPS being able to develop a much greater degree of flexibility and adaptability.</p> <p>Analysis of protest for the purposes of police planning has to be based on recognition of this complex character.</p> <p>The development of POP capabilities and systems for managing and responding to protest need to be based on a recognition of the diverse and fluid character of this environment.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • POP analysis of crowd management situations: <ul style="list-style-type: none"> - NI 4 of 2014 (v2), paragraph 15 - Threat assessment after information has been received, addresses the managing of the diverse nature of crowd management/ public protest, as follows: <ul style="list-style-type: none"> ▪ (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: Visible Policing and Operations 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: Visible Policing and Operations must as soon as practically possible inform the relevant authorised member, POP unit commander, station commander, provincial commissioner and the Section Head: POP Operations (at the Division: Visible Policing and Operations) regarding his or her assessment of the threat level involved in a gathering or demonstration. ▪ (3) The threat must be categorised as – 			

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		<ul style="list-style-type: none"> o (a) Level One: (A peaceful gathering or protests) 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. o (b) Level Two: (Unconfirmed information regarding a possibility of a threat against lives and property) The POP unit should manage these (gatherings or protests). Members doing crowd management must form part of a unified command structure and must work in sections, platoons or companies. Members of Visible Policing at station level and the Metro police service that are trained in basic crowd management skills, may be utilized to attend to these (gatherings or protests). All members trained in basic crowd management (even Metro police officials) must be in possession of the necessary crowd management equipment. o (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 gatherings or protests. ▪ (4) If a crowd management or public order situation worsens to the extent that public violence breaks out and the necessity to restore public order is required, POP must take full operational command and stabilise the situation. If POP members cannot handle the incidents because violence escalated to such a level that lives are in imminent danger, the incident will be handed over to specialised units, e.g. TRT or NIU. 			

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		<ul style="list-style-type: none"> • The capacitation of POPs: <ul style="list-style-type: none"> - A total number of 4 000 new entry-level SAPS Act members were enlisted during 2022/23, of which 3 460 will be deployed at Public Order Policing Provincial Units and 540 at the POPS National Reserve Unit. - Command and control of POP capabilities has been centralised, with effect from 01 April 2023. - Three dormant POP units will be reopened in 2023/2024. <ul style="list-style-type: none"> ▪ A feasibility work study investigation into the establishment of seven new units is currently underway. • POP systems: <ul style="list-style-type: none"> - Please note the response to Recommendation 48 above and 56 below. 		<ul style="list-style-type: none"> • The Div: VP&OPs to provide quarterly progress reports on the capacitation of POPs. • The Component: OD to finalise the work-study investigation into the establishment of additional POP Units. • Please note the key actions at Recommendation 56, below regarding the IRIS. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter. • 31 March 2024. • -
<p><u>Panel of Experts Recommendation 56:</u></p> <p>Due to the scale of the phenomenon of protest and the challenge that it presents to the SAPS:</p> <ol style="list-style-type: none"> 1. It is important for the SAPS to urgently improve the quality of its information on protests and to be able to map trends in protest over time. The SAPS should urgently evaluate if the IRIS system can be modified to meet this need or develop a new system for addressing this. 2. Changes in the system and improvements in the quality of information will also require focused attention on the quality of data entry including re-training of responsible personnel. 	<p>Division: Technology Management Service</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Points 1 and 2 The development of the Incident Registration Information System (IRIS): <ul style="list-style-type: none"> - An IRIS Forum has been established between the Division: VP&OPs (POP) and the Division: TMS. The purpose of the Forum is to coordinate the development of the IRIS, in line with the operational requirements, as communicated by POP. <ul style="list-style-type: none"> ▪ The modification/enhancement of IRIS is required to enable the correct capturing of information and to ensure quality data inputs to the IRIS. ▪ A review of specific functionalities on IRIS was conducted on 2019-12-11 and 2020-01-17, with a list of 53 request for IRIS system enhancements identified. ▪ A system analysis was conducted which revealed that 9 of the system enhancements were already catered for, within the IRIS and 1 enhancement would be catered for under the system re-development. ▪ The Division: TMS initiated the development of the required system enhancements, in consultation with the Division: VP&OPs and to date, 36 IRIS system enhancements, were completed and implemented. ▪ Seven IRIS system enhancements are remaining, four are in the programming process; one is at the testing phase, three User Acceptance Testing (UAT) completed on 15 August 2023. ▪ Development of a new system (IRIS): 		<ul style="list-style-type: none"> • Division: TMS to finalise the modification/enhancement of the IRIS: <ul style="list-style-type: none"> - Remaining 7 enhancements, designed to improve the quality of data entry are in progress. • Development of a new system: <ul style="list-style-type: none"> - Business requirements specification conclusion and sign-off. - Proposal (Project Plan) from SITA, which indicates the costing for the total re-write of the IRIS. - Request for funding for the MTEF period based on the proposal from SITA. - BAC approval on the proposal for the total re-write of IRIS. 	<ul style="list-style-type: none"> • 31 August 2023 • 31 August 2023 • 20 December 2023 • 28 December 2023

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		<ul style="list-style-type: none"> ▪ IRIS is an old system, which dates back to 1992 and has a text user interface, therefore, certain required enhancements cannot be developed. ▪ A total re-write/re-development of IRIS is required, using new technology. ▪ The Division: VP &OPs will coordinate the re-training of POP members, subsequent to the completion of the IRIS system enhancements. 		<ul style="list-style-type: none"> • Commencement of IRIS re-write will be in accordance with the project scheduled-timeframe to be determined after issuing of the government order to SITA. • The Division: VP&OPs to coordinate the re-training of POP members on the IRIS system enhancements. 	<ul style="list-style-type: none"> • 29 February 2024 • 31 March 2025
<p>Panel of Experts Recommendation 57:</p> <p>Research should also be used more proactively as a tool for planning to answer critical questions relevant to the challenges of policing protest and the demand for public order policing.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Component: Research</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The Component: Research conducted a study following the Farlam Commission’s Recommendations, before the release of the Panel of Experts’ report. • The study was finalised and later, after the release of the Panel of Experts’ report, incorporated their findings. • The report is titled “The Impact of the SAPS Implementation of the Farlam Commission of Inquiry Recommendations on Crowd Management”. • The Division: VP&OPs has received the report and is in the process of reconciling the recommendations in the report with those in the Farlam Commission and July 2021 Unrest Implementation Plan and Progress Report and Implementation Plan. 		<ul style="list-style-type: none"> • Refer to Recommendation 49 above. 	<ul style="list-style-type: none"> • -
<p>Panel of Experts Recommendation 58:</p> <p>Training should emphasise that Public Order Police members should take care to minimise the risk that vulnerable groups such as young children, people with disabilities, and elderly people, can be adversely affected by the use of Less-than-lethal Weapons (LLWs).</p>	<p>Division: Human Resource Development</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The current learning crowd management learning programmes emphasise the need for the action that is taken by POP to be proportional to the situation that it faces. • The crowd management learning programmes emphasise the need for constitutionally grounded, professional and accountable conduct by POP members, irrespective of the nature of the crowd that they are required to manage. • In-service training that is provided to POP members also emphasises the approach to crowd management that is espoused in the SAPS’ Crowd Management Principles [NI 4 of 2014 (v2), paragraph 6]. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 65:</u></p> <p>SAPS should develop a more coherent framework to support negotiated management of protest.</p> <ol style="list-style-type: none"> 1. The SAPS negotiated management framework should prioritise responding to mobilisation by communities or other groups rather than the vaguely defined indicators of potential violent. 2. A dedicated negotiation capability should be developed which is located at each Public Order Police unit. The negotiation capability should be available to be deployed if requested by station or cluster commanders as well as SAPS authorised members. If needed it should also be available to accompany and support Public Order Police commanders when Public Order Police units respond to protest incidents. 3. NI 4 should be amended to support implementation of the model. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Points 1 to 3: <ul style="list-style-type: none"> - NI 4 of 2014 (v2) has been updated to ensure a coherent framework that supports negotiated management of protests, as indicated below: <ul style="list-style-type: none"> ▪ Paragraph 6 relates to “Crowd Management Principles” and indicates that: “The POP doctrine of crowd management is captured in the maxim -“Negotiated management of public space”, therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination”. ▪ Paragraph 6(a) indicates the following, with regard to the de-escalation of events: “De-escalation With the purpose of avoiding or minimising the use of force, SAPS members must always attempt to de-escalate the situation. The use of negotiation or mediation must never be understood as being exclusively restricted to peaceful assemblies. Interventions must be used in such a manner to allow for more time, options and resources during conflict resolution and decision-making”. ▪ Paragraph 11, Pro-active conflict resolution (formal protests), indicates the following: “ <ul style="list-style-type: none"> o (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. o (2) All potential or existing challenges and underlying factors must be analysed by intelligence and information structures and reported to the relevant Provincial Commissioner, (DPC) and the relevant Provincial Head: Visible Policing and Operations who will relay these challenges to the relevant POP unit commanders in the province and the Section Head responsible for POP (at the Component POP). o (3) If there is any threat to public safety, the Station Commander concerned, supported by his or her District Commissioner must initiate a facilitation process to peacefully resolve the factors that underlie the disorder. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> o (4) Role players and stakeholders who can play a role in resolving the problem must be identified and discussions started to implement problem-solving initiatives. They must engage in conflict resolution processes to prevent any form of physical conflict or violence from breaking out. o (5) Station Commanders must support and act in partnership with the community (CPF) by - <ul style="list-style-type: none"> ➢ (a) building positive and constructive relationships with event organisers, community leaders and non-governmental organisations; ➢ (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 lessen community disorder together with institutions such as local authorities, civic associations, community policing forums and non-governmental organisations. - NI 4 of 2014 (v2) also addresses the establishment of a dedicated negotiation capability, within each police station, as indicated below: <ul style="list-style-type: none"> ▪ Paragraph 4 (b) defines an authorised members as follows: "authorised member" is a SAPS member who is authorised to represent the SAPS and who has specific responsibilities in terms of the RGA and SASREA". ▪ Paragraph 12 (1) requires that: "The Provincial Commissioner must, in writing, designate an experienced member for every station, as the authorised member for that station area". ▪ Paragraph 12(2) requires that: "The Provincial Head: Visible Policing and Operations must – (a) keep and maintain a register with the particulars of the authorised 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 authorised members are submitted, in writing, to every municipality and chief executive officer within the area". ▪ Paragraph 13, sets out the responsibilities of the authorised member, which includes, <i>inter alia</i>: represent the SAPS and liaise with the responsible officer and conveners during all negotiations and consultations, i.e. (i) request conditions or prohibitions; and (ii) arrange and negotiate the extent of security forces to be deployed for the operation. 			

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		<ul style="list-style-type: none"> - The Crowd Conflict Management Learning Programme (HRD: 2016) includes Module 2: Communication, problem solving as well as crowd and group behaviour. <ul style="list-style-type: none"> ▪ The outcomes associated with the Module are: <ul style="list-style-type: none"> ○ Explain the concepts for Crowd Conflict Management, during preparation, application, evaluating and monitoring Crowd Conflict Management. ○ Explain communication, problem solving as well as group and crowd behaviour, in Crowd Conflict Management. ▪ The assessment criteria for Chapter 1 - Communication for Crowd Conflict Managers, include: <ul style="list-style-type: none"> ○ The purposes of communication and the development of a trust relationship are explained. Note: Communication refers but is not limited to verbal communication, active listening, non-verbal communication, and persuasive communication as means to reach compliance. ○ The distinction (differences) between mediation, distributive bargaining and integrative negotiation are tabulated and explained. ○ Problem solving steps and techniques are explained. - The Crowd Conflict Management Learning Programme is included in the annual SAPS Training Provisioning Plan. 			
<p><u>Panel of Experts Recommendation 66:</u></p> <p>The SAPS should explore the potential for greater use of arrests, particularly the potential for the use of arrest teams, during violent protest.</p> <p>In so far as arrests can play a role in reducing the levels of violence in protest situations they should be used more actively.</p> <p>If arrested persons are going to be detained in custody and charged then the use of arrests should be supported by the collection of video material that is managed in terms of principles of evidence collection.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented:</u></p> <ul style="list-style-type: none"> • The SAPS has amended its approach to the role that arrests can play in crowd management, as indicated below. <ul style="list-style-type: none"> - Paragraph 21(11) of NI 4 of 2014 (v2) specifies the use of arrest teams in the execution of operations to manage unrest or possible violence, as follows: <ul style="list-style-type: none"> ▪ "Arrest teams must be available to arrest persons who are violent or committing criminal acts. If arrested persons are going to be detained and charged, then the use of arrests should be supported by the collection of video material that is managed in terms of principles of evidence collection". - Paragraph 20(6) of NI 4 of 2014 (v2) addresses the use of video material in respect of the execution of operations to protect and facilitate peaceful gatherings: "Video recording need to be taken of both members and potential law violators". 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> - Paragraph 21 of NI 4 of 2014 (v2) also addresses the use of video material for evidential purposes, in respect of the execution of operations to manage unrest or possible violence: <ul style="list-style-type: none"> ▪ Paragraph (8) stipulates that: "For tracking and containing groups involved in illegal behaviour, video recording of both the members and the law violators must be taken. Amplified sound, to address the protestors, may be used only if there is no evident risk for causing indiscriminate harm". - Paragraph (15) stipulates that: indicates that: "The use of video recording equipment for documentation is mandatory. <ul style="list-style-type: none"> ▪ Paragraph 22 (2) 8 of NI 4 of 2014 (v2) - First responder member(s) at the scene of an unforeseen (spontaneous) gathering (Informal protest), requires that: "The first member who arrives at the scene or venue must be observant and keep a detailed record of the incident, as well as steps taken, in his or her pocket book (SAPS 206), including– (vii) descriptions of demonstrators breaking the law so that arrests can be made at a later stage if necessary; take photographs or video material of demonstrators breaking the law, if possible. (If negotiations fail, start with gradual police response as stipulated in section 14(3) of this instruction). - The SAPS has developed a NI on the Use of Remotely Piloted Aircraft Systems in South African Police Service, NI 1 of 2020. <ul style="list-style-type: none"> ▪ Paragraph 5 - Digital Evidence Management, inter alia, addresses issues related to: Recording and capturing and Observance of Right to Privacy. 			
<p><u>Panel of Experts Recommendation 67:</u></p> <p>SAPS should consistently demonstrate that they treat peaceful protestors differently from those protestors engaging in violence.</p> <p>1. The SAPS should consistently apply the principle of differentiation in relation to the use of force. As a general rule (in the absence of a compelling motivation to depart from this rule) less-lethal weapons should only be used against people involved in violence with care being taken to avoid hurting others.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS has implemented measures to ensure that it consistently demonstrate that they treat peaceful protestors differently from those protestors engaging in violence, as per Points 1 to 3: - Paragraphs 6, 20 and 21 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to "Crowd Management Principles" and indicates that: "The POP doctrine of crowd management is captured in the maxim -"Negotiated management of public space", therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>2. The SAPS approach to dealing with peaceful protest that is unlawful (prohibited protests or protests that are unlawful for other reasons) should rely on arrest and not rely on the use of LLWs.</p> <p>3. The SAPS should publicise the framework that it applies in policing protest with a focus on communities and groups that have been associated with the use of violence in protest. It should emphasise that it will take firm measures, within the framework of the law, against people who use violence but that police will support peaceful protestors in exercising their rights.</p>		<p>by promoting diversity and fairness and ensuring non-discrimination.</p> <ul style="list-style-type: none"> ▪ Paragraph 20 provides for the "Execution of operations to protect and facilitate peaceful gatherings", and paragraph 21 for the: "Execution of operations to manage unrest or possible violence". - The SAPS also makes a distinction between the policing of peaceful crowds and the stabilisation of public unrest crowd, in the APP as performance indicators and targets within the Subprogramme: Specialised Policing that relate to POP are as follows: <ul style="list-style-type: none"> ▪ Percentage of peaceful crowd management incidents policed, in relation to requests received ▪ Percentage of unrest crowd management incidents stabilised, in relation to requests received. 			
<p><u>Panel of Experts Recommendation 68:</u></p> <p>The SAPS crowd management doctrine must guide the SAPS in supporting and respecting the right to peaceful assembly.</p> <p>In line with this objective, the core crowd management doctrine of the SAPS should be defined in terms of the following concepts: negotiated crowd management; situational appropriateness in order to support de-escalation; differentiation; and impartiality and non-discrimination.</p> <p>This doctrine should be foregrounded in NI 4 of 2014 (Panel Recommendations 66, 67 and 68 (above) and 70 and 71 (below) will also support implementation of this doctrine).</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS Crowd Management Doctrine has been amended accordingly, in NI 4 of 2014 (v2). <ul style="list-style-type: none"> - Paragraph 6 of NI 4 of 2014 (v2), refers. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to "Crowd Management Principles" and indicates that: "The POP doctrine of crowd management is captured in the maxim -"Negotiated management of public space", therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 69:</u></p> <p>Crowd management training must be firmly grounded in the crowd management doctrine. Facilitating the right to peaceful assembly should be the pillar of crowd management policing and be the primary basis for the existence of Public Order Police units.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Crowd Management Principles: <ul style="list-style-type: none"> - Paragraph 6 of NI 4 of 2014 (v2), refers. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to "Crowd Management Principles" and indicates that: "The POP doctrine of crowd management is captured in the maxim -"Negotiated management of public space", therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination. • Crowd Management Training: <ul style="list-style-type: none"> - The SAPS has developed and implemented the following crowd management learning programmes: - The Crowd Conflict Management Learning Programme (HRD: 2016) includes Module 2: Communication, problem solving as well as crowd and group behaviour. <ul style="list-style-type: none"> ▪ The outcomes associated with the Module are: <ul style="list-style-type: none"> ○ Explain the concepts for Crowd Conflict Management, during preparation, application, evaluating and monitoring Crowd Conflict Management. ○ Explain communication, problem solving as well as group and crowd behaviour, in Crowd Conflict Management. ▪ The assessment criteria for Chapter 1 - Communication for Crowd Conflict Managers, include: <ul style="list-style-type: none"> ○ The purposes of communication and the development of a trust relationship are explained. Note: Communication refers but is not limited to verbal communication, active listening, non-verbal communication, and persuasive communication as means to reach compliance. ○ The distinction (differences) between mediation, distributive bargaining and integrative negotiation are tabulated and explained. ○ Problem solving steps and techniques are explained. ▪ The Crowd Management Learning Programme for Platoon Commanders (HRD: 2016), includes Module 1 - Effectiveness of a Platoon Commander, Chapter 4 – Prepare for Crowd Management Incidents, indicates that: 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> o The application of force against a community or group of people who protest in a democratic society is considered to be a drastic measure. o In a democratic society, the community entitles the police to use force against them. o However, there is a contract between the police and the community that, when force is applied during social conflict, the force that is applied must be proportional, consistent and appropriate in the circumstances. o The police must also consider the democratic balance. When the police use too much force to retain the balance, another protest condemning the police's actions could follow. o Chapter 4 also address - Negotiation before and after Physical Force Is Applied. 			
<p><u>Panel of Experts Recommendation 70:</u></p> <p>In order to support institutionalisation of negotiated crowd management and the use of minimum force the SAPS should also use indicators that support the use of negotiation, de-escalation and minimum force.</p> <p>Performance indicators should focus not only on whether incidents are policed or stabilised but also</p> <ul style="list-style-type: none"> (i) the percentage of all incidents that are successfully policed without the use of weapons such as rubber bullets, teargas and stun grenades; and (ii) a performance target should be implemented focusing on the goal of protecting life, including that of police, protestors and others, in the context of crowd management. 	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Component: Strategic Management</p>	<p><u>The Recommendation has been implemented</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) has been updated to support the use of negotiation, de-escalation and minimum force, as indicated below: <ul style="list-style-type: none"> - Paragraph 6 relates to "Crowd Management Principles" and indicates that: "The POP doctrine of crowd management is captured in the maxim -"Negotiated management of public space", therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination" ▪ Paragraph 6(a) indicates the following, with regard to the de-escalation of events: "De-escalation With the purpose of avoiding or minimising the use of force, SAPS members must always attempt to de-escalate the situation. The use of negotiation or mediation must never be understood as being exclusively restricted to peaceful assemblies. Interventions must be used in such a manner to allow for more time, options and resources during conflict resolution and decision-making". - Paragraph 11, Pro-active conflict resolution (formal protests), indicates the following: " ▪ (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. 		<ul style="list-style-type: none"> • None required/possible. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> ▪ (2) All potential or existing challenges and underlying factors must be analysed by intelligence and information structures and reported to the relevant Provincial Commissioner, (DPC) and the relevant Provincial Head: Visible Policing and Operations who will relay these challenges to the relevant POP unit commanders in the province and the Section Head responsible for POP (at the Component POP). ▪ (3) If there is any threat to public safety, the Station Commander concerned, supported by his or her District Commissioner must initiate a facilitation process to peacefully resolve the factors that underlie the disorder. ▪ (4) Role players and stakeholders who can play a role in resolving the problem must be identified and discussions started to implement problem-solving initiatives. They must engage in conflict resolution processes to prevent any form of physical conflict or violence from breaking out. ▪ (5) Station Commanders must support and act in partnership with the community (CPF) by — <ul style="list-style-type: none"> ○ (a) building positive and constructive relationships with event organisers, community leaders and non-governmental organisations; ○ (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 lessen community disorder together with institutions such as local authorities, civic associations, community policing forums and non-governmental organisations. • Points (i) and (ii): <ul style="list-style-type: none"> - The SAPS' Annual Performance Plans, from 2019/20 to 2023/24 have included the following performance indicator that is focussed on the successful policing of public protests: <ul style="list-style-type: none"> ▪ Percentage of peaceful crowd management incidents policed, in relation to requests received. - The Incident Registration Information System includes data that is captured during and after crowd management incidents, during which loss of life, including the SAPS and damage to property and infrastructure, including the SAPS, is recorded. - Due to the dynamic and unpredictable nature of crowd management, and the fact that crowds in themselves contribute to 			

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		<p>the loss of life and/or damage to property/infrastructure, it is not possible to set targets relating to the protection of life and property/infrastructure.</p> <p>- At most, the loss of life and/or damage to property/infrastructure can be monitored as management information, which is done by the POP capability.</p>			
<p><u>Panel of Experts Recommendation 71:</u></p> <p>Crowd management, as broadly defined in this report, should be the primary function of POP units.</p> <p>In line with this POP personnel must be adequately trained and equipped and should be deployed to crowd management incidents in sufficient numbers to be able to perform their duties in line with accepted operational standards and practice.</p> <p>Public Order Police must ensure that it has all the resources and capacity to address the range of challenges that exist in the crowd management environment.</p> <ol style="list-style-type: none"> In order to comply with this recommendation and minimise delays in the deployment of Public Order Police personnel to crowd management situations, Public Order Police units will need to have personnel who are available on standby. Subject to this requirement the Panel recognises that the Public Order Police units are also able to provide specialised operational support in medium-risk crime combatting operations and other operations where the specialised capabilities of Public Order Police are needed. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> Points 1 – 4: <ul style="list-style-type: none"> Paragraph 7(2) of NI 4 of 2014 (v2), refers. <ul style="list-style-type: none"> Paragraph 7(2) indicates that: “All POP units form part of the National POP Unit in line with section 17 of the SAPS Act, within Visible Policing and Operations, thereby ensuring a direct link to the National Commissioner. This will enable the Component Head of National POP unit to ensure — (a) that POP is deployed in a manner consistent with section 17 of the SAPS Act; (b) that consistent standards are applied in relation to decisions about when POP units are to be deployed at the request of and in support of the Provincial Commissioner. The head of POP would need to consent to any request by the Provincial Commissioner to use POP personnel outside of the primary POP mandate; and (c) the proper allocation of resources to the unit (both physical and human resources), thereby enabling the effective functioning of POP”. <ul style="list-style-type: none"> Section 17(1) of the SAPS Act, 1995 (Act No. 68 of 1995), indicates that: “The National Commissioner shall, subject to Section 218(1)(k) of the Constitution establish and maintain a national public order policing unit”. Paragraph 10 of NI 4 of 2014 (v2) – “Operational functions”, indicates the functions and tasks of POP: <ul style="list-style-type: none"> (a) The policing of public gatherings or assemblies. <ul style="list-style-type: none"> 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 			

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<p>3. In so far as Public Order Police performs other functions the focus should be on utilisation of the specialised capabilities of Public Order Police.</p> <p>4. Public Order Police should in no way be the lead role-player responsible for combating serious and violent crime. Public Order Police's role should be to offer a unique set of functions that would add value to the broader operational concept, within the rendering of Specialised Operational Support.</p>		<p>demonstrations. POP units should manage these incidents and support may be required from stations in Level One and Level Two incidents, which must be handled by members from the relevant local station trained in basic crowd management.</p> <ul style="list-style-type: none"> • (b) Stabilising violent crime. Stabilising violent crime during disruptive protests, including any occurrences of crowd gathering during the management of crime incidents (such as cash-in-transit heists, armed robberies, 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, assisting during disasters and protecting National Key Points when a specific threat has been identified). <p>- POP members on standby:</p> <ul style="list-style-type: none"> ▪ The Division: VP&OPs (POP) will include the requirement that there be POP personnel on standby, in the review of the POP Deployment SOP (POP: 2023). <p>• Capacitation and resourcing of POPs:</p> <ul style="list-style-type: none"> - A total number of 4 000 new entry-level SAPS Act members were enlisted during 2022/23, of which 3 460 will be deployed at Public Order Policing Provincial Units and 540 at the POPS National Reserve Unit. <ul style="list-style-type: none"> ▪ These members are currently attending the Workplace Exposure training programme at Police stations and will report to their respective POP units on 6 October 2023. - Command and control of POP capabilities has been centralised, with effect from 01 April 2023 and units operate under one command, at National level. - The POP structure has been finalised and is awaiting approval. <ul style="list-style-type: none"> ▪ Since the 1st of July 2023, three National Reserve Units were amalgamated with the former Provincial units to establish accounting units within the respective Provinces and one Reserve Unit was renamed to establish the POP Pienaar Unit. 		<ul style="list-style-type: none"> • Division: VP&OPs to finalise the review of the POP SOP on the Deployment of the POP. 	<ul style="list-style-type: none"> • 31 March 2024.

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		<ul style="list-style-type: none"> ▪ The current capacity of POP within the country comprises of 50 POP (National) Units which are divided within the provinces. ▪ There are five units which are awaiting reopening or establishment. - Procurement process are in place to procure critical specialised equipment, such as less lethal weapons modernised equipment and armoured vehicles. <ul style="list-style-type: none"> ▪ Protective gear for crowd control. <ul style="list-style-type: none"> - A total number of 1 050 sets of body protection kits were procured and issued to POP units, where a need was identified. ▪ Specialised vehicles for crowd control. <ul style="list-style-type: none"> - The SAPS is in the process of procuring a new crowd management armoured vehicle. ▪ Less lethal weapons. ▪ Video cameras for video operators. - POP adequately trained: <ul style="list-style-type: none"> ▪ The following training was provided to POP members during the last two financial years (2021/22 and 2022/23): <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Type of POP training</th> <th style="text-align: center;">2021/22</th> <th style="text-align: center;">2022/23</th> </tr> </thead> <tbody> <tr> <td>Water cannon operators</td> <td style="text-align: center;">36</td> <td style="text-align: center;">111</td> </tr> <tr> <td>Crowd Management for Platoon Commanders</td> <td style="text-align: center;">28</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Crowd Management for Platoon Members Train-the-Trainer</td> <td style="text-align: center;">0</td> <td style="text-align: center;">40</td> </tr> <tr> <td>Crowd Management for Platoon members, inclusive of the Metropolitan Police Department</td> <td style="text-align: center;">199</td> <td style="text-align: center;">4 656</td> </tr> <tr> <td>POP Refresher's Training</td> <td style="text-align: center;">643</td> <td style="text-align: center;">258</td> </tr> <tr> <td>Dangerous Weapons Act, 2013 (Act No 15 of 2013)</td> <td style="text-align: center;">194</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Crowd Conflict Management Training</td> <td style="text-align: center;">44</td> <td style="text-align: center;">0</td> </tr> <tr> <td>First Aid</td> <td style="text-align: center;">47</td> <td style="text-align: center;">0</td> </tr> <tr> <td>RG-12 Nyala operators Course</td> <td style="text-align: center;">-</td> <td style="text-align: center;">129</td> </tr> <tr> <td>2nd Generation Nyala/Water Canon Induction Course</td> <td style="text-align: center;">27</td> <td style="text-align: center;">59</td> </tr> <tr> <td>New Generation Nyala Mechanical Workshop</td> <td style="text-align: center;">50</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Video Operators Course</td> <td style="text-align: center;">50</td> <td style="text-align: center;">0</td> </tr> <tr> <td>K53 Code EC (14)</td> <td style="text-align: center;">9</td> <td style="text-align: center;">2</td> </tr> <tr> <td>K53 Code C1 (10) Driving License</td> <td style="text-align: center;">-</td> <td style="text-align: center;">24</td> </tr> <tr> <td>K53 Code 10</td> <td style="text-align: center;">-</td> <td style="text-align: center;">126</td> </tr> </tbody> </table> 	Type of POP training	2021/22	2022/23	Water cannon operators	36	111	Crowd Management for Platoon Commanders	28	0	Crowd Management for Platoon Members Train-the-Trainer	0	40	Crowd Management for Platoon members, inclusive of the Metropolitan Police Department	199	4 656	POP Refresher's Training	643	258	Dangerous Weapons Act, 2013 (Act No 15 of 2013)	194	0	Crowd Conflict Management Training	44	0	First Aid	47	0	RG-12 Nyala operators Course	-	129	2 nd Generation Nyala/Water Canon Induction Course	27	59	New Generation Nyala Mechanical Workshop	50	0	Video Operators Course	50	0	K53 Code EC (14)	9	2	K53 Code C1 (10) Driving License	-	24	K53 Code 10	-	126		<ul style="list-style-type: none"> • Division: SCM to provide quarterly reports on the progress made with the procurement of specialised vehicles for POP. 	<ul style="list-style-type: none"> • With four weeks of the end of a quarter.
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		<ul style="list-style-type: none"> ▪ The SAPS' Training Provisioning Plan, which is compiled annually prioritises the training of POP members. 			
<p><u>Panel of Experts Recommendation 72:</u></p> <p>Public Order Police should be centralised under one command at national level so that all Public Order Police units form part of the national public order policing unit provided for in section 17 of the SAPS Act, 68 of 1995. This may involve locating all Public Order Police units within the current Public Order Policing component within ORS or as a separate division, thereby ensuring a direct link to the National Commissioner.</p> <p>This will enable the head of public order police to:</p> <ol style="list-style-type: none"> 1. Ensure that Public Order Police is deployed in a manner consistent with section 17 of the SAPS Act; 2. Ensure that consistent standards are applied in relation to decisions about when Public Order Police units are to be deployed at the request of and in support of the Provincial Commissioner. The head of Public Order Police would need to consent to any request by the Provincial Commissioner to use Public Order Police personnel outside of the primary Public Order Police mandate. 3. Ensure the proper allocation of resources to the units (both physical and human resources), thereby enabling the effective functioning of Public Order Police. 4. The operational functioning of the Public Order Police unit should be reviewed in order to allow the members to have time 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Points 1 to 4: <ul style="list-style-type: none"> - Refer to Recommendation 71 above. • Point 4: Attendance of operations and ongoing in-service training. <ul style="list-style-type: none"> - Paragraph 29 of NI 4 of 2014 (v2) - Training and maintenance exercises, requires that: <ul style="list-style-type: none"> o (1) The Divisional Commissioner: Human Resource Development must ensure that - <ul style="list-style-type: none"> o (a) Crowd management learning programme(s) is developed; o (b) The learning programme(s) is included in the Training Provisioning Plan (TPP); and o (c) TAS number is allocated to the learning programme(s). o (2) First responder and crowd management training: <ul style="list-style-type: none"> o (a) All station commanders and their operational command structure must familiarize themselves with the duties of a first responder to spontaneous gatherings. Station lectures must be used to familiarise operational members at stations with first responder duties. o (b) Every station commander must ensure that visible policing members at his or her station undergo first responder crowd management training and that a list is kept in the Community Service Centre of members trained in crowd management. o (c) Protective equipment procured for use during public unrest may only be issued to members trained in crowd management. - Paragraph 10 of NI 2 of 2022 – Training, indicates that: <ul style="list-style-type: none"> o (1) The Divisional Commissioner: Human Resource Management and Development must ensure that - <ul style="list-style-type: none"> o (a) an armoured vehicle learning programme is developed; o (b) the armoured vehicle learning programme is included in the Training Provisioning Plan (TPP); and o (c) Training Administration System (TAS) number is allocated to the armoured vehicle learning programme. o (2) Any training needs concerning or related to formal or in-service training in the use of armoured vehicles must be 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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to attend operations as well as ongoing in-service training.		<p>submitted to the Section Head: Support Services. National Instruction 2 of 2022 Armoured Vehicles Visible Policing and Operations V 01.00 Page 8 of 17 Issued by Consolidation Notice 3 of 2022.</p> <ul style="list-style-type: none"> o (3) All Vehicles Fleet Managers at the unit level, must be trained as armoured vehicle operators in order to test and inspect vehicles properly. - The Division: VP&OPs (POP) coordinates the conducting of refresher training an annual basis. <ul style="list-style-type: none"> ▪ A programme is provided to all POP Units, which they are required to complete, within a specified timeframe, within the financial year. ▪ The data is captured on the SAPS' Training Administration System. ▪ The programme is a five-day refresher training programme that comprises of the following: <ul style="list-style-type: none"> o The review of legislation, policy and procedure, including the Regulation of Gatherings Act 1993 (Act 205 of 1993) (RGA) and NI 4 of 2014 (v2). o Principles applicable to the use of force. o Principle and rules if intervention. o Statement-taking. o Crowd management techniques and formations (theoretical and practical). o Weapon handling and shooting competence. o Physical fitness. <p>POP In-service Training</p> <ul style="list-style-type: none"> - The Division: VP&OPs (POP) coordinates the conducting of in-service training by dedicated POP Trainers, which are allocated to the various POP Units. <ul style="list-style-type: none"> ▪ The need for in-service training is determined conjunctively by the national and provincial POP offices, but also by the POP Unit Commanders. ▪ In-service training addresses issues that are related to POP procedure that emerge during crowd management situations and which are identified during the debriefing process, as per paragraph 26(4) of NI 4 of 2014 (v2): 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. 			

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<p><u>Panel of Experts Recommendation 73:</u></p> <p>Key Performance Indicators for the head of Public Order Police (whether at component or division level) should include:</p> <ol style="list-style-type: none"> Maintenance of a specialised crowd management capability, ensuring that all Public Order Police units nationally are adequately trained and equipped. Deployment of Public Order Police members to crowd management situations shall be in line with SAPS principles regarding minimum acceptable deployments (addressed in Panel Recommendation 84 below). 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> NI 1 of 2014 (V2), paragraph 9 Maintenance of Crowd Management Capability, refers. <ul style="list-style-type: none"> Paragraph 9(1) indicates that: "Maintenance of Crowd Management Capability (1) The Component Head: National POP unit established within the Division Visible Policing and Operations must ensure that - <ul style="list-style-type: none"> (a) a specialised crowd management capability is maintained; (b) all POP units nationally are adequately trained and resourced; (c) the deployment of POP members for crowd management situations is in line with standards and practices regarding minimum acceptable deployments; and (d) a proper allocation of resources to the units (both physical- and human resources), thereby enabling the effective functioning of POP." The annual performance agreement of the Component Head: Public Order Policing has been adjusted, in accordance with the Recommendations. 		<ul style="list-style-type: none"> None required. 	<ul style="list-style-type: none"> N/A.
<p><u>Panel of Experts Recommendation 74:</u></p> <p>Within each Public Order Police unit there should be a public order restoration capability consisting of one section for each platoon. The capability should:</p> <ol style="list-style-type: none"> Be highly trained in line with the crowd management doctrine and fundamental principles on the use of force in this document, with particular emphasis on protection of life; Apply strict selection criteria; Include specialist firearms officers (see Panel Recommendation 107); Impose limits on the duration of service by most members of the unit so that some experienced members remain in the unit but the unit is able to maintain a relatively youthful character. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> Point 1 - NI 4 of 2014 (v2) establishes the principle of restoration, as indicated below: <ul style="list-style-type: none"> Paragraph 2 – Purpose, indicates that: "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 <u>restoration of public order</u>". Paragraph 19(1) – Briefing of Members stipulates that: "All role players must be properly briefed before they are deployed to perform crowd management or <u>restoration of public order duties</u>". Paragraph 23 addresses the issue of the normalisation of an area where <u>public order was restored by the use of force and stipulates that: "After the outbreak of any kind of violence or where members of the SAPS have been compelled to use force, it is of utmost importance that the area should be restored and normalised as soon as possible"</u>. Paragraph 24 - Reporting and record keeping, indicates that: "All incidents of crowd management or restoration of public order operations including those by station members and Metropolitan 			

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		<p>Police POP trained members, municipal law enforcement officers must be reported to the POP unit for registration on the IRIS, irrespective of the threat level or whether POP was involved or not".</p> <ul style="list-style-type: none"> - The SAPS is, however, currently not in a position to implement dedicated restoration sections within each POP platoon, due to prevailing resource and budgetary constraints. In addition, POP members are required to perform other crime prevention-related duties, when not deployed for crowd management. <ul style="list-style-type: none"> • Point 2 - The Division: VP&OPs has developed a draft SOP on POP Recruitment and Selection, was distributed within the SAPS for comments, by 28 July 2023. <ul style="list-style-type: none"> - The SOP address the following issues that are related to the Recommendation: <ul style="list-style-type: none"> ▪ The POP Recruitment and Selection Criteria (page 6 of the SOP); and ▪ The POP Recruitment and Selection Process (page 8 of the SOP). - The Recruitment and Selection Criteria addresses generic criteria for applicants who apply for a lateral or internal transfer to POP; new entry and external applicants; Managers and Commanders and POP Trainers. • Point 3 – POP Units to include specialist firearms officers (see Panel Recommendation 106). <ul style="list-style-type: none"> - Please refer to Recommendation 106 below. • Point 4 - Impose limits on the duration of service. <ul style="list-style-type: none"> - Paragraph 10(d) of the draft Recruitment and Selection SOP indicates that the Component Head of POP must: Ensure Succession of members within the POP Component by: <ul style="list-style-type: none"> ▪ Ensuring that members are well succeeded within the Component by conducting a continuous recruitment, on a yearly basis. ▪ A member who is unable to perform operational duties based on one or more reasons on paragraph 14, he or she can be transferred to other section within the unit. 		<ul style="list-style-type: none"> • The Division: VP&OPs to finalise the POP SOP on the Recruitment and Selection. 	<ul style="list-style-type: none"> • 31 March 2024.

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<p>Panel of Experts Recommendation 75:</p> <p>Competency-based policing is premised on the recruitment of quality personnel into Public Order Police units.</p> <p>The recruitment system should be strengthened in order to support the competence of Public Order Police units thereby ensuring that they are able to perform their mandate.</p> <p>The criterion for Public Order Police unit personnel needs to be clarified and consistently applied.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The Division: VP&OPs has developed a draft SOP on POP Recruitment and Selection, which has been distributed internally, within the SAPS, for comments, had to be provided by 28 July 2023. • The SOP address the following issues that are related to the Recommendation: <ul style="list-style-type: none"> - The POP Recruitment and Selection Criteria (page 6 of the SOP); and - The POP Recruitment and Selection Process (page 8 of the SOP). - The Recruitment and Selection Criteria addresses generic criteria for applicants who apply for a lateral or internal transfer to POP; new entry and external applicants; Managers and Commanders and POP Trainers. • The Division: HRM has assisted the Division: VP&OPs with the development of a psychometric test battery, which will assist with the selection of the competencies that are required for POP> 		<ul style="list-style-type: none"> • The Division: VP&OPs to finalise the POP Recruitment and Selection SOP. 	<ul style="list-style-type: none"> • 31 March 2024.

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<p>Panel of Experts Recommendation 76:</p> <p>Public Order Police needs to be better able to both attract appropriate personnel and retain their services by creating an environment in terms of which employment in Public Order Police is seen as a ‘choice’ assignment within the SAPS and members remain committed to the unit.</p> <p>Critical skills must be retained through a number of interventions including better remuneration even where prospects of promotions are slim due to the nature of the task (in this regard see Panel Recommendation 3 regarding introduction of a two-stream system).</p> <p>Job rotation should also be used as a way of improving retention and improving the skills of Public Order Police members.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The manner in which the SAPS’ remuneration and promotion of SAPS members is addressed does not allow for better remuneration prospects for POP members. • The Division: VP&OPs has developed a draft SOP on POP Recruitment and Selection, which has been distributed internally, within the SAPS, for comments, by 28 July 2023. <ul style="list-style-type: none"> - The SOP states specifically that the nature of POP duties fall outside of the scope of generic policing functions and identifies POP as a specialised function in the SAPS. - The SOP also indicates that task-specific training and equipment must be provided to POP members. This qualifies members as “POP Operators” in the SAPS, who are awarded a POP Operators Badge. - The SOP specifies the courses that POP members are required to have, including the Crowd Management for Platoon Members Learning Programme; the Operational Commander Training; Nyala and new generation Nyala Workshop; Incident Registration Information System Training; the Information Gatherers Course and specified refresher courses, to maintain their POP Operators status. - The SOP requires that POP Commanders possess the Crowd Management for Platoon Members Learning Programme, the Operational Commanders Training Learning Programme, the Crowd Management for Platoon Commanders Learning Programme and the Junior Management Learning Programme. • While NI 8 of 2019: Employee Rotation in the South African Police Service, is one of the tools utilised to select and/or identify employees with key competencies and skills necessary to enhance organisational continuity, the specialised nature of the POP function does not allow for the rotation of members to and from this capability. 		<ul style="list-style-type: none"> • The Division: VP&OPs to finalise the POP Recruitment and Selection SOP. 	<ul style="list-style-type: none"> • 31 March 2024.

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<p>Panel of Experts Recommendation 77:</p> <p>The provision of psychological and wellness support services to Public Order Police personnel should be mandatory and routine.</p> <p>Compulsory post incident psychological debriefing and trauma support services are an essential part of the provision of wellness support.</p> <p>Psychological and wellness support services to all SAPS members should continue to be provided in-house together with the option of members making use of an accredited external service provider.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Management (Employee Health and Wellness)</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Paragraph 26 of NI 4 of 2014 (v2) addresses the debriefing of members, with regard to crowd management and requires the following: <ul style="list-style-type: none"> - (1) The Overall Commander must ensure that a debriefing takes place after each event or gathering and that record is kept. The Overall Commander must allow that Employee Health and Wellness to render the relevant support services to members once the operational debriefing has been completed. - (2) Every level of command must debrief the levels below it individually, followed by an in-depth debriefing by the commanders of the operation. Afterwards, a debriefing must be held with all role-players to determine whether the operation was effective and whether communication with the role-players was adequate. - (3) A thorough evaluation must be conducted and, if possible, video footage must be shown. All best practices, as well as shortcomings, must be recorded as part of a learning process to improve best practices and address or prevent identified mistakes from occurring again. - (4) 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. - (5) 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. • Psychological support is given to all members referred to the EHW through the formal and voluntary referral processes according to the EHW policy. <ul style="list-style-type: none"> - These services are delivered to all members involved in traumatic incidents, as well as their colleagues and direct family members where requested. - NI 18 of 1998 - Debriefing of employees who have experienced traumatic incidents, refers. - Paragraph 5 addresses the reporting of a traumatic incident: <ul style="list-style-type: none"> ▪ (1) (a) The duty officer or the commander on the scene of a traumatic incident must inform the commander of an employee who was present at, or who was directly affected by, or exposed to the traumatic incident, of such incident. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> ▪ (b) The commander must report every traumatic incident to the debriefer on standby as soon as possible, but not later than twelve hours after the occurrence of the incident. This report may be done orally, but must, in such an event, be followed up with a written confirmation on the first working day thereafter. ▪ (c) The written report by the commander must contain — (i) the occurrence book, or where applicable, the Crime Register or CAS number; (ii) a short description of the traumatic incident; (iii) the number, rank, initials, surname, station/unit/office and telephone number of the traumatised employee; and (iv) the name and contact number of the commander. <p>- Paragraph 6 deals with the Initial debriefing of a traumatised employee:</p> <ul style="list-style-type: none"> ▪ (1) Initial debriefing of a traumatised employee must be done directly or as soon as possible after the occurrence of the traumatic incident. ▪ (2) Initial debriefing of a traumatised employee must be done by a commander or other employee who has successfully completed a course in initial debriefing or, if such commander or other employee is not available, by a debriefer. <p>- Paragraph 8 deals with the Formal debriefing of a traumatised employee:</p> <ul style="list-style-type: none"> ▪ (1) The commander of a traumatised employee must, when necessary, allow a traumatised employee to receive formal debriefing and ensure that the traumatised employee is available to receive formal debriefing during normal working hours. ▪ (2) Formal debriefing by a debriefer must be done as soon as possible but not later than three days after the traumatic incident. If necessary, the debriefer must refer the employee for further professional assistance either internally or externally. ▪ (3) An employee is not obliged to undergo formal debriefing. However, if an employee declines debriefing, this must be noted by the debriefer in the trauma register. 			
<p><u>Panel of Experts Recommendation 78:</u></p> <p>Public order situations are dynamic and complex and therefore the training curriculum needs to be aligned to this reality.</p>	<p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: HRD: <ul style="list-style-type: none"> - There are five SAPS learning programmes, which have all been developed by the Division: HRD, that are relevant to Crowd Management, namely: 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>The curriculum for crowd management needs to be adapted to reflect the dynamic crowd management environment.</p> <p>The ongoing review and updating of training manuals, and training methods that integrate lessons learned from operational experience and best practice, will ensure that the training is relevant, appropriately task centred and cognisant of operational demands.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<ul style="list-style-type: none"> ▪ There is a distinct Crowd Management Module, which forms part of Learning Area 6 - Street Survival, of the Basic Police Development Learning Programme. <ul style="list-style-type: none"> ○ Module 9 – Crowd Management, was reviewed in 2014. ▪ The Crowd Conflict Management Learning Programme. <ul style="list-style-type: none"> ○ The learning programme was reviewed in 2016. ▪ The Crowd Management for Platoon Members Learning Programme. <ul style="list-style-type: none"> ○ The learning programme was reviewed during 2014, to take the Marikana Commission Recommendations into consideration and implemented from 2015. ▪ The Crowd Management for Platoon Commanders Learning Programme. <ul style="list-style-type: none"> ○ The learning programme was reviewed in 2020. ▪ The Operational Commanders Training. <ul style="list-style-type: none"> ○ The learning programme was reviewed and finalised in 2017. ○ The revised Operational Commanders Training Learning Programme (HRD: 2017), includes the following topics, which are related to the management of a dynamic crowd management environment: <ul style="list-style-type: none"> ➤ Principle of Situational Appropriateness - My intervention has to solve a problem of public order and not to create a bigger one. ➤ Rules for Implementing Situational Appropriateness ➤ Principle of Proportionality between Goals and Means - Is the balance reasonable between what I want to achieve and the means I need to do it? ➤ Rules Regarding the Principle of Proportionality. - The principle of review of learning programmes is embedded in the Education, Training and Development Policy 4 of 2019 and SOP for Curriculum Development of the SAPS HRD. - An Education, Training and Development Prioritisation Committee has been established in the Division: Human Resource Development to prioritise reviews, updates and maintenance of learning programmes within the environments to address changes and updates in curriculum. ▪ Thereafter, Senior Manager(s) from the Business Unit, Education, Training and Development developers, Subject Matter Experts and experience operational members are nominated to form part 			

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		<p>of the development team, and guide the outcomes of the programme.</p> <ul style="list-style-type: none"> ▪ The Education, Training and Development policy, practices and guidelines set out by the organisation are followed to ensure compliance with prescripts and operational best practices. The newly developed Learning Programmes is presented for approval to the Education, Training and Development Evaluation Committee of the SAPS for implementation into the organisation. - The review of training curricula is, however, done at the behest of the relevant functional area within the SAPS. • Division: VP&OPs: <ul style="list-style-type: none"> - The Division: VP&OPs (POP) coordinates the conducting of refresher training on an annual basis. <ul style="list-style-type: none"> ▪ A programme is provided to all POP Units, which they are required to complete, within a specified timeframe, within the financial year. ▪ The data is captured on the SAPS' Training Administration System. ▪ The programme is a five-day refresher training programme that comprises of the following: <ul style="list-style-type: none"> ○ The review of legislation, policy and procedure, including the Regulation of Gatherings Act 1993 (Act 205 of 1993) (RGA) and NI 4 of 2014 (v2). ○ Principles applicable to the use of force. ○ Principle and rules if intervention. ○ Statement-taking. ○ Crowd management techniques and formations (theoretical and practical). ○ Weapon handling and shooting competence. ○ Physical fitness 			
<p>Panel of Experts Recommendation 79:</p> <p>The SAPS should establish a guardian committee responsible for curriculum review and development with respect to crowd management. The guardian committee should consist of experienced operational members.</p>	<p>Division: Human Resource Development</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The principle of a Guardian Committee is embedded in the SAPS Education, Training and Development (ETD) Policy 4 of 2019. <ul style="list-style-type: none"> - The principle of Guardian Committees is applied in respect of each learning programme that is developed and reviewed. - Guardian Committees include senior manager(s) from the business unit, Education, Training and Development developers, subject matter experts and experienced operational members. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> - These members form part of the development team, and guide the outcomes of the programme. - The committee follows the Education, Training and Development policy, practices and guidelines, as set out by the organisation, to ensure compliance with prescripts and operational best practices. - This Committee also forms part of the presentation of the newly-developed learning programmes to the Education, Training and Development Evaluation Committee of the SAPS, for approval. - The Division HRD and Division Visible Policing and Operations: POP collaborate, as and when required, during the review of established POP learning programmes. 			
<p><u>Panel of Experts Recommendation 80:</u></p> <p>Public Order Police should prioritise training and learning, with in-service training (both maintenance and refresher training) focusing on strengthening the core competencies of Public Order Police personnel.</p> <p>This is to ensure that the skills level, competencies and capacities of Public Order Police personnel are well maintained.</p> <p>Implementation of this recommendation would require the necessary financial support.</p> <ol style="list-style-type: none"> 1. SAPS must put in place a training cycle to ensure that POP members maintain their standards and competencies. 2. Such training should focus on both individual and group competencies required for the roles and responsibilities of the units and deepen their understanding of their crowd management mandate and role. 3. Periodic assessments should be built into and part of the training cycle. 4. A member who fails, or fails to undergo mandatory crowd management training should be restricted from carrying out 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Prioritisation of POP Training: <ul style="list-style-type: none"> - The training of POP members has been prioritised in the SAPS' Annual Performance Plan, since 2020/21, the first year in the current Medium-term Strategic Framework Cycle. • POP Refresher Training: <ul style="list-style-type: none"> - The Division: VP&OPs (POP) coordinates the conducting of refresher training an annual basis. <ul style="list-style-type: none"> ▪ A programme is provided to all POP Units, which they are required to complete, within a specified timeframe, within the financial year. ▪ The data is captured on the SAPS' Training Administration System. ▪ The programme is a five-day refresher training programme that comprises of the following: <ul style="list-style-type: none"> ○ The review of legislation, policy and procedure, including the Regulation of Gatherings Act 1993 (Act 205 of 1993) (RGA) and NI 4 of 2014 (v2). ○ Principles applicable to the use of force. ○ Principle and rules if intervention. ○ Statement-taking. ○ Crowd management techniques and formations (theoretical and practical). ○ Weapon handling and shooting competence. ○ Physical fitness. 			

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<p>crowd management duties until such a time that she or he has undertaken the course and satisfied examiners on key competencies. This should apply to all POP members who are charged with the responsibility of crowd management, irrespective of rank.</p> <p>5. POP members who no longer possess the required competency and capability should be transferred to other less demanding policing roles.</p>		<ul style="list-style-type: none"> • POP In-service Training <ul style="list-style-type: none"> - The Division: VP&OPs (POP) coordinates the conducting of in-service training by dedicated POP Trainers, which are allocated to the various POP Units. <ul style="list-style-type: none"> ▪ The need for in-service training is determined conjunctively by the national and provincial POP offices, but also by the POP Unit Commanders. ▪ In-service training addresses issues that are related to POP procedure that emerge during crowd management situations and which are identified during the debriefing process, as per paragraph 26(4) of NI 4 of 2014 (v2): 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. • Point 1 - POP training cycle: <ul style="list-style-type: none"> - The Division: HRD requests nominations for training, based on the identified skills development requirement, on an annual basis, from the various business units in the SAPS. - The Division: HRD compiles the annual Training Provisioning Plan (TPP), based on the learning programmes/courses that are available and the training need that is communicated by the respective business units. - The Division: VP&OPs will identify the crowd management training need, in consultation with the various POP Units and communicate the training need to the Division: HRD. - The Division: HRD schedules the presentation of the various crowd management learning programmes, as reflected in the annual TPP. - NI 4 of 2014(v2) also requires that in-service training be provided, as per paragraph 28(4): <ul style="list-style-type: none"> ▪ (4) Evaluation (Lessons learned) Incidents where constitutional rights have been compromised should be captured during debriefings and shared with other units to be incorporated into in-service training and where appropriate, with the POP Policy and Standards: (at the Component: POP) to be incorporated into future policies, procedures and training material. • Point 2 - individual and group crowd management competencies: <ul style="list-style-type: none"> - The Crowd Management Learning Programme and the Crowd Management for Platoon Members Learning Programme, focus on the competencies, roles and responsibilities of the individual, with regard to crowd management. 			

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		<ul style="list-style-type: none"> - The Crowd Management for Platoon Commanders Learning Programme (HRD: 2020) and the Operational Commanders Training Learning Programme (HRD: 2017) focus on the competencies required to management groups of members that are involved in crowd management. • Point 3 – Periodic assessments: - NI 4 of 2014(v2), paragraph 7 – Command and Control, paragraph (6), indicates that: <ul style="list-style-type: none"> ▪ The Provincial Head: Visible Policing and Operations and the Provincial Commander of the National POP units in that province will – <ul style="list-style-type: none"> o (a) attend the PCCF, PROVJOINTS in order to gather information relating to POP functions. Issue all instructions and or tasking to units. o (b) ensure that the operational functioning of the POP units allows members to have time to attend operations as well as ongoing in-service training. - NI 4 of 2014 (v2), paragraph 29: “Training and maintenance exercises”, refers. <ul style="list-style-type: none"> ▪ Paragraph 29(3) indicates that 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. • Point 4: - The Division: VP&OPs (POP) will include the requirement a member who fails, or fails to undergo mandatory crowd management training should be restricted from carrying out crowd management duties until such a time that she or he has undertaken the course and satisfied examiners on key competencies, in the review of the POP Deployment SOP (POP: 2023). • Point 5: - The Division: VP&OPs (POP) has developed a draft SOP on POP Recruitment and Selection, which has been distributed internally, within the SAPS, for comments, by 28 July 2023. <ul style="list-style-type: none"> o The SOP address the following issues that are related to the Recommendation: o The POP Recruitment and Selection Criteria (page 6 of the SOP); and o The POP Recruitment and Selection Process (page 8 of the SOP). 		<ul style="list-style-type: none"> • Division: VP&OP to finalise the review of the POP Deployment SOP. • Division: VP&OP to finalise the POP Recruitment and Selection SOP. 	<ul style="list-style-type: none"> • 31 March 2024. • 31 March 2024.

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		<ul style="list-style-type: none"> ▪ The Recruitment and Selection Criteria addresses generic criteria for applicants who apply for a lateral or internal transfer to POP; new entry and external applicants; Managers and Commanders and POP Trainers. 			
<p><u>Panel of Experts Recommendation 81:</u></p> <p>A dedicated, well designed crowd management training facility must be developed for crowd management training of Public Order Policing members.</p> <p>Such a training facility should have in place as a minimum requirement: road patterns, house facades, natural features, adequate accommodation, and recreational facilities.</p> <p>Such a facility should be adequately designed and equipped to reflect the operational realities on the ground to enable Public Order Police members test different 'real scenarios' in 'real simulated environments' to develop capabilities and resilience to deal with different scenarios.</p> <p>In particular to adequately prepare officers, provide them with the necessary skills and capabilities to deal with all sorts of crowds including armed crowds.</p> <p>1. The training facility should employ experienced and fulltime trainers, curriculum developers, assessors and moderators. This is aimed at ensuring that training can take place regularly throughout the year. This will ensure that police officers and POP units are regularly assessed and evaluated. Also, this will ensure that the training curriculum, training methods and methodologies are regularly updated to</p>	<p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS' Thabazimbi and Mankwe and Training Academies are utilised for POP training interventions. • The Mankwe Training Academy, which is a dedicated tactical training academy, has a dedicated area for crowd management training, referred to as "Mock City". • The Thabazimbi Training Academy is also a dedicated tactical training academy, which is also used for the training of POP members and also has a dedicated area for crowd management training, referred to as "Mock City". • These training academies have large open areas at their disposal, for use during POP training. • The Tshwane Training Academy is used on <i>ad hoc</i> basis for both First Responder Crowd Management Training and Crowd Management Training. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>reflect the operational dynamics of public order situations.</p>					
<p><u>Panel of Experts Recommendation 82:</u></p> <p>Minimum standards should be developed and maintained for infrastructure requirements for each Public Order Police unit.</p> <p>This needs to take into account that Public Order Police units are located at and deployed in a variety of settings.</p> <p>This should include administrative office space, debriefing rooms, and storage space for equipment, including weapons and ammunition.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management: Facility Management</p>	<p><u>The implementation of the Recommendation is in process</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The Division: VP&OPs completed an audit of the resourcing of POP Units, including infrastructure and is currently developing minimum standards for POP unit infrastructure. 		<ul style="list-style-type: none"> • Division: VP&OPs to develop a minimum standards for POP unit infrastructure • The feasibility of addressing budget requirements will be assessed over the MTEF, for possible re-prioritisation. 	<ul style="list-style-type: none"> • 31 March 2024 • -
<p><u>Panel of Experts Recommendation 83:</u></p> <p>Public Order Police deployments should at a minimum be of a section strength, comprising eight members and not less than that.</p> <p>In addition training should be clearly linked to the framework for minimum deployment and should address deployment at section level.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: VP &OPs: <ul style="list-style-type: none"> - NI 1 of 2014 (V2), paragraph 9 Maintenance of Crowd Management Capability, refers. <ul style="list-style-type: none"> ▪ Paragraph 9(1) indicates that: "Maintenance of Crowd Management Capability (1) The Component Head: National POP unit established within the Division Visible Policing and Operations must ensure that - <ul style="list-style-type: none"> o (a) a specialised crowd management capability is maintained; o (b) all POP units nationally are adequately trained and resourced; o (c) the deployment of POP members for crowd management situations is in line with standards and practices regarding minimum acceptable deployments; and o (d) a proper allocation of resources to the units (both physical- and human resources), thereby enabling the effective functioning of POP." - The Division: VP&OPs (POP) has established a SOP on POP Deployment SOP (POP: 2023), which directs the operational deployment of POP members. The SOP is currently under review (to be completed by 31 March 2024). 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> • Division: HRD: <ul style="list-style-type: none"> - Refer to Point 1 at Recommendation 80, above. 			
<p><u>Panel of Experts Recommendation 84:</u></p> <p>To ensure that Public Order Police is able to deploy the necessary resources in managing crowds, there should be a minimum of four platoons per unit. Staffing, resourcing and training plans for Public Order Police units should also take into account:</p> <ol style="list-style-type: none"> 1. Panel Recommendation 40 regarding deployment of first aid teams in crowd management operations and other large operations or operations where the use of lethal force is likely. 2. Panel Recommendation 65 regarding development of a dedicated negotiation capability at each Public Order Police unit. 3. Panel Recommendation 67 regarding the potential for greater use of arrests. 4. Panel Recommendations 74 and 106 regarding establishment of a restoration section within each platoon including specialist firearms officers. 5. Panel Recommendation 124 regarding establishment of a technical support function at each unit. 	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Management</p> <p>Division: Human Resource Development</p> <p>Component: Organisational Development</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Point 1: <ul style="list-style-type: none"> - Despite the fact that 4 000 new entry-level SAPS Act members were enlisted during 2022/23, of which 3 460 will be deployed at Public Order Policing Provincial Units and 540 at the POPS National Reserve Unit, given the current budgetary constraints, it is not possible for the SAPS to ensure that there are a minimum of four platoons per POP Unit. - Three dormant POP units will, however, be reopened in 2023/2024. <ul style="list-style-type: none"> ▪ A feasibility work study investigation into the establishment of additional POP units has been finalised and is subject to final approval. • Point 2: <ul style="list-style-type: none"> - Refer to Recommendation 65 above (implemented). • Point 3: <ul style="list-style-type: none"> - Refer to Recommendation 67 above (implemented). • Point 4: <ul style="list-style-type: none"> - Refer to recommendations 74 (in process) and 106 (in process). • Point 5: <ul style="list-style-type: none"> - Refer to Recommendation 124 (in process). 		<ul style="list-style-type: none"> • The Component: OD to finalise the work-study investigation into the establishment of additional POP Units 	<ul style="list-style-type: none"> • 31 March 2024.
<p><u>Panel of Experts Recommendation 85:</u></p> <p>The crowd management training of SAPS visible policing personnel and municipal police should at least be at the level of first responder.</p> <p>The roles of these agencies should be to intervene during crowd management situations by containing the situation,</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development (to</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - Paragraph 29 of NI 4 of 2014 (v2) - Training and maintenance exercises, requires that: <ul style="list-style-type: none"> ▪ (2) First responder and crowd management training: <ul style="list-style-type: none"> ○ (a) All station commanders and their operational command structure must familiarize themselves with the duties of a first responder to spontaneous gatherings. Station lectures must be 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>pending the arrival of the more specialised, equipped and trained Public Order Police units.</p> <p>The training of visible police members and municipal police will significantly increase the capacity of the SAPS to deal with crowd management situations in line with professional policing principles and given regulatory prescripts. In this regard, the South African Police Service Act, 1995 (Act 68 of 1995), should be amended to provide for a mandate for municipal police services in respect of crowd management.</p>	<p>also address Municipal Police Services)</p>	<p>used to familiarise operational members at stations with first responder duties.</p> <ul style="list-style-type: none"> o (b) Every station commander must ensure that visible policing members at his or her station undergo first responder crowd management training and that a list is kept in the Community Service Centre of members trained in crowd management. <ul style="list-style-type: none"> • Division: HRD: <ul style="list-style-type: none"> - The training of first responders is included in the SAPS' annual Training Provisioning Plan (TPP). 			
<p><u>Panel of Experts Recommendation 86:</u></p> <p>In order to enhance co-ordination and co-operation during crowd management operations, joint training exercises should be held involving SAPS personnel who may be involved in crowd management.</p> <ol style="list-style-type: none"> 1. These should: Include different POP specialised elements such as information managers, command negotiators, Nyala operators, water cannon crew, specialised firearms officers (as proposed in this report), and any other specialised elements within POP units. Visible policing units who are frequently called upon to respond to crowd incidents within their given capacities and capabilities should also be included. 2. Involve scenario-based drills to enhance operational readiness through co-ordination of different roles and responsibilities including, inter alia, practical and operationally appropriate role play, mock drills. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Points 1 to 4: <ul style="list-style-type: none"> - Simulation exercises, which include scenario-based drills, involving POP personnel and SAPS personnel who may be involved in crowd management, are scheduled and conducted annually and include Metro Police Services. 		<ul style="list-style-type: none"> • None required 	<ul style="list-style-type: none"> • N/A.

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<p>3. During these practical exercises, the overall commander should be someone with a high level of knowledge and experience in crowd management operations. She or he should exercise command and control during these drills.</p> <p>4. It is prudent that during these exercises, SAPS liaises with and invites trainers or facilitators from other countries with experience and excellent track record in crowd management operations. This approach will enable the sharing of ideas and experiences.</p> <p>5. Municipal police and private security companies are routinely involved in crowd management. The recent protests at various universities highlighted the universities' reliance on private security companies to deal with crowds. Although it is not necessary for SAPS to conduct joint training exercises or drills with the private security organisations, SAPS should endeavour to maintain close liaison and co-operation with these private security organisations.</p>					
<p><u>Panel of Experts Recommendation 87:</u></p> <p>SAPS should not deploy tactical units to support POP in crowd management situations unless their specialist capabilities are requested by the responsible POP commander and that they remain under the overall command of the POP commander throughout the operation.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) has been amended to reflect the requirement relating to the deployment of tactical teams, in support of the POP. <ul style="list-style-type: none"> - Paragraphs 15 and 17 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 15 relates to the "Threat assessment after information has been received" and indicates that: "If a crowd management or public order situation worsens to the extent that public violence breaks out and the necessity to restore public order is required, POP must take full operational command and stabilise the situation. If POP members cannot handle the incidents because 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>The relevant directives should be amended to reflect this requirement.</p>		<p>violence escalated to such a level that lives are in imminent danger, the incident will be handed over to specialised units, e.g. TRT or NIU.”</p> <ul style="list-style-type: none"> ▪ Paragraph 17 relates to the “Designation of an Overall Commander” and indicates the designation, role and responsibilities of the Overall Commander. ▪ Paragraph 17(3) indicates the following: “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.” <ul style="list-style-type: none"> • NI 14 of 2017 – Tactical Response Teams, paragraph 7 indicates the operational mandate of the TRT to: <ul style="list-style-type: none"> - (1) Provide a tactical response, tactical operational support and tactical intervention capacity to address confirmed medium and high-risk crime threats. • NI 12 of 2016 – National Intervention Units, paragraph 5 specifies the Mandate of the National Intervention Unit, as being <ul style="list-style-type: none"> - (1) The National Intervention Unit is mandated to – <ul style="list-style-type: none"> ▪ (a) stabilize volatile situations (e.g. taxi violence, gang related crimes, farm attacks, acts of terrorism, aggravated armed robbery, etc.) by combating serious and violent crimes; ▪ (b) render specialized operational support; ▪ (c) deal with high risk public violence (<u>not crowd management</u>); • NI 2 Of 2020 - Establishment and functioning of the STF, refer to paragraph 7 (2) Deployment prerequisites, indicates the following: <ul style="list-style-type: none"> - (2) The STF must not be utilized as a force multiplier during generic crime prevention or public order policing operations, unless – <ul style="list-style-type: none"> ▪ (a) an incident has reached proportions of public violence where the direct threat to life or the purposeful targeting of police officials is the modus operandi of the perpetrators and the specialised skills of the STF are required to assist in restoring civil order. The deployment needs to be approved by the Deputy National Commissioner: Policing. 			

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<p><u>Panel of Experts Recommendation 88:</u></p> <p>As emphasised by Marikana Commission recommendation D2, the allocation of roles in the command structure of a crowd management operation is critical in ensuring that these be carried out in terms of appropriate standards.</p> <p>Most importantly the Operational Commander should always be a SAPS member with recent and relevant training and Public Order Policing experience.</p> <p>Members who are appointed to roles in the command structure due to the fact that they have the relevant training and experience must maintain their positions and authority in the command structure for the duration of an operation, irrespective of their rank. The relevant directives should be amended to reflect this requirement.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) has been amended to reflect the requirement relating to members' roles in the command structure of POP <ul style="list-style-type: none"> - Paragraph 12 of NI 4 of 2014 (v2) stipulates the designation of authorised members, as well as their roles and responsibilities. - Paragraph 17 of NI 4 of 2014 (v2), refers. <ul style="list-style-type: none"> ▪ Paragraph 17 relates to the "Designation of an Overall Commander" and indicates the designation, role and responsibilities of the Overall Commander. ▪ Paragraph 17(2) indicates the following: "The Provincial Commissioner or the Divisional Commissioner: Visible Policing and Operations, or an officer designated by him or her, with experience, knowledge and skills in Crowd Management must ensure that an Overall Commander is designated for a Level Three event, and that he or she is familiar with this instruction, relevant legislation and is well trained in the duties and responsibilities relating to the operation." - Paragraph 19 of NI 4 of 2014 (v2) indicates the responsibilities of the Overall Commander, with regard to the Briefing of Members. - Paragraph 20(1) of NI 4 of 2014 - Execution of operations to protect and facilitate peaceful gatherings, indicates that "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 RGA". - Paragraphs 20(7) stipulates the role of the Operational Commander, with regard to the need for law enforcement measures. - Paragraph 21(3) indicates the role of the Operational Commander, with regard to the use of force. - Paragraph 24(3) indicates the role of the Overall Commander, with regard to record-keeping. - Paragraph 25(7) stipulates the roles of the Overall Commander and Operational Commander, with regard to the investigation of crimes emanating from public protest, by dedicated detectives. - Paragraph 26(1) provides for the role of the Overall Commander, with regard to debriefing. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> - Paragraph 29(3) - Training and maintenance exercises indicates that: <ul style="list-style-type: none"> ▪ 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. 			
<p><u>Panel of Experts Recommendation 89:</u></p> <p>An operational commanders training curriculum that is specifically focused on and takes into account the complexities of the crowd management environment, and which is grounded in operational realities, should be developed and provided to Public Order Police officers and experienced platoon commanders.</p> <p>The new Public Order Police command training curriculum should be flexible to move across command levels.</p> <p>As with other Public Order Police training there should be periodic assessment that is linked to the training cycle.</p>	<p>Division: Human Resource Development</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The Operational Commanders Training Learning Programme was reviewed in 2016/17 and finalised in 2017. - The Learning Programme includes the following Modules: <ul style="list-style-type: none"> ▪ Module 1 - Principles and Rules of Operations and Related Legislations. ▪ Module 2 – Information gathering. ▪ Module 3 – Operational Planning, which is the module in which the complexities of the crowd management environment, and which are linked to operational requirements/realities ▪ Module 4 – Briefing and de-briefing. ▪ Module 6 – Joint Operational Centre Operational Management, which also addresses the complexities of the management of crowd management situation. ▪ Assessments are linked to each of the modules in the Operational Commander Training Learning Programme. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 90:</u></p> <p>The training curriculum should be revised and adjusted to include among others, techniques, tactics and formations relevant for large Public Order Police deployments such as deployments at company and battalion (four companies) level so that commanders who are tasked with exercising a certain level of decision making can be trained to exercise tactical command at the relevant level of command.</p>	<p>Division: Human Resource Development</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The Operational Commanders Training Learning Programme, Modules 3 – Operational Planning and 6 Joint Operational Centre Operational Management, address the issue of the management of large numbers of deployed members. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 91:</u></p> <p>The SAPS should consistently use the term less-lethal-weapon when referring to the class of weapons used in crowd management situations, recognizing that all weapons including less-lethal have the potential to cause injury and death. This is in line with emerging international and regional good practice.</p> <p>The use of the term less-lethal-weapon must support the doctrine and be incorporated into all relevant National Instructions, directives, guidelines, SOPs, and training manuals. (Panel Recommendation 58 highlights the fact that young children, elderly people and other vulnerable groups may be particularly at risk from the use of these weapons).</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The relevant national instructions and directives make specific reference to less-lethal-weapons, as indicated below: <ul style="list-style-type: none"> - Paragraphs 4, 6, 19 and 28 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 4(u) defines less-lethal weapons as: “less-lethal weapons” means weapons less likely to kill than firearms discharging metal-jacketed ammunition. Less-lethal ammunition may be fired from firearms”. ▪ Paragraph 6(b) describes precautionary measures that must be taken, as part of “Crowd Management Principles”, as follows: <ul style="list-style-type: none"> ▪ (i) Precautionary measures must be taken to minimize the need for the use of force during operations and if force is required, to minimize the risk of injury or death. <ul style="list-style-type: none"> ○ (ii) This includes, but is not limited to proper planning, provisioning of protective equipment and less-lethal weapons as well as the training of members in the use thereof. ○ (iii) Whenever new technology is acquired, procedures for the appropriate use thereof must be set out clearly in standing operating procedures, taking in consideration those who are particularly vulnerable to the harmful consequences of the use of force in general and to the effects of specific less-lethal weapons. ▪ Paragraph 19(9) provides an additional cautionary measure, with regard to the use of less-lethal weapons, namely – “The use of less-lethal weapons to disperse any gathering should be considered a measure of last resort. Before approving dispersal, law enforcement agencies must seek to identify any violent individuals and isolate them from the other participants. This may enable the main gathering to continue. ▪ Paragraph 28(3), Development, monitoring and evaluation indicates that: “Unit commanders must monitor and report the use and effects of all less-lethal weapons and related equipment procured, issued and used as analysed during debriefing reports, to the Section Head: POP Policy and Standards: (at the Component: POP). 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 92:</u></p> <p>Ensure that any less-lethal-weapons currently in use in the SAPS have been subject to rigorous pre-deployment testing in appropriate settings.</p> <p>This requires a process of verification and that said weapon meets SAPS operational standards and is compliant with SAPS protocols particularly with regard to its appropriate use for the management of crowds and in accordance with the requirement as specified in the UN Special Rapporteur Report, clause 67(c).</p> <p>This states that: "Before the selection and procurement of equipment, including for less-lethal weapons, by law enforcement agencies for use in assemblies, States should subject such equipment to a transparent and independent assessment to determine compliance with international human rights law and standards. In particular, equipment should be assessed for accuracy, reliability and its ability to minimize physical and psychological harm.</p> <p>Equipment should be procured only where there is sufficient capacity to train officers effectively on its proper use.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management</p> <p>Division: Detective and Forensic Services (Forensic Science Laboratory)</p>	<p><u>Implementation of the recommendation is in process.</u></p> <ul style="list-style-type: none"> • The Division: SCM and the Division: VP&OPs (POP), in consultation with the Division: SCM and the SAPS' Forensic Science Laboratory (FSL), ensures the conducting of tests on all less-lethal weapons, prior to the deployment of this equipment. • The Ballistics Section, provides a report on the testing of firearms to the Division: SCM and the Division: VP&OPs (POP), in terms of the assessment of the weapon for accuracy, reliability and its ability to minimize physical and psychological harm. • In addition, approval from the Firearm Standardisation Board is required before the procurement process with regard to less-than-lethal weapons and ammunition, is initiated. <ul style="list-style-type: none"> - All procurements of ammunition comply with the pre-awarding testing of the bid and before delivery, ammunition is tested. • The testing is conducted by the Ballistics Section, in the FSL. • The Division: VP&OPs (POP), in consultation with the Division: SCM and the FSL will, however, develop draft policy and procedure to ensure that less-lethal-weapons currently in use and planned for use in the SAPS have been subject to rigorous pre-deployment testing in appropriate settings and that addresses the requirements of the Recommendation. 		<ul style="list-style-type: none"> • Division: VP&OPs (POP) to develop draft policy and procedure to ensure that less-lethal-weapons currently in use and planned for use in the SAPS, have been subject to rigorous pre-deployment testing, including independent (of SAPS) testing. 	<ul style="list-style-type: none"> • 31 March 2024.
<p><u>Panel of Experts Recommendation 93:</u></p> <p>Ensure that any future procurement of less-lethal-weapons by the SAPS for use in Public Order Police operations is based on need, and has been subject to pre-deployment testing both by the manufacturer and/or an independent instate to verify as well as</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The Division: SCM and the Division: VP&OPs (POP), in consultation with the Division: SCM and the SAPS' Forensic Science Laboratory (FSL), ensures the conducting of tests on all less-lethal weapons, prior to the deployment of this equipment. • The Ballistics Section, provides a report on the testing of firearms to the Division: SCM and the Division: VP&OPs (POP), in terms of the 		<ul style="list-style-type: none"> • Refer to Recommendation 92 above. 	<ul style="list-style-type: none"> • -

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during the training of Public Order Police unit members.	<p>Division: Supply Chain Management</p> <p>Division: Detective and Forensic Services (Forensic Science Laboratory)</p>	<p>assessment of the weapon for accuracy, reliability and its ability to minimize physical and psychological harm.</p> <ul style="list-style-type: none"> • In addition, approval from the Firearm Standardisation Board is required before the procurement process with regard to less-than-lethal weapons and ammunition, is initiated. - All procurements of ammunition comply with the pre-awarding testing of the bid and before delivery, ammunition is tested. • The testing is conducted by the Ballistics Section, in the FSL. • The Division: VP&OPs (POP), in consultation with the Division: SCM and the FSL will, however, develop draft policy and procedure to ensure that less-lethal-weapons currently in use and planned for use in the SAPS have been subject to rigorous pre-deployment testing in appropriate settings and that addresses the requirements of the Recommendation. 			
<p><u>Panel of Experts Recommendation 94:</u></p> <p>Adopt the approach suggested by Rappert to ensure that there is an independent verification process, which means that SAPS alone does not evaluate the testing of its own less lethal weapons and that the five steps suggested above are integrated into policy and practice within the SAPS.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management</p> <p>Division: Detective and Forensic Services – Forensic Science Laboratory</p>	<p><u>Implementation of the Recommendation has not been initiated.</u></p> <ul style="list-style-type: none"> • The SAPS has not yet initiated the implementation of this Recommendation. 		<ul style="list-style-type: none"> • The Division: VP&OPs (POP) to develop a policy and procedure for the independent verification of less-lethal weapons, in cooperation with the Divisions: SCM and the Forensic Science Laboratory (FSL). 	<ul style="list-style-type: none"> • 31 March 2024.
<p><u>Panel of Experts Recommendation 95:</u></p> <p>Section 12(5)(f) and (i) of NI 4 indicate that CS teargas grenades and 40mm launchers with rounds are only to be issued to designated members. Greater clarity is needed on:</p> <ol style="list-style-type: none"> 1. The requirements for a member to be designated to use these weapons. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation, is in process.</u></p> <ul style="list-style-type: none"> • Points 1 and 2: <ul style="list-style-type: none"> - Paragraphs 6 (c) and 19 (16) and (20) of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to the “Crowd management principles” and paragraph 6 (c) indicates that: <ul style="list-style-type: none"> ○ (2) In order to achieve the above, use of force by law enforcement officials must comply with the principles of 			

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<p>2. Who has the authority to designate members to use these weapons and ammunition?</p>		<p>legality, precaution, necessity, proportionality, non-discrimination and accountability.</p> <p>➤ (a) Legality, Necessity and Proportionality:</p> <p>(i) Force should be used when, in the circumstances, it is absolutely necessary in order to achieve a lawful and legitimate law enforcement objective and no reasonable alternative appears available at that moment other than resorting to the use of force.</p> <p>(ii) When the use of force is reasonably necessary in the circumstances, the minimum force required to achieve a legitimate law enforcement objective must be used.</p> <p>(iii) The use of force must cease as soon as it is no longer necessary.</p> <p>(iv) The type and level of the force used and the harm that may reasonably be expected to result from it must be proportionate to the threat posed by an individual or group of individuals. (v) Every member has the duty to intervene in order to prevent other members from using excessive force or other illegal means.</p> <p>- Paragraph 19(16) indicates that:</p> <ul style="list-style-type: none"> ▪ The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander: <ul style="list-style-type: none"> ○ (f) Stun grenades. ○ (k) 40 mm Launcher with rounds (to designated members). <p>- Points 1 and 2:</p> <ul style="list-style-type: none"> ▪ These requirements will be addressed in the draft Use of Force SOP, which has been developed and was circulated for comments by 31 July 2023. ▪ The consultation of the Use of Force SOP will commence on 11 September 2023. 		<ul style="list-style-type: none"> • The Division: VP&OPs to finalise the Use of Force SOP. 	<ul style="list-style-type: none"> • 31 March 2024.
<p>Panel of Experts Recommendation 96:</p> <p>Only handcuffs or other approved physical restraints should, and only when necessary, be used against passively resistant individuals.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The use of approved physical restraints has been addressed in the relevant National Instructions, as indicated below. <ul style="list-style-type: none"> - Paragraph 6 2(c) of NI 4 of 2014 (v2), refers. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to the “Crowd management principles” and paragraph 6 (c) indicates that: <ul style="list-style-type: none"> ○ (2) In order to achieve the above, use of force by law enforcement officials must comply with the principles of legality, 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<p>precaution, necessity, proportionality, non-discrimination and accountability.</p> <ul style="list-style-type: none"> o (a) Legality, Necessity and Proportionality. <ul style="list-style-type: none"> ➤ (i) Force should be used when, in the circumstances, it is absolutely necessary in order to achieve a lawful and legitimate law enforcement objective and no reasonable alternative appears available at that moment other than resorting to the use of force. ➤ (ii) When the use of force is reasonably necessary in the circumstances, the minimum force required to achieve a legitimate law enforcement objective must be used. ➤ (iii) The use of force must cease as soon as it is no longer necessary. ➤ (iv) The type and level of the force used and the harm that may reasonably be expected to result from it must be proportionate to the threat posed by an individual or group of individuals. (v) Every member has the duty to intervene in order to prevent other members from using excessive force or other illegal means. • In addition, paragraph 12(5) of NI 11 Of 2019 - Arrest, Treatment and Transportation of an Arrested Person (amended by Consolidation Notice 07 of 2023), indicates the following: <ul style="list-style-type: none"> - (5) The use of restraining measures: <ul style="list-style-type: none"> ▪ (1) In order to curb the increasing number of escapes from police custody, a person must, upon his or her arrest, be placed in handcuffs or restraint by means of the prescribed cable ties and leg-irons (the latter depends on the circumstances). The circumstances when and the manner in which restraining measures may be used are set out in National Instruction 13 of 2019. • Paragraph 7(1) of NI 13 of 2019 - Management of Persons in Custody of the South African Police Service , (amended by Consolidation Notice 21 of 2019) indicates that: <ul style="list-style-type: none"> - Circumstances in which restraining measures may be used: <ul style="list-style-type: none"> ▪ (1) Use of restraining measures when effecting an arrest <ul style="list-style-type: none"> o (a) The general rule is that every person arrested for an offence must be placed in restraining measures until he or she is handed over to the community service centre commander or until he or she is placed in a police cell or detention facility. 			

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		<ul style="list-style-type: none"> o (b) In exceptional circumstances where the member is of the opinion that, due to the physical condition of the person in custody and the nature or seriousness of the alleged offence, such person does not pose a threat or danger to either the member or another person, such member may decide not to apply restraining measures to an arrested person. A member must be guided by the circumstances of each particular case, but must bear in mind that if a person escapes through any neglect or lack of proper precautions by the member, he or she may face a disciplinary hearing for contravening regulation 5(3) of the South African Police Service Discipline Regulations, 2016. 			
<p>Panel of Experts Recommendation 97:</p> <p>Given that Kinetic Impact Projectiles (KIPs) are difficult to deploy safely and effectively they should only be used under strict command.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) has been amended to indicate that the use of Kinetic Impact Projectiles (rubber bullets) should only be used under strict command. <ul style="list-style-type: none"> - Paragraphs 17 and 19 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 17 relates to the "Designation of an Overall Commander" and indicates the designation, role and responsibilities of the Overall Commander. ▪ Paragraph 17(3) indicates the following: "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." ▪ Paragraph 19 relates to the: "Briefing of members". ▪ Paragraph 19 relates to the: "Briefing of members". ▪ Paragraph 19(16) indicates that: "The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander: (b) Approved kinetic impact projectiles ("rubber bullets")". 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p>Panel of Experts Recommendation 98:</p> <p>Directives regarding the use of Kinetic Impact Projectiles (KIPs) should indicate:</p> <ol style="list-style-type: none"> 1. That these are to be used in line with the principle of differentiation. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) has been amended to specify the use of Kinetic Impact Projectiles (rubber bullets), as per Points 1 to 4: <ul style="list-style-type: none"> - Paragraphs 6 (c) and 19 (16), (17) and (20) of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to the "Crowd management principles" and paragraph 6 (c) indicates that: 			

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<p>2. That the practice of skip firing should be discontinued as it decreases accuracy and increases the risk for indiscriminate use.</p> <p>3. That these should be aimed to strike directly (i.e. without bouncing) the lower part of the person's body (i.e. below the rib cage).</p> <p>4. Unless there is a serious and immediate risk to life which cannot otherwise be countered, it should be prohibited to use the KIP at short range. In such circumstances they may be direct fired or skip-fired if it is believed that they can be used effectively in either manner for private defence.</p>		<ul style="list-style-type: none"> o (2) In order to achieve the above, use of force by law enforcement officials must comply with the principles of legality, precaution, necessity, proportionality, non-discrimination and accountability. ▪ (a) Legality, Necessity and Proportionality. <ul style="list-style-type: none"> o (i) Force should be used when, in the circumstances, it is absolutely necessary in order to achieve a lawful and legitimate law enforcement objective and no reasonable alternative appears available at that moment other than resorting to the use of force. o (ii) When the use of force is reasonably necessary in the circumstances, the minimum force required to achieve a legitimate law enforcement objective must be used. o (iii) The use of force must cease as soon as it is no longer necessary. o (iv) The type and level of the force used and the harm that may reasonably be expected to result from it must be proportionate to the threat posed by an individual or group of individuals. (v) Every member has the duty to intervene in order to prevent other members from using excessive force or other illegal means. - Paragraph 19(16) indicates that: <ul style="list-style-type: none"> ▪ The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander. <ul style="list-style-type: none"> o (b) Approved kinetic impact projectiles ("rubber bullets"). - Paragraph 19(17) indicates that: "In addition, when the use of any less-lethal weapons or related equipment against gathering participants is foreseen, due attention should be paid to the potential for panic in a crowd, including the risk of a stampede". - Paragraph 19(20) indicates that: "Approved kinetic impact projectiles (rubber bullets) may only be used as offensive measures to disperse a crowd in extreme circumstances, if less forceful methods have proven ineffective". - The Division: VP&OPs is developing a Use of Force SOP, which will address the issue of "skip-firing" and the use of the weapon at short range. <ul style="list-style-type: none"> ▪ A draft Use of Force SOP has been developed and was circulated for comments by 31 July 2023. ▪ The consultation of the Use of Force SOP will commence on 11 September 2023. 		<ul style="list-style-type: none"> • The Division: VP&OPs to finalise the Use of Force SOP. 	<ul style="list-style-type: none"> • 31 March 2024.

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<p><u>Panel of Experts Recommendation 99:</u></p> <p>The SAPS should explore the possibility of equipping Public Order Police units with Safe Impact Rounds or Attenuated Energy Projectiles and launchers. These projectiles might be considered as possible replacements for rubber rounds or as an additional less-lethal option, which may be used as an alternative to rubber in specific circumstances.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management</p> <p>Division: Detective and Forensic Services (Ballistics Section)</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The Division: VP&OPs, in cooperation with the Divisions: SCM and the Forensic Science Laboratory (FSL), have initiated research on the equipping of POP with replacement rubber rounds. • A report, in this regard was compiled by the FSL on 2023-07-31 and is currently under consideration by SAPS Management. 		<ul style="list-style-type: none"> • The Division: VP&OPs [including the Division: D&FSS (FSL) and Division: SCM] to finalise the report on the equipping of POP with replacement rubber rounds. 	<ul style="list-style-type: none"> • 31 October 2024.
<p><u>Panel of Experts Recommendation 100:</u></p> <p>Directives should be developed on the use of stun grenades in crowd management situations which includes clarity on their use by designated members, that they should only be used under command including that they should never be fired or thrown directly into a crowd unless this is to protect life.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The relevant directives on the use of stun grenades in crowd management situations have been developed, as indicated below: <ul style="list-style-type: none"> - Paragraphs 6 (c) and 19 (16) and (20) of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to the “Crowd management principles” and paragraph 6 (c) indicates that: <ul style="list-style-type: none"> ○ (2) In order to achieve the above, use of force by law enforcement officials must comply with the principles of legality, precaution, necessity, proportionality, non-discrimination and accountability. <ul style="list-style-type: none"> ➤ (a) Legality, Necessity and Proportionality ➤ (i) Force should be used when, in the circumstances, it is absolutely necessary in order to achieve a lawful and legitimate law enforcement objective and no reasonable alternative appears available at that moment other than resorting to the use of force. <ul style="list-style-type: none"> ❖ (ii) When the use of force is reasonably necessary in the circumstances, the minimum force required to achieve a legitimate law enforcement objective must be used. ❖ (iii) The use of force must cease as soon as it is no longer necessary. ❖ (iv) The type and level of the force used and the harm that may reasonably be expected to result from it must 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<p>be proportionate to the threat posed by an individual or group of individuals. (v) Every member has the duty to intervene in order to prevent other members from using excessive force or other illegal means.</p> <ul style="list-style-type: none"> - Paragraph 19(16) indicates that: <ul style="list-style-type: none"> ▪ The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander: <ul style="list-style-type: none"> o (f) Stun grenades. ▪ Paragraph 19(17) indicates that: "In addition, when the use of any less-lethal weapons or related equipment against gathering participants is foreseen, due attention should be paid to the potential for panic in a crowd, including the risk of a stampede". 			
<p><u>Panel of Experts Recommendation 101:</u></p> <p>The SAPS should carry out research to identify alternative stun grenades that may be used more safely.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The stun grenades that are currently utilised by the SAPS are deemed adequate. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 102:</u></p> <p>Directives should specify that water cannons should only be operated by specially trained members and under operational command.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The necessary directives have been developed to specify the use of water cannons in the SAPS. - Paragraphs 6 (c) and 19 (16) and (20) of NI 4 of 2014 (v2), refer. - Paragraph 6 relates to the "Crowd management principles" and paragraph 6 (c) indicates that: <ul style="list-style-type: none"> ▪ (2) In order to achieve the above, use of force by law enforcement officials must comply with the principles of legality, precaution, necessity, proportionality, non-discrimination and accountability. <ul style="list-style-type: none"> o (a) Legality, Necessity and Proportionality <ul style="list-style-type: none"> ➤ (i) Force should be used when, in the circumstances, it is absolutely necessary in order to achieve a lawful and legitimate law enforcement objective and no reasonable alternative appears available at that moment other than resorting to the use of force. ➤ (ii) When the use of force is reasonably necessary in the circumstances, the minimum force required to achieve a legitimate law enforcement objective must be used. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> ➤ (iii) The use of force must cease as soon as it is no longer necessary. ➤ (iv) The type and level of the force used and the harm that may reasonably be expected to result from it must be proportionate to the threat posed by an individual or group of individuals. (v) Every member has the duty to intervene in order to prevent other members from using excessive force or other illegal means. - Paragraph 19(16) indicates that: <ul style="list-style-type: none"> ▪ The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander <ul style="list-style-type: none"> o (c) Water cannons. - Paragraph 19(17) indicates that: "In addition, when the use of any less-lethal weapons or related equipment against gathering participants is foreseen, due attention should be paid to the potential for panic in a crowd, including the risk of a stampede". - A SOP on the Maintenance and Operational Use of Water Cannons, was also developed to supplement the instructions that are reflected in NI 4 of 2014 (v2). <ul style="list-style-type: none"> ▪ Chapter 9 of the SOP address the Management and Control of Vehicles, chapter 9, Operational Use and chapter 10, Water Cannon as a less lethal weapon. 			
<p><u>Panel of Experts Recommendation 106:</u></p> <p>Specialist firearms officers should form part of the restoration section (see Panel Recommendation 74) established within each Public Order Police platoon.</p> <p>The purpose of the specialist firearms officers is to provide the capability for targeted intervention during a crowd management operation where there is an imminent threat to the lives of police or members of the public.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - Although the SAPS acknowledges the need for the establishment of a specialist firearms officer's capability, within POP, it has not been able to do this, as a result of budgetary constraints. - As an interim arrangement, the SAPS could utilise current specialist firearm officers (members with sniper training) in the Special Task Force (STF), if and when the need arises. 		<ul style="list-style-type: none"> • None, as of yet. 	<ul style="list-style-type: none"> • N/A.

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<p>The specialist firearms officers shall operate and exercise their duties under the command and control of the Public Order Police commander or officer in charge.</p> <p>1. To enhance their safety, the specialist firearms officers shall be provided with the necessary protective equipment including ballistic shields and ballistic helmets. Furthermore, the ballistic helmets should be fitted with radio communication equipment for easy communication. The officers may be armed with telescopic weapons to improve precision in order to reduce the risk of unnecessary injury to innocent persons during crowd management operations.</p>					
<p><u>Panel of Experts Recommendation 107:</u></p> <p>To develop a training <i>curriculum</i> for specialist firearms officers who are authorised to use lethal force in crowd management situations. Training methodologies should ensure maximum compliance with the use of force policy, as well as national and international legislative frameworks.</p> <p>Furthermore, these officers should be trained up to the advanced level in the use of different and authorised, including undergoing a compulsory sharpshooter course to improve proficiency; this should include training in tactical weapons to enhance precision on static, mobile and intermittent targets.</p> <p>During the mock drills, they should practice their special roles during crowd management</p>	<p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Training of specialist firearms officers: <ul style="list-style-type: none"> - Please refer to recommendation 106 above, regarding the approach to the utilisation of specialist firearms officers by the POP. • Division: HRD: <ul style="list-style-type: none"> - The Learning Programmes (curricula) that have been developed for specialist firearms officers who are authorized to use lethal force in crowd management, situations are as follows: <ul style="list-style-type: none"> ▪ Specialised Units such as the Tactical Response Unit (TRT), National Intervention Unit and the Special Task Force (TSF) are trained in advanced firearm handling and legal use of force. ▪ The specialised firearms training will be provided to designated officers within POP, once the Specialise Firearms capability is established within the POP. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>operations and be able to co-ordinate with the whole unit(s).</p> <p>Their training should not be restricted to firing at static, but they should be extensively drilled to manage protestors armed with a different assortment of weapons, including firearms. In view of the risks associated with the use of weapons and the dangerous working environment, it is further recommended that these authorised firearms officers are equipped with advanced first aid skills.</p>					
<p>Panel of Experts Recommendation 108:</p> <p><u>Training for Public Order Police commanders (see Panel Recommendations 90 and 91) should address questions to do with the deployment of specialist firearms officers.</u></p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> Division: VP&OPs: <ul style="list-style-type: none"> Please refer to recommendation 106 above, regarding the approach to the utilisation of specialist firearms officers by the POP. 		<ul style="list-style-type: none"> None, as of yet. 	<ul style="list-style-type: none"> N/A.
<p>Panel of Experts Recommendation 109:</p> <p>Public Order Police members should be provided with good quality fire-retardant overalls.</p>	<p>Division: Supply Chain Management</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> Division: SCM: <ul style="list-style-type: none"> Fire-retardant overalls are not store items, within the SAPS' Division: SCM. The Division: SCM will, therefore, ensure the categorisation of fire retardant coveralls for POP members as uniform-issue items, through the SAPS' Uniform Committee. This will enable POP members to apply for the issuing of fire retardant coveralls as standard uniform items. 		<ul style="list-style-type: none"> Division: SCM to ensure the categorisation of fire retardant coveralls as uniform items. 	<ul style="list-style-type: none"> 1 September 2023.
<p>Panel of Experts Recommendation 110:</p> <p>Public Order Police units should be provided with the necessary protective equipment</p>	<p>Division: Visible Policing and</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> Division: VP&OPs: <ul style="list-style-type: none"> POP units currently have sufficient ballistic shields. 		<ul style="list-style-type: none"> None required. 	<ul style="list-style-type: none"> N/A.

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including at least two ballistic shields per section.	Operations: Public Order Police	- The requisitioning of additional ballistic shields will be addressed through the annual demand management process.			
<p><u>Panel of Experts Recommendation 111:</u></p> <p>The SAPS should ensure that each Public Order Police member's helmet carries a clearly identifiable number. This could include different coloured helmets depending on command level to differentiate levels of command (see also Panel Recommendation 115 regarding the communication capability).</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The Division: VP&OPs (POP) has initiated research with the French National Police into the feasibility of POP members' helmets bearing a clearly identifiable number. - The implementation of this recommendation will, however, be subject to the availability of funding over the MTEF. 		<ul style="list-style-type: none"> • The Division: VP&OPs to conclude the research into the numbering of POP members' helmets. 	<ul style="list-style-type: none"> • 31 March 2025.
<p><u>Panel of Experts Recommendation 112:</u></p> <p>National Instruction 4 of 2014 should be revised to clarify provisions relating to inter-police communications.</p> <ol style="list-style-type: none"> 1. The revised instruction should state that plans for crowd management operations should: <ol style="list-style-type: none"> 1.1. Identify the means of communication which SAPS members will use to communicate with each other; and 1.2. Take into account possible communication challenges and put in place measures to resolve these should they occur. 2. The issue of reporting lines is presented in an inconsistent and contradictory way in paragraph 11 of NI 4. As a result, it is not clear if information must be reported to the Operational Commander or the JOC commander. This inconsistency should be addressed. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Points 1 and 2: <ul style="list-style-type: none"> - Paragraphs 4(z), 17(1) and (2), and 24 of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 4(z) defines the Overall Commander as: "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)." - Paragraph 17 refers to the Designation of an Overall Commander. <ul style="list-style-type: none"> ▪ Paragraphs 17(1) and (2) indicate that: <ul style="list-style-type: none"> o (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). o (2) The Provincial Commissioner or the Divisional Commissioner: Visible Policing and Operations, or an officer designated by him or her, with experience, knowledge and skills in Crowd Management must ensure that an Overall Commander is designated for a Level Three event, and that he or she is familiar with this instruction, relevant legislation and is well trained in the duties and responsibilities relating to the operation. 			

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		<ul style="list-style-type: none"> - Paragraph 24 describes the reporting and record keeping requirements that are applicable during an operation and indicates that: <ul style="list-style-type: none"> ▪ "(1) Members involved in an operation must keep the JOC up to date on actions and developments during the operation. ▪ (2) The representatives of all main role-players must be present at the JOC for the duration of the event." - The Division: VP&OPs (POP) will the requirements relating to the identification of the means of communication which SAPS members will use to communicate with each other; and take into account possible communication challenges and ensure that the SOP also addresses the requirement that measures be put in place to resolve these challenges, should they occur, in the POP Deployment SOP (POP: 2023). 		<ul style="list-style-type: none"> • The Division: VP&OPs to finalise the review of the POP Deployment SOP. 	<ul style="list-style-type: none"> • 31 March 2024.
<p><u>Panel of Experts Recommendation 113:</u></p> <p>Section on communications in the proposed dedicated training programme for Public Order Police commanders (see Panel Recommendation 90) should strengthen and expand on the relevant sections of the OCT. (The OCT would also be strengthened by implementation of this recommendation).</p> <ol style="list-style-type: none"> 1. A key point that should be included is that in more complex crowd management operations more complex plans and systems for communication are required. 2. In order to optimise clarity about the communication system it is advisable for succinct clear handouts to be distributed to personnel about the functioning of the radio system, providing information regarding radio channels, calls signs, as well as general protocols regarding radio use. The following good practice should also be emphasised: 	<p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented</u></p> <ul style="list-style-type: none"> • Points 1 to 3: <ul style="list-style-type: none"> - The Operational Commander Training Learning Programme contains specific references to the required communications approach (refer to Module 3 – Chapter 1 Operational Planning; Chapter 2 – Operational Orders; Chapter 3 – Operational Plan. - Module 2, Chapter 3 – Conventional Signs, of the OCT addresses call signs and their use during operations. - Challenges that may be encountered during crowd management operations will be addressed during the Debriefing Review, as per Module 4 of the OCT and during the Joint Operations Centre Operational Management System review, refer to Module 5. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>3. There must be consistent use of call signs by personnel using the radio system.</p> <p>3.1 Should problems be experienced with the radio system, commanders should prioritise informing the JOC using alternatives to the radio system.</p> <p>3.2 If there is radio traffic overload, instructions should be issued to discourage non-priority messages over the radio system.</p> <p>3.3 Revert to the use of specially trained radio operators for large and or complex operations.</p>					
<p>Panel of Experts Recommendation 114:</p> <p><u>Procurement of radio systems for Public Order Police units should ensure that this is standardised so that there is compatibility across provinces.</u></p>	<p>Division: Technology Management Services</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process:</u></p> <ul style="list-style-type: none"> • Division: TMS: <ul style="list-style-type: none"> - The migration to a digital radio communication is in progress nationally, which will accommodate all POP units. - The SAPS migrated to TETRA, within the Nelson Mandela Metropolitan, in Gqeberha, during 2017/18. - The current SAPS radio communication network infrastructure is a combination of older conventional analogue, intermediate analogue trunking and digital trunking radio communication technologies. All provincial POP units besides Western Cape, (within Cape Town Metro) utilising APCO 16 system, Gauteng Province and Eastern Cape (EC) (within Nelson Mandela Metro) using Terrestrial Trunking Radio System (TETRA) will be able to communicate over the radio utilising their own radio terminals over the existing analogue Ultra High Frequency (UHF) radio communication system in other provinces. - In instances whereby POP members are deployed in any of the other province, they can use their own radios and will be required to changing to the identified operational channel (as per the Radio Communication Plan compiled for the event) and will be able to communicate over the installed Analogue radio system. - However, POP members from GP or EC (within Nelson Mandela) deployed at any of the other 6 provinces will not be able to communicate over the analogue radio communication system with 		<ul style="list-style-type: none"> • TETRA is the current radio standard for the SAPS and it is being rolled out, as planned. However within the Northern Cape Province, the standard will be Digital Mobile Radio (DMR) trunked technology. • Rollout of the SAPS digital radio communication platform (Phased Rollout) <ul style="list-style-type: none"> - Phase I Rollout - Western Cape, Kwazulu-Natal, Free State, North West, Mpumalanga and Limpopo; - Phase II Rollout - Eastern Cape (These phases amongst others entails (Modernising existing leased Radio Base Station Sites; Acquiring Lease Agreements; Securing Co-sharing Agreements with 	<ul style="list-style-type: none"> • 31 March 2026 • 31 March 2026

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		<p>their TETRA radios. The SOP (SOP) for this practice is that the hosting province is to make analogue radios available for all POP members deployed to the province.</p> <ul style="list-style-type: none"> - In the event whereby POP members from any of the 6 provinces are deployed in GP or EC (within Nelson Mandela) the hosting province will issue the TETRA radios as per SOP. - POP members from GP and EC (within Nelson Mandela) deployed at any of these provinces (GP or EC), they will be able to communicate over the existing TETRA radio network as their radio terminals are compatible to the deployed TETRA radio systems. - POP members deployed within the Carnarvon Area (NC) will be issued with the relevant radio terminals. 		<p>Telco Companies and other government Departments; Conducting Environmental Impact Assessments, Local Authority and Civil Aviation Authority) and installation of the Digital Radio Communication systems).</p> <ul style="list-style-type: none"> • Phase 1 Rollout – Northern Cape (Carnarvon Area) Rollout of Digital Mobile Radio (DMR) trunked technology radio communication platform, due to the Square Kilometre Array (SKA) (MeerKat Telescope) within this province. 	
<p><u>Panel of Experts Recommendation 115:</u></p> <p>Helmets should also include a built-in communication capability that enables members to communicate with their commander.</p>	<p>Division: Supply Chain Management</p> <p>Division: Visible Policing and Operations: Public Order Police</p> <p>Head: Strategic Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The SAPS established a Technology Advisory Committee, in partnership through a MoA, with the Centre for Scientific and Industrial Research (CSIR), to elicit the CSIR’s assistance with specific technology-related issues. - The SAPS/CSIR Partnership, however, lost impetus during 2022/23 and should be re-activated under the auspices of the Divisional Commissioner: SCM. 		<ul style="list-style-type: none"> • The Divisional Commissioner: SCM and Head: Strategic Management to reactivate the SAPS/CSIR technology Advisory Partnership. 	<ul style="list-style-type: none"> • 31 October 2023.
<p><u>Panel of Experts Recommendation 117:</u></p> <p>Marikana Commission recommendations E3 and E5, and information presented to the Panel, motivate for an overhaul of SAPS systems for technology management.</p>	<p>Division: Supply Chain Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The SAPS established a Technology Advisory Committee, in partnership through a MoA, with the Centre for Scientific and Industrial Research (CSIR), to elicit the CSIR’s assistance with specific technology-related issues. 		<ul style="list-style-type: none"> • The Divisional Commissioner: SCM and Head: Strategic Management to reactivate the SAPS/CSIR technology Advisory Partnership. 	<ul style="list-style-type: none"> • 31 October 2023.

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<p>The SAPS should review all equipment, including vehicles, used in crowd management operations in relation to provisions for the training of SAPS members and the servicing of such equipment.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Head: Strategic Management</p>	<p>- The SAPS/CSIR Partnership, however, lost impetus during 2022/23 and should be re-activated under the auspices of the Divisional Commissioner: SCM.</p>			
<p><u>Panel of Experts Recommendation 118:</u></p> <p>Procurement processes must take account of training and maintenance that will be required for equipment to be effectively operated.</p> <p>In relation to recordings of communications, and photographic and video records, there is also a need to deploy personnel and maintain systems to ensure the effective utilisation of records of operations in processes of accountability, criminal investigation or review.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Supply Chain Management</p>	<p><u>The Recommendation has been implemented:</u></p> <ul style="list-style-type: none"> • Procurement processes must take account of training and maintenance that will be required for equipment to be effectively operated. <ul style="list-style-type: none"> - The procurement processes that have been utilised to procure drones for the SAPS, include the training requirement, as part of the contract with the supplier, as a standard approach to the establishment of contracts involving specialised equipment. • Deployment of personnel and maintenance of systems to ensure the effective utilisation of records of operations in processes of accountability, criminal investigation or review. <ul style="list-style-type: none"> - Paragraphs 4(ff), 19(2), 20(6), 21(8) and (15) of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 4(ff) defines a video camera operator as: “video camera operator” means a POP member trained and designated to record incidents of crowd management”. ▪ Paragraph 19(2)(d) indicates that: “The Overall Commander or a designated officer must ensure that trained video camera operators are designated to record video material of the duties performed”. ▪ Paragraph 20(6) indicates that: “Video recording need to be taken of both members and potential law violators. The stop and search action mode should be strictly limited to circumstances in which there is a reasonable suspicion that the individual poses an actual risk of violence or is or has been involved in other serious criminal activity”. ▪ Paragraph 21(8) indicates that: “For tracking and containing groups involved in illegal behaviour, video recording of both the members and the law violators must be taken. Amplified sound, to address the protestors, may be used only if there is no evident risk for causing indiscriminate harm”. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> ▪ Paragraph 21(1%) indicates that: "The use of video recording equipment for documentation is mandatory". ▪ These extracts from NI 4 of 2014 (v2) confirm the requirement in respect of the deployment of personnel for the capturing of video footage during public protests. - The SAPS has developed a National Instruction on the Use of Remotely Piloted Aircraft Systems in South African Police Service, NI 1 of 2020. ▪ Paragraph 5 - Digital Evidence Management, inter alia, addresses issues related to: Recording and capturing and Observance of Right to Privacy. 			
<p><u>Panel of Experts Recommendation 119:</u></p> <p>The SAPS should adopt an approach to audio visual and other recording of protests that emphasises transparency and visibility.</p> <p>This would mean that SAPS videographers would be identifiable as SAPS members unless the risk assessment clearly motivates that this would expose them to danger.</p> <p>The principle is that both the crowd and the SAPS members understand the roles played by the various members.</p> <p>This will assist in building trust.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The SAPS should adopt an approach to audio visual and other recording of protests that emphasises transparency and visibility. - Paragraphs 4(ff), 19(2), 20(6), 21(8) and (15) of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 4(ff) defines a video camera operator as: "'video camera operator" means a POP member trained and designated to record incidents of crowd management". ▪ Paragraph 19(2)(d) indicates that: "The Overall Commander or a designated officer must ensure that trained video camera operators are designated to record video material of the duties performed". ▪ Paragraph 20(6) indicates that: "Video recording need to be taken of both members and potential law violators. The stop and search action mode should be strictly limited to circumstances in which there is a reasonable suspicion that the individual poses an actual risk of violence or is or has been involved in other serious criminal activity". ▪ Paragraph 21(8) indicates that: "For tracking and containing groups involved in illegal behaviour, video recording of both the members and the law violators must be taken. Amplified sound, to address the protestors, may be used only if there is no evident risk for causing indiscriminate harm". ▪ Paragraph 21(15) indicates that: "The use of video recording equipment for documentation is mandatory". 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<ul style="list-style-type: none"> ▪ These extracts from NI 4 of 2014 (v2) reinforce the establishment of a transparent and visible approach to the capturing of video footage during public protests. 			
<p><u>Panel of Experts Recommendation 120:</u></p> <p>Public Order Police video operators should only be deployed after a proper risk management assessment has been undertaken and adequate security measures have been addressed.</p> <p>These video operators should be identifiable as SAPS members unless authorised to wear civilian attire based on the risk management assessment and under the authority of the Public Order Police commander.</p> <p>It shall be the responsibility of Public Order Police unit commanders to ensure safety and discipline of video operators during crowd management operations.</p> <p>Aerial drones may also be deployed in lieu of video operators should there be serious security concerns which might compromise the safety of the video operators during crowd management operations.</p> <p>There be serious security concerns, which might compromise the safety of the video operators during crowd management operations.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Public Order Police video operators should only be deployed after a proper risk management assessment has been undertaken and adequate security measures have been addressed. <ul style="list-style-type: none"> - Paragraphs 15, 21+ +(8) and (15) of NI 4 of 2014 (v2), refer. <ul style="list-style-type: none"> ▪ Paragraph 15 addresses the conducting of a threat assessment after information on a public protests has been received: <ul style="list-style-type: none"> ○ (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: Visible Policing and Operations 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: Visible Policing and Operations must as soon as practically possible inform the relevant authorised member, POP unit commander, station commander, provincial commissioner and the Section Head: POP Operations (at the Division: Visible Policing and Operations) regarding his or her assessment of the threat level involved in a gathering or demonstration. ○ (3) The threat must be categorised as – <ul style="list-style-type: none"> ➤ (a) Level One: (A peaceful gathering or protests) 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 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<p>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.</p> <ul style="list-style-type: none"> ➤ (b) Level Two: (Unconfirmed information regarding a possibility of a threat against lives and property) The POP unit should manage these (gatherings or protests). Members doing crowd management must form part of a unified command structure and must work in sections, platoons or companies. Members of Visible Policing at station level and the Metro police service that are trained in basic crowd management skills, may be utilized to attend to these (gatherings or protests). 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 gatherings or protests. <ul style="list-style-type: none"> ○ (4) If a crowd management or public order situation worsens to the extent that public violence breaks out and the necessity to restore public order is required, POP must take full operational command and stabilise the situation. If POP members cannot handle the incidents because violence escalated to such a level that lives are in imminent danger, the incident will be handed over to specialised units, e.g. TRT or NIU. <ul style="list-style-type: none"> - Paragraph 21(8) indicates that: "For tracking and containing groups involved in illegal behaviour, video recording of both the members and the law violators must be taken. Amplified sound, to address the protestors, may be used only if there is no evident risk for causing indiscriminate harm". - Paragraph 21(15) indicates that: "The use of video recording equipment for documentation is mandatory". - These extracts from NI 4 of 2014 (v2) indicate that video operators are deployed in accordance with the determined threat level. 			

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		<ul style="list-style-type: none"> • Aerial drones may also be deployed in lieu of video operators should there be serious security concerns which might compromise the safety of the video operators during crowd management operations. - The SAPS has developed a NI on the Use of Remotely Piloted Aircraft Systems in South African Police Service, NI 1 of 2020. <ul style="list-style-type: none"> ▪ Paragraph 5 - Digital Evidence Management, <i>inter alia</i>, addresses issues related to: Recording and capturing and Observance of Right to Privacy. 			
<p><u>Panel of Experts Recommendation 121:</u></p> <p>SAPS should draft directives to regulate Public Order Police video operators during crowd management operations: these must be in line with national and international legal frameworks.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented:</u></p> <ul style="list-style-type: none"> • SAPS should draft directives to regulate Public Order Police video operators during crowd management operations: these must be in line with national and international legal frameworks. - Paragraph 20(6) of NI 4 of 2014 (v2) addresses the use of video material in respect of the execution of operations to protect and facilitate peaceful gatherings: "Video recording need to be taken of both members and potential law violators. The stop and search action mode should be strictly limited to circumstances in which there is a reasonable suspicion that the individual poses an actual risk of violence or is or has been involved in other serious criminal activity. - Paragraph 21 of NI 4 of 2014 (v2) also addresses the use of video material for evidential purposes, in respect of the execution of operations to manage unrest or possible violence: <ul style="list-style-type: none"> ▪ Paragraph (8) stipulates that: "For tracking and containing groups involved in illegal behaviour, video recording of both the members and the law violators must be taken. Amplified sound, to address the protestors, may be used only if there is no evident risk for causing indiscriminate harm". ▪ Paragraph (15) stipulates that: indicates that: "The use of video recording equipment for documentation is mandatory. - The SAPS has developed a NI on the Use of Remotely Piloted Aircraft Systems in South African Police Service, NI 1 of 2020. <ul style="list-style-type: none"> ▪ Paragraph 5 - Digital Evidence Management, <i>inter alia</i>, addresses issues related to: Recording and capturing and Observance of Right to Privacy. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 122:</u></p> <p>Training for personnel responsible for capturing, recording, and processing audio-visual material should address legal and human rights concerns (in particular related to privacy, decency, dignity, the use and storage of, and access to information).</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Training for personnel responsible for capturing, recording, and processing audio-visual material should address legal and human rights concerns <ul style="list-style-type: none"> - The SAPS has a Video Operators Learning Programme in place, which is provided to designated video operations within POP. - The service provider that was appointed for the provisioning of drones to the SAPS, provides the training that is required by SAPS members, as part of the contractual agreement. - The training of 30 pilots, commenced on 31 Jul 2023 and will conclude on 30 Oct 2023. - The already licenced members, within the Air Wing, GP and WC, are used to fly the acquired 28 drones. - Chapter 33 of NI 1 of 2020 indicates the following with regard to Observance of Right to Privacy: <ul style="list-style-type: none"> ▪ (1) No digital evidence obtained by means of a RPAS belonging to the Service may must be used for personal commercial gain, outcome or interest; ▪ (2) No RPAS belonging to the Service may be used without authorisation or permission by the relevant Divisional or Provincial Commissioner or their delegated authority; ▪ (3) The delegated authority mentioned in paragraph 2 above must be in writing in a form prescribed by the National Commissioner; ▪ (4) No RPAS belonging to the Service may be used for unauthorised surveillance of persons, buildings, dwellings including smallholdings; ▪ (5) All covert and overt operations must be conducted in compliance to all relevant legal prescripts governing such operations. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 123:</u></p> <p>Specifications for communications for the mobile command centre should include:</p> <ol style="list-style-type: none"> 1. Recording equipment for radio communications; 2. Facilities for live streaming of aerial video recordings; and 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process:</u></p> <ul style="list-style-type: none"> • Recording equipment for radio communications: <ul style="list-style-type: none"> - Voice recording systems / loggers were installed at 10111 centres and specific police station radio rooms by 30 Nov 2019. - These systems record telephone and radio channels in use within the service area of that specific 10111 centre / radio rooms. 		<ul style="list-style-type: none"> • The procurement of additional video cameras and data storage facilities will be considered during the prioritisation of budget 	<ul style="list-style-type: none"> • -.

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<p>3. Facilities for video recording of JOCCOM meetings and other JOC decision-making.</p>	<p>Division: Technology Management Services</p>	<ul style="list-style-type: none"> • Facilities for live streaming of aerial video recordings: <ul style="list-style-type: none"> - The existing capability provides for the helicopter downlink system requirement using the installed live-streaming solution and or rapid deployment kit for specialized events as required by Division: VP&OPS. • Facilities for video recording of JOCCOM meetings and other JOC decision-making. <ul style="list-style-type: none"> - Procedures are in place for the electronic recording of Joint Operational Command Centre (JOCCOM Meetings). POP currently does not have the resources to ensure the video recording of JOCCOM meetings. 		<p>allocations over the medium-term.</p>	
<p><u>Panel of Experts Recommendation 124:</u></p> <p>A technical support function should be established in each Public Order Police unit to support effective use of radio communications, and live streaming and recording of Public Order Police operations.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Technology Management Service</p>	<p><u>The implementation of the Recommendation is in process:</u></p> <ul style="list-style-type: none"> • Technical Support function of POP Units: <ul style="list-style-type: none"> - It is not possible for the SAPS to establish a technical support function for every POP Unit, given medium-term budget constraints. - Eight mobile Joint Operations Centres (JOCs) have been procured and are deployed, as and when required. - The utilisation of mobile JOCs is a more cost-effective way of providing technical support to POP Units. - Existing National and Provincial Radio Technical Units provide all technical support during operations. 		<ul style="list-style-type: none"> • The procurement of additional mobile JOCs will be considered during the prioritisation of budget allocations over the medium-term. 	<ul style="list-style-type: none"> • -.
<p><u>Panel of Experts Recommendation 125:</u></p> <p>National Instruction 4 of 2014 should be amended to provide that:</p> <ol style="list-style-type: none"> 1. Where recording facilities are available, all radio communications should be recorded. 2. Paragraph 17, dealing with the Preservation of video recordings, should be amended to include the preservation of recordings of radio communications. 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Where recording facilities are available, all radio communications should be recorded - Point 1: <ul style="list-style-type: none"> - Paragraph 24 (6) of NI 4 of 2014 (v2), which reads: "Where recording facilities are available, all radio communications should be recorded", refers. • Paragraph 17, dealing with the Preservation of video recordings, should be amended to include the preservation of recordings of radio communications - Point 2: <ul style="list-style-type: none"> - Paragraph 24 (5) of NI 4 of 2014 (v2), which reads: "Video footage recorded as well at the water cannon, nyala and DVR must be handed in and preserved according to the relevant prescripts in 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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		<p>dealing with video evidence. Such video footage must also be made available without delay to dedicated investigating officers, upon the receipt of a written request for such footage, on the prescribed request form as well as the Division: Visible Policing and Operations on request for evaluation and training purposes.", refers.</p> <ul style="list-style-type: none"> - The SAPS has developed a NI on the Use of Remotely Piloted Aircraft Systems in South African Police Service, NI 1 of 2020. <ul style="list-style-type: none"> ▪ Paragraph 5 - Digital Evidence Management, <i>inter alia</i>, addresses issues related to: Recording and capturing and Observance of Right to Privacy. 			
<p><u>Panel of Experts Recommendation 126:</u></p> <p>Debriefing is critical to maintaining the effectiveness and preparedness of Public Order Police units and the well-being of their members.</p> <p>Nevertheless, paragraph 19 of NI 4 of 2014 should be amended to provide for a more differentiated approach that Public Order Police units are better able to comply with.</p> <p>The multiple debriefing processes provided for should be required in relation to large operations and other operations where there are special concerns about role player perceptions.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) has been substantially amended to address the debriefing of POP members. <ul style="list-style-type: none"> - Please refer to Recommendation 77 above. - The multiple debriefing processes that are described are also applicable to large operations and other operations where there are special concerns about role player perceptions. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 127:</u></p> <p>NI 4 2014 must undergo substantial reform: It should shift the focus back to crowd management and be aligned with section 17 of the Constitution, 1996, international law standards, and the RGA, including any regulations issued thereunder and amendments thereto.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) was reviewed through a thorough process of consultation and was promulgated within the SAPS, through Consolidation Notice 12 of 2022. <ul style="list-style-type: none"> - The NI, titled: Public Order Policing: Crowd Management during Public Gatherings and Demonstrations, complies with the Recommendation as it focuses completely on "crowd management". 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>For example, the current definition of 'public order' should be deleted from NI 4 of 2014. This would have far-reaching consequences for the meaning and interpretation of key parts of NI 4 that build upon this term. Implementation of these steps should be done in a phased manner taking into account the urgency of issues and practical considerations such as the process for amending legislation and pending Constitutional Court judgments.</p>					
<p><u>Panel of Experts Recommendation 128:</u></p> <p>To modify the existing notion of crowd management, reformulating it to mean "The policing of crowds, being peaceful assemblies or not, under the command of POP, including those defined in terms of the Regulation of Gatherings Act of 1993", thereby ensuring that NI 4 of 2014 is aligned with the Constitution, international human rights law and the RGA.</p> <p>This would establish 'crowd' and 'crowd management' as umbrella concepts that include peaceful assemblies, but is not restricted to them.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • NI 4 of 2014 (v2) was reviewed through a thorough process of consultation and was promulgated within the SAPS, through Consolidation Notice 12 of 2022. - Paragraph 7 (f) of Ni 4 of 2014 defines "crowd management", as follows: "crowd management" means the policing of crowds, being peaceful assemblies or not, under the command of POP, including those defined in terms of the Regulation of Gatherings Act, 1993. - Paragraph 7(g) of NI 4 of 2014 defines "Crowd" as "crowd" means a number of persons (more than 15) gathered together or an audience (more than 15) at a sporting event or a group of people with a common interest. - Paragraph 6 of NI 4 of 2014, however, provides for the Crowd management principles, as being: <ul style="list-style-type: none"> ▪ (1) The POP doctrine of crowd management is captured in the maxim "Negotiated management of public space", therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p><u>Panel of Experts Recommendation 129:</u></p> <p>Many of the definitions currently contained in paragraph 2 of NI 4 of 2014 are not definitions but simply acronyms. For example: "IRIS", "JOC", "OCT", "PCCF", "VOC".</p> <p>In the interests of increased user-friendliness, this needs to be resolved. If deemed necessary, they could be inserted as an annex.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> Paragraph 5 of NI 4 of 2014 (v2), "Abbreviations" contains all of the abbreviations used in the NI, in addition to those raised in the Recommendation. 		<ul style="list-style-type: none"> None required. 	<ul style="list-style-type: none"> N/A.
<p><u>Panel of Experts Recommendation 130:</u></p> <p>Provisions of NI 4 relating to the use of weapons should be revised in order to enhance clarity, <i>inter alia</i> by clearly distinguishing between weapons that are prohibited and those for which special authorisation by superiors is required.</p> <p>Furthermore, certain weapons, ammunition or other equipment that are currently used, but not mentioned could be added. Particularly, the use of certain specific less-lethal weapons may be defined in detail. Provisions in NI 4 relating to the use of weapons should be revised to provide that:</p> <p>For the purposes of crowd management, the following weapons and ammunition are prohibited:</p> <p>1.1 Firearm and sharp ammunition shall not be used except in the case of self-defence or the protection of others against the imminent threat to life or serious injury. In any event the use of birdshot (fine lead pellets) and buckshot (small lead pellets) is prohibited.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendations, is in process.</u></p> <ul style="list-style-type: none"> NI 4 of 2014 (v2) was reviewed through a thorough process of consultation and was promulgated within the SAPS, through Consolidation Notice 12 of 2022. Points 1 to 3: <ul style="list-style-type: none"> Paragraph 19(14) of NI 4 of 2014 (v2), refers, which reads: "For the purposes of crowd management, the use of the following weapons and ammunition are prohibited:" <ul style="list-style-type: none"> (a) R5 and R1 rifles with live ammunition; (b) birdshot (fine lead pellets) and buckshot (small lead pellets); (c) rubber-coated hard (metal, wooden, etc.) bullets; (d) electronic immobilizing devices ("EIDs"), such as tasers and stun guns; (e) mobile area denial systems utilising sound or micro radio waves to disperse a crowd from an area or to deny a crowd access to a particular area; and (f) any other weapon or ammunition whose use is not explicitly authorised by this Instruction." Paragraph 19(16) of NI 4 of 2014 (v2), refers, which reads: "The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander: <ul style="list-style-type: none"> (a) Oleoresin Capsicum ("OC pepper") spray; (b) Approved kinetic impact projectiles ("rubber bullets"); (c) water cannons; (d) 40mm rounds; (e) teargas (CS); (f) stun grenades; and 		<ul style="list-style-type: none"> Division: VP&OPs to finalise the Use of Force during Crowd Management SOP. 	<ul style="list-style-type: none"> 31 March 2024.

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<p>1.2 Rubber-coated hard (metal, wooden, etc.) bullets;</p> <p>1.3 Electronic immobilizing devices ("EID's), such as Tasers, stun guns and stun shields;</p> <p>1.4 Mobile Area Denial systems utilising sound or micro radio waves to disperse a crowd from an area or to deny a crowd access to a particular area;</p> <p>1.5 CN (phenyl chloride) gas; and</p> <p>1.6 other weapon or ammunition whose use is not explicitly authorised by this Instruction.</p> <p>2 The use of the following weapons and ammunition is subject to the authorisation of the operational commander:</p> <p>2.1 Capsicum ('pepper') spray;</p> <p>2.2 Kinetic impact projectiles (i.e. 'rubber bullets', 'plastic bullets', etc.);</p> <p>2.3 Water cannons;</p> <p>2.4 40mm rounds;</p> <p>2.5 Teargas (CS); and</p> <p>2.6 Stun grenades.</p> <p>3 Besides the restrictions stipulated above and implied by the general rules and principles applicable to the use of force:</p> <p>3.1 Tonfas may only be used where reasonably necessary against individuals who pose a danger of harm to persons or property including individuals resisting arrest by means of physical force. Strikes should not be directed at the head, neck, spine, groin or center of the chest (sternum) unless immediately necessary to protect the law enforcement official or another person against the threat of death or serious</p>		<ul style="list-style-type: none"> ▪ (g) LRAD. ▪ (f) any other weapon or ammunition whose use is not explicitly authorised by this Instruction. <p>- Paragraph 21(9) of NI 4 of 2014 (v2), refers, which reads: "The use of less-lethal weapons to disperse any gathering should be considered a measure of last resort. Before approving dispersal, law enforcement agencies must seek to identify any violent individuals and isolate them from the other participants. This may enable the main gathering to continue."</p> <p>- Please refer to Recommendation 102 above, regarding the use and maintenance of water cannons by POP, in the SAPS.</p> <p>- Please refer to Recommendation 34 above, regarding the use of force by POP specifically and the SAPS in general.</p>			

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<p>injury Besides the restrictions stipulated above and implied by the general rules and principles applicable to the use of force:</p> <p>3.2 Tear gas (CS) and pepper spray may never be used in confined spaces or stadia.</p> <p>3.3 Spray may only be used against a specific individual for private defence or in order to overcome physical resistance to arrest. For this purpose, the use of pepper spray must be confined to liquid pepper spray, which emits a single stream.</p> <p>3.4 Stun grenades may never be fired directly into a crowd unless the group of people targeted collectively pose a serious and immediate threat to life and no alternatives are available to address the threat.</p> <p>3.5 Kinetic Impact Projectiles should be aimed to strike directly (i.e., without bouncing) the lower part of the subject's body (i.e., below the rib cage). Unless there is a serious and immediate risk to life, which cannot otherwise be countered, it should be prohibited to use the KIP at short range. In such circumstances, they may also be skip-fired if it is believed that they can be used effectively for such purpose for private defense. Other than, in these circumstances the practise of skip firing Kinetic Impact Projectiles should be discontinued.</p> <p>3.6 Water cannons may only be used by specially trained members.</p>					

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<p><u>Panel of Experts Recommendation 131:</u></p> <p>Paragraph 16 of NI 4 of 2014 should be reformulated.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Paragraph 16 of NI 4 of 2014 has been reformulated, as required. <ul style="list-style-type: none"> - Paragraph 16 - Normalization of an area where public order was restored by the use of force, as per the of first version of NI 4 of 2014, was reformulated in the second version of NI 4 of 2014 (v2) and included as paragraph 23 to address the requirements of paragraphs 950 to 954 of the Panel of Experts Report on Policing and Crowd Management. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel of Experts Recommendation 132:</u></p> <p>National Instruction 4 of 2014 should be amended so that it more decisively focuses on crowd management and foregrounds negotiated management as originally envisaged by SO 262 of 2004.</p> <p>In addition to other recommendations in this report:</p> <ol style="list-style-type: none"> 1. Consideration should be given to the suggestions provided above (see paragraphs 923 and 924 of this report) in order to make NI 4 more instructive with regards to the management of peaceful assemblies as well as in relation to other assemblies that no longer qualify as peaceful. 2. A section should be introduced that explains the crowd management doctrine as well as the fundamental principles of the use of force in crowd management (regarding the latter see paragraph 898 and following). 3. As a matter of urgency, the reference to section 9 (2) (d) (ii) of the RGA should be deleted from paragraph 13 (2) of NI 4. 4. As with the notion of 'public order' the Panel recommends that the definitions of 'defensive and offensive measures' as 	<p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Point 1 - NI 4 of 2014 (v2) to be more instructive with regards to the management of peaceful assemblies as well as in relation to other assemblies that no longer qualify as peaceful: <ul style="list-style-type: none"> - Paragraphs 21, "Execution of operations to protect and facilitate peaceful gatherings", and 22: "Execution of operations to manage unrest or possible violence", refer. • Point 2 - A section should be introduced that explains the crowd management doctrine as well as the fundamental principles of the use of force in crowd management <ul style="list-style-type: none"> - Paragraph 6 of NI 4 of 2014 (v2), refers. <ul style="list-style-type: none"> ▪ Paragraph 6 relates to "Crowd Management Principles" and indicates that: "The POP doctrine of crowd management is captured in the maxim -"Negotiated management of public space", therefore the approach to crowd management should allow for a negotiated outcome taking situational appropriateness in consideration in order to de-escalate conflicts and protect life by promoting diversity and fairness and ensuring non-discrimination". ▪ Paragraph addresses the following issues, all of which contextualise the use of force in crowd management: "De-escalation, Protect Life, Legality, Necessity and Proportionality, Precaution, Non-discrimination and Accountability." • Point 3 - As a matter of urgency, the reference to section 9 (2) (d) (ii) of the RGA should be deleted from paragraph 13 (2) of NI 4. <ul style="list-style-type: none"> - The reference to RGA Section 9(2)(d)(ii) has been removed from paragraph 21, "Execution of operations to protect and facilitate peaceful gatherings" of the second version of NI 4 of 2014 (v2) 		<ul style="list-style-type: none"> • The Division: VP&OPs to review NI 4 of 2014 (v2), to accommodate the required updates. 	<ul style="list-style-type: none"> • 31 March 2025.

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<p>given in paragraph 2 (p) NI 4 of 2014 should be deleted in line with a principled and situationally appropriate approach to the policing of crowds.</p> <p>5. Paragraph 17 on 'record keeping' should contain a deadline for inserting the information into the Record Classification System. Unjustified non-compliance with it should entail a sanction.</p> <p>6. Paragraph 18 on investigations' should be aligned to international standards requiring the opening of dockets of death and injuries that have taken place in the context of a crowd management operation. The duty to notify such incidents to IPID should be equally affirmed by it.</p> <p>7. Other recommendations that apply to NI 4 or other directives relevant to crowd management include recommendations 42, 65, 68, 71, 87, 88, 91, 95, 96, 97, 98, 100, 102, 104, 112, 121, 125, 126, 127, 128, 129, 130, 131.</p>		<p>(note that paragraph 21 has the same title as the former paragraph 13).</p> <ul style="list-style-type: none"> • Point 4 - As with the notion of 'public order' the Panel recommends that the definitions of 'defensive and offensive measures' as given in paragraph 2 (p) NI 4 of 2014 (v2) should be deleted in line with a principled and situationally appropriate approach to the policing of crowds. <ul style="list-style-type: none"> - The Panel's Recommendations are noted, however, references to "defensive and offensive measures" have not been removed from the revised NI 4 of 2014 (v2), as they are still considered to be relevant within the context of crowd management in the country. • Point 5 - Paragraph 17 on 'record keeping' should contain a deadline for inserting the information into the Record Classification System. Unjustified non-compliance with it should entail a sanction. <ul style="list-style-type: none"> - Paragraph 24 – Reporting and record keeping, of the revised NI 4 of 2014 (v2), does not contain a deadline for inserting the information into the Record Classification System. Unjustified non-compliance with it should entail a sanction. • Point 6 - Other recommendations that apply to NI 4 or other directives relevant to crowd management include recommendations 42, 65, 68, 71, 87, 88, 91, 95, 96, 97, 98, 100, 102, 104, 112, 121, 125, 126, 127, 128, 129, 130, 131. <ul style="list-style-type: none"> - The Recommendations referred to above have been responded to, as indicated in this report. 			
<p><u>Recommendation 133:</u></p> <p>Training should be reviewed regularly to reflect operational realities and crowd dynamics.</p> <p>This will require <i>curriculum</i> changes and methodological changes to adequately prepare Public Order Police members and field test their tactics and techniques.</p>	<p>Division: Human Resource Development</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: HRD: <ul style="list-style-type: none"> - There are four learning programmes that are relevant to Crowd Management, namely" <ul style="list-style-type: none"> ▪ The Crowd Conflict Management Learning Programme (CCMLP). <ul style="list-style-type: none"> ○ The CCMLP was reviewed in 2016. ▪ There is a distinct Crowd Management Module, which forms part of Learning Area 6 - Street Survival, of the Basic Police Development Learning Programme (BPDLP). <ul style="list-style-type: none"> ○ Module 9 – Crowd Management, was reviewed in 2014. ○ Module 9 includes a specific section on Crowd Management Techniques. ▪ The Crowd Management for Platoon Members Learning Programme (CMPMLP). 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> o The CMPMLP was reviewed during 2014, to take the Marikana Commission Recommendations into consideration and implemented from 2015. o Please note that the BPDLP, Module 9 Crowd Management addresses that same content as the CMPMLP. ▪ The Crowd Management for Platoon Commanders Learning Programme (CMPCLP). o The CMPCLP was reviewed in 2020. ▪ The Operational Commanders Training (OCT). o The OCT was reviewed 2017. - The principle of review of learning programmes is embedded in the ETD Policy 4 of 2019 and SOP for Curriculum Development of the SAPS HRD. - An ETD Prioritisation Committee has been established in the Division: Human Resource Development to prioritise reviews, updates and maintenance of learning programmes within the environments to address changes and updates in curriculum. ▪ Thereafter, Senior Manager(s) from the Business Unit, ETD developers, Subject Matter Experts (SME) and experience operational members are nominated to form part of the development team, and guide the outcomes of the programme. ▪ The ETD policy, practices and guidelines set out by the organisation are followed to ensure compliance with prescripts and operational best practices. The newly developed Learning Programmes is presented for approval to the ETD Evaluation Committee of the SAPS for implementation into the organisation. - The review of training curricula is, however done at the behest of the relevant functional area within the SAPS. 			
<p>Recommendation 134:</p> <p>Given that gatherings or protests are dynamic and can become violent, the training <i>curriculum</i> should expose trainees to realistic crowd situations and scenario-planning in order to strengthen their capacity to maintain tolerance levels, build their flexibility in responding appropriately to rapidly changing scenarios, and help build their resilience.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The SASSETA has indicated that the University of KwaZulu-Natal Foundation Trust has been approved as a suitable service provider to deliver Crowd Group Psychology Training to 411 SAPS officials, during 2023/24. - A total of R 5,75 million has been allocated for the training. - A requirement associated with the nomination of SAPS officials for the training is that they be stationed at POP, ranging between warrant officers to lieutenant-colonels. 		<ul style="list-style-type: none"> • Division: VP&OPs (POP) to report quarterly on the Crowd Group Psychology Training, including the number of members trained and the POP units that they represent. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<p>Division: HRD:</p> <ul style="list-style-type: none"> - The Crowd Management training curriculum, which comprises 5 learning programmes, does expose members to realistic crowd management simulations. 			
<p><u>Panel Recommendation 135:</u></p> <p>The training curriculum should be expanded to include rural based operations or open space operations.</p> <p>The current curriculum which is anchored on a road network infrastructure and buildings falls short of operational realities in rural areas where such infrastructure does not exist.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The Basic Police Development Learning Programme, Module 9 – Crowd Management (and the Crowd Management Learning Programme for Platoon Members) address crowd management techniques and approaches in outdoor spaces, which include rural areas. • The SAPS Academies Thabazimbi and Mankwe are utilised for POP training interventions. • The SAPS Academy Mankwe, which is a dedicated tactical training academy, has a dedicated area for crowd management training, referred to as “Mock City”. • The SAPS Academy Thabazimbi is also a dedicated tactical training academy, which is also used for the training of POP members and also has a dedicated area for crowd management training, referred to as “Mock City”. • These training academies have large open areas at their disposal, for use during POP training. • The Tshwane Training Academy is used on ad-hoc basis both for first responder crowd management training and crowd management training. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p><u>Panel Recommendation 136:</u></p> <p>The Public Order Police training facilities should ensure that Public Order Police equipment and armoured vehicles that Public Order Police members will be utilising during operations is permanently available as part of their training, which is currently not the practice.</p> <p>This approach can serve to expose Public Order Police members to operational realities on the ground.</p>	<p>Division: Visible Policing and Operations: Public Order Police</p> <p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The Public Order Police training facilities should ensure that Public Order Police equipment and armoured vehicles that Public Order Police members will be utilising during operations is permanently available as part of their training - Paragraph 8 of NI 2 of 2022 – Armoured Vehicles, indicates that: <ul style="list-style-type: none"> ▪ Operational Use: <ul style="list-style-type: none"> o (1) The Divisional Commissioner: Visible Policing and Operations will determine the operational use of the armoured vehicles fleet. o (2) The Component Head: Specialized Operations must; (a) ensure operational integration of the armoured vehicles; (b) review the operational suitability of the armoured vehicles; (c) 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<p>determine mobilization and demobilization of armoured vehicles; and (d) <u>facilitate the use of armoured vehicles of other institutions, if applicable.</u></p> <ul style="list-style-type: none"> - The SAPS Training Academies that provide POP Training, Thabazimibi Academy, Mankwe Academy and the Tshwane Academy, have adequate supplies of the physical resources that are required for POP training, including tongfas, ballistic shields, helmets and firearms. - The dedicated allocation of armoured vehicles to training academies is, however, not possible, due to the cost associated with armoured vehicles. - NI 4 of 2014 (v2), paragraphs 8(1) and (2), are, therefore, effectively applied regarding the provisioning of armoured vehicles for training purposes, as and when they are required. 			

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2.2. Recommendations Applicable Primarily to the Civilian Secretariat for Police Service but also involving the South African Police Service

Recommendations	Responsibility within the SAPS	SAPS Progress (as at 31 August 2023)
<p>Panel of Experts Recommendation 4:</p> <p>The Civilian Secretariat for Police Service should commission a review of relevant policing qualifications provided at the tertiary level, including internally by the SAPS, and by the tertiary education sector. The review should focus on to what degree current qualifications that are available are aligned with the objective of professionalising the police and how the contribution of the tertiary education sector to the objective of strengthening competency-based policing can be improved.</p>	<p>Division: Human Resource Development</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division HRD: <ul style="list-style-type: none"> - The Tertiary Institution Forum was established in 2005 and it is guided by a distinct Terms of Reference. - It continues to function as consultation forum for qualifications, both from Tertiary Institutions, and the SAPS. - The Divisional Commissioner: HRD is the chairperson. - The Department of Police registered and presented the first qualification in 2003, which is National Certificate Policing: NQF Level 5. - The Qualification for the Occupational Certificate NQF Level 6, for both Non- Commissioned Officers and Commissioned Officers, was registered with SAQA, through QCTO; facilitated by SASSETA. - As from 2023, the Qualification at Occupational Certificate NQF Level 6 is being presented.
<p>Panel of Experts Recommendation 5:</p> <p>In line with the NDP recommendation that a code of professional and ethical police practice should be developed and prescribed through regulations. The present SAPS Code of Conduct and Code of Ethics should be amalgamated and referred to as the <i>South African Police Service Code of Conduct and Ethics</i>. The most applicable and enforceable indicators from the existing codes should be used.</p>	<p>Civilian Secretariat for Police Service</p> <p>Component: Risk and Integrity Management</p>	<p><u>The SAPS is of the opinion that the implementation of this Recommendation has been completed.</u></p> <ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Component: R&IM: <ul style="list-style-type: none"> - The Code of Conduct and the Code of Ethics are often used interchangeably. The message about the 'good' is conveyed via either term, there is a theoretical and practical difference between a code of ethics and a code of conduct. - The code of ethics set aspirational standards that members are expected to live up to, focusing on values and principles as a basis for behaviour. Promotes ethical behaviour by setting ethics standards that contribute to ethical culture formation and is not punitive, and cannot be used in a disciplinary process (proactive). - Whilst the code of conduct provide guidance on acceptable and unacceptable conduct, focusing on rules for behaviour and provides behavioural guidelines; the code of conduct is not sufficient for setting conditions for ethical culture formation. The Code of conduct has punitive powers and can be cannot be used in a disciplinary process (reactive). - It is based on the above that it will not be prudent to combine the proactive and reactive measure of the codes.

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Recommendations	Responsibility within the SAPS	SAPS Progress (as at 31 August 2023)
		<ul style="list-style-type: none"> • Division: HRM: <ul style="list-style-type: none"> - All employees must sign a copy of the Code of Conduct. In support of this, all commanders, including senior managers, have to certify that the contents of the code of conduct have been brought to the attention of their employees. - A performance management framework has been implemented, which holds senior managers accountable for the execution of policies and prescripts of the organisation (managerial responsibilities). - One of the performance indicators in this framework relates to the mentioned responsibilities relating to the signing of the code of conduct and accompanying certification. - This framework also establishes accountability for dealing with misconduct cases, via the SAPS Disciplinary Regulations.
<p>Panel of Experts Recommendation 12:</p> <p>The SAPS Act should be amended to ensure that all directions issued by the Minister are formally recorded. The Minister should ensure that a record of all directions is presented to the Portfolio Committee on Police on an annual basis.</p>	<p>Civilian Secretariat for Police Service</p> <p>Division: Legal Services</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - The revision of the SAPS Act, 1995 is led by the CSPS, supported by the SAPS Legal Services. - The recommendation has been addressed and is reflected in clause 12 of the SAPS Amendment Bill, 2022, as attached.
<p>Panel of Experts Recommendation 13:</p> <p>The SAPS Act should be amended to affirm that SAPS commanders or other members:</p> <ol style="list-style-type: none"> 1. Should, wherever possible, consider and try to take into account reasonable concerns that are expressed by public officials, or others, if they can do so in a manner that is consistent with the principles of policing; 2. Are obliged to exercise independent judgement in relation to the operational implications of such concerns; and 3. May request that such concerns be provided in written form. 	<p>Civilian Secretariat for Police Service</p> <p>Division: Legal Services</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - The recommendation is addressed in the SAPS Amendment Bill, 2022, and reflected in clause 2, as attached.
<p>Panel of Experts Recommendation 18:</p> <p>The South African Police Service Act (No. 68_of 1995) as well as the Employment Regulations (2017) need to be amended to ensure that:</p> <ol style="list-style-type: none"> 1. There can be no deviation from the prescribed processes for: <ul style="list-style-type: none"> ▪ properly defining the scope and requirements of a post; ▪ the need to advertise a post; ▪ the requirements for applications for a post; and 	<p>Civilian Secretariat for Police Service</p> <p>Division: Legal Services</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - The recommendation is addressed in the SAPS Amendment Bill, 2022, and is reflected in clauses 38 and 39 of the Amendment Bill and the SAPS Employment Regulations, 2018. - It should be noted that the SAPS Employment Regulations of 2017 were repealed by the SAPS Employment Regulations, 2018.

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<ul style="list-style-type: none"> ▪ the requirement of having an independent and properly constituted panel for assessing the candidates applying for the post. <p>2. No appointments or promotions in the SAPS should occur without the suitability of the person for the post being rigorously evaluated against objective criteria. All posts in the SAPS should only be filled following a transparent, competitive, and merit-based process to <u>ensure that only the best suited person is appointed.</u></p>		
<p>Panel of Experts Recommendation 19:</p> <p>Regulation 11 of the SAPS Act (1995) should be amended as follows:</p> <ol style="list-style-type: none"> 1. Sub-regulation (1) should be amended to stipulate that there can be no appointment to any post without proper procedures being followed. There will never be a situation where professionalism of the organisation can be enhanced by failing to follow established processes for filling posts or effecting promotions. 2. There should be no prohibition on the re-appointment of a former member of the Service, who meets other employment criteria, purely because they are older than 30 years of age. Former members of any age prior to that of retirement should be able to be appointed if they possess the necessary skills, qualifications, integrity, and expertise to add value to the SAPS. Former members who have obtained additional skills and experience in other sectors but prefer to work as police officers should be welcomed back to the SAPS if they can contribute to achieving the professionalization of the organisation. 	<p>Civilian Secretariat for Police Service</p> <p>Division: Legal Services</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - The recommendation is addressed in the SAPS Amendment Bill as indicated in Recommendation 18 above. - Further to that, Regulation 11 of SAPS Regulations and Regulation 39 of the SAPS Employment Regulations, 2018 have been amended and delivered to the CSPS for the Minister (The CSPS acknowledged receipt thereof, on 15 June 2023).
<p>Panel of Experts Recommendation 21:</p> <p>The competency assessment recommended by the NDP should be implemented.</p> <p>The competency assessment should focus firstly on the top management, or SMS level (Brigadier and above) of the SAPS.</p> <ol style="list-style-type: none"> 1. The overall focus of such an assessment should seek to assess the following: <ol style="list-style-type: none"> 1.1. Firstly, the suitability of a person to remain a member of the SAPS needs to be assessed against clear criteria of knowledge, skill, aptitude, attitude, experience, and personal conduct; 1.2. Secondly, the suitability of that person to function at a strategic level in the SAPS needs to be assessed against the general SMS criteria; and 	<p>Civilian Secretariat for Police Service</p> <p>Division: Human Resource Management</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - Procedures and processes utilised for appointment are regulated by the SAPS Act, 1995; the SAPS Employment Regulations, 2018; and National Instructions 3 of 2005; 10 of 2017; and 11 of 2017. - A Valid Security Clearance to the level of Top Secret or the attainment of such security clearance within 6 months of appointment is a condition for appointment. - Experience; expertise and skills for the post are determined through a selection process by a selection panel. - Suitability, which includes a person's record of conduct, is part of the selection criteria Performance in the preceding rank is a selection criteria in the filling of posts advertised internally only for filling.

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<p>1.3. Thirdly, the suitability of that person to occupy a particular post at a strategic level needs to be assessed against job specific criteria for that post.</p> <p>2. The competency assessment must include a focus on issues of personal integrity and professionalism and should therefore include a focus on:</p> <p>2.1. Procedures and processes utilised for appointment;</p> <p>2.2. Whether security clearance is current;</p> <p>2.3. Whether experience, expertise, and skills are adequate for the post;</p> <p>2.4. Whether there is any evidence or allegations that the individual has transgressed the SAPS Codes of Conduct and Ethics;</p> <p>2.5. Independently assess performance in the post over the previous two years; and</p> <p>2.6. Recommend any necessary amendments to the criteria for appointment to strategic operational posts (e.g. Crime Intelligence).</p> <p>3. The competency assessment needs to be organised and conducted in an independent, open and transparent manner under the auspices of the National Policing Board or Civilian Secretariat for Police Service. In the absence of the proposed NPB, the audit process could be facilitated and managed by the Civilian Secretariat for Police Service. This option would necessitate that the capability and capacity of the Civilian Secretariat for Police Service be appropriately augmented or that an appropriate independent organisation is contracted to undertake the assessment.</p> <p>4. It is important that this be commenced as soon as practicable, as a highly professional and functional top management capability is a key foundation for the establishment and maintenance of a professional and strong SAPS.</p> <p>5. Where officers fail to meet the required standards, they are:</p> <p>5.1. In the case of inadequate skills or skills-based performance, provided with a specific and reasonable time frame in which to reach the required level of ability.</p> <p>5.2. In cases where appointments were irregular but they meet the requirements of the post they should remain in their posts.</p> <p>5.3. If there are allegations of any kind of misconduct against the officer, these should be thoroughly investigated within the prescribed time frame. Where there is evidence of misconduct, individuals must be subjected to a disciplinary hearing and suspended where appropriate. Consideration should be given to rank reductions as an option for sanctions.</p> <p>5.4. Where officers are not performing to standard and the skills gap is too large for a reasonable change in performance within one year, these</p>		

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Recommendations	Responsibility within the SAPS	SAPS Progress (as at 31 August 2023)
officers must be re-deployed to posts where they can meet the requirements of the post.		
<p>Panel of Experts Recommendation 25:</p> <p>A legislative framework should be considered in respect of incidents where members have used lethal force as part of their official duties. The legislative framework should better support truth telling and accountability by SAPS and municipal police services members and also be consistent with the rights provided in the Bill of Rights including the right against self-incrimination.</p> <p>It may be assumed that such a legal framework would protect a member against having a statement that the member has been required to make, used to incriminate him or her in any criminal prosecution or disciplinary action.</p> <p>The member would also need to be protected against negative consequences in applying for state representation.</p> <p>The fact that the incriminatory statement may not be used against the member would not mean that the member cannot be prosecuted or acted against through the use of other evidence.</p> <p>The need to obtain statements is a real one: Without such information the SAPS cannot account to the public in an informed manner in respect of shooting incidents; it will also enable the SAPS to make informed decisions about civil claims that are lodged against it.</p> <p>If a member has incriminated her/himself s/he faces a number of serious consequences and therefore would first obtain legal advice.</p>	<p>Civilian Secretariat for Police Service</p> <p>Division: Legal Services</p> <ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - The recommendation is addressed in clause 14 of the SAPS Amendment Bill by amending section 13 (3) of the SAPS Act, 1995, titled 'Members'. 	
<p>Panel of Experts Recommendation 35:</p> <p>Parliament should consider the 'Model Bill for Use of Force by Police and other Law Enforcement Agencies in South Africa' as a suitable starting point for introducing an integrated law on the use of force by police and others in South Africa.</p>	<p>Civilian Secretariat for Police Service</p> <p>Division: Legal Services</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard. • Division LS: <ul style="list-style-type: none"> - The recommendation is addressed in clause 14 of the SAPS Amendment Bill. - Legislative reforms on the Criminal Procedure Act, 1977 have been initiated by the Department of Justice and Constitutional Development. - The South African Reform Commission has embarked on the development of a new criminal procedure law.

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Recommendations	Responsibility within the SAPS	SAPS Progress (as at 31 August 2023)
<p>Panel of Experts Recommendation 51:</p> <p>Steps should be taken to develop understanding about good practice in the manner in which the RGA is administered, and in which responsible officers should perform their functions, in order to improve administration of the RGA.</p> <ol style="list-style-type: none"> 1. Research should be conducted including interviews with responsible officers, with protest convenors, and with police, in order to understand more about the challenges of the responsible officer role. 2. A training course and/or handbook should be developed and provided to responsible officers in order to promote understanding of good practice. 	<p>Civilian Secretariat for Police Service</p> <p>Department of Cooperative Governance and the South African Local Government Association</p> <p>Division: Human Resource Development</p>	<ul style="list-style-type: none"> • CSPS: <ul style="list-style-type: none"> - The CSPS has the primary responsibility, in this regard.
<p>Panel of Experts Recommendation 104:</p> <p>Regulations issued by the Minister of Police should provide that the SAPS shall only use the Long Range Acoustic Device (LRAD) as a communications device in crowd management situations. This should be by specially trained members and under operational command. A directive to this effect must go out to all Public Order Police units.</p>	<p>Civilian Secretariat for Police Service - Minister of Police (Regulations)</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<ul style="list-style-type: none"> • The CSPS has the primary responsibility to implement this Recommendation. <p>Division: VP&OPs:</p> <ul style="list-style-type: none"> - Paragraph 19 (16) of NI 4 of 2014 (v2) indicates that: <ul style="list-style-type: none"> ▪ (16) The use of the following equipment, weapons and ammunition is subject to the authorisation of the Operational Commander: (g) LRAD. - Members were also trained in the use of the Long-range Acoustic Devices (LRAD), which is only utilised as a public address system.
<p>Panel of Experts Recommendation 105:</p> <p>The prohibition against the use of the R5 rifle and other weapons capable of automatic fire in crowd management should be formalised in regulations issued by the Minister of Police in terms of section 10 of the RGA. Such a prohibition should apply not only to Public Order Police units but to other units who may be deployed, in support of Public Order Police, for crowd management purposes.</p>	<p>Civilian Secretariat for Police Service - Minister of Police (Regulations)</p>	<ul style="list-style-type: none"> • The CSPS has the primary responsibility to implement this Recommendation. • Division: VP&OPs: <ul style="list-style-type: none"> - Paragraph 19(14) of NI 4 of 2014 (v2), refers, which reads: "For the purposes of crowd management, the use of the following weapons and ammunition are prohibited:" <ul style="list-style-type: none"> ▪ (a) R5 and R1 rifles with live ammunition.

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	Division: Visible Policing and Operations: Public Order Police	

2.3 Recommendations Applicable only to the Civilian Secretariat for Police Service

Recommendations
<p>Panel of Experts Recommendation 11:</p> <p>The CSPS should monitor and audit progress made by the SAPS in resolving disciplinary matters against SMS officers, and report to the Portfolio Committee on Police on matters finalised and on cases outstanding for over six months.</p>
<p>Panel of Experts Recommendation 14:</p> <p>A plan should be developed and work study conducted to support the capacitation of the CSPS. This should enable the CSPS to better fulfil its Constitutional duty of supporting the Minister of Police in order to fulfil its oversight mandate and ensure the professionalisation of the police. The plan should ensure a balance between civilian personnel with appropriate skills and personnel with policing experience who have insight into the workings of the SAPS and are committed to oversight and the professionalisation of the SAPS.</p>
<p>Panel of Experts Recommendation 15:</p> <p>A National Policing Board (NPB) should be established by means of legislation. The NPB should have multi-sectoral and multi-disciplinary expertise to set objective standards for recruitment, selection, appointment and promotion of SAPS members. The Board should be tasked with reviewing and further improving the criteria for all commissioned officers starting with the post of the SAPS National Commissioner which at this time does not have adequate minimum criteria from which to assess potential candidates. The NPB should be composed of between seven and nine individuals who are widely recognised as professionals who understand the demands of executive management and ethical decision-making in large public-sector organisations generally and the SAPS in particular. Ideally, the chair will be a Judge or a Senior Advocate to promote the independence of its recommendations to the Minister of Police and the SAPS.</p> <ul style="list-style-type: none"> ▪ The Panel recommends that as the NPB will be performing a technical function it should only consist of individuals who bring specific expertise and skills to the work of the board. The NPB could therefore consist of: <ul style="list-style-type: none"> - A retired police Commissioner who has served with distinction to assess knowledge of policing policy and practice; - An expert in the laws and regulations governing the SAPS, and ideally criminal law, to provide capacity with regards to the legal principles within which policing should operate; - A representative from the Treasury to provide capacity in relation to the Public Finance Management Act and relevant regulations governing public sector procurement; - A representative from the Public Service Commission to provide capacity with respect to executive public administration prescripts, legislation, planning and reporting obligations;

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Recommendations

- An expert in executive decision-making and ethics in the public sector; and
- Any other individuals who possess the necessary expertise to assist in assessing candidates against relevant criteria developed by the board

Panel of Experts Recommendation 16:

The SAPS National Commissioner should be appointed by the President only on recommendation by the National Policing Board.

The NPB should present the President with a shortlist of candidates who performed the best against the assessment criteria used and the scores obtained.

The recruitment process should be transparent and competitive with the *curriculae vitae* of the applicants being made public, and interviews taking place in public.

- For purposes of appointing future SAPS National Commissioners and Provincial Commissioners, the NPB should develop clear merit-based criteria for these posts.
- These criteria must be benchmarked internationally on the necessary skills, expertise, experience, integrity, and characteristics required for effectively leading a professional police agency.
- Where vacancies occur the CSPS should:
 - Over a month-long period, publicly advertise the posts for the SAPS National Commissioner and Deputies and present the responsibilities and functions of each post along with the minimum criteria required to be shortlisted; and
 - Receive applications and supply the NPB with a shortlist of candidates who meet the minimum criteria. To be shortlisted, the candidates must not only possess the necessary expertise, experience, and qualifications, but must first be vetted for top security clearance and subjected to an appropriate psychometric evaluation.
- The board should then interview the shortlisted candidates against the criteria in a public forum. The board should also be able to receive submissions from the public on the shortlisted candidates.
 - The NPB should provide scores for each shortlisted candidate against the key criteria weighted by the most important functions of the post and assessments of integrity;
 - The board should agree on a shortlist of no more than five candidates for each post, comprising those who achieved the highest scores from the assessment processes
 - The shortlist of appropriate candidates for the post of SAPS National Commissioner will then be presented to the president who in terms of the constitutional mandate will appoint the new commissioner.

Panel of Experts Recommendation 20:

The authority of the Minister, as provided for in Regulations, should be limited to approving the criteria for appointments and promotions, and for the creation of posts, but should not in any way extend to influence senior management decisions on the individual candidates who are appointed or promoted to specific posts.

Panel of Experts Recommendation 28:

There is a need for an overall review of the functioning of the internal and external accountability mechanisms, in order to identify how their functioning can be improved in order to ensure that they function in a mutually supportive manner.

The review should be carried out under the auspices of the CSPS.

The review should be reported to the Minister of Police, IPID, the SAPS National Commissioner and the Portfolio Committee on Police.

Panel of Experts Recommendation 43:

To further support efforts at understanding SAPS culture and promoting demilitarisation, an entity with expertise in organisational culture should undertake an assessment of the management and organisational practices within the SAPS that may continue to undermine the professional orientation of the organisation and contribute to forms of militarisation, as well as exploring those practices that may strengthen a professional culture within the SAPS.

The focus should be on:

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Recommendations

1. To what extent the management culture exhibits militarised characteristics. For example, are commanders regardless of rank able to engage critically with the decisions by more senior ranks without fearing retribution?
2. To what extent does SAPS basic training promote a professional ethos and self-discipline as opposed to a militarised approach to discipline?
3. To what extent could drill protocols and militaristic ceremonies be substituted by more proper instruments and rituals?
4. The impact of the rank system on organisational culture.
5. Recommendations for changing the militarised characteristics of SAPS management and training culture to one that supports a professional policing ethos.

Panel of Experts Recommendation 45:

An independent assessment commissioned by the CSPA should examine the functioning and structure of all units, including the STF, NIU, TRT and K9 unit that were involved at Marikana.

The assessment should review any steps that have been taken to address the role performed by these tactical units, and the manner in which their members conducted themselves, at Marikana. In addition:

1. As the NIU and TRT were heavily implicated in the killings at Marikana, consideration should be given to these units being restructured, renamed and relaunched as a new unit that is founded on an ethos of protection of life, professionalism, and accountability.
2. A dedicated report on these tactical units, with detailed information on the use of firearms and any fatalities resulting from the use of force by these units, should be presented to parliament annually.

Panel of Experts Recommendation 46:

In order to support greater use of formal procedures, steps should be taken to ensure that they are easier to comply with. This should include:

1. Public information about the RGA and processes that are to be complied with should be more readily available. In particular, the RGA should be amended to state that it is mandatory for municipalities to provide contact information for the responsible officer, including hours of availability, in a readily accessible manner.
2. In the interim COGTA should issue a directive requesting all municipalities to ensure that contact information for the responsible officer, including hours of availability, in a readily accessible manner.
3. An amendment to the RGA should state explicitly that conditions on the submission of notifications, and the holding of assemblies, that are not authorised by the Act, are prohibited. Establishing sanctions for deliberately violating this provision might also be considered.
4. The RGA should be amended to provide that the time frame for notification is linked to the envisaged scale and potential disruptive impact of a protest.

Panel of Experts Recommendation 50:

The RGA provisions regarding administrative decision-making in relation to gatherings, including the roles and powers of the responsible officer and the overall function that they perform, need to be reviewed.

The RGA should be amended, *inter alia*, to:

1. Subject the powers of the responsible officer to prohibit gatherings to clear limitations. Responsible officers should not have the authority to prohibit gatherings without substantive reasons for doing so (as is currently provided in section 3 (2) of the RGA).
2. Strengthen the independence of the responsible officer.
3. Provide for an alternative process so that, in cases where a protest is directed at a municipality, protestors are not vulnerable to abuse of the RGA process by responsible officers who are not performing their functions impartially.⁶¹³
4. Authorise the responsible officer to refer any dispute or grievance that is the focus of the protest to mediation subject to the agreement of the group that is protesting.

Panel of Experts Recommendation 59:

The RGA provisions relating to notification should be amended to make them more user friendly and to seek to ensure that notification is provided where it is genuinely necessary.

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Recommendations
<p>Panel of Experts Recommendation 60:</p> <p>The RGA should be amended to provide that, in so far as convenors of peaceful protest may face penalties, this should be limited to the imposition of a modest fine and should not carry a criminal record.</p>
<p>Panel of Experts Recommendation 61:</p> <p>The RGA should be amended to provide that the grounds for imposing conditions or restrictions should be more clearly defined and clearly comply with Constitutional provisions and international standards.</p>
<p>Panel of Experts Recommendation 62:</p> <p>With a view to developing greater clarity on the issue, research should be conducted by an appropriate body on current experience in relation to:</p> <ul style="list-style-type: none">(i) Convening, regulating and managing assemblies in private space in South Africa and internationally.(ii) The role of private security in crowd management. <p>The findings should be presented to the Minister of Police and the Portfolio Committee on Police.</p>
<p>Panel of Experts Recommendation 63:</p> <p>Section 9 (2) (d) (ii) of the RGA should be repealed.</p>
<p>Panel of Experts Recommendation 64:</p> <p>The RGA should be amended to ensure that it more adequately grants the freedom of peaceful assembly in accordance with section 17 of the Constitution, 1996, and international human rights standards. The definition of peaceful assembly proposed by the Panel (see paragraph 440) should provide the basis for understanding the concept of peaceful assembly and should be incorporated into a revised Act. Recommendations by the Panel that should be considered in such a process of revision include recommendations 46, 50, 59, 60, 61, 63 and 116. The process of revision should rely on active participation from academics and civil society.</p>
<p>Panel of Experts Recommendation 103:</p> <p>Regulations issued by the Minister of Police should prohibit the use of water mixed with foul odour when water cannons are used in crowd management.</p>
<p>Panel of Experts Recommendation 116:</p> <p>The RGA should be amended as to set standards that police must comply with in relation to information and data gathering, as well as the making of photographic, video or other recording, both prior to and during protests or other assemblies. This includes standards that should be complied with in relation to audio-visual observation and recording and the retention of video or other recordings of assemblies. There should be systems to ensure compliance with these standards. Principles in regard to this issue are already set out in the Protection of Personal Information Act.⁶¹⁵ However, there is a need to address this issue within the context of the right to assemble and appropriate interpretation of the exclusions set out in the Act.</p>

2.4 Recommendations Applicable only to the Independent Police Investigative Directorate

Recommendations
<p>Panel of Experts Recommendation 24:</p> <p>The IPID should implement Marikana Commission Recommendation G5 (The recommendation is that: 'The forms used by IPID for recording statements from members of the SAPS should be amended so as to draw the attention of the members concerned to the provisions of section 24 (5) of the IPID Act and thereby encourage them to give full information about the events forming the subject of an IPID investigation without fear that they might incriminate themselves.' However, the provision should be understood as referring to 'police or other persons interviewed by IPID' and not just to 'the members concerned.'</p>
<p>Panel of Experts Recommendation 31:</p> <p>The required funds should be provided in order for a full reconstruction of the events at Marikana Scene 2 to be carried out, as recommended by the Marikana Commission.</p>
<p>Panel of Experts Recommendation 34:</p> <p>IPID's budget should be increased in order for it to fulfil its mandate of investigating SAPS and MPS crime and misconduct complaints. This is a decision that must be taken by the Parliamentary Portfolio Committee of Police in consultation with IPID and presented to the Minister of Police for implementation.</p>

2.5 Recommendations Applicable only to the Department of Cooperative Governance

Recommendations
<p>Panel of Experts Recommendation 52:</p> <p>There should be a whole of government and cross-society initiative, convened by the most relevant ministry such as COGTA to support and strengthen the culture of peaceful protest and to strengthen local-level mechanisms for problem solving and the management of conflict. This should include:</p> <ol style="list-style-type: none">1. A focus on the role of the responsible officers to ensure that high standards are applied by them in their administration of the RGA and in facilitating pro-active conflict resolution (see Panel Recommendations 50 and 51);2. Establishing a new mechanism, or strengthening existing mechanisms, to ensure that protesting groups have access to a system for mediation and conflict resolution.3. Ensuring that the various government departments adopt common strategies and share joint programming (including budgets), in realising the vision of the NDP 2030 as well as being aligned to the White Paper on Safety and Security in order to support and strengthen the culture of peaceful protest. The SAPS would have an important role in this regard given the existing avenues of engagement available within the SAPS for the prevention and resolution of community-based conflict. <p>Other role-players might include the South African Local Government Association (SALGA), the South African Cities Network, the Department of Education, municipalities, the South African Human Rights Commission (SAHRC), universities, civil society and media groups, and others.</p>

3. JULY 2021 CIVIL UNREST EXPERT PANEL REPORT

3.1 Executive Summary

3.1.1 Overview of the July 2021 Unrest Experts Panel Report Recommendations:

Total Recommendations	34
Recommendations that are applicable to the South African Police Service	18
Recommendations that are applicable to the National Intelligence Coordinating Committee	11
Recommendations that are applicable to the Civilian Secretariat for Police Service	3
Recommendations that are applicable to the South African National Defence Force	1
Recommendations that are applicable to the Department of Cooperative Governance and Traditional Affairs	1

Total Recommendations that are applicable to the SAPS	18
The Recommendations have been implemented	6
The implementation of the Recommendations is in process	11
The implementation of the Recommendations has not been initiated	0
The Recommendation cannot be implemented, at this time	1

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3.1.1 Summary of progress achieved with the Recommendations that are applicable to the South African Police Service:

Recommendation	Responsibility	Status
1. It goes without saying that the capacity of the security services needs to be strengthened to respond effectively to all situations. The security services must use all the lawful levers available to them, in particular the need to intercept communications, in a lawful manner, where the security of the State is at stake. They need to strengthen their technological capacity as well.	National Intelligence Coordinating Committee	
2. Most important of all, government, at all levels, must seriously attend to the socio-economic challenges facing the country. We will be failing in our duty if we fail to express the profound frustration from, in particular the civil society, business and security sector delegations we met, that the government is not paying sufficient attention to this matter.	Division: Visible Policing and Operations	
3. Social cohesion and support programmes, including solidarity networks that bridge the racial and class divides in society must be supported by all social partners, to ensure that there is accountability, restorative justice and compensation of those who have suffered harm through the violence.	Division: Visible Policing and Operations	
4. A national early warning capability must be established to ensure accurate and timely intelligence is provided to the government on an ongoing basis.	National Intelligence Coordinating Committee	
5. The multiplicity of intelligence coordinating structures must be rationalised. The proposals made in the High-Level Review Panel need to be evaluated against the experience of these riots.	National Intelligence Coordinating Committee	
6. The country needs a more effective and streamlined and accountable intelligence capacity. Thus the President should identify and implement those recommendations of the High-Level Review Panel that need urgent implementation.	National Intelligence Coordinating Committee (Presidency)	
7. The steps by the President should include bringing stability to the SSA by appointing suitable people into positions of leadership is an urgent priority to counter the demoralisation that has dogged the agency for years.	National Intelligence Coordinating Committee (Presidency)	
8. Holding accountable those accused of criminal conduct; and insisting on expediting internal disciplinary processes.	Directorate for Priority Crime Investigation	
9. Government needs to take a firm decision about whether the Agency is going to be split into two and initiate the legislative processes for that if this is to be pursued.	National Intelligence Coordinating Committee (Presidency)	
10. The problems in the Crime Intelligence Division of the SAPS must be addressed with urgency, meaning there must be stability at the top. There are good officers in this section of the police who are dedicated to their work but are frustrated by the instability at the top, including that introduced into police structures by the instability within the governing party.	Division: Crime Intelligence Division: Human Resource Management	
11. Government must ensure that the National Intelligence Estimate (NIE) developed for 2022, and for all years going forward after being approved by the NSC and the Cabinet, informs planning across all government departments, and that there is accountability by various government departments for their role in averting threats to national security.	National Intelligence Coordinating Committee	
12. Institutionalising intelligence briefings to the Premiers of the provinces on a regular basis should be re-established as the norm.	National Intelligence Coordinating Committee	

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Recommendation	Responsibility	Status
13. There is a need for regulations to compel intelligence structures to provide intelligence to NICOC.	National Intelligence Coordinating Committee	
14. The Intelligence services can benefit from structured interaction with State-Owned Companies, the business sector, the private security industry, think tanks, and most importantly community-based organisations. Whilst the primary function of these organisations differs from Intelligence, what they do often entails the gathering of information relevant to the security of the country.	National Intelligence Coordinating Committee	
15. The recommendations contained in the Panel of Experts Report on Policing and Crowd Management established by the Minister of Police in terms of the recommendations of the Marikana Commission of Inquiry should be implemented without further delay.	SAPS Management Civilian Secretariat for Police Service	
16. The police should work towards rebuilding the trust of the communities, and build or strengthen formal and informal relations between the communities they serve, including community leaders.	Division: Visible Policing and Operations Component: Strategic Management	
17. The police should work closely with other government departments at district level to ensure that there is an integrated plan to address the socio-economic ills that make the population vulnerable to criminal conduct.	Division: Visible Policing and Operations	
18. Police officers at station level should receive adequate training in crowd control; they should also be involved in exercises to simulate what to do under conditions of extreme violence.	Division: Human Resource Development	
19. The Public Order Police unit needs to be properly capacitated, and equipped, and their methods and training revised to deal with large scale operations.	Division: Visible Policing and Operations Division: Human Resource Development	
20. The appointment procedure of the National Police Commissioner as set out in the Constitution may need to be changed. The attempts in legislation to try and delineate the powers of the Minister of Police from those of the Commissioner, while commendable, have introduced some confusion over the years. We were informed that whether the relationship between a Minister and a Commissioner works depends on the individuals occupying the posts. This is clearly untenable, and if it requires closer scrutiny of the process leading to the appointment of the National Commissioner, this should receive urgent attention.	Civilian Secretariat for Police Service	
21. The policy relating to community patrols in support of anti-crime operations needs to be refined. There is merit in communities working closely with the police to fight crime, but there is a reason why the state is accorded a monopoly of the use of force in a democracy. The move from armed community patrols to vigilantism can be swift, as seen during the July riots. Matters such as arms control and supervision of the activities of these groups, described by some as militia, fell by the wayside, with a mixture of 'community groups', private security and criminal groups seemingly heavily armed and, in some instances, taking the law into their own hands.	Civilian Secretariat for Police Service	
22. In light of the reality that budget constraints limit the number of police we can employ in the short to medium term, our Constitution correctly envisaged that from time to time members of the South African National Defence Force may be called upon to assist the police in the execution of their duties. There is, however, no policy to require that members of the SANDF at the outset be trained in policing duties, such that they are always ready to perform this secondary role if called upon to do so. We should look into introducing basic police training to military recruits, rather than the proposal to create a separate military police unit	South African National Defence Force	
23. Policy pronouncements on the responsibilities and powers of the police needs to be streamlined, and communicated clearly to police officers. With inconsistent and sometimes conflicting messages coming from the	Component: Corporate Communication and Liaison Division: Legal Services	

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Recommendation	Responsibility	Status
Minister and National Commissioner it becomes very difficult for police to know whether, when faced with volatile situations, they can act firmly or not.		
24. The matter of what constitutes 'critical infrastructure' or National Key Points needs to be reviewed. In spite of the Critical Infrastructure Protection Act having only recently been promulgated, we now have to pause to consider if its coverage is wide enough. We were informed, for example, that the Transnet oil pipeline is not a National Key Point, only certain parts are. The private sector raised the matter of key contributors to the food production value chain in the country. Should they not be considered for this category? Likewise, the supply and distribution of critical medical supplies, some of which ran out during the riots. Our proposal is that in line with new realities of what keeps nations together, the matter of what we regard as 'critical infrastructure, or National Key Points should be revisited.	Division: Protection and Security Services Division: Legal Services	
25. Section 37 of the Constitution makes provision for the declaration of a State of Emergency under certain circumstances. The State of Emergency Act, 1997 complements the constitutional provisions, and related regulations have been drafted but not finalised. On the other hand, the Disaster Management Act has been used to regulate the state's response to the Covid-19 pandemic. The far-reaching regulations, which included provisions for the imposition of a curfew, and other lockdown rules, were deemed to grant the state sufficient extraordinary powers to bring the unrest under control. Either the Disaster Management Act must be revised to deal adequately with mass violent events, or the State of Emergency Act or its regulations must be fully realized to deal with emergencies of all the kinds we can contemplate including terror attacks, insurrections, major disruption of critical infrastructure, including through cyber-attacks.	Department of Cooperative Governance and Traditional Affairs	
26. A crime prevention strategy between the SAPS and PSIRA needs to be developed; this could include SSPs being afforded minimum police-related powers in times of crisis and equipped with legal knowledge about the extent of their role, to be more effective.	Division: Visible Policing and Operations	
27. Leaders of the business organisations we spoke to recommended a strong and effective partnership between business and government to engage on how to provide a safe space in which business can function, and to plan and manage the response if such insurrectionary activity recurs, which they believe is likely.	Civilian Secretariat for Police Service	
28. A more structured process should be developed, with effective risk assessment at its centre, to assist the police to react timeously to unrest; in that regard business is willing to work closely with the police and other security services.	NATJOINTS Secretariat Division: Visible Policing and Operations	
29. Business feels that they should be briefed urgently on what action is being taken to identify perpetrators of the July 2021 violence and bring them to book.	Corporate Communication and Liaison Directorate for Priority Crime Investigation	
30. Business believes that strategic distribution centres must be allocated "national key point" status. These include fuel pipelines, water treatment plants, specific 79 chemical facilities and others. Clear criteria and prioritisation lists must be established for the deployment of forces to specific national key points.	Division: Protection and Security Services	
31. They (TRANSNET) want to pursue the designation of certain infrastructure as critical infrastructure or national key points in terms of the Critical Infrastructure Protection Act.	Division: Protection and Security Services	

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Recommendation	Responsibility	Status
32. They (TRANSNET) would like to see the Coordinating Council provided for in the Act, established as soon as possible and the parliamentary process to finalise the regulations for the operation of this body, concluded.	Division: Protection and Security Services	
33. They (TRANSNET) would like to see better coordination and information sharing between the security services, particularly intelligence, and the bodies providing critical infrastructure such as Transnet, PRASA, ESKOM, and the telecommunications services. The revitalisation of the government's Security Managers' Forum is an important step in this regard.	National Intelligence Coordinating Committee	
34. Local government should be encouraged to undertake initiatives, including strengthening community policing forums that establish partnerships between the public and the police.	Division: Visible Policing and Operations	

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3.2 Progress Report and Implementation Plan

Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
<p>Civil Unrest Expert Report Recommendation 2 (refer to paragraph 2.36, page 50)</p> <p>Most important of all, government, at all levels, must seriously attend to the socio-economic challenges facing the country. We will be failing in our duty if we fail to express the profound frustration from, in particular the civil society, business and security sector delegations we met, that the government is not paying sufficient attention to this matter.</p>	<p>Division: Visible Policing and Operations</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> Cabinet has directed that all Government Departments should focus on the implementation of the Six Pillars of the Integrated Crime and Violence Prevention Strategy (ICVPS).  <ul style="list-style-type: none"> The SAPS National Policing Strategy was adopted in 2022 and includes a detailed Annual Operational Plan (AOP), with performance targets. It is focussed on the key indicators in the SAPS' Annual Performance Plan (APP), which relate to the prevention and combating of violent crime prevention and improved crime detection. Following intensive engagements with the Minister of Police, the Deputy Minister of Police and the Civilian Secretariat for the Police Service (CSPS), the Top Management of the SAPS developed an Increased Crime Prevention and Combating Action Plan (ICPCAP), during May 2023, which has a specific focus on the country-wide mobilisation of the SAPS' resources to address violent crime, through, <i>inter alia</i>, high-density operations, intelligence-led roadblocks and suspect tracing operations. <ul style="list-style-type: none"> The ICPCAP also addresses the introduction of specific technology, such as drones, body-worn cameras, Close-Circuit Television (CCTV), the ShotSpotter 		<ul style="list-style-type: none"> Quarterly progress reports on the implementation of the NPS AOP and the ICPCAP. 	<ul style="list-style-type: none"> Within four weeks of the end of a quarter.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<p>technology and automated number plate recognition (ANPR), to support the SAPS' operational capabilities. Increased community mobilisation is a key element of the ICPCAP and focuses on the capacitation of Community Police Forums (CPFs) and extensive engagements between the SAPS and communities, through the CPFs, including in rural areas.</p> <ul style="list-style-type: none"> - The ICPCAP also addresses key issues related to the condition and availability of the SAPS' infrastructure and vehicle fleet. • The ICPCAP has been incorporated into the National Policing Strategy AOP 2023/24, in addition to several other key initiatives that are related to crime prevention, combating and investigation. • The Minister of Police receives weekly feedback reports from the SAPS' Top Management, including the National Commissioner, Deputy National Commissioners, Provincial Commissioners and key Divisional Commissioners. 			
<p>Civil Unrest Expert Report Recommendation 3 (refer to paragraph 7.9, page 129)</p> <p>Social cohesion and support programmes, including solidarity networks that bridge the racial and class divides in society must be supported by all social partners, to ensure that there is accountability, restorative justice and compensation of those who have suffered harm through the violence.</p>	<p>Division: Visible Policing and Operations</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The SAPS has initiated the ICPCAP, which includes the following interventions to support the functioning of CPFs: <ul style="list-style-type: none"> - Finalisation of new elections at all levels: <ul style="list-style-type: none"> ▪ In compliance with the State of the Nation Address (SoNA) statement, Provincial Commissioners were requested to ensure that elections are completed at all levels and newly elected CPFs and Board members are inducted. <ul style="list-style-type: none"> ○ All CPF elections have been completed. - Capacity building sessions with provincial and district boards: <ul style="list-style-type: none"> ▪ Capacity building sessions with the provincial and district boards, with the exception of the Northern Cape, have been completed. - Conducting a "Community Policing Indaba" involving diverse stakeholders in order to generate more ideas as to how CPFs could be enhanced: 		<ul style="list-style-type: none"> • Quarterly progress reports on the implementation of the ICPCAP. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> ▪ The Community Policing Indaba was held from 17 to 19 May 2023 and was intended to enhance community and other stakeholder participation in crime prevention, through structured multidisciplinary collaboration. It was also intended to operationalise the Increased Crime Prevention and Combating Action Plan (ICPCAP) focus areas and the critical crime prevention outputs in the SAPS' APP. ▪ A task team was established to develop an action plan emanating from the discussions during the Community Policing Indaba. - Provision of support to Community Police Forums: <ul style="list-style-type: none"> ▪ Financial support to the value of R70 million was allocated to CPFs by the National Commissioner, in 2023/2024. The funding will be used to provide "tools of trade" for CPFs to function efficiently. 			
<p>Civil Unrest Expert Report Recommendation 8 (refer to paragraph 7.29, page 132)</p> <p>Holding accountable those accused of criminal conduct; and insisting on expediting internal disciplinary processes.</p>	<p>Directorate for Priority Crime Investigation</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • The investigations of these cases were conducted in a multidisciplinary and integrated approach. • The DPCI, together with the other role players, prioritised these investigations by creating dedicated investigation teams at head office and in the three affected provinces. • Current Progress relating to the criminal cases investigated by the DPCI <ul style="list-style-type: none"> - Sixty-eight (68) suspects were arrested and their cases are not yet finalised. - The cases are still pending in the Durban magistrate court and the other two cases are pending in the Durban high court and the Pietermaritzburg high court. - The cases at the Durban magistrate court were postponed to 17 November 2023 for additional charges and indictment under the Protection of the Constitutional Democracy Against Terrorist and Related Activities Act 33 of 2004. 		<ul style="list-style-type: none"> • Quarterly progress reports. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> - The other two cases pending in the Durban and Pietermaritzburg high courts were postponed to 11 December 2023 until 22 January 2024, and 8 September 2023 for judgement. • Breakdown: <ul style="list-style-type: none"> - Number of cases investigated by the DPCI – 11. - Number of arrests – 68. - Convictions – 0. - Seizures – 0. - Departmental cases – 1. - Cases with DPP/SPP for decision – 4. • Internal disciplinary processes <ul style="list-style-type: none"> - One member of the SAPS, based in Durban, was arrested for incitement of violence and is part of the 68 individuals who are attending court. - The disciplinary matter against this member is still pending. 			
<p>Civil Unrest Expert Report Recommendation 10 (refer to paragraph 7.21, page 132)</p> <p>The problems in the Crime Intelligence Division of the SAPS must be addressed with urgency, meaning there must be stability at the top. There are good officers in this section of the police who are dedicated to their work but are frustrated by the instability at the top, including that introduced into police structures by the instability within the governing party.</p>	<p>Division: Crime Intelligence</p> <p>Division: Human Resource Management</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • The post of Divisional Commissioner: Crime Intelligence was filled on 1 December 2022. • A total of 18 posts were advertised in the Division: Crime Intelligence since February 2023, of which 15 posts are earmarked for filling on 1 July 2023 and 14 posts were filled. • A total of 10 SMS posts were filled in 2022/2023. • A total of 9 posts were filled in the Polygraph Unit within the Division: Crime Intelligence. • 268 vacancies were filled during the 2022/23 post promotion process at Crime Intelligence. • The following projects are aimed at further capacitating the Division in the 2023/24 financial year: <ul style="list-style-type: none"> - The SAPS Project 10 000 for 2023/2024: 600 posts were requested by the Division, with an 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<p>allocation of 100 Collectors for the Eastern Cape.</p> <ul style="list-style-type: none"> • The SAPS project on specialised units 2023/2024: 120 posts were requested, with 30 posts for Interception Data Distribution, 20 posts for Technical Support Services, 22 posts for Cybercrime Collection and 48 posts for Analysts. • The review of the Crime Intelligence Enhancement Plan and Structures, is in line with the current National Policing Strategy 2020-2025 and is at consultation phase. • The capacitation of the Division will be aligned with the District Development Model, with 52 Crime Intelligence District Offices already having been established. • The proposed structure is currently being consulted and includes the establishment of intelligence offices, with an intelligence collection and analysis capability at all police stations. <ul style="list-style-type: none"> - This will require the re-allocation of skilled and experienced personnel from the national and provincial levels to district and station levels. • The Division has also deployed two operatives per police station, at all Top 30 National High Contact Crime Stations, to provide for proactive and reactive operational intelligence products on prioritised crime threats, in support of the SAPS intervention plan, which is aimed at capacitating these police stations, in the fight against crime. • A request to advertise 3 SMS and 174 (level 1- 12) posts was processed. <ul style="list-style-type: none"> - 3 SMS posts were advertised and shortlisting's are in process. • 65 re-enlistments are in process. • 2 further requests for SMS posts of which one is a re-advertisement. • 120 requests for warrant officer posts for specialised units. 			

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> 70 posts on levels 8 to 10 were advertised for HCCS, recommendations were made and is in process. 			
<p>Civil Unrest Expert Report Recommendation 15 (refer to paragraph 7.36, page 135)</p> <p>The recommendations contained in the Panel of Experts Report on Policing and Crowd Management established by the Minister of Police in terms of the recommendations of the Marikana Commission of Inquiry should be implemented without further delay.</p>	<p>SAPS Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> The SAPS has developed a comprehensive Progress Report and Implementation Plan on the Farlam Commission Report. <ul style="list-style-type: none"> The Report contains a total of 136 Recommendations. 102 are applicable to the SAPS. 30 are applicable to the Civilian Secretariat for Police Service (CSPS). 3 are applicable to the Independent Police Investigative Directorate. 1 is applicable to the Department of Cooperative Governance. The Progress Report and Implementation Plan on the Panel of Experts on Crowd Management, will be implemented and monitored quarterly. 		<ul style="list-style-type: none"> The relevant Divisional Commissioners to provide quarterly progress reports on Recommendations still in process or not yet initiated. 	<ul style="list-style-type: none"> Within four weeks of the end of a quarter.
<p>Civil Unrest Expert Report Recommendation 16 (refer to paragraph 7.37, page 135)</p> <p>The police should work towards rebuilding the trust of the communities, and build or strengthen formal and informal relations between the communities they serve, including community leaders.</p>	<p>Division: Visible Policing and Operations.</p> <p>Component: Strategic Management</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> Division: VP&OPS: <ul style="list-style-type: none"> The SAPS launched the implementation of community perception-based surveys, with the cooperation of the University of South Africa (UNISA), resulting in the development of the subsequent indices: <ul style="list-style-type: none"> Public satisfaction with the SAPS' Performance Index: 50,7% Confidence Index for the SAPS to Create a Safe and Secure Environment: 41,64%. Levels of satisfaction with the SAPS' investigation of crime - Feedback on Complaints Index: 40,70%. SAPS Visibility and Community Involvement Index: 42,77%. 		<ul style="list-style-type: none"> Quarterly Progress reports on the NPS AOP 2023/24. 	<ul style="list-style-type: none"> Within four weeks of the end of a quarter.

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> ▪ Community Police Forum Efficiency and Satisfaction Index: 66,45%. - The SAPS has developed the following specific deliverables within the National Policing Strategy Annual Operational Plan 2023/24, which are focused on building trust with the community: <ul style="list-style-type: none"> ▪ Develop and implement a National Communication Plan aimed at reinforcing the role of the SAPS, including, inter alia: <ul style="list-style-type: none"> ▪ Regular media briefings by the National Commissioner and the respective Provincial Commissioners on crime trends, high profile investigations and notable successes. ▪ The promotion of an active citizenry by: <ul style="list-style-type: none"> ○ National roll out of "Rate Our Service" App to all provinces [ICPCAP]. ○ Procurement of public address systems in the Provinces [ICPCAP]. ○ Implementation of community outreach or engagement projects at national Top 30 HCCS and GBV stations [ICPCAP]. ○ Optimal implementation of the SAPS Safer Cities Project in identified high crime municipalities (Johannesburg, Tshwane, eThekweni, City of Cape Town, Ekurhuleni and Limpopo), with tangible deliverables that will impact on high levels of crime. ○ Implementation of the Community-in-Blue Concept. ○ Implementation of the Traditional Policing Concept. ○ Review of the Community Policing Strategy. ○ Reinvigorate the approach to Community Policing, including: <ul style="list-style-type: none"> ○ The capacitation of CPFs with key resources (vehicles, laptops, troches & reflective vests) ○ The review of the CPF mandate. ○ The finalisation of CPF elections. 			

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
		<ul style="list-style-type: none"> o The hosting of a national Community Policing Indaba and Provincial Community Policing Indabas. o The training of CPF members and SAPS members in community policing. o The conducting of national and provincial Izimbizos, including at prioritized rural stations. <ul style="list-style-type: none"> • Component: Strategic Management: <ul style="list-style-type: none"> - The 3023/24 Service Delivery Improvement Plan (SDIP) was finalised, approved and included in the 2023/24 APP <ul style="list-style-type: none"> ▪ The 2023/24 SDIP includes 11 KPIs that focus on the implementation of the Batho Pele Principles. ▪ A monitoring tool has been developed for the above-mentioned KPIs. - Service Delivery Improvement Plans (SDIAPs) for divisions, components, provinces, districts, stations and units for 2023/24 have been finalised and distributed. 		<ul style="list-style-type: none"> • Quarterly Progress reports on the 2023/24 SDIP. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.
<p>Civil Unrest Expert Report Recommendation 17 (refer to paragraph 7.38, page 135)</p> <p>The police should work closely with other government departments at district level to ensure that there is an integrated plan to address the socio-economic ills that make the population vulnerable to criminal conduct.</p>	<p>Division: Visible Policing and Operations</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The SAPS is participating in the development and implementation of the DDM. - The Tshwane District has been earmarked for the development of a DDM blue-print in collaboration with Gauteng Provincial Government. - The Civilian Secretariat for Police Service, which forms part of the National DDM Steering Committee, is currently establishing Community Safety Forums at the 52 Metros and Districts Municipalities, in the country. - Programmes to ensure the safety of learners at basic and higher level institutions are being 		<ul style="list-style-type: none"> • DDP Gauteng (Tshwane) Blueprint developed. 	<ul style="list-style-type: none"> • 30 September 2023.

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		<p>implemented, in collaboration with the relevant departments.</p> <ul style="list-style-type: none"> • NATJOINTS: <ul style="list-style-type: none"> - The NATJOINTS and PROVJOINTS have established priority committees to ensure integrated plans to address socio economic challenges and threats. - JCPS Outreach Programmes are being conducted, as part of ministerial outreach programmes, with relevant government departments. - National priority interventions are being implemented with relevant government departments, to stabilise identified hot spots by addressing identified crime threats. 			
<p>Civil Unrest Expert Report Recommendation 18 (refer to paragraph 7.39, page 135)</p> <p>Police officers at station level should receive adequate training in crowd control; they should also be involved in exercises to simulate what to do under conditions of extreme violence.</p>	<p>Division: Human Resource Development</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: HRD: <ul style="list-style-type: none"> - Measures have been implemented to capacitate Visible Policing members in crowd management techniques. - More than 10 000 station members have been trained to assist in crowd management situations, as first responders. - A total number of 4 900 POP members were trained during the period 1 April 2022 to 22 February 2023. - The training included the use of an armoured vehicle & water cannon, dangerous weapons-related and refresher training. - Training for first responders, as well as for POP members is included in the SAPS' annual Training Provisioning Plan (TPP). 		<ul style="list-style-type: none"> • None required 	<ul style="list-style-type: none"> • N/A.
<p>Civil Unrest Expert Report Recommendation 19 (refer to Paragraph 7.40, page 135)</p>		<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Capacitation and resourcing of POPs: 			

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Recommendations	Responsibility within the SAPS	Progress (as at 31 August 2023)	Status of Progress	Key Actions to be Implemented (if the recommendation has not been completely addressed)	Due Date
<p>The Public Order Police unit needs to be properly capacitated, and equipped, and their methods and training revised to deal with large scale operations.</p>	<p>Division: Visible Policing and Operations – Public Order Policing</p> <p>Division: Human Resource Development</p> <p>Component: Organisational Development</p>	<ul style="list-style-type: none"> - A total number of 4 000 new entry-level SAPS Act members were enlisted during 2022/23, of which 3 460 will be deployed at Public Order Policing Provincial Units and 540 at the POPS National Reserve Unit. <ul style="list-style-type: none"> ▪ These members are currently attending the Workplace Exposure training programme at Police stations and will report to their respective POP units on 6 October 2023. - Command and control of POP capabilities has been centralised, with effect from 01 April 2023 and units operate under one command, at National level. - The POP structure has been finalised and is awaiting approval. <ul style="list-style-type: none"> ▪ Since the 1st of July 2023, three National Reserve Units were amalgamated with the former Provincial units to establish accounting units within the respective Provinces and one Reserve Unit was renamed to establish the POP Pienaar Unit. ▪ The current capacity of POP within the country comprises of 50 POP (National) Units which are divided within the provinces. ▪ The following three units have been established: Limpopo – Groblersdal; Free State – Mooiriver and KwaZulu-Natal – Harrismith. ▪ The following two POP Units will be established shortly: Western Cape – Caledon and Vrydenburg. - Procurement process are in place to procure critical specialised equipment for modernised crowd management. <ul style="list-style-type: none"> • Training of POP Members: <ul style="list-style-type: none"> - The Crowd Management training curriculum, which comprises 5 learning programmes, exposes members to realistic crowd management simulations, including large scale operations. - There are dedicated POP training facilities in place (Thabazimibi and Mankwe Academies). - Various operational concepts, such as the use of R5 rifles during crowd control, and regulations have 		<ul style="list-style-type: none"> • Div: VP&OPs to provide quarterly reports on the resourcing of POPs. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.

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		<p>been reviewed, aligned with the recommendations and the training material adapted accordingly.</p> <ul style="list-style-type: none"> - Members were also trained in the use of the Long-range Acoustic Devices (LRAD), which is only utilised as a public address system. ▪ The following training was provided to POP members during the last two financial years (2021/22 and 2022/23): <table border="1" data-bbox="846 548 1287 1187"> <thead> <tr> <th>Type of POP training</th> <th>2021/22</th> <th>2022/23</th> </tr> </thead> <tbody> <tr> <td>Water cannon operators</td> <td>36</td> <td>111</td> </tr> <tr> <td>Crowd Management for Platoon Commanders</td> <td>28</td> <td>0</td> </tr> <tr> <td>Crowd Management for Platoon Members Train-the-Trainer</td> <td>0</td> <td>40</td> </tr> <tr> <td>Crowd Management for Platoon members, inclusive of the Metropolitan Police Department</td> <td>199</td> <td>4 656</td> </tr> <tr> <td>POP Refresher's Training</td> <td>643</td> <td>258</td> </tr> <tr> <td>Dangerous Weapons Act, 2013 (Act No 15 of 2013)</td> <td>194</td> <td>0</td> </tr> <tr> <td>Crowd Conflict Management Training</td> <td>44</td> <td>0</td> </tr> <tr> <td>First Aid</td> <td>47</td> <td>0</td> </tr> <tr> <td>RG-12 Nyala operators Course</td> <td>-</td> <td>129</td> </tr> <tr> <td>2nd Generation Nyala/Water Canon Induction Course</td> <td>27</td> <td>59</td> </tr> <tr> <td>New Generation Nyala Mechanical Workshop</td> <td>50</td> <td>0</td> </tr> <tr> <td>Video Operators Course</td> <td>50</td> <td>0</td> </tr> <tr> <td>K53 Code EC(14)</td> <td>9</td> <td>2</td> </tr> <tr> <td>K53 Code C1 (10)Driving License</td> <td>-</td> <td>24</td> </tr> <tr> <td>K53 Code 10</td> <td>-</td> <td>126</td> </tr> </tbody> </table> <ul style="list-style-type: none"> ▪ The SAPS' Training Provisioning Plan, which is compiled annually prioritises the training of POP members. 	Type of POP training	2021/22	2022/23	Water cannon operators	36	111	Crowd Management for Platoon Commanders	28	0	Crowd Management for Platoon Members Train-the-Trainer	0	40	Crowd Management for Platoon members, inclusive of the Metropolitan Police Department	199	4 656	POP Refresher's Training	643	258	Dangerous Weapons Act, 2013 (Act No 15 of 2013)	194	0	Crowd Conflict Management Training	44	0	First Aid	47	0	RG-12 Nyala operators Course	-	129	2 nd Generation Nyala/Water Canon Induction Course	27	59	New Generation Nyala Mechanical Workshop	50	0	Video Operators Course	50	0	K53 Code EC(14)	9	2	K53 Code C1 (10)Driving License	-	24	K53 Code 10	-	126			
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Civil Unrest Expert Report Recommendation 23 (refer to Section 8, paragraph 8.3.4, page 143)		<u>The Recommendation has been implemented.</u>		• None required.	• N/A.																																																

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<p>Policy pronouncements on the responsibilities and powers of the police needs to be streamlined, and communicated clearly to police officers. With inconsistent and sometimes conflicting messages coming from the Minister and National Commissioner it becomes very difficult for police to know whether, when faced with volatile situations, they can act firmly or not.</p>	<p>Division: Legal Services Component: Corporate Communication and Liaison</p>	<ul style="list-style-type: none"> • <u>Division: Legal Services and Component: Corporate Communication and Liaison:</u> <ul style="list-style-type: none"> - National Instruction 4 of 2014: Public Order Policing: Crowd Management during Public Gatherings and Demonstrations, was amended during 2022 to include the recommendations contained in Panel of Experts Report on Policing and Crowd Management. <ul style="list-style-type: none"> ▪ The Use of Force Policy, as approved by the Minister, has been integrated into the POP National Instruction ▪ Three Standard Operating Procedures are under review and will be finalised by 31 March 2024: ▪ Use of Force during Crowd Management SOP; ▪ POP Recruitment and Selection; and ▪ Review of POP Deployment SOP. ▪ Standard Operating Procedure 1 of 2020 on the deployment of Public Order Policing Units was also issued to ensure effective deployment of members of the POP. - Draft Standard Operating Procedures have been circulated for comments regarding the following: <ul style="list-style-type: none"> ▪ Draft POP Recruitment and Selection SOP; ▪ Use of Force during Crowd Management SOP; and ▪ Review POP Deployment SOP. - National Instruction 5 of 2017 (Media Communication in the South African Police Service) was issued and provides that the Constitution of the Republic of South Africa, 1996, entrenches the right to freedom of expression within certain limitations, which are provided for in the Constitution. <ul style="list-style-type: none"> ▪ The Constitution also determines the objectives of the South African Police Service and requires the National Commissioner to control and manage the Service in a manner that will ensure that these objectives are achieved. ▪ The National Commissioner issued the National Instruction to determine how employees must communicate through the media. 			

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		<ul style="list-style-type: none"> - National instruction 2 of 2015: Responsibilities of a Duty Officer provides for reporting channels for serious incidents. 			
<p>Civil Unrest Expert Report Recommendation 24 (refer to Section 8, paragraph 8.3.5, page 144)</p> <p>The matter of what constitutes ‘critical infrastructure’ or National Key Points needs to be reviewed. In spite of the Critical Infrastructure Protection Act having only recently been promulgated, we now have to pause to consider if its coverage is wide enough. We were informed, for example, that the Transnet oil pipeline is not a National Key Point, only certain parts are. The private sector raised the matter of key contributors to the food production value chain in the country. Should they not be considered for this category? Likewise, the supply and distribution of critical medical supplies, some of which ran out during the riots. Our proposal is that in line with new realities of what keeps nations together, the matter of what we regard as ‘critical infrastructure, or National Key Points should be revisited.</p>	<p>Division: Protection and Security Services</p> <p>Division: Legal Services</p>	<p><u>The Recommendation cannot be implemented, at this time.</u></p> <ul style="list-style-type: none"> • Division: Protection and Security Services and Division Legal Services: <ul style="list-style-type: none"> - The Critical Infrastructure Protection Act (CIPA) aims to repeal and replace the National Key Points Act. However, CIPA is not yet fully operational. - The Critical Infrastructure Council (established in terms of CIPA) is operating in preparation of the finalisation of the Regulations before the Act will be put into operation. - The impact of the Act and its effectiveness can only be evaluated once the Act is in operation. - Therefore amendments to the Act before it is put into operation will be premature. 		<ul style="list-style-type: none"> • The impact of the Act and its effectiveness can only be evaluated once the Act is in operation. 	<ul style="list-style-type: none"> • N/A.
<p>Civil Unrest Expert Report Recommendation 26 (refer to paragraph 4.10, page 49)</p> <p>A crime prevention strategy between the SAPS and PSIRA needs to be developed; this could include SSPs being afforded minimum police-related powers in times of crisis and equipped with legal knowledge about the extent of their role, to be more effective.</p>	<p>Division: Visible Policing and Operations</p> <p>Division: Legal Services</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The SAPS and PSIRA have entered into a MoU to address cooperation and regulation of the private security industry. - In addition, the SAPS and BACSA developed the Eyes and Ears “E2” concept that facilitates the involvement of the private security industry in crime prevention. - The E2 concept is based on the premise that the private security industry functions as Eyes and Ears of the SAPS, but each functions within in its own legal parameters. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.

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<p>Civil Unrest Expert Report Recommendation 28 (refer to Paragraph 4.24, page 78)</p> <p>A more structured process should be developed, with effective risk assessment at its centre, to assist the police to react timeously to unrest; in that regard business is willing to work closely with the police and other security services.</p>	<p>NATJOINTS Secretariat</p> <p>Division: Visible Policing and Operations: Public Order Police</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • NATJOINTS Secretariat: <ul style="list-style-type: none"> - The establishment of a National Co-ordination Centre (formerly referred to as the NATJOINTS Nerve Centre) and the implementation of a new practice already approved for the functioning thereof by the National Security Council (NSC). - Project 1 (NOCC at Mobilisation Support). - Project 2 [Integrated Management Centre (IMC) at Maupa Naga as NOCC Redundant Site and VVIP Hosting Centre]. - Project 3 [Renovation of Toise Building as interim accommodation of NATJOINTS activities, until new build is completed]. - Project 4 – [Roll-out and capacitation of Operational Command Centres (OCC's) at Provincial and District levels]. - Project 5 – [New Build – Establishment of the (NATJOINTS) National Co-ordination Centre]. - The integrated feasibility-work study in respect of process and practice for the establishment of establishment of a National Co-ordination Centre has been completed. - The work-study investigation and the DPWI feasibility report were submitted to and approved by the NSC. - A Threat Matrix was established and is being maintained with a concomitant process where actionable alert/early warning intelligence received from the Intelligence Community, and self-observed Open Source Intelligence (OSINT), including Social Media, is disseminated to subordinate structures and tracked for planning/actioning by way of receipt of certificates from Provincial Operational Command Centres (POCC's) and PROVJOCS. • Division: VP&OPs: <ul style="list-style-type: none"> - Paragraph 15 of NI 1 of 2014, refers. <ul style="list-style-type: none"> ▪ Paragraph 15 - Threat assessment after information has been received 		<ul style="list-style-type: none"> • The National Co-ordination Centre Project Manager (Maj Gen Hankel) to provide quarterly progress reports. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.

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		<ul style="list-style-type: none"> o (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: Visible Policing and Operations 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)). o (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: Visible Policing and Operations must as soon as practically possible inform the relevant authorised member, POP unit commander, station commander, provincial commissioner and the Section Head: POP Operations (at the Division: Visible Policing and Operations) regarding his or her assessment of the threat level involved in a gathering or demonstration. o (3) The threat must be categorised as – (a) Level One: (A peaceful gathering or protests) 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 			

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		necessary crowd management equipment. (b) Level Two: (Unconfirmed information regarding a possibility of a threat against lives and property).			
<p>Civil Unrest Expert Report Recommendation 29 (refer to Paragraph 4.26, page 78)</p> <p>Business feels that they should be briefed urgently on what action is being taken to identify perpetrators of the July 2021 violence and bring them to book.</p>	<p>Directorate for Priority Crime Investigation</p>	<p><u>The Recommendation has been implemented.</u></p> <ul style="list-style-type: none"> • Directorate for Priority Crime Investigation: <ul style="list-style-type: none"> - The National Head: DPCI provides quarterly national briefings on the crimes that are addressed by the DPCI, including successes. 		<ul style="list-style-type: none"> • None required. 	<ul style="list-style-type: none"> • N/A.
<p>Civil Unrest Expert Report Recommendation 30 (refer to Paragraph 4.27, page 78)</p> <p>Business believes that strategic distribution centres must be allocated “national key point” status. These include fuel pipelines, water treatment plants, specific 79 chemical facilities and others. Clear criteria and prioritisation lists must be established for the deployment of forces to specific national key points.</p>	<p>Division: Protection and Security Services</p>	<p><u>The implementation of the Recommendation has not been initiated:</u></p> <ul style="list-style-type: none"> • Division: PSS: <ul style="list-style-type: none"> - Interim Critical Infrastructure Protection Regulations were approved and published in the Gazette on 5 May 2023. - The regulations regulate the functions and performance of the Council. - The broad regulations are in the process of being consulted and will be published in the Gazette after approval from the Minister. 		<ul style="list-style-type: none"> • Quarterly progress reports. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter
<p>Civil Unrest Expert Report Recommendation 31 (refer to Paragraph 4.37, page 81)</p> <p>They (TRANSNET) want to pursue the designation of certain infrastructure as critical infrastructure or national key points in terms of the Critical Infrastructure Protection Act.</p>	<p>Division: Protection and Security Services</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: PSS: <ul style="list-style-type: none"> - Members of the Critical Infrastructure Council have been appointed. - Interim Critical Infrastructure Protection Regulations were approved and published in the Gazette on 5 May 2023. - The regulations regulate the functions and performance of the Council. - The broad regulations are in the process of being consulted and will be published in the Gazette after approval from the Minister. 		<ul style="list-style-type: none"> • Quarterly progress reports. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter

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<p>Civil Unrest Expert Report Recommendation 32 (refer to Paragraph 4.38, page 81)</p> <p>They (TRANSNET) would like to see the Coordinating Council provided for in the Act, established as soon as possible and the parliamentary process to finalise the regulations for the operation of this body, concluded.</p>	<p>Division: Protection and Security Services</p> <p>Division: Legal Services</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: PSS: <ul style="list-style-type: none"> - Members of the Critical Infrastructure Council have been appointed. - Interim Critical Infrastructure Protection Regulations were approved and published in the Gazette on 5 May 2023. - The regulations regulate the functions and performance of the Council. - The broad regulations are in the process of being consulted and will be published in the Gazette after approval from the Minister. 		<ul style="list-style-type: none"> • None required 	<ul style="list-style-type: none"> • NA
<p>Civil Unrest Expert Report Recommendation 34 (refer to Paragraph 7.8, page 129)</p> <p>Local government should be encouraged to undertake initiatives, including strengthening community policing forums that establish partnerships between the public and the police.</p>	<p>Division: Visible Policing and Operations</p>	<p><u>The implementation of the Recommendation is in process.</u></p> <ul style="list-style-type: none"> • Division: VP&OPs: <ul style="list-style-type: none"> - The SAPS is participating in the development and implementation of the DDM. - The Tshwane District has been earmarked for the development of a DDM blue-print in collaboration with Gauteng Provincial Government. - The Civilian Secretariat for Police Service, which forms part of the National DDM Steering Committee, is currently establishing Community Safety Forums at the 52 Metros and Districts Municipalities, in the country. - For the SAPS, contribution to the strengthening of CPFs, refer to Civil Unrest Expert Report Recommendation 3, above. 		<ul style="list-style-type: none"> • Quarterly Progress reports on the NPS AOP 2023/24. 	<ul style="list-style-type: none"> • Within four weeks of the end of a quarter.