

Evaluation of Public Order Policing Strategies during Violent Service Delivery  
Protests: A Case of Vuwani in Vhembe District, Limpopo Province

Dissertation

by

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## DECLARATION

I, Khethiwe Madima (Student no 17012379), hereby declare that this dissertation titled **“Evaluation of Public Order Policing Strategies during Violent Service Delivery Protests: A Case of Vuwani in Vhembe District, Limpopo Province”** for the Master degree at the University of Venda, hereby submitted by me, has not been previously submitted for a degree at this or any other University, and that it is my own work in design and execution and that all material contained therein has been duly acknowledged.

Signature.....

Date.....

## ACKNOWLEDGEMENTS

Thank you God the Almighty, who gave me wisdom to complete this research.

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My husband, Shandu Madima for the love, support, sacrifice, understanding and encouragement. He stood by me each step of the way giving my research first priority and inputs.

## DEDICATION

I dedicate this research to my son, Utsini Madima. Though I robbed him full attention when I was busy conducting this research. This was for a good cost because I want him to learn one of life's greatest lessons through me that education is the key to success and follow the footprint.

## ABSTRACT

*The policing response to increasing violent community violent protests in South Africa has received global attention in the last decade. The study was conducted with a backdrop of increased concern over skirmish and sporadic fighting and violence during service delivery protests. Criticisms have been voiced by various role-players in violent protests concerning arrests, injuries and killing of civilians by police during these demonstrations. Hence the study aims to evaluate the effectiveness of POP strategies in curbing common acts of violence during violent protests particularly in Vuwani area of Vhembe District, Limpopo Province. The study adopted a mixed methods (qualitative and quantitative method). Purposive sampling was used to select POP officials wherein Focus Group Discussions (FGD) were conducted in 9 difference POP units, each FGD was comprised of approximately 5 members which total to 45 POP members. A total of 200 questionnaires were randomly distributed to community members of Vuwani within 5 were found invalid. Quantitative Data was analysed using Statistical Package for Social Science (SPSS) and qualitative data was analysed using thematic analysis. The findings indicated that (86,2%) of participants believed that Vuwani protest was caused by municipal demarcation issues. The favourite methods of protests include littering with (80,0 %) and burning tyres with (76,4%) of participants. A total of (52,8%) community members argued that police presence perpetuate violence during service delivery protest. Common crimes that occurred during the protests was vandalism with (82,6%) and arson with (81,0%). Furthermore, (83,6%) community members agrees that rubber bullets was used as a strategy by the police at Vuwani protests. The overwhelming majority of participants with 80,0% believe that negotiation during protests can curb death and injuries. On the other hand, the study finds that POP official strategies start by negotiating with the protestors, identifying the leader, use of water cannon, tear gas and rubber bullets as the last resort. Further emphasized that lack of manpower and resources are barriers that hinders effective policing of violent service delivery protests. It is therefore recommended that provision of resource and recruitment of manpower should be taken as a first priority by the SAPS national office. Lastly, the public should be educated about police presence during violent service delivery protests.*

**Keywords:** Protest, Violence, Crowd management, Policing, Crime

## LIST OF ABBREVIATIONS AND ACRONYMS

ACCU	Area Crime Combating Units
AMCU	Association of Mineworkers and Construction Union
CPF	Community Policing Forum
FGD	Focus Group Discussion
ICD	Independent Complaints Directorate
IPID	Independent Police Investigative Directorate
IRIS	Incident Registration Information System
JOC	Joint Operational Centre
NGO	Non-Government Organisation
NUM	National Union of Mineworkers
ORS	Operational Response Services
POP	Public Order Policing
PSS	Protection and Security Services
RSA	Republic of South Africa
SAHRC	South African Human Rights Commission
SAPF	South African Police Force
SAPS	South African Police Services
SOP	Standard Operating Procedure
SPSS	Statistical Package for Social Science
TRT	Tactical Response Team

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## CHAPTER 1

### GENERAL ORIENTATION

#### 1.1. BACKGROUND OF THE STUDY

South Africa became a democratic country in 1994 and a “Rainbow Nation” was born. Under the leadership of President Nelson Mandela, the new government had a mammoth task of addressing many social and economic imbalances caused by decades of apartheid. Amongst these changes was a need to transform the police force to South African Police Service (SAPS), a service oriented organ of state. The functions of the transformed SAPS include preventing, combating and investigating crime to maintain public order, to protect and secure the inhabitants of the village and their property, and to uphold and enforce the law (The Constitution of the Republic of South Africa Act 108 of 1996). Each function is performed by a unit within the SAPS.

Public Order Policing (POP), a unit within the SAPS which is tasked with maintaining public order during violent protests. This unit underwent many changes between 1995 and 2002 (Omar, 2006a). According to Ministry of Police (2011), POP units were positioned at South African Police Service Area Offices as part of Area Crime Combating Units (ACCUs). After 1994, the unit went through numerous restructuring which adversely impacted on its ability to effectively perform its mandate and function on crowd management to crime prevention (Civilian Secretariat for Police, 2013:28). In 2006, the unit was re-established due to an increase in public protest gatherings particularly violent ones and major events (Omar, 2006a). Till to date, the unit has been stable and tasked to manage public protests and major events. Omar (2006b) found that there has been an increase of public protests between 2002 and 2005 wherein there was an escalation of death and injuries during protest from 2010 (Bruce, 2012).

Since then, there has been no sign of decrease following the video evidence of the killing of Andries Tatane on the 13 April 2011 by the police during a service delivery protest in the town of Ficksburg, Free State Province. Police fired rubber bullets into Tatane’s chest at close range and proceeded to assault him with batons, he later died from the injuries (Petrus, 2012:140). The following year in late August 2012, 34 people

were killed and seventy were injured by the police during protest in Marikana, North West Province (Alexander, 2013).

In July 2015, the community of Vuwani Township outside Thohoyandou embarked on a violent protest to fight against the new municipal demarcation decision (SAPS, 2016). Vuwani, a township dominated by Venda speaking was affected by those changes leading it to be in one municipality with Malamulele Township which is dominated by Tsonga speaking. SAPS (2016) report found that the reason behind Vuwani community protest and behaviour was fear of being led by the Tsonga speaking people. The protest was characterised by tribalism degenerated into violence, looting of shops, barricading roads, destruction of property targeting government buildings and schools (ENCA, 2016). ENCA (2016) reported that police used rubber bullets and tear gas to disperse the crowd.

Police actions during protest raise a concern about their training and whether they follow force continuum method from the least amount of force to the greatest to control the crowd. Recent research conducted by Pillay (2016) found that police encounter many challenges in following crowd management techniques. Pillay (2016) highlighted that lack of resources and manpower do not allow them to apply the appropriate techniques in line with their training. Often, they are overwhelmed, and are under immense pressure to escalate the level of force. It is therefore imperative to understand the challenges that public order police confront during protest. It is equally important to understand and document the community's perspectives and experiences to reduce and prevent injuries and even the loss of lives. The study focused on violent protests that took place in Vuwani from 2015 to 2017.

## **1.2. RESEARCH PROBLEM**

There is a steady rise of service delivery protest in South Africa. POP violence has drawn much attention in the media and social networks, particularly during service delivery protest. Despite their function of maintaining order during public protest, death and injuries during protest are imminent. The shooting of 14 years old boy, Ona Dubula during service delivery protest in Hout Bay, Cape Town is an example of the harsh method often used by police. TimesLive (2017) reported that the boy was shot with two rubber bullets on his face from close range by the police official.

In Limpopo province, Vuwani, community members embarked on a protest against the decision to establish a new municipality. The protest degenerated into violence, looting of shops and the destruction of property targeting government buildings and burning down of schools. Compounding the problem is the apparent lack of capability, resources and skills amongst public order police to handle violent protests. ENCA (2016) and SABC (2016) reported that police used rubber bullets and tear gas to disperse the crowd in Vuwani. The incident in Vuwani showed that police are often unprepared and inadequately equipped to deal with violent protest and often resort to violence and harsh measures against protesters. Govender (2016) and Ministry of Police (2011) emphasized on police training and the art of negotiation skills as a strategy to minimise provocation, intimidation and violence during protest.

However, this is supported by SAPS Standing Order No. 262 on Crowd Management that mandate that the use of force must be avoided at all costs and members deployed for the operation must display the highest degree of tolerance. The Regulation of Gathering Act 205 of 1993 outlines the public's right to protest to get government's attention when their demands are not met. This study aims to evaluate the effectiveness of POP strategies in curbing common acts of violence during service delivery protests.

### **1.3. CONCEPTS DELIMITATION**

This section defines the concepts that are used in this study which include aggression, frustration, public order policing, community, protest, service delivery protests, perception and violence

#### **1.3.1. Aggression**

In Social Sciences, the term aggression refers to behaviours with a primary function to injure another person or organism, whether physically or psychologically (Colman, 2009). In the context of this study, aggression refers to being violent.

### **1.3.2. Frustration**

Frustration is the blocking or prevention of a potentially rewarding or satisfying act or sequence of behaviours, or the emotional response of anger or annoyance caused by being unable to do something (Colman, 2009). In the context of this research, frustration is displayed by the community and the public order police. It is seen when the community of Vuwani burns schools and looting shops to be heard by their government and when police had to use force to stop community members from looting shops.

### **1.3.3. Public Order Policing**

It refers to the management of a crowd in order to prevent harm to the crowd or a member of the crowd and those usually entrusted with upholding law and order such as the police or law enforcement agencies (Iwu and Iwu, 2015). This refers to the police unit in Limpopo province which is responsible for maintaining public order during protest.

### **1.3.4. Community**

Community refers to the specific geographic area served by a police department or law enforcement agency and the individuals, organisation and agencies within that area (Van Vuuren, 1996:102). In this study, community refers to a group of people who live in Vuwani, Vhembe district.

### **1.3.5. Protest**

It is a formal objection especially by a group, a protest may be a collective gesture of disapproval, sometimes violent to make a strong objection or to affirm something (Jili, 2012). In the context of this study, this refers to the protest in Vuwani after a demarcation board announced the proposed new demarcation of the municipalities. The protest targeted government buildings around Vuwani resulting in the burning of schools, looting shops and barricading the roads.

### **1.3.6. Service Delivery Protests**

Service delivery protest refers to community action through which residents of an area decide to voice their dissatisfaction with the manner and scale at which public services are rendered to them (Shaidi, 2013). In this study, it refers to residents of Vuwani

protesting against the idea of new municipal demarcation as they do not want to be part of Malamulele because of fear of community service delivery programmes and developments.

### **1.3.7. Perception**

It is defined as the process of attaining awareness or understanding of sensory information. Perception is one of the oldest fields in psychology. The study of perception gave rise to the Gestalt School of Psychology, with its emphasis on a holistic approach. What one perceives is a result of interplays between past experiences, including one's culture, and the interpretation of the perceived (Jili, 2012). This refers to individual' insight on POP strategies based on their previous experiences and police culture of operating. Community perception can be either positive or negative toward the police. In this research, it is hypothesised that community members have negative perceptions and opinions towards POP.

### **1.3.8. Violence**

Violence refers to the use of unnecessary and unwanted physical force against the non-participants, police officials and property during the collective or mass action (Mchunu, 2012). For this study, violence will be used as a form of physical attack against other people, destruction of private and public property. In this study, violence is displayed by community members of Vuwani when they burn schools and POP when they use force such tear gas and rubber bullets to disperse the crowd.

## **1.4. PURPOSE OF THE STUDY**

### **1.4.1. Aim of the Study**

- To evaluate the effectiveness of POP strategies in curbing common acts of violence during service delivery protests.

### **1.4.2. Research Objectives**

In attempting to achieve the above-mentioned aim, the following objectives guided the study:

- To assess POP strategies during violent protests
- To determine the experiences of the community in their confrontation with the police during violent service delivery protests
- To highlight challenges encountered by POP officials during violent protest actions
- To examine common acts of violence during service delivery protest

### **1.4.3. Research Questions**

- What are POP strategies used during violent protests?
- What are the experiences of the community in their confrontation with the police during violent service delivery protests?
- What are the challenges encountered by POP officials?
- What are common acts of violence during service delivery protest?

### **1.4.4. Hypothesis**

- Rubber bullets is the most common used strategy during violent protests
- Burning tyres is the common acts of violence during service delivery protests

## **1.5. THEORETICAL FRAMEWORK**

There are various theories that seek to explain human behaviour, for the purpose of this study frustration aggression theory will be utilised.

### **1.5.1. Frustration Aggression Theory**

In 1939, Dollard, Doob, Miller, Mowrer and Sears published a monograph on aggression in which they presented what has come to be known as the frustration aggression hypothesis. The Dollard-Miller model views aggression as frustration. It occurs when people have anger towards someone that they cannot confront directly, and then later a mild trigger of annoyance, or irritation, causes them to explode with anger due to the pent-up frustration that they could not express earlier, emitted by the

eventual target of aggression. According to Fox and Spector (1999), frustration occurs when a goal response or predicted behavioural response is interrupted or interdicted. In this research, this refers to the anger and dissatisfaction that community members may display during violent protests or the hostility that is usually directed towards police and officials who may be deemed as preventing the protesters from fully venting or expressing their anger.

Fox and Spector (1999) suggest that aggression is the result of feeling frustrated which is defined as any event or stimulus that prevents an individual attaining some goal and its accompanying reinforcing quality. This aggression can also be expressed by police who may feel frustrated by the lack of cooperation from the protesters. This theory tends to provide a justification for behaving aggressively. For example, being frustrated may have influenced the police in Marikana to shoot and kill mine workers. This theory states that aggression is always based on frustration and that frustration always leads to aggression (when the police fail to control crowd they may become frustrated and act aggressively by use of excessive force, frustration is the sufficient condition for aggression). South Africans have seen how protestors who feel provoked end up directing their anger at the government infrastructure such as libraries. This theory states that any hostile or aggressive behaviour that occurs is caused by frustration (Zillmann, 1979).

## **1.6. SIGNIFICANCE OF THE STUDY**

The findings of the study will be beneficial to the community and the police as it will reveal challenges encountered by both parties during violent protests and provide possible solutions. This research will provide ways to reduce clashes and violence between the community and POP during violent protests. It will help POP to strengthen their policies and ensure accountability amongst its officials. It is envisaged that the findings will enlighten the POP and help them to understand the views, experiences and perceptions of the community members. This is important in ensuring that POP remains responsive and relevant to the needs of the community at large.

The findings of the study will also contribute to the body of literature on the effectiveness of POP in preventing acts of violence during protests. This information is highly useful to academics, Non-Government Organisations (NGOs), businesses,

government agencies and policy makers in developing better strategies around POP. This is important because current policies seem inadequate to deal with public protest. It will also help community members to share their views that have not been heard on how they should be policed during violent protests. It is important to constantly study society because the social milieu is ever-changing and therefore policies need to reflect those changes in society.

## **1.7. OUTLINE OF THE DISSERTATION**

### **Chapter 1 General orientation**

This chapter introduces the research topic of the study. It contains a background of POP in South Africa. The chapter also contains the problem statement, concept delimitation, significant of the study and the chapter outline.

### **Chapter 2 Legislative framework**

Various legislative framework such as South African Constitution Act 108 of 1996, South African Police Service Act 68 of 1995 and Regulation of Gathering Act 205 of 1993 were also reviewed on the issues of POP.

### **Chapter 3 Literature review**

Various scholarly writings were reviewed to explore the issue of POP at a national and international perspective.

### **Chapter 4 Research methodology**

Appropriate research design and methods such as sampling, data collection and analysis were explored in this chapter.

### **Chapter 5 Data analysis and research finding**

This chapter focused on data presentation and interpretation of research results.

### **Chapter 6 Recommendations and conclusion**

This chapter provides the summary of recommendations and conclusions reached in the study.

## 1.8. CONCLUSION

This chapter gave the general orientation to the study wherein the background of the study, problem statement, aims and objectives and significance of the study were presented. The next chapter will outline the South African legislative framework pertaining to the issues of policing the public.

## CHAPTER 2

### LEGISLATIVE FRAMEWORK

#### 2.1. INTRODUCTION

The previous chapter gave the general orientation to the study wherein the background of the study, problem statement, aims and objectives and significance of the study were presented. South Africa is a democratic country which is governed by rules and policies. This chapter presents the South African legislative framework pertaining to POP. POP in South Africa is governed by various legal frameworks such as the South African constitution Act 108 of 1996, regulation of Gathering Act 205 of 199, the South African Police Service Act 68 of 1995, South African Police Service Standing Order No. 262 on Crowd Management, Criminal Procedure Act 51 of 1977, National Instruction of 2014 Public Order Police: Crowd Regulations and Management during Public Gathering and demonstration, Ministry of Police: Policy and Guidelines; Policing of public protest, gatherings and major events and Independent Police Investigative Directorate Act 1 of 2011 which are discussed below.

#### 2.2 LEGISLATIVE FRAMEWORK REGARDING PUBLIC ORDER POLICING IN SOUTH AFRICA

The following is a brief analysis of the provisions of these legislations in an attempt to establish their contribution in service delivery protests and POP in south Africa.

##### 2.2.1. THE SOUTH AFRICAN CONSTITUTION ACT 108 OF 1996

The Constitution of the Republic of South Africa The Constitution (1996) 1996, is the current [constitution](#) that forms the basis for the law and government of the nation of [South Africa](#). According to this constitution, chapter 11 of security service outline the following:

##### 2.2.1.1. Governing Principles

198. The following principles govern national security in the Republic:

(a) National security must reflect the resolve of South Africans, as individuals and as a nation, to live as equals, to live in peace and harmony, to be free from fear and want and to seek a better life.

(b) The resolve to live in peace and harmony precludes any South African citizen from participating in armed conflict, nationally or internationally, except as provided for in terms of the Constitution or national legislation.

(c) National security must be pursued in compliance with the law, including international law.

(d) National security is subject to the authority of Parliament and the national executive.

### **2.2.1.2. Establishment, Structuring and Conduct of Security Services**

199.

(1) The security services of the Republic consist of a single defence force, a single police service and any intelligence services established in terms of the Constitution.

(2) The defence force is the only lawful military force in the Republic.

(3) Other than the security services established in terms of the Constitution, armed organisations or services may be established only in terms of national legislation.

(4) The security services must be structured and regulated by national legislation.

(5) The security services must act, and must teach and require their members to act, in accordance with the Constitution and the law, including customary international law and international agreements binding on the Republic.

(6) No member of any security service may obey a manifestly illegal order.

(7) Neither the security services, nor any of their members, may, in the performance of their functions—

(a) prejudice a political party interest that is legitimate in terms of the Constitution; or

(b) further, in a partisan manner, any interest of a political party.

(8) To give effect to the principles of transparency and accountability, multi-party parliamentary committees must have oversight of all security services in a manner determined by national legislation or the rules and orders of Parliament.

### **2.2.1.3. Police Service**

205. (1) The national police service must be structured to function in the national, provincial and, where appropriate, local spheres of government.

(2) National legislation must establish the powers and functions of the police service and must enable the police service to discharge its responsibilities effectively, taking into account the requirements of the provinces.

(3) The objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law.

#### **2.2.1.4. Political Responsibility**

206.

(1) A member of the Cabinet must be responsible for policing and must determine national policing policy after consulting the provincial governments and taking into account the policing needs and priorities of the provinces as determined by the provincial executives.

(2) The national policing policy may make provision for different policies in respect of different provinces after taking into account the policing needs and priorities of these provinces.

(3) Each province is entitled—

- a) to monitor police conduct;
- b) to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service;
- c) to promote good relations between the police and the community;
- d) to assess the effectiveness of visible policing; and
- e) to liaise with the Cabinet member responsible for policing with respect to crime and policing in the province.

(4) A provincial executive is responsible for policing functions—

- a) vested in it by this Chapter;
- b) assigned to it in terms of national legislation; and
- c) allocated to it in the national policing policy.

(5) In order to perform the functions, set out in subsection (3), a province—

- a) may investigate, or appoint a commission of inquiry into, any complaints of police inefficiency or a breakdown in relations between the police and any community; and
- b) must make recommendations to the Cabinet member responsible for policing.

(6) On receipt of a complaint lodged by a provincial executive, an independent police complaints body established by national legislation must investigate any alleged misconduct of, or offence committed by, a member of the police service in the province.

(7) National legislation must provide a framework for the establishment, powers, functions and control of municipal police services.

(8) A committee composed of the Cabinet member and the members of the Executive Councils responsible for policing must be established to ensure effective coordination of the police service and effective co-operation among the spheres of government.

(9) A provincial legislature may require the provincial commissioner of the province to appear before it or any of its committees to answer questions.

#### **2.2.1.5. Control of Police Service**

207.

(1) The President as head of the national executive must appoint a woman or a man as the National Commissioner of the police service, to control and manage the police service.

(2) The National Commissioner must exercise control over and manage the police service in accordance with the national policing policy and the directions of the Cabinet member responsible for policing.

(3) The National Commissioner, with the concurrence of the provincial executive, must appoint a woman or a man as the provincial commissioner for that province, but if the National Commissioner and the provincial executive are unable to agree on the appointment, the Cabinet member responsible for policing must mediate between the parties.

(4) The provincial commissioners are responsible for policing in their respective provinces—

a) as prescribed by national legislation; and

b) subject to the power of the National Commissioner to exercise control over and manage the police service in terms of subsection (2).

(5) The provincial commissioner must report to the provincial legislature annually on policing in the province, and must send a copy of the report to the National Commissioner.

(6) If the provincial commissioner has lost the confidence of the provincial executive, that executive may institute appropriate proceedings for the removal or transfer of, or disciplinary action against, that commissioner, in accordance with national legislation.

## **2.2.2. REGULATION OF GATHERING ACT 205 OF 1993**

This Act regulates the holding of public gatherings and demonstrations at certain places; and it provides for matters connected therewith the preamble where every person has the right to assemble with other persons and to express his views on any matter freely in public and to enjoy the protection of the state while doing so; and whereas the exercise of such right shall take place peacefully and with due regard to the rights of others: be it therefore enacted by the State President and the Parliament of the Republic of South Africa.

### **2.2.2.1. Consultations, Negotiations, Amendment of Notices, and Conditions**

(1) If a responsible officer receives notice in terms of section 3 (2), or other information regarding a proposed gathering comes to his attention, he shall forthwith consult with the authorized member regarding the necessity for negotiations on any aspect of the conduct of, or any condition with regard to, the proposed gathering.

(2) a) If, after such consultation, the responsible officer is of the opinion that negotiations are not necessary and that the gathering may take place as specified in the notice or with such amendment of the contents of the notice as may have been agreed upon by him and the convener, he shall notify the convener accordingly.

b) If, after such consultation, the responsible officer is of the opinion that negotiations are necessary, he shall forthwith call a meeting between himself and-

- i. the convener;
- ii. the authorized member;
- iii. any other responsible officers concerned, if any; and
- iv. representatives of such other public bodies, including local authorities and police community consultative forums, as in the opinion of such responsible officer or officers ought to be present at such meeting,

c) At the meeting contemplated in paragraph (b) discussions shall be held on the contents of the notice, amendments thereof or additions thereto and the conditions, if any, to be imposed in respect of the holding of the gathering so as to meet the objects of this Act.

(d) The responsible officer shall endeavour to ensure that such discussions take place in good faith.

(3) If a convener has been notified in terms of subsection (2) (a) or has not, within 24 hours after giving notice in terms of section 3 (2), been called to a meeting in terms of subsection (2) (b) of this section, the gathering may take place in accordance with the contents of the notice and in accordance with the provisions of section 8, but subject to the provisions of sections 5 and 6.

(4) (a) If agreement is reached at the meeting contemplated in subsection (2) (b) the gathering may take place in accordance with the contents of the notice, including amendments, if any, to such contents, on which agreement was reached at the meeting, but subject to the provisions of sections 5 and 6.

(b) If at a meeting contemplated in subsection (2) (b) agreement is not reached on the contents of the notice or the conditions regarding the conduct of the gathering, the responsible officer may, if there are reasonable grounds therefore, of his own accord or at the request of an authorized member impose conditions with regard to the holding of the gathering to ensure-

- i. that vehicular or pedestrian traffic, especially during traffic rush hours, is least impeded; or
- ii. an appropriate distance between participants in the gathering and rival gatherings; or
- iii. access to property and workplaces; or
- iv. the prevention of injury to persons or damage to property.

(c) A responsible officer who imposes any condition or refuses a request in terms of paragraph (b) shall give written reasons therefor.

(5) (a) The responsible officer shall ensure as soon as possible that a written copy of the notice, including any amendment thereof and any condition imposed and the reasons therefor, is handed to the convener and the authorized member who, and to every party which, attended the meeting referred to in subsection (2) (b): Provided that if the identity or whereabouts of the convener is unknown, or if in view of the urgency of the case it is not practicable to deliver or tender the said written notice and reasons to him, the notice shall forthwith, notwithstanding any provision to the contrary in any other law contained, be published in one or more of the following manners:

- i. In a newspaper circulating where the gathering is to be held; or
- ii. by means of the radio or television; or

- iii. by the distribution thereof among the public and the affixing thereof in public or prominent places where the gathering is to be held; or
- iv. by the announcement thereof orally where the gathering is to be held; or
- v. by affixing it in a prominent place at the address of the convener specified in the notice.

(b) The convener and the authorized member shall, respectively, ensure that every marshal and every member of the police at the gathering know the contents of the notice, including any amendment or condition, if any.

(6) (a) If a gathering is postponed or delayed, the convener shall forthwith notify the responsible officer thereof and the responsible officer may call a meeting as contemplated in subsection (2) (b), and thereupon the provisions of subsections (2) (c) and (d), (3), (4) and (5) shall apply, mutatis mutandis, to the gathering in question.

(b) If a gathering is cancelled or called off, the convener shall forthwith notify the responsible officer thereof and the notice given in terms of section 3 shall lapse.

(7) If a responsible officer is notified as contemplated in subsection (6) (a) or (b), he shall forthwith notify the authorized member accordingly.

#### **2.2.2.2. Prevention and Prohibition of Gathering**

(1) When credible information on oath is brought to the attention of a responsible officer that there is a threat that a proposed gathering will result in serious disruption of vehicular or pedestrian traffic, injury to participants in the gathering or other persons, or extensive damage to property, and that the police and the traffic officers in question will not be able to contain this threat, he shall forthwith meet or, if time does not allow it, consult with the convener and the authorized member, if possible, and any other person with whom, he believes, he should meet or consult, including the representatives of any police community consultative forum in order to consider the prohibition of the gathering.

(2) If, after the meeting or consultation referred to in subsection (1), the responsible officer is on reasonable grounds convinced that no amendment contemplated in section 4 (2) and no condition contemplated in section 4 (4) (b) would prevent the occurrence of any of the circumstances contemplated in subsection (1), he may prohibit the proposed gathering.

(3) If the responsible officer decides to prohibit the gathering, he shall in a manner contemplated in section 4 (5) (a), notify the convener, authorized member and every other person with whom he has so met or consulted, of the decision and the reasons therefor.

### **2.2.2.3. Powers of Police**

(1) If a gathering or demonstration is to take place, whether or not in compliance with the provisions of this Act, a member of the police-

- a) may, if he has reasonable grounds to believe that the police will not be able to provide adequate protection for the people participating in such a gathering or demonstration, notify the convener and such people accordingly;
- b) may prevent people participating in a gathering from proceeding to a different place or deviating from the route specified in the relevant notice or any amendment thereof or from disobeying any condition to which the holding of the gathering is subject in terms of this Act;
- c) may, in the case of a responsible officer not receiving a notice in terms of section 3 (2) more than 48 hours before the gathering, restrict the gathering to a place, or guide the participants along a route, to ensure- (i) that vehicular or pedestrian traffic, especially during traffic rush hours, is least impeded; or (ii) an appropriate distance between participants in the gathering and rival gatherings; or (iii) access to property and workplaces; or (iv) the prevention of injury to persons or damage to property;
- d) may order any person or group of persons interfering or attempting to interfere with a gathering or demonstration to cease such conduct and to remain at a distance from such gathering or demonstration specified by him;
- e) may, when an incident, whether or not it results from the gathering or demonstration, causes or may cause persons to gather at any public place, by notice in a manner contemplated in section 4 (5) (a) specify an area considered by him to be necessary for- (i) the movement and operation of emergency personnel and vehicles; or (ii) the passage of a gathering or demonstration; or (iii) the movement of traffic; or (iv) the exclusion of the public from the vicinity; or (v) the protection of property;
- f) (f) shall take such steps, including negotiations with the relevant persons, as are in the circumstances reasonable and appropriate to protect persons and

property, whether or not they are participating in the gathering or demonstration.

(2) (a) In the circumstances contemplated in section 6 (6) or if a member of the Police of or above the rank of warrant officer has reasonable grounds to believe that danger to persons and property, as a result of the gathering or demonstration, cannot be averted by the steps referred to in subsection (1) if the gathering or demonstration proceeds, the Police or such member, as the case may be, may and only then, take the following steps:

(i) Call upon the persons participating in the gathering or demonstration to disperse, and for that purpose he shall endeavour to obtain the attention of those persons by such lawful means as he deems most suitable, and then,

(ii) in a loud voice order, them in at least two of the official languages and, if possible, in a language understood by the majority of the persons present, to disperse and to depart from the place of the gathering or demonstration within a time specified by him, which shall be reasonable.

(b) If within the time so specified the persons gathered have not so dispersed or have made no preparations to disperse, such a member of the police may order the members of the Police under his command to disperse the persons concerned and may for that purpose order the use of force, excluding the use of weapons likely to cause serious bodily injury or death.

(c) The degree of force which may be so used shall not be greater than is necessary for dispersing the persons gathered and shall be proportionate to the circumstances of the case and the object to be attained.

(d) If any person who participates in a gathering or demonstration or any person who hinders, obstructs or interferes with persons who participate in a gathering or demonstration-

(i) kills or seriously injures, or attempts to kill or seriously injure, or shows a manifest intention of killing or seriously injuring, any person; or

(ii) destroys or does serious damage to, or attempts to destroy or to do serious damage to, or shows a manifest intention of destroying or doing serious damage to, any immovable property or movable property considered to be valuable, such a member of the police of or above the rank of warrant officer may order the members of the police under his command to take the necessary steps to prevent the action contemplated in subparagraphs (i) and (ii) and may

for that purpose, if he finds other methods to be ineffective or inappropriate, order the use of force, including the use of firearms and other weapons.

(e) The degree of force which may be so used shall not be greater than is necessary for the prevention of the actions contemplated in subparagraphs (d) (i) and (ii), and the force shall be moderated and be proportionate to the circumstances of the case and the object to be attained.

(3) No common law principles regarding self-defence, necessity and protection of property shall be affected by the provisions of this Act.

#### **2.2.2.4. Regulations**

The Minister may, subject to the provisions of section 9 (2), make regulations in regard to-

- a) the procedure to be followed when a gathering or demonstration is dispersed;
- b) the use, and procedure to be followed before the use, of force against participants in a gathering or demonstration; and
- c) any other matter in regard to which it may be necessary to make regulations in order to achieve the objects of this Act.

The purpose of this Act is to regulate the holding of public gatherings and demonstrations at certain places. It also provides processes related to notice of gathering, consultations and negotiations, and prescribes conduct at a gathering. Section 9 further allows the police to use force in the dispersal of a gathering but such force must exclude the use of weapons likely to cause serious bodily injury or death. The section further prescribes that the degree of force used shall not be greater than is necessary for dispersing the persons and shall be proportionate to the circumstances and to the object to be achieved (Budlender, Chaskalson, Pillay, Wesley, Lupuwana & Mojapelo, 2014). This Act clearly stipulates the public's right to protest in order to get government's attention when their demands are not met (Iwu&Iwu, 2015). It seeks to protect everyone's right to peacefully participate in gatherings such as peaceful protests.

### **2.2.3. THE SOUTH AFRICAN POLICE SERVICE ACT 68 OF 1995**

This act was developed with the aim to provide for the establishment, organisation, regulation and control of the South African Police Service, and to provide matters in connection therewith.

#### **2.2.3.1. National Public Order Policing Unit Section 17**

(1) The national commissioner shall, subject to section 218 (1) (k) of the constitution, establish and maintain a national public order policing unit.

(2) The national commissioner may deploy the national public order policing unit, or may part thereof, at the request and in support of a provincial commissioner, taking into account-

- a) the reason for the request
- b) the personnel and equipment available to the unit, and
- c) any other circumstances anywhere in the national territory which may have an influence on the maintenance of public order and which may request the deployment of the unit or any part thereof elsewhere.

(3) where the national public order policing unit or any part thereof is deployed under subsection (2), the unit shall perform its functions subject to the directions of the provincial commissioner concerned: provided that the mere fact of such deployment does not preclude the President from exercising his or her powers under subsection (5) in relation to the areas where the unit is deployed.

(4) The national commissioner may withdraw the national public order policing unit or any part thereof deployed under subsection (2), taking into account-

- a) the prevailing circumstances where the unit or part thereof is so deployed,
- b) the personnel and equipment available to the unit, and
- c) any other circumstances anywhere in the national territory which may have an influence on the maintenance of public order which may require the deployment of the unit or any part thereof elsewhere provided that the national commissioner shall, at the request of the provincial commissioner, withdraw the unit or any part thereof deployed.

(5) The president may, in consultation with the cabinet, direct the national commissioner to deploy the national public order policing unit in circumstances where a provincial commissioner is unable to maintain public order and the deployment of the unit is necessary to restore public order.

(6) The national commissioner shall upon receiving a direction under subsection (5), deploy the national public order policing unit or such part thereof as may be necessary to restore public order to the area concerned, and may from time to time if he or she deems it necessary, deploy additional members of the unit in the area concerned or, subject to subsection (7), withdraw members of the unit from the area concerned if their continued presence is no longer required to restore or maintain public order in the area concerned or in any part thereof.

(7) where the national public order policing unit or any part thereof is deployed under subsection (5) and public order has been restored in the area concerned, the unit or part thereof shall continue to maintain public order in such area until the president, in consultation with the cabinet, directs the national commissioner to withdraw the unit.

This Act provides that a public order policing unit shall be established and maintained by the national police commissioner whom may deploy the national public order policing unit at the request and in support of a provincial commissioner. POP unit shall perform its functions subject to the directions of the provincial commissioner concerned by SAPS Standing Order 262 on Crowd Management and The National Municipal Policing Standard for Crowd Management (Ministry of Police, 2011).

## **2.2.4. SOUTH AFRICAN POLICE SERVICE STANDING ORDER NO. 262 ON CROWD MANAGEMENT**

### **2.2.4.1. Background**

(1) The purpose of this Order is to regulate crowd management during gatherings and demonstrations in accordance with the democratic principles of the constitution and acceptable international standards.

(2) The Regulation of Gatherings Act, 1993 (Act No. 205 of 1993), (hereinafter referred to as “the Act”), shifted the focus away from obtaining permission to hold a gathering, to giving notice of an intended gathering. This Act prescribes the procedures that must be followed when the constitutional rights to protest, petition and exercise freedom of speech are exercised. In order to give effect to the purpose and objectives of this Order must be read in conjunction with the Act.

(3) While working in partnership with the community and other agencies, the Service must devise effective methods to promote public safety, as well as reassuring the various communities that they are protected. To ensure this, the Service must play a pro-active role in attempting to identify and diffuse any possible conflict before it escalates to violence. This is to be done by playing a pro-active role in communicating with the public through Community Policing Forums and other channels.

#### **2.2.4.2. Pro-active Conflict Resolution**

(1) Area and station commissioners must identify indicators of potential violent disorder in their areas by means of continuous information gathering by the information managers.

(2) All potential problems must be analyzed and reported to the provincial commissioners. If there is any threat for public safety, the area or station commissioners concerned must initiate a facilitation process to resolve the factors that underlie the disorder peacefully. They must identify role players and stakeholders who can play a role in resolving the problem, bring them together for talks and identify and implement problem solving initiatives. They must engage in conflict resolution processes to prevent any form of physical conflict or the eruption of violence.

(3) Area and station commissioners must support the commitment to partnership with the community by —

(a) building positive and constructive relationships with event organizers, community leaders and non-governmental organizations;

(b) participating in safety advisory groups of local authorities to deal with issues relating to public safety; and

(c) exploring the potential for establishing formal liaison panels, to prevent and defuse community disorder in conjunction with institutions such as local authorities, civic associations, community policing forums and non-governmental organizations.

### **2.2.4.3. Designation of Authorized**

(1) An area commissioner must in writing, designate an officer at a station or area level, as the authorized member.

(2) After the Area commissioner has designated an authorized member, the area commissioner must —

(a) keep and maintain a register with the particulars of the authorized members (containing the persal number, rank, name, contact numbers of such members) at his or her office; and

(b) ensure that the particulars of the authorized members are submitted, in writing, to every municipality within the area and to the Provincial Head: Operational Response Services

(3) A station commissioner must ensure that a notice containing the name and contact particulars of the designated authorized member(s) for his or her station is displayed in the community service centre of the station

### **2.2.4.4. Duties and Responsibilities of an Authorized Member**

The duties and responsibilities of an authorized member are to—

(a) represent the Service and liaise with the responsible officer and conveners concerning all negotiations and consultations as prescribed by the Act;

(b) maintain a good relationship with the responsible officer and conveners;

(c) arrange and negotiate the extent of security forces to be deployed for the operation;

(d) inform the responsible officer of any unforeseen (spontaneous) gathering;

(e) keep all records of operational plans and reports on the execution of operations and debriefing reports, for three years;

(f) take part in the overall debriefing of events by attending the debriefing;

(g) request conditions or prohibitions; and

(h) brief all members performing duties at a gathering or demonstration regarding the content of a notice, conditions and amendments thereto, issued in accordance with the Act.

#### **2.2.4.5. Threat Assessment after Information has been Received**

(1) Immediately after notification or information has been received by the area commissioner or member designated by him or her of a proposed gathering, he or she must, in consultation with the provincial head Operational Response Services or ACCU unit commander, determine at JOCCOM the threat level involved, in order to identify the most suitable component to manage the proposed event.

(2) The assessment of the threat level must be based on available tactical information in terms of level of risk, discussions and arrangements with the convenor, history of peaceful or violent protests by the parties involved, past experiences with the party, suitability of vicinity or venue in terms of alleviating or aggravating risk etc.

(3) The results of a threat assessment must be calculated in accordance with the following:

(a) Level one: a peaceful gathering and less significant sport or entertainment events which can be policed by VISPOL with the ACCU on standby;

(b) Level two: VISPOL are the primary role-players, with the ACCU in reserve at the scene; and

(c) Level three: the ACCU takes operational command and VISPOL assist in the policing of the event.

#### **2.2.4.6. Briefing of Members**

(1) Members must be properly briefed before they are deployed to perform crowd management duties.

(2) The operational commander must —

(a) personally, brief all members in the command structure;

(b) ensure that all members in the command structure communicate the objectives of the operation clearly to all members deployed for the event; and

(c) instruct all commanders or section leaders to furnish detailed written plans on their specific tasks.

(3) During the briefing, the tasks of all role players involved in the operation must be defined in detail. The communication channel must also be thoroughly explained to all members during the operation.

(4) A name list is to be compiled of all members present when a briefing is given. Section leaders must be identified and briefed in accordance with the operational plan on what is to be done. Members must be questioned to ensure that they understand what is expected of them.

The purpose of this order is to regulate crowd management during gatherings and demonstrations in accordance with the democratic principles of the constitution and acceptable international standards. SAPS Standing Order 262 provides the police with a standard procedure of responding to crowds. The SAPS Standing Order No. 262, highlights that the use of force must be avoided at all costs and members deployed for the operation must display the highest degree of tolerance. The use of force and dispersal of crowds must comply with the requirements of section 9 (1) and (2) of the SAPS act. The standing order further puts in place the procedure(s) to be followed by the police if negotiations fail in a public gathering which exposes the lives of people and property to danger. At the same time, the standing order also prescribes the requirements which are to be followed by the police if the use of force becomes unavoidable (SAPS, 2004). Iwu and Iwu (2015) highlighted that it is clear that the police do not comply with this standing order procedures in incidences where protestors are injured but use force to disperse the crowd.

### **2.2.5. CRIMINAL PROCEDURE ACT 51 OF 1977**

This Act makes provision for procedures and related matters in criminal proceedings.

#### **2.2.5.1. Section 49 Use of Force in Effecting Arrest**

(1) For the purposes of this section

- a) 'arrestor' means any person authorised under this Act to arrest or to assist in arresting a suspect;
- b) 'suspect' means any person in respect of whom an arrestor has a reasonable suspicion that such person is committing or has committed an offence; and

- c) 'deadly force' means force that is likely to cause serious bodily harm or death and includes, but is not limited to, shooting at a suspect with a firearm.

(2) If any arrestor attempts to arrest a suspect and the suspect resists the attempt, or flees, or resists the attempt and flees, when it is clear that an attempt to arrest him or her is being made, and the suspect cannot be arrested without the use of force, the arrestor may, in order to effect the arrest, use such force as may be reasonably necessary and proportional in the circumstances to overcome the resistance or to prevent the suspect from fleeing, but, in addition to the requirement that the force must be reasonably necessary and proportional in the circumstances, the arrestor may use deadly force only if

- a) the suspect poses a threat of serious violence to the arrestor or any other person; or
- b) the suspect is suspected on reasonable grounds of having committed a crime involving the infliction or threatened infliction of serious bodily harm and there are no other reasonable means of effecting the arrest, whether at that time or later.

According to Burchell (2011), section 49 of the South African Criminal Procedure Act 51 of 1977, provides police officers with legal justification to use force in carrying out arrests, and includes the rules governing the degree of force to be used, as well as the circumstances in which such force may be employed. Where a police officer's forceful conduct extends beyond the ambit of these legislative provisions, that officer may be subject to criminal liability. Bruce (2012) argues that, in light of the fact that the very objective of a police force is to protect human life, misuse of force by police may give rise to public instability and essentially to decreased safety of police officers in carrying out their duties.

## **2.2.6. NATIONAL INSTRUCTION OF 2014 PUBLIC ORDER POLICE: CROWD REGULATIONS AND MANAGEMENT DURING PUBLIC GATHERING AND DEMONSTRATION**

(1) The role of Public Order Police (POP) in South Africa is mandated by Section 205 (3) of the Constitution of the Republic of South Africa, 1996 which determines that the main functions of the service are inter alia to maintain public order, protect and secure the inhabitants of South Africa and their property, and to uphold and enforce the law.

(2) In terms of Section 17 (1) and (2) of the South African Police Service Act, 1995 (Act 68 of 1995), the National Commissioner must in accordance with section 218 (1)(k) of the constitution, establish and maintain a national public order policing unit. (Section 218 (1)(k) of the Constitution of the Republic of South Africa, 1993 (Act No,200 of 1993) remain in the force by virtue of paragraph 24 of schedule 6 of the constitution of the Republic of South Africa, 1996).

(3) The mandate implies that POP maintains public order firstly by ensuring public order during public gatherings and demonstrations and secondly by intelligence driven crime combating and prevention operations.

(4) The purpose of this instruction is to regulate the crowd management environment and if violence has occurred during any gathering or demonstration, the restoration of public order according to acceptable international standards.

(5) The Regulation of Gathering Act, 1996 (Act No, 205 of 1993), shifted the focus away from obtaining permission to hold a gathering, to giving notice of an intended gathering. This Act prescribes the procedures that must be followed when the Constitutional rights to protest, petition and freedom of speech are exercised. In order to give effect to the purpose and objectives of the Act, this instruction must be read in conjunction with the Act.

(6) A centralized management approach is the most effective manner of managing POP to deal with public gatherings and demonstrations. This means that the all units will function under the direct authority of the Divisional Commissioner: Operational Response Service (ORS).

(7) The South African Police Service (the service) must, in partnership with the community, Metropolitan Police services and other agencies, devise effective methods

to promote public safety, as well as reassuring the various communities that they are protected. To ensure this, the service must play a pro-action role in attempting to identify and diffuse any possible conflict before it escalated into violence. This is to be done by playing a proactive role in communicating with the public through Community Policing Forums (CPF) or other channels.

#### **2.2.6.1. Command and Control**

(1) The Divisional Commissioner: ORS is in full command and control of POP as a national competency and must maintain the capacity to provide effective crowd management in order to maintain public order.

(2) The Head: National POP established within the Division ORS will be directly accountable to the Divisional Commissioner: ORS. The Head: National POP will have direct command and control over POP units in the provinces, and the Section Head: POP Operations will be accountable to the head.

(3) The section head: POP Operations will have direct operational command and control in respect of the POP units in the provinces and the Section head: ORS support services will perform the support functions (such as, finance budget needs in terms of all equipment, armoured vehicle serviceability and maintenance, human resources, supply chain management, policy development and development matters.

(4) National operations will be initiated by the National Commissioner or the Divisional Commissioner: ORS.

(5) The Divisional Commissioner ORS has the authority to move POP members as well as physical resources across- province borders for national operations or priorities. The POP members will, irrespective of area of deployment, remain under national command and receive operational support from the Division: ORS.

(6) At provincial level, the Provincial Head: ORS, as a representative of the Divisional Commissioner ORS, will attend the PCCF in order to gather information relating to POP functions. The POP Commander in the province, will be responsible for day to day operations in the province.

(7) The Divisional Commissioner ORS is responsible for the development and revision of all policy and standards, the drafting of directives and Standard Operating

Procedures (SOP's) in respect of POP, while the POP Commander in the province must ensure the implementation of standards, operationalize policy, circulate directives and SOP's, and monitor adherence.

(8) In terms of monitoring and evaluation the Provincial Head: ORS may, at the request of the Divisional Commissioner ORS, conduct inspections of the various units within the province. The Division: ORS must, at least annually, visit, evaluate and inspect the units.

### **2.2.6.2. Operational Functions**

#### **(1) Functions and tasks of POP units**

##### **a) The policing of public gatherings**

This 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 by controlling perimeters, managing crowds and providing tactical reserves at major events and public gatherings or demonstrations. POP units must manage level three incidents and support stations in level one and two incidents which must be handled by the relevant local station.

##### **b) Crime prevention and combating of serious and violent crime**

This includes stabilizing outbreaks of public violence at incidents of serious and violent crime and dealing with any occurrences of crowd gathering during the management of crime incidents (such as cash in transit heists, armed robberies and transport sector violence and farm attacks) to protect people and property.

##### **c) Rendering specialised operational support**

This 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 VIP's by controlling perimeters, protecting key points, managing crowds and providing tactical reserves).

#### **(2) Information management**

In order to achieve the above, every POP commander must ensure that information is used and managed effectively. This includes acquiring and capturing all relevant

tactical and operational information on the functions of POP, as well as on all public order incidents, events or operations and ensuring a constant flow of accurate information on the incidents, events or operation. This includes the planning of operations, coordination of information and reporting of preview information to the national office. The relevant information management manual and related directives and instructions must be adhered to.

(3) Every POP commander must monitor all information registered on IRIS and to ensure data integrity. All units must at least have one person per shift who can register incidents on IRIS and at least one IRIS Controller per unit to monitor data integrity on IRIS.

(4) Video camera operators must be designated at all events to monitor the events with video footages. The relevant Video Administration guideline, related directives and instructions must be adhered to.

## **2.2.7. MINISTRY OF POLICE: POLICY AND GUIDELINES; POLICING OF PUBLIC PROTEST, GATHERINGS AND MAJOR EVENTS**

This policy guideline was developed and signed on 29 August 2011.

### **2.2.7.1. Scope and Objectives**

The policy aims to provide a framework with guidelines for the SAPS in reviewing and aligning its operational strategies and instructions applicable on policing of public protest and related major events with a view of minimizing provocation, intimidation and violence.

The objective(s) is to

- promote ideal crowd control and management capacity within the police in order to secure public trust and maintenance of safety during public gatherings;
- provide a framework and facilitate the development of appropriate guidelines by the SAPS on the use of force in relation to crowd control and management that adheres to international accepted standards;
- establish the principle of intervention in controlling public protest in order to proportionate the means of force that can be applied by the police;

- facilitate the introduction of appropriate training initiatives which must, amongst others, address the principle of “first responder”, guide SAPS operational planning and response, resource deployment and physical execution.

### **2.2.7.2. Policy Statement**

One of the key areas is to consider whether the policing of public protest in its current occurrence is consistent with the fact that police operations have to be undertaken within the context of people’s right to protest. This does not diminish the threat to public order which some public protest may bring about. This can go beyond law and order which if the current policing of public events is to go by is often applied loosely on any day that the police are confronted with protesters.

In developing policy and guidelines for the policing of public protests and gathering, we need to ensure our policing approach is consistent with-

- Constitutionally accorded rights for all individuals.
- Effective and peaceful crowd control demands.
- An approach that does not impact negatively and enhances tensions between the police and community at the time of protest, this has potential to continue even beyond the protest.
- Our policing approach not generating the very violence it seeks to control in public protests.

The policy aims to outline the standards and policy guidelines for SAPS to ensure proper handling of gatherings and conduct by police officers in protest situation.

### **2.2.7.3. Command and Control**

The success of effective response by the SAPS to any public protest situation is dependent on a strong line of command and control. It has been proved that command and control has different meaning to different people. Within the context of policing public protests, command and control simply means that certain people must know that they have different roles to play. Ordinary members in the platoon are to execute getting instructions from the platoon leader. The platoon leader is guided by the operational commander who is normally situated some blocks away in a mobile or permanent command centre (this can create serious repercussions in cases where

communication is lost and the platoon is left on its own). It therefore stands to deduct from the command and control in this hierarchy that each member has certain responsibilities and should be held responsible for decisions taken by them.

SAPS Commanders must have negotiation skills and be able to use these skills during gatherings. In the case of a planned gathering, the commanders must be able to negotiate with the organizers of the gathering, or the person nominated for this purpose, as and when required or necessary. In the event of an unplanned gathering, commanding officers must be able to identify key leaders from the group with whom they can negotiate.

It should be noted that the metro police service does not have powers to police public protests. In terms of their mandate their functions is limited/restricted to crime prevention activities, enforcement of by-laws and traffic policing. This suggests that once the SAPS arrive at a public protest scene, they must take full control. This includes command and control and where further assistance is required from the metro police members, the SAPS command and control will supersede. The SAPS shall ensure that such metro police members are in full compliance with all the requirements within this policy.

If one looks at video footage of the policing of public protests one can be excused for thinking that the policing of such events is uncoordinated and lack planning. There is no clear police line and police are deployed sporadically around the gathering. In contrast, if one looks at some of the international footage of how other police deploy at similar gathering it is clear that they have a planned line as opposed to scattered sporadic deployment. The POP unit should be able to effect rapid deployment in the case of public gatherings or protest action and once on the scene must be able to take command and control of the event without interference from other policing structures.

While the guidelines and procedures for the policing of public protests and gatherings must be clearly understood and implemented during such events, the guidelines must allow local commanders to take initiative when the situation arises. However, the taking of such initiative must be done by the commanders and adhere to lines of command and control.

#### **2.2.7.4. Use of Force**

In line with the international instruments, many countries do not subscribe to the use of lethal force during public gatherings and demonstrations. It has always been perceived that a similar approach is followed in South Africa. Unfortunately, the contrary has been proved over the past few years which reached a climax during the first quarter of 2011. Relevant legislation, including the Constitution (Bill of Rights) and standing orders appears to re-affirm the international position on the use of lethal force. In fact, the standing order goes so far in prescribing the kind of weapons and ammunition allowed to be used during public protests or gatherings.

To understand police use of force is necessary to also understand types of force associated with the police in the context of their daily operations. Various distinctive, but similar types of police use of force can be identified in different countries. These consist of: physical force which involves contact with a subject beyond that which is generally utilised to affect an arrest or other law enforcement objective. Physical force is employed when necessary to overcome a subject's physical resistance to the exertion of the law enforcement officer's authority, or to protect persons or property. Examples include wrestling a resisting subject to the ground, using wrist locks or arm locks, striking with the hands or feet, or other similar methods of hand-to-hand confrontation. Mechanical force involves the use of some device or substance, other than a firearm, to overcome a subject's resistance to the exertion of the law enforcement officer's authority. Examples include the use of a baton or other object, canine physical contact with a subject, or chemical or natural agent spraying. These kinds of police use of force appear to be the most commonly applied forces by police across countries such as Britain, France, Belgium, Malaysia, USA, Canada and South Africa among others.

All along the SAPS policing was aligned to the Belgium model which seemed to be a narrow approach. This model is based on distant policing of crowds and would include discussions, negotiation and persuasive methods. It is obvious that the distance approach provides more room for protesters to provoke and throw objects which could cause injury to people and damage to property. The model also provides that the police may negotiate with for example a small delegation from the crowd. Unfortunately, this distant approach easily resorts to the use of force especially where crowds would

overstep boundaries set by the police which in most instances construed as posing a threat to the police.

In planning towards effective crowd control during the 2010 FIFA Soccer World Cup Tournament, the SAPS conducted research on different models and decided to engage on the French model which is underpinned by a wider approach than the Belgium model. The French model drastically cut down on the distance and requires that the police should be literally a few meters in front of the crowd. This provides the opportunity to restrain forward movement of the crowd and the possibility for snatchers to pick on certain individuals who are ought to be the most provocative within the crowd. This model also provides better formation and positioning of platoons in crowd control and redirecting a protest to lesser significant areas. Training on this model was introduced but never formalised.

It is not certain why, after opting for the French training technique, the SAPS kept on applying the Belgium approach. The simple logic appears to be that no formal approval for the exclusive implementation of the French model by the SAPS has been made by the SAPS management. In fact, the merit of the model is that public protests can be better controlled at short distance, the route of the protest can be easily diverted and it provides for snatching and close surveillance.

On the other hand, coercive and deadly force involves force which a law enforcement officer uses with the purpose of causing, or which the officer knows to create a substantial risk of causing death or serious bodily harm. Examples include purposely firing a firearm in the direction of another person or at a vehicle, building or structure in which there are people. This kind of force normally occurs as a measure of last resort and in very few cases. Very often the indiscriminate application of deadly force by police in many developed countries such as the USA and Canada, evoke public protests on police use of force, which in turn results in public discourse on police policy reviews. However, it cannot be argued with certainty that the frequency of the indiscriminate use of deadly force seem to be more in one country compared with other countries; it is largely a rare phenomenon and should be understood within the broader context of violence in a particular locality and country.

In order to ensure compliance to the constitution and obligations under the international instruments, the current operational strategies and/or policies guiding the

use of force by the SAPS during public protests must be subjected to urgent review to reduce the use of force to a minimum. This review must ensure strict measures and guidelines are adopted and implemented to reduce the risk of casualties and fatalities associated with the use of firearms during public protests.

Currently, the use of lethal force is guided by Standing Order 262 which prescribes the kind of weapons and ammunition allowed to be used during public protests or gatherings and must be adhered to. A decision to discharge a firearm should be on the orders of the commanders. Any decision or instruction to discharge a firearm must be subject to review and investigation, which does not preclude disciplinary and criminal sanctions in cases resulting in casualties or fatalities caused by the use of such firearms.

#### **2.2.7.5. Equipment**

In order to give effect to the implementation of this policy, it is incumbent on the SAPS management to kick start procurement processes in ensuring all the required and necessary equipment is procured, evenly distributed and allocated and that proper maintenance.

The minimum equipment which will be required is:

- Body armor and Helmets;
- Shields;
- Batons;
- Water cannons (some already procured for crowd control during the 2010 FIFA World Cup)
- Armoured vehicles (some of the current fleet needs replacement)
- Specified Caliber Firearms and ammunition
- Communication and Video equipment
- Mobile operational centers (supplementing the current fleet)

A commander must do an appreciation of the situation and utilize available information to inform the deployment of resources. Unit Commanders must ensure that the SAP 15's are completed before every intervention by the Public Order Policing Units including the serial number of firearms, shotguns, the amount of ammunition, etc. Members must have all the necessary equipment and in the case of the issuing of

firearms, the serial number of the firearm must be linked to a specific member's name. Commanders must certify the issuing of such equipment. During the protest or event, each member shall at times display their name tags.

A key area of procurement is the availability of video equipment during public protests and demonstrations. Working video equipment must be deployed to and used at all public gatherings and protests. The use of such video equipment will not only assist the police in securing prosecutions where criminal acts occur but will also allow the police to make use of material gathered during the videoing of such events for training and debriefings. This video material can also assist in the conviction of conveners/organizers of gathering who fail to comply with the requirements of the Act by failing to control participants in such gatherings.

#### **2.2.7.6. Use of Intelligence**

A threat analysis must be conducted by the intelligence fraternity throughout the whole country to identify hotspots which must be considered and provide guidance for the deployment and/or allocation of equipment.

The use of intelligence as part of policing of public protests and gathering is essential. The relationship between the POP units and crime intelligence can not only assist in the planning of deployments at protests and gatherings but also assist the POP unit to identify possible threats and targets proactively. In the UK, the police make use of intelligence operatives to identify particular trouble makers in the crowd. Then through a process of planned police interventions by the POP Unit, they develop a strategy to isolate such individuals from the main crowd.

#### **2.2.7.7. Responsibility of Conveners/Organizers**

The conveners/organizers of gatherings and public protests, who fail to comply with provisions of the Regulation of Gatherings Act, should be prosecuted under section 12 of the Act. To ensure this section is effectively utilized, as intended in the Act, it is essential that section 4 meetings (held with authorities to consider and plan the gathering) be thoroughly managed. Such meetings must place strict conditions on the approval of gatherings and public protests.

Section 11 of the Act also makes conveners liable for damages that arise as a direct consequence of the gathering. This section also needs to be utilized together with

section 12 of the Act. Section 11 and 12 of the Act have not been effectively utilized and going forward, more focus must be placed on these sections as part of the policing of public protests and gatherings.

This policy provides guidelines for managing and controlling crowds involved in protests, demonstrations, mass marches and major events with a view to minimising provocation, intimidation and violence. It spells out the procedures to be followed by the police when managing and controlling crowds, the legislative framework, as well as the tools required doing public order policing. Other aspects of importance spelt out in the policy include training, use of force, use of equipment, command and control, use of intelligence and the responsibility of conveners or organisers.

#### **2.2.8. INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE ACT 1 OF 2011**

The IPID, which was formerly known as the Independent Complaints Directorate (ICD), is an agency of the South African government responsible for investigating complaints against the SAPS and municipal police services.

This Act makes a provision for the establishment of an independent police investigative directorate and to regulate the functions of the directorate, to provide for the establishment of a management committee and consultative forum and their respective functions; to provide for the appointment and powers of investigators; to provide for reporting obligations and cooperation by members of the South African Police Service and municipal police services; to provide for transitional arrangements; to provide for the repeal and amendment of certain laws; and to provide for matters connected therewith.

##### **2.2.8.1. Preamble**

Whereas Section 206(6) of the constitution provides that, on receipt of a complaint lodged by a provincial executive, an independent police complaints body established by national legislation must investigate any alleged misconduct of, or offence committed by, a member of the police service in the province; and whereas there is a need to ensure effective independent oversight of the SAPS and municipal police

services; and whereas chapter 2 of the constitution provides for the upholding and safeguarding of fundamental rights of every person.

### **2.2.8.2. Type of Matters to be Investigated**

28. (1) The Directorate must investigate

- a) any deaths in police custody;
- b) deaths as a result of police actions;
- c) any complaint relating to the discharge of an official firearm by any police officer;
- d) rape by a police officer, whether the police officer is on or off duty;
- e) rape of any person while that person is in police custody;
- f) any complaint of torture or assault against a police officer in the execution of his or her duties;
- g) corruption matters within the police initiated by the Executive Director on his or her own, or after the receipt of a complaint from a member of the public, or referred to the Directorate by the Minister, an MEC or the Secretary, as the case may be; and
- h) any other matter referred to it as a result of a decision by the Executive Director, or if so requested by the Minister, an MEC or the Secretary as the case may be, in the prescribed manner.

(2) The Directorate may investigate matters relating to systemic corruption involving the police.

## **2.3. CONCLUSION**

The legislative framework governing public order policing and protests were highlighted. The South African Constitution (1996) provides the functions of the police service which are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law. These functions are regulated by the SAPS Act no 68 of 1995 that provides the power of members of the police service. The use of force is clearly stated in subsection 13(3) (b) which provides that "*Where a member who performs an*

*official duty is authorised by law to use force, he or she may use only the minimum force which is reasonable in the circumstances".* This means that the police have the power to use force in certain conditions. For example, in emergency self-defence whereby the police officer uses force to prevent criminal attack which threatens someone's life or the officer's life, in this case force is reasonably appropriate. Regulation of Gathering Act 205 of 1993 regulates the holding of public gatherings and demonstrations at certain places. This Act outlines the public's right to protest in order to get government's attention and It seeks to protect each individual's right to peacefully participate in gatherings such as peaceful protests.

Standing Order 262 provides the police with a standard procedure of responding to crowds. It states that the use of force must be avoided at all costs and members deployed for the operation must display the highest degree of tolerance. The use of force and dispersal of crowds must comply with the requirements of section 9 (1) and (2) of the SAPS Act. it further puts in place the procedure(s) to be followed by the police if negotiations fail in a public gathering which exposes the lives of people and property to danger. Criminal Procedure Act 51 of 1977, provides police officers with legal justification to use force in carrying out arrests and includes the rules governing the degree of force to be used, as well as the circumstances in which such force may be employed. Where a police officer's forceful conduct extends beyond the ambit of these legislative provisions, that officer may be subject to criminal liability.

National Instruction of 2014 Public Order Police: crowd regulations and management during public gathering and demonstration provides operational functions of POP unit. provides the briefing of members and emphasises the role of the overall commander or designated officer instructing all commanders to furnish detailed written plans on their specific tasks and designating video camera operators. Furthermore, it deals with the execution and use of force in the dispersal of crowds, which must only be conducted by those members of POP trained in crowd management and equipped with relevant crowd management equipment.

Ministry of Police: Policy and Guidelines: Policing of public protests, gatherings and major events provides guidelines for managing and controlling crowds involved in protests. It spells out the procedures that police need to follow when managing and controlling the crowd. Amongst others, it includes training, use of force, use of

equipment, command and control, use of intelligence and the responsibility of conveners or organisers. Furthermore, IPID Act 1 of 2011 provides with an investigation of any alleged misconduct of, or offence committed by a member of the police service in the province and municipal police services as an agency of the South African government responsible for investigating complaints against the SAPS. The next chapter discusses the scholars writing with the issue POP strategies during violent service delivery protests.

## CHAPTER 3

# PUBLIC ORDER POLICING STRATEGIES DURING VIOLENT SERVICE DELIVERY PROTEST

### 3.1. INTRODUCTION

The previous chapter discussed the legislative framework pertaining to protests and public order police. This chapter explores scholarly writings on POP strategies during violent service delivery protest at a national and international perspectives, causes of violent service delivery protests, the nature of violent service delivery protests and common crimes that occurs during violent service delivery protests. It further explores the development and restructuring of public order policing unit, strategies and equipment during protests, training, use of force and the challenges encountered by public order police officials. A global perspective on public order policing strategies and models will be thoroughly discussed.

### 3.2. THE CAUSES OF VIOLENT SERVICE DELIVERY PROTESTS

South Africa has recently experienced a series of public protests. The common element during these protests is that violence is becoming evident in these protests. The root causes of these violent protests are identified as factionalism, tribalism, sexism, economic exclusion and patronage politics (Kgatle, 2017; Ntsala & Mahlatji, 2016). According to Kruidenier (2015:5), extensive poverty, prolonged periods of unemployment and income inequality, gender inequality, patriarchal notions of masculinity, exposure to abuse in childhood and compromised parenting, access to firearms, pervasive alcohol misuse and fragilities in law enforcement as amongst the many factors inherent to the social dynamics of violence.

Similarly, Abrahams (2010:514) postulates that poverty informed by a disparity in income between the rich and poor, poor service delivery, overcrowding in squatter camps, lack of housing and widespread unemployment are major causes of violent protests in South Africa. Hough (2008) is of the opinion that poor communication with the communities, lack of transparency, poor governance, ineffective management and political infighting were found to be some of the main factors contributing to the

protests. The theory of relative deprivation by Gurr (1968) highlighted that poverty, deprivation and poor living conditions as key triggers for protest action. From the above causes identified by various scholars, only few causes or factors will be discussed.

### **3.2.1. Tribalism**

Sanou (2015:95) describes tribalism as the attitude and practice of harbouring a strong feeling of loyalty or bonds to one's tribe that one excludes or even demonises those 'others' who do not belong to that group. Tribalism also plays a role in the protests. According to Daily Maverick (2016), ANC members discriminated Didiza against Ramokgopa because she is not Sotho-speaking and she grew up in Durban. The members supported Ramokgopa firmly because he is Sotho-speaking and born in Tshwane.

The attitudes towards other tribes was seen between the Venda and Tsonga tribes in Vuwani and Malamulele after the Municipal Demarcation Board's (MDB) decision to form a new municipality. The decision led to protests of Vuwani community members to fight against the decision by the MDB that they do not want to be ruled by the Tsonga speaking group. The protests resulted in burning of schools, post offices and government buildings (Praag.org, 2016; Ntsala & Mahlatji, 2016). The study conducted by Busha (2016:1) concurs with findings by Baloyi (2018) that tribalism is also seen by the Vhavenda King's support of the residents' opposition to join Malamulele to form a new local municipality. Busha continues to say that the Vhavenda King has condemned the violent acts, but he supports the residents' opposition to join Malamulele to form a new local municipality.

### **3.2.2. Factionalism**

Factionalism is the conflict between informal groupings within the party constituted around particular leaders, as the party's capacity to control public appointments and direct state contracting becomes ever more deeply entrenched and hence the power of party notables as patrons more pronounced (Lodge, 2004:190). Sarakinsky (2015:66) argues that factionalism has negative consequences for the organization and can lead to dysfunction and breakaways.

### **3.2.3. Sexism**

Sexism is a pattern of behavior perpetuated by society through gender conditioning which equally dehumanizes both men and women (Horowitz, 1997:75). Daily Maverick (2016) agrees that there is also a view that recognizes sexism as the root cause of the violent protests. Some ANC members made derogatory statements against Didiza because she is a woman. In other words, they supported Ramokgopa because of his masculinity. They wanted to maintain a system whereby men hold the power and women are largely excluded from it. At one end of the pattern, women are socialized to occupy the role of victim of the oppression.

### **3.2.4. Unemployment**

According to Mottiar and Bond (2012), service delivery protests are caused by lack of response by local authorities, billing issues, the lack of employment and business opportunities for the youth, as well as high crime rates within the country. Consequently, Kgatle (2017) highlights that unemployment is considered to be one of the most important factors that can lead most of the community members to protest violently against government officials. Any government that is serious in dealing with high rate of public violent protests needs to address the high rate of youth unemployment. Langa and Kiguwa (2013) assert that, in many of the public protests unemployed blacks, poor and working-class men tend to be involved.

### **3.2.5. Patronage Politics**

According to Sikweyiya and Nkosi (2017), violence in public protests may be due to the power-based structural arrangement of society. It is a view that those who were opposed to the candidacy of Thoko Didiza were protecting their positions of power or a promise of such positions. They feared that Thoko Didiza will dismantle their feeding troughs. Furthermore, Pretoria News (2016) adds that those who supported other candidates to the powerful position anticipated to benefit from their appointment at stake were, among others, positions for mayoral committee members, high ranking municipal officials and bid committee positions. The support to other candidates was driven by the pursuit of material gain, not good governance. Study conducted by Van Eck (2013:3) explains patronage as basically a relationship in which, as a special favour, a patron provides for his client access to scarce resources that are not universally accessible.

Arriola (2009) maintains that protests erupt either because some elites crave a larger share of the spoils controlled by the leader or because those outside the leader's patronage-based coalition want access to resources to which they have been denied. Therefore, the patronage relationships are likely to cause protests because resources are scarce and patronage benefits only a few (Inman & Andrews, 2009:6).

### **3.2.6. Poor Local Governance**

Corruption, lack of communication with communities, competition for access to resources, indifference to the needs of the community, patronage networks, politics of excess, use of outsiders in official positions, gender as an issue in local governance, internal conflict, lack of accountability, poor treatment of community members by officials, use of sex in exchange of opportunities, nepotism, inadequate leadership, conflict between officials and civic leaders are regarded as poor local governance (Ntsala & Mahlatji, 2016). Those factors are found to be some of the main factors contributing to the protests. This was unambiguously stated by former African National Congress (ANC) chairperson, Mosiuoa Lekota, when he said that many "ambitious poor-quality 'comrades' occupy government positions, and some steal public funds because politics do not pay (Hough, 2008).

### **3.2.7. Poor Public Participation**

The absence of public involvement in decision-making can be cited as another cause of service delivery protests. In a democratic system, every state structure is expected to be accountable to the public. Municipal authorities ought to meet the public to hear their grievances and concerns in the service delivery system. This relation maintains trust between the municipality and the public (Mottiar & Bond, 2012).

### **3.2.8. Frustration**

Frustration is a factor that causes violent protest for both community members and the police. These stems from police use of aggression against the protestors and being confused, weak and incompetent, inactive, use of outside units, use of torture, unable to access area. Other causes are related to political entrepreneurs, economic entrepreneurs, youth involvement, collective violence occurs nearby (Ntsala & Mahlatji, 2016).

One shocking case of police brutality was the violence that turned a small-town protest into a fiery national spectacle where Andries Tatane, a teacher in a small town of Ficksburg in the Free State was killed on 13 April 2011. It started as a peaceful march and when Tatane tried to talk to the police he was shot dead. The death of Tatane placed both the issue of rising anger over a lack of service delivery as well as police brutality in the media spotlight. Sometimes what triggers protestors are frustrations with the indifference and unresponsiveness of authority to the plight of the community. People are very patient, angry and tired of waiting. Buccus (2016) finds that protests and the burning of schools and other state property are an indication of the deepest levels of frustration in communities and a deep crisis of local democracy.

### **3.2.9. Masculinities and Femininities**

Public protests may be violent because they are gendered as they often appear male dominated with regard to participation and leadership. For example, in media representations women are either almost absent or marginally represented in mass protests (Whittles, 2016). This rhetoric of public protests may have created an impression of protests being something that only men do and therefore a masculine practice. What we often see during public protests are demonstrations of hypermasculinity, a kind of masculinity that values aggression, destruction, bravery, dominance and devalues femininity (Sikweyiya & Nkosi, 2017).

### **3.2.10. Municipal Demarcation**

The protests are sometimes caused by municipal demarcation. The Vuwani protest was caused by the refusal of the Vuwani residents for their area's inclusion into the newly established local municipality in the Vhembe district in Limpopo province, South Africa (Kanyane, 2016:4). The Vuwani residents did not want to be merged with Malamulele and its surrounding villages to form a new local municipal entity. The community members indicated that they would rather be part of the current Makhado Local Municipality than to be merged with Malamulele to form the new local municipality (SAPS, 2016).

### **3.2.11. Criminal Intent**

Maroga (2012) found that criminal intent is also grown up in the minds of unemployed residences to use service delivery protest as a means to get economic gain e.g by looting shops. As the protest sustains for consecutive days, it gives the criminals more discretion , time and idea to continue their anti social behaviour. These criminals may systematically turn the protest into violence. When public protest turns into violent criminal activities, the police had to react to stop both innocent rioters and the looters.

### **3.3. THE NATURE OF VIOLENT SERVICE DELIVERY PROTEST**

Mottiar and Bond (2012) and Alexander (2010) found similar findings that various methods of protest are common to South Africans which include mass meetings, drafting of memoranda, petitions, singing, dancing, chanting, toyi-toying processions, stay-aways, election boycotts, blockading of roads, construction of barricades, burning of tyres, stone throwing, physical assault, chasing, littering, peaceful protests, intimidation, threats, threatening behaviour, disruption, use of weapons, looting, destruction of buildings, chasing unpopular individuals out of townships, confrontations with police and forced resignation of elected officials. Certain protest tactics are favoured for specific protest reasons. In the case of protest related to service delivery and political accountability, burning tyres and barricading roads seemed to be the most favoured methods of protest.

In post-apartheid, South Africa has been a proliferation of public protests occurring in various contexts. While public protests are common globally, in South Africa, they appear to be uniquely characterized by extreme forms of violence (Sikweyiya and Nkosi, 2017). In 2016, protests in the city of Tshwane turned violent according to a report by Daily Maverick (2016), wherein vehicles were torched in Hebron and Atteridgeville and streets in Hammanskraal were barricaded. All streets leading into the area had been blocked with burning objects and barricades. Mottiar and Bond (2012) found that barricading roads and the burning of tyres seem to be the preferred tactics in service delivery protests because most protesters believe that when they are burning tyres and blocking major roads, they bring their grievances to the attention of their government to respond to their demands as quickly as possible.

In Vuwani protests, the nature of protests included a truck offloaded sand in the middle of the road to block access; SAPS trailer burnt; purification system damaged; trucks belonging to a contractor and guard room burnt (Nandoni); DPW trucks burnt and a storeroom (Vuwani). Furthermore, 18 private vehicles windows smashed; 5 SAPS vehicles smashed by stones; 4 burnt houses; 1 Tribal authority office and satellite police station damaged; attacking and ambushing the police vehicles patrolling the area and attacked specific community members and councillors (Parliament of the Republic of South Africa, 2016:3).

In another protests incidence reported by African News agency, at least 20 buses were reportedly burnt and cars damaged as angry protesters took to the streets in Extension 5, Mamelodi East. A group of protesters used live ammunition while trying to loot shops. A light truck carrying recycled material was emptied of its contents on the busy Tsamaya road. Three Tshwane metro police officers had to run for their lives after protesters attacked their marked service vehicle (Kgatlé, 2017). Sikweyiya and Nkosi (2017) stated that protests in South Africa are characterized by use of extreme violence by protesters, as evidenced by the violence that erupted recently in Vuwani which resulted in burning of schools and state property during community protests over municipal boundary demarcation (Kanyane, 2016).

### **3.4. COMMON CRIMES THAT OCCURS DURING VIOLENT SERVICE DELIVERY PROTESTS**

Violent service delivery protests are characterised with wrongdoings because community members view protests as an opportunity for criminal elements for personal gains. Usually when protests start, it starts of as service delivery but degenerates into looting. Common crimes that occur during violent service delivery protests such as looting, arson, vandalism, assaults and theft are discussed below.

#### **3.4.1. Looting**

According to Mac Ginty (2004) in Newburn, Cooper, Deacon and Diski (2015), the term looting tends to be used loosely to refer to a wide range of activities that differ in terms of the degree of organization, societal level of operation, scale and object. Dynes and Quarantelli (1968) found that the word "looting" has military roots. They

further stated that it implies to invading armies and take property by force, generally when the rightful owner cannot protect it. Looting of foreign shops during protest is a criminal offence. During the protest in Kimberly of demanding the resignation of the chief financial officer Lydia Mahloko and municipal manager Goolam Akhwaray, the element of looting at businesses and shops were reflected by the protestors (Mekoa, 2018)

### **3.4.2. Arson**

Snyman (2008) 's definition of the crime of arson as being committed where a person unlawfully and intentionally sets fire to (i) immovable property belonging to another or (ii) to his own immovable insured property, in order to claim the value from the insurer. University of Johannesburg alone suffered damages amounting to more than R100 million because of violent protest actions. The violence at South African universities escalated from damaging statues and artwork and confrontations with security staff and police, to the burning of buildings and brutal clashes between student factions (Bawa, 2016). At the University of Cape Town, protesting students torched vehicles, burned artwork, invaded residences and petrol-bombed the Vice-Chancellor's office (Fomunyam, 2017). Skelton and Nsibirwa (2017) stated that, a total of 34 schools were badly damaged or destroyed through acts of arson, leaving 42 000 children out of school. They further maintain that damage to property through arson or other destructive acts falls into the category of actions that must be dealt with under criminal law.

### **3.4.3. Assault**

Assault refers to the unlawful and intentional application of force to the complainant or inspiring a belief of imminent use of force against the complainant (Snyman, 2008). During the violent service delivery protest, people may be assaulted, particularly other members who are against the violent protests and the police officers who try to maintain order.

### **3.4.4. Vandalism**

According to Kgatle (2018), vandalised schools were closed during the violent protest in Vuwani. It is estimated that the reconstruction of such schools will cost about R720m (Mostert, 2016:1). Cilliers and Aucoin (2016:13) found that this type of violence falls

between the categories of vigilantism and service delivery protest as there were acts of organised vandalism or organised destruction of public property. Badat (2016) stated that, Ministry of Higher Education condemned the burning of a bus at the University of the Witwatersrand and damage to property at North-West University. The protests at the Walter Sisulu University resulted in some protesters resorting to violence, invading residences and residence kitchens; setting up burning barricades; burning portraits and other artwork stolen from residences; general vandalism; and intimidation of members of the campus community (Fomunyam, 2017).

#### **3.4.5. Theft**

Theft refers to unlawfully and intentionally taking the property of another person without such person consent with the intent of appropriating such property. many people view violent protests as an opportunity to steal from others. As the Walter Sisulu University and University of KwaZulu-Natal protests escalated to violence, it was reported that artworks were stolen from the residences (Fomunyam, 2017). This is evident that people have different agendas during service delivery protests.

### **3.5. PUBLIC ORDER POLICING IN SOUTH AFRICA**

Public order policing refers to the management of a crowd in order to prevent harm to the crowd or a member of the crowd and or to those usually entrusted with upholding law and order such as the police or law enforcement agents (Iwu & Iwu, 2015). This section focuses on POP strategies, use of force, POP equipment, their training and challenges encountered when policing public protests.

#### **3.5.1. The Development and Restructuring of Public Order Policing Unit**

South Africa's transition from apartheid era to democracy brought many changes especially in policing. Amongst those changes, was the transformation of the South African Police which was under the apartheid government to SAPS which is oriented to serve the people. SAPS is divided into units such as crime prevention unit, K9 or dog unit, fly squad, POP unit to mention few. POP unit is tasked with maintaining public order during public gatherings, marchers and major events.

The unit underwent major restructuring from the Riot Control Unit which was established in the 1960s to focus on political unrest. In 1992, the SAP management decided the police and the army which had been providing limited assistance in dealing with public unrest, needed to concentrate on their primary functions namely crime prevention and defence respectively. This led to the formation of the Internal Stability Division or Unit whose main function was the policing of unrest through proactive and reactive measures and the prevention of crime in unrest-plagued areas (Omar, 2006b). Thereafter, in 1994, Public Order Policing was established by the new government of Republic of South Africa (RSA), due to decrease of public protests the unit was positioned into Area Crime Combating Units in 2001. The primary focus of ACCU was crime combating and prevention rather than public order and crowd management. Its objective was to maintain public order by combating serious and violent crime, policing public gatherings, rendering specialised operational support to other units and ensuring effective information management. It was concluded in 2006 that the unit should go back to POP due to an increase in public protest gatherings particularly violent ones and major events (Omar, 2006b). Till to date, the unit has been stable and tasked to manage public gatherings, protests and major events.

Unfortunately, most of this restructuring is superficial and window dressing as well as inadequate in addressing the core challenges of POP as perceived by both community members and the police. The fact that when the unit name and mandate change the staff and basic protocol remain the same point to the fact that there is no real change. POP members are expected to police different types of protests such as gatherings, unrests, marches, assemblies, demonstrations, mass meetings, processions, sit-ins, picketing, night vigils and road block (Pillay, 2016).

### **3.5.2. Public Order Policing Strategies and Equipment during Protests**

Govender (2016) and Iwu and Iwu (2015:549) state that police should be trained in the art of negotiating skills, soft skills such as communication, listening and emotional intelligence and mediating with leaders of the protest in order to make informed decision to avoid violence which could lead to death and injuries. Van Vuuren (2014) asserts that police must know what to do when they are the first responder to unrest related incident (this includes: observe, assess, evaluate, identify the leaders, use soft

skills like communication and negotiation, and implement the principle of minimum force).

According to Tait and Mark (2011:22), police engaged in POP must adhere to the rules of democratic policing which include respecting human dignity and being publicly accountable. Again, Paret (2015) argues that police disperse the protesters with tear gas, rubber bullets or water cannons in situations where the protestors are throwing stones at passing motorists, burning tyres and or blockade roads that are considered to be violent in nature. The pushback method is used in crowd management situations where the police lead the participants in a certain direction. When executing this style, members are armed with batons and shields. The pushback is done in a slow progressive manner keeping the participants moving (South African Police Division HRD, 2014:44).

The type of the equipment used by the police tends to be similar worldwide and this could be attributed to the perceived effectiveness of the equipment and the fact that the type and nature of crowds also happen to be the same internationally. Ministry of Police (2011), highlighted the minimum equipment which will be required which includes:

- Body armour and Helmets;
- Shields;
- Batons;
- Water cannons (some already procured for crowd control during the 2010 FIFA World Cup)
- World Cup Armoured vehicles (some of the current fleet needs replacement)
- Specified Caliber Firearms and ammunition
- Communication and Video equipment, a key area of procurement is the availability of video equipment during public protests and demonstrations. Working video equipment must be deployed to and used at all public gatherings and protests. The use of such video equipment will not only assist the police in securing prosecutions where criminal acts occur but will also allow the police to make use of material gathered during the videoing of such events for training and debriefings (Ministry of police, 2011).
- Mobile operational centers (supplementing the current fleet)

According to SAPS Standing Order 262, the following are prohibited or restricted during crowd management operations:

- The use of 37mm stoppers is prohibited
- The use of firearms and sharp ammunition, including birdshot and buckshot is prohibited
- The use of rubber bullets and shotgun batons is restricted – these may only be used to disperse a crowd in extreme circumstances, if less forceful methods prove to be ineffectual or restricted

According to Van Vuuren (2014), POP equipment includes body armour, helmets, shields, tonfas, water cannons, armoured vehicles, different kinds of firearms (9 mm pistols, 12 bore shotguns, R5 assault rifles), ammunition (different kinds), video surveillance equipment, pepper spray, teargas, pyrotechnics like stun grenades, pencil flares, instant flash, thunder flashes (Afrikaans “donderbuis”), and basic first aid equipment. Similarly, Omar (2006a) maintains that full body armour in South Africa includes helmets, shields and bulletproof vests. Police in other countries use body armour to protect vulnerable parts not usually protected by standard military body armour; they include knee, shin, forearm, groin, thigh, and shoulder guards (Riot Control Equipment).

### **3.5.3. Public Order Policing Training**

According to SAPS (2004:8), training policy, standards, and the presentation of national coordinated training is the responsibility of the Operational Response Service: training and development section at national level. Decentralised in-service training is the responsibility of the Operational Response Services (ORS) training coordinator at provincial level. The SAPS document (2004) stipulates that every unit must have dedicated trainers responsible for coordination of all in-service training at unit level. Trainers must allocate to each operational member a file listing all training needs and training received, and this must be updated and maintained by the trainer. In addition, the document states that ‘the level of in-service training must be maintained by ensuring that there are an adequate number of well-trained instructors to ensure the same standard of training is received by all members (Omar, 2006a).

A SAPS circular (SAPS 1997:2) exists that stipulates that in-service training be done at least one day per month, for each member of a platoon. Trainers interviewed concurred with this requirement and advised the following:

- Shooting - one session a month for half a day
- Crowd management - one session a month for one day including practical work.
- Tactical - one session a month for one day including practical work

Members of the Public Order Policing in South Africa undergo intensive training that involves various crowd management techniques to ensure that the marches are closely monitored and that there is no injury to persons or damage to property.

#### **3.5.4. Use of Force**

Many countries do not subscribe to the use of lethal force during public gatherings and demonstrations. It has always been perceived that a similar approach is followed in South Africa. Unfortunately, the contrary has been proved over the past few years. Example is the killing of Andries Tatane by the police during a service delivery protest who was shot with rubber bullets on his chest at close range. And the following year, 34 mine workers killed by the police and seventy were injured during protest in Marikana (Alexander, 2013). The Constitution of South Africa (Bill of Rights) and Standing Orders 262 of Crowd Management are against the use of lethal force. In fact, the standing order goes so far in prescribing the kind of weapons and ammunition allowed to be used during public protests or gatherings (Ministry of Police, 2011).

To understand police use of force is necessary to also understand types of force associated with the police in the context of their daily operations. This consists of physical and mechanical force as indicated below.

- Physical force involves contact with a subject beyond that which is generally utilised to affect an arrest or other law enforcement objective. Physical force is employed when necessary to overcome a subject's physical resistance to the exertion of the law enforcement officer's authority, or to protect persons or property. Examples include wrestling a resisting subject to the ground, using wrist locks or arm locks, striking with the hands or feet, or other similar methods of hand-to-hand confrontation.

- Mechanical force involves the use of some device or substance, other than a firearm, to overcome a subject's resistance to the exertion of the law enforcement officer's authority. Examples include the use of a baton or other object, canine physical contact with a subject, or chemical or natural agent spraying. These kinds of police use of force appear to be the most commonly applied forces by police across countries such as Britain, France, Belgium, Malaysia, USA, Canada and South Africa. The killing of two people and the injuring of many others at Mothutlung where the police were accused of using deadly force barely after the Marikana massacre, being a classic example (Mosombuka, 2014:01).

### **3.5.5. The Challenges Encountered by Public Order Police Officials**

Public Order Policing in South Africa has been riddled with problems for many years; the unit continues to encounter major challenges when dealing with protests, particularly violent protest. In their study, Iwu and Iwu (2015) identified and highlighted some key challenges facing the police. The study was centred around the violent protests and deaths that unfolded during the Marikana saga. They established that the unfortunate scenes in Marikana happened as a result of an inadequate POP Strategy, lack of skilled police, poor police training and a failure by police to implement their policy on POP. Tait and Marks (2011) believe that during the Marikana incident the inadequacy of POP led to the introduction of additional layers of paramilitary police such as the Tactical Response Unit (TRU) into Public Order Management. They further highlighted that many members of paramilitary unit lack training and skills in democratic policing of public order events. Their presence in Marikana only added to the confusion and led to the unnecessary deaths of many mine workers.

According to Tait and Mark (2016), Tactical Response Team (TRT) members who are deployed during public protests tend to resort to heavy or harsh tactics. A study conducted by Pillay (2016) concluded that units such as the TRT were more suited for situations where the assailants are heavily armed and dangerous and not during public protests. This view is supported by the Provincial Head of the Public Order Police who was a respondent in the study. She stated that the TRT should not be used as frontline unit in crowd management but for arrest if there is a need because they are trained differently. In the same study, other respondents were of the view that members of

POP were also trained in arrest tactics and therefore there was no need to deploy TRT (Pillay, 2016).

In Pillay's (2016) study, provincial head, unit commanders and members of public order policing stated that the shortage of manpower is a critical matter that has to be addressed because it forces the police to use excessive force when they are overpowered by the protesters. They believe that the techniques and training may be adequate but are rendered ineffective because of a lack of manpower. This statement is supported by the SAPS management which admitted that POP personnel are not enough to deal with the increasing violent public protest marches (Capazario, 2016:6).

Similarly, Omar (2006a) postulates that there is a shortage of manpower and resources to deal with the increase number of marches and the utilisation of members in the various task teams and for special duties. At the East Rand unit, it was found that the old vehicles at all units had been replaced with new 4x4 vehicles and bakkies. However, despite the replacement of the old vehicles, these units according to management are still facing a shortage of vehicles (Omar, 2006a). Again, in study by Pillay (2016), POP member gave an example of an incident where only six of them had to manage a large protest and she felt that their lives were in danger. She further said that these were the situations where police tend to use excessive force.

### **3.6. A GLOBAL PERSPECTIVE ON PUBLIC ORDER POLICING STRATEGIES**

The type of the equipment used by the police tends to be similar worldwide and this could be attributed to the perceived effectiveness of the equipment and the fact that the type and nature of crowds also happen to be the same internationally. A study conducted by the Omega Foundation (2000) found that at least 110 countries worldwide deploy riot control weapons such as chemical irritants, kinetic energy weapons, water cannons and electric shock devices. Boring (2014) indicates that the police in Netherlands are equipped with truncheon, pepper spray, long electric baton, smoke and stun grenades. While New Zealand police are equipped with armoured vehicles, OC sprays, taser, batons, tear gas, stun grenades and sponge rounds. Russian police make use of rubber batons, teargas, paint dispenses, sound and light as a means of distraction, shot guns and water throwing cannons for the policing of crowds.

The common equipment used by most countries as indicated in Waddington (1991) are armoured vehicles with reinforced glass protected by mesh wire which is suitable for most crowd management situations, especially with a volatile crowd and it can also be used for storing crowd management equipment which can be used when the need arises. The use of reinforced helmet and shield with a visor protects the police officers when thrown at with missiles. According to Waddington (1991:157), the shields that are used protect from head to toe, do not give protection from the sides; hence the police need to move tactfully in order to protect members from being attacked by protesters from the sides.

Stun grenades are generally used in hostage situations, but several states including Poland and Russia use them to terrify protesters, this is a softening tactic used before the actual riot tactic (Omega Foundation, 2000). King and Brearley (1996) also indicate that most countries prefer to use the long arm baton as compared to the short arm baton used by the police in the United States, arguing that the short arm baton is preferred more for personal protection. Firearms are generally not utilised in England and Wales.

In Canada, Torrance (1986) maintains that historically there has been low tolerance for public disorder and strong public support for government use of coercion in the maintenance of high standards of public order, even at the expense of civil liberties. However, in recent evaluations of public order policing, it is contended by King (1997) that there are actually two distinct, opposing trends emerging in recent times. Along with the more conciliatory and consultative approach, he suggests that there is an increasingly militarized potential for confrontation that the police stand ready to use. In more recent work, King and Waddington (2004) argue that police knowledge and particularly police intelligence has afforded countering methods that are more proactive and pre-emptive.

Torrance (1986) argues that the resort to coercion by the government is moderated by the degree to which a dissident group appears threatening to the government and the degree to which the government needs the support of the dissident group. In addition, resort to coercion is moderated by the audience of public opinion and the available resources of the government in applying coercion or conciliation. Mackay (2002) states

that 3.9-kilometre chain-link and concrete fence, and the use of water cannons, stun guns, canisters of tear gas and rounds of rubber bullets are used to control crowd.

### **3.6.1. Public Order Policing in the United States of America**

The police in the USA had a long history of managing mass demonstrations, and they have been put to the test on a number of occasions. According to Narr, Toliver, Murphy, Mcfarland and Ederheimer (2006:4), during the Seattle World Trade Organisation, protesters went on a rampage destroying property and inciting violence against the police. The police were criticised for the management of this situation where they fired pepper spray, tear gas canisters, stun grenades and rubber bullets to disperse crowds and arrested 500 protesters. Following these major incidents that hit the country, USA had to rethink its strategy when managing protests, major events and mass demonstrations. This led to discussions at the International Forum in San Diego in 2004. The following key issues regarding the policing of mass demonstrations were identified at this forum (Narr et al, 2006:4):

- Mass demonstrations cannot be handled by a single agency, therefore cooperation and communication from all departments are important; critical issues must be discussed prior to an event and worst-case scenarios must be part of the plan;
- It was further emphasised that a balance must be struck between a person's rights during police interventions when protecting public safety and property, and that officers' safety needs to be taken into account, and the proper policies need to be put in place to guide officers on the degree of force to be used when responding to potential threats;
- The wearing of special equipment such as body armour and special weapons needs to be considered in some incidents, taking into account the negative impact they might have when appearing before the crowd; the importance of the proper use of intelligence and the media;
- The need to educate the public on police professionalism and response. It was stated that all these should be taken into account during planning.

When comparing the policing in the United Kingdom and that of United States of America two aspects stands out namely, that of training and planning which is of

importance. The emphasis was not to approach volatile situations with untrained officers and poor planning. It has to be taken into account that the majority of the service delivery protests policing are viewed over the media. It is therefore important that the police display professionalism and fine skills during the policing of protests and it has to be reiterated that spontaneous protests pose a peculiar challenge as they do not allow the police to plan for such events well in advance.

### **3.7. PUBLIC ORDER POLICING MODELS**

There are various public order policing models in the world. South Africa has adopted Belgium policing model and French policing model. The models are discussed below:

#### **3.7.1. Belgium Policing Style**

Trait and Marks (2011:18) state that the Belgium style of policing crowds was introduced to South Africa in 1994. The Belgium style focuses more on management of crowds where minimal force is used and negotiations with conveners are embarked upon. More tolerance had to be demonstrated and the Shield and Tonfa (Baton) are the primary equipment for managing these crowds.

SAPS policing was aligned to the Belgium model which seemed to be narrow approach. This model is based on distant policing of crowds and would include discussions, negotiation and persuasive methods. It is obvious that the distance approach provides more room for protesters to provoke and throw objects which could cause injury to people and damage to property. The model also provides that the police may negotiate with for example a small delegation from the crowd. Unfortunately, this distant approach easily resorts to the use of force especially where crowds would overstep boundaries set by the police which in most instances construed as posing a threat to the police.

#### **3.7.2. French Policing Style**

French Model of policing was used in South Africa during the preparation for the 2010 FIFA World Cup. In planning for effective crowd control during the 2010 FIFA Soccer World Cup tournament, the SAPS conducted research on different models. They decided to use the French model, which is underpinned by a wider approach than the

Belgium model, which was based on a distance approach. The French model is preferred because it allows for closer contact between police and protesters, thus providing the 'opportunity to restrain forward movement of the crowd and the possibility for snatchers to pick on certain individuals who are thought to be the most provocative within the crowd. The French model drastically cuts down on the distance and requires that the police should be literally a few metres in front of the crowd (Ministry of Police, 2011). This model also provides for better formation and positioning of platoons in crowd control and redirecting a protest to less significant areas. However, this style of policing is more suitable in urban situations unlike in open areas where it becomes difficult to confine the crowd.

### **3.8. CONCLUSION**

The literature pertaining to the Public Order Policing strategies during violent service delivery protest was reviewed. It was discovered that tribalism, factionalism, sexism, unemployment, patronage politics, poor local governance, poor public participation, frustration, masculinities, femininities and municipal demarcation are factors that contribute to violent service delivery protests in South Africa. The nature of violent service delivery protest was also explored. Crimes such as looting, arson, assault and vandalism were highlighted as common crimes that occur during violent service delivery protests. Furthermore, literature of public order policing strategies, training, equipment and challenges in South Africa were explored. A global perspective on public order policing strategies and models were discussed. The following chapter will focus on the research methodology which was adopted for this study.

## CHAPTER 4

### RESEARCH METHODOLOGY

#### 4.1. INTRODUCTION

The previous chapter outlined literature that explored scholarly writing on POP strategies during violent service delivery protests. The development and restructuring of Public Order Policing Unit, causes of violent service delivery protests, forms of violent protests, POP strategies during violent protests were discussed in the previous chapter and challenges encountered by public order police officials in carrying out their duties. This chapter focuses on the research methodology which was adopted for this study which includes of the research design, population and sampling, data collection instrument, data analysis and ethical considerations.

#### 4.2. RESEARCH TYPE

Both qualitative and quantitative methods were used in this study. The researcher used mixed method approach because there is more insight to be gained from the combination of qualitative and quantitative methods (Creswell, 2015). Therefore, this ensured high quality of data in this study.

##### 4.2.1. Qualitative Research

Qualitative research is defined as an inquiry process of understanding where a researcher develops a complex, holistic picture, analyses words, report detailed views of informants and conduct a study in a natural setting (Denzin & Lincoln, 2011). Brynard, Hanekom and Brynard (2014:39) refer to qualitative methodology as a research that produces descriptive data generally the participants' own written or spoken words pertaining to their experiences and perception. This method was used to select public order policing officials in the province to understand challenges they encounter during violent protests, what they think should be done to curb common acts of violence during protests and which POP strategies are in place to deal with peaceful and violent protests. Based on the above, the qualitative approach was appropriate to select 45 POP officials in Limpopo Province. The researcher used Focus Group Discussions (FGDs) to collect data from the above-stated respondents.

#### **4.2.1.1 Advantages of qualitative research approach**

Miles, Huberman and Saldana (2014) found that qualitative research is good at simplifying and managing data without destroying complexity and context. Qualitative methods are highly appropriate for questions where pre-emptive reduction of the data will prevent discovery. Qualitative research is a proper response to some, but not all research needs. Qualitative research is more humanistic, moral, worthy, feminist, radical or admirable. Good qualitative research requires purpose, skills and concentration and unless you recognize this and your purpose is clear and committed, the task will quickly become onerous (Creswell, 2015).

Qualitative research provides people with a means of attempting to understand a world that cannot be understood in terms of numbers and objectivity. Qualitative approach is way of transcribing and analysing the discursive construction of everyday events and of exploring the historical nature of life within a social group or local setting (De Vos, Strydom, Fouche, & Delpont, 2011). In theory, it seems that qualitative research is the best route to take in every research situation, because it provides people with an understanding that considers the fact that each person is an individual with a different perspective on the world (De Vos et al, 2011). Qualitative research is flexible and inexpensive to administer.

#### **4.2.1.2. Disadvantages of qualitative research approach**

According to Kumar (2014; 68), the aim of qualitative analysis is a complete, detailed description. No attempt made to assign frequencies to the linguistic feature which are identified in the data, and rare phenomena receives or should receive the same amount of attention as more frequent phenomena. Qualitative analysis allows for fine distinctions to be drawn because it is not necessary to shoehorn the data into a finite number of classifications. The main disadvantage of qualitative approach to corpus analysis is that their findings cannot be extended to wider population with the same degree of certainty that quantitative analysis can because the findings of the research are not tested to discover whether they are statistically significant or due to chance (Bryman, 2012).

In terms of qualitative research approach, it is largely impossible to escape the subjective experience, even for the most seasoned researchers. If a researcher is working with one person, or even a small group, the results are likely to be valid for that particular person or focus group. Therefore, one could not make a generalisation from the results as one could with the results of a quantitative research study. Another disadvantage of qualitative research is the accuracy of the interpretation of the researcher, because the researcher is a person like the participants. It is possible that the researcher has personal biases to overcome or consider when carrying out inductive reasoning processes (Creswell, 2014).

#### **4.2.2 Quantitative Research**

Bryman (2012) defined quantitative research as a research strategy that emphasises quantification in the collection and analysis of data. It means quantitative research denotes amounting something. This research method attempts to investigate the answers to the questions starting with how many, how much, to what extent (Rasinger, 2013). In other words, the method depends on measuring something or variables existed in the social world. The quantitative research focuses on those aspects of social behaviour which can be quantified and patterned rather than just finding them and interpreting their meanings the people bring to their own action.

Quantitative method involves the researcher using a statistical procedure to analyse the data collected. Quantitative approach requires methods such as experiments and survey to describe and explain phenomena (Brynard, Hanekom & Brynard, 2014). In this study, those methods include a questionnaire that was used to collect data from the community members of Vuwani township. A quantitative research approach is grounded on the positivist social sciences paradigm, which primarily reflects the scientific methods of the natural sciences (Creswell, 2015). This paradigm adopts a deductive approach to the research process.

A quantitative methodology abstracts data from the participants into statistical representation rather than textual pictures of the phenomenon. The entire research process is objectively contracted and the findings are usually representative of the population being studied. The main strength of the quantitative approach lies in precision and control, therefore the methods employed provide answers which have a much firmer basis than a lay person's common sense, intuition or opinion. This study

incorporated the use of charts, percentages and graphs (quantitative), while analyzing with the use of a qualitative approach

According to Babbie and Mouton (2012), the quantitative paradigm in social science has a number of related themes, such as the following:

- An emphasis on the quantification of constructs. The quantitative researcher believes that the best or only way of measuring the properties of phenomena is through quantitative measurement; that is, assigning numbers to the perceived qualities of things.
- A related topic concerns the central role of variables in describing and analysing human behaviour. In some cases, this has become known as variable analysis.
- The central role afforded to control of sources of error in the research process. The nature of the control is either through experimental control or through statistical controls. Critics of the quantitative approach would argue that this “obsession” with control is another sign of the positivist assumption that the social sciences should be modelled according to the natural sciences.

#### **4.2.2.1. Advantages of quantitative research approach**

The quantitative findings are likely to be generalised to a whole population or a sub-population because it involves the larger sample which is randomly selected (Babbie, 2016). Besides sampling, data analysis is less time consuming as it uses the statistical software such as SPSS (Connolly, 2007 cited in Rahman, 2017). Ramona (2011) highlighted the advantages of quantitative approach as follows:

- Risks are sorted by their financial impact, assets by their financial value
- The results can be expressed in a specific management terminology
- The evaluation and the results are based on objective methods
- Security level is better determined based on the three elements: availability, integrity and confidentiality
- A cost-analysis can be implemented for choosing the best suited measures
- Management performance can be closely watched
- Data accuracy improves as the organization gains experience

#### **4.2.2.2. Disadvantages of quantitative research approach**

Given the strengths above, the quantitative research has limitations too. The limitation of quantitative research is that the positivism cannot account for how the social reality is shaped and maintained, or how people interpret their actions and others (De Vos et al, 2011). A further weakness of quantitative research approach is that it has tendencies of taking a snapshot of a phenomenon: It measures variables at a specific moment in time, and disregards whether the photograph happened to catch one looking one's best or looking unusually disarranged (David & Sutton, 2011). Lastly, the quantitative research paradigm overlooks the respondents' experiences and perspectives in highly controlled settings because there lacks a direct connection between researchers and the participants when collecting data (Rahman, 2017). It shows that the study has been unable to elicit the participants' perceptions as the researchers had no connection with them, just handing out the questionnaire.

In this study, the researcher used a mixed method approach to carry out procedures which are combination of both qualitative and quantitative research approach. The combination of these methods is essential in this study because it dealt with the disadvantages of one approach and resulted in quality data and gaining more insight to the research problem.

#### **4.2.3. Difference between quantitative research and qualitative research paradigms**

Quantitative research differs significantly from qualitative paradigm. The According to Neuman (2014), the quantitative or empirical analytical research method relates to data being expressed as numbers, whereas the qualitative research method considers data in terms of words, pictures or objectives. In this regard, the quantitative paradigm can be considered as seeking to qualify human behaviour through numbers and observations. It is clear from the above that qualitative research seeks to produce findings not arrived at by means of statistical procedures or other means of qualification. In both cases, the affected communities in service delivery protests would be afforded an opportunity to participate in municipal governance through their inputs and opinions, which they would express in especially qualitative research.

According to Babbie and Mouton (2012), qualitative research distinguishes itself from quantitative research in terms of the following key features:

- Research is conducted in the natural setting of the social actors.
- A focus on process rather than on outcome.
- The actor's perspective (the 'insider' or 'emic' view) is emphasised.
- The primary aim is in-depth ('thick') descriptions and understanding actions and events.
- The main concern is to understand social action in terms of its specific context (idiographic motive), rather than attempting to generalise to some theoretical population.
- The research process is often inductive in its approach, resulting in the generation of new hypotheses and theories.
- The qualitative researcher is seen as the 'main instrument' in the research process.

### **4.3. RESEARCH DESIGN**

According to Kumar (2014), a research design is the road map a researcher decides to follow during the research journey to find answers to questions as validity, objectivity, accurately and economically possible. Bezuidenhout (2011:48), concurs that a research design is a blue print, procedure or plan of action. In support of this statement, Rubin and Babbie (2011) found that a research design is a plan of how one intends to conduct research, by focusing on the end product. It therefore acts as the framework or guideline for the study. A research design sets out the path along which an investigation should proceed, and lays down the steps to be taken to become familiar with the research material and to gather facts. A research design is the complete strategy of attack on the central research problem (Leedy & Ormrod, 2015).

The reasons for a research design is that it provides the overall structure for the procedures that a researcher follows, the data the researcher collects, and the data analysis that the researcher conducts (Leedy & Ormrod, 2015). It is further argued that in planning a research design, the researcher in the quest for new knowledge and understanding cannot be shackled by discipline specific methodological restraints.

Blessing and Chakrabarti (2009) maintain that a research design is a plan according to which we obtain research participants and collect information from them. These definitions are accepted as a point of departure for the purpose of this discussion.

The research design that was adopted in this study is of an evaluative in nature. Evaluation research design is sometimes called programme evaluation. Babbie and Mouton (2012:335) state that evaluation entails the use of scientific methods to measure the implementation and outcomes of programmes for decision making purposes. Evaluation research is defined as the systematic application of social research procedures for assessing the conceptualisation, design, implementation and utility of social intervention programmes (Rossi & Freeman, 1993:5 cited in Babbie & Mouton, 2012:335).

Babbie and Mouton (2012; 338) identified forms of improvement oriented evaluation which include formative evaluation, quality enhancement, responsive evaluation and empowerment evaluation that shares a concern with improving the programme. Such evaluations ask different questions such as:

- What are the programme's strength and weaknesses?
- Has the programme been properly implemented?
- What constraints are there on proper implementation?
- Are the programme recipients responding positively to the intervention?

Improvement oriented evaluation usually utilizes information systems to monitor programmes, to track implementation and to provide regular feedback to programme managers (Babbie & Mouton, 2012:339).

The researcher used formative evaluation which may be done to provide feedback to people who are trying to improve something. The researcher used formative evaluation research to evaluate the effectiveness of Public Order Policing strategies during violent service delivery protests. Formative evaluation is used to assess the strategies that has already been implemented in Vuwani protests by members of the SAPS POP unit. Formative evaluation was popularized by the philosopher Michael Scriven in his 1980 book (The logic of evaluation). According to Scriven (1980) cited in Babbie and Mouton (2012:345), society requires a science of valuing because it requires systematic, unbiased means of knowing if its products, personnel and

programmes are good. Formative evaluation has the purpose of gathering information for improving the design, development, formation and implementation of a programme (De Vos et al, 2011).

#### **4.4. GEOGRAPHICAL AREA OF THE STUDY**

Geographical area of the study is a place where the study was conducted. The location of this study is Vuwani township in Limpopo province. The reason for the researcher to choose Vuwani as the study area is because Vuwani protest was the longest in the history of post South Africa and was violent in nature where it resulted in the burning of schools and destruction of government property.

##### **4.4.1. Limpopo Province**

Limpopo is the northern province of South Africa. It is named after the Limpopo River that flows through the province, the name “Limpopo” has its etymological origin from the Sepedi word *diphororo tša meetse* – meaning strong gushing waterfalls. The Sepedi language is spoken by a third of the people in the province. The capital is Polokwane, formerly known as *Pietersburg*.

The province was formed from the northern region of Transvaal Province in 1994, and initially named Northern Transvaal. The following year, it was renamed Northern Province, which remained the name until 2003, when the name of the province was formally changed to the name of its most important river on the border with Zimbabwe and Botswana after deliberation by the provincial government and amendment of the constitution. A notable consideration for the name was Mapungubwe, the area where the most ancient gold-using civilization of the province was discovered a few years earlier. Limpopo is the South African province with the highest level of poverty, with 78.9% of the population living below the national poverty line. In 2011, 74.4% of local dwellings were located in a tribal or traditional area, compared to a national average of 27.1%.

Limpopo Province is divided into five municipal districts

- Capricorn District
- Mopani District

- Sekhukhune District
- Vhembe District
- Waterberg District

The population of Limpopo consists of several ethnic groups distinguished by culture, language and race, 97.3% of the population is Black, 2.4% is White, 0.2% is Coloured, and 0.1% is Indian/Asian. The Northern Sotho (of which the Bapedi are part of) make up the largest percentage of the Black population, being 52% of the province. The Tsonga (Shangaan) speakers comprise about 17.0% of the province, while the Venda make up about 16.7%.



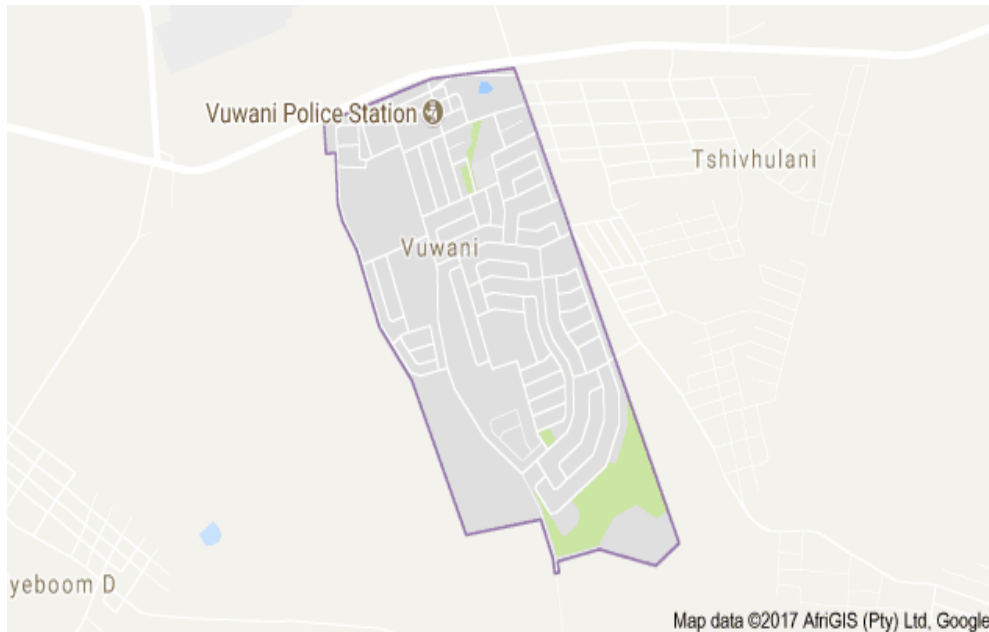
**Figure 1: Map of Limpopo Province**

(Source: Google maps)

#### **4.4.2. Vuwani**

Vuwani is a [town](#) in [Vhembe District Municipality](#) in the [Limpopo](#) province of [South Africa](#). It lies 45 km outside Thohoyandou the central part of Vhembe district Municipality. The area consists of racial makeup of 98,9% blacks, Indians 0,4% and other race 0.7%, most of the resident in the area speak TshiVenda which make up a total of 84,1%, Tsonga 8,4%, Northern Sotho 1,0% and 6,5% of others.

Violence erupted after the Municipal Demarcation Board announced the proposed new demarcations that Vuwani which was under Makhado municipality will form part of the new established municipality which will include Malamulela. The protest resulted in the burning of schools, destruction of property, disrupting government services, looting shops and barricading the roads.



**Figure 2: Map of Vuwani township**

(Source: Google maps)

#### **4.5. POPULATION AND SIZE**

A population constitutes the entire collection of groups in respect of which inferences must be drawn (Babbie & Mouton, 2012). According to De Vos et al. (2011:223), a population is the totality of persons, events, organisation units, case records or other sampling units with which the research problem is concerned. Brynard et al. (2014) refer population as a group in the universe which possesses specific characteristics (for example, public order officials with post-graduate degree). In this study, community members of Vuwani township and Limpopo Province public order police from 9 units in the Province namely Thohoyandou, Giyani, Polokwane, Tzaneen, Lephalale, Modimolle, Groblerdaal, Makhado, Burgersfort were chosen as the population for this study.

Brynard et al. (2014) consider the following examples of a population:

- Individual human beings, such as university students
- Organisation or Institution such as commercial banks, government departments or universities
- Social activities or events, such as abduction, robbery or murder
- Inventories, such as training programmes
- The daily work of an employee, consisting of activities such as answering a telephone, making an inspection, filing out a form, serving a client or marking examination papers

Therefore, the population of this study were individual human beings who reside at Vuwani and Limpopo Province public order police officials irrespective of their rank.

The population of this study was comprised of two groups; **Group A** is 200 residents or community members of Vuwani Township and **Group B** is 45 Limpopo Provincial POP officers who were stationed in Vuwani during violent protest. The POP is a specialized police unit which is responsible for public gatherings, protests and major events. Provincial units were selected within the five districts in Limpopo which include Capricorn district (Polokwane unit), Mopani district (Giyani unit and Tzaneen unit), Vhembe district (Thohoyandou unit and Makhado unit), Waterberg district (Modimolle unit and Lephalale unit) and Sekhukhune district (Burgerfort unit and Groblersdal unit). A total of 9 units was identified in the province, each unit was represented by 5 public order police officials making a total of 45 provincial. The minimum age limit of participation was 18 years. The diagram below highlights the total population of the study.

**Table 1: Sample A (Community members)**

Population	Total
Community members	200

(Source: Researcher's illustration)

**Table 2: Sample B (Public Order Policing members)**

<b>District Municipality</b>	<b>POP unit</b>	<b>Total</b>
Capricorn District	Polokwane	5
Mopani District	Giyani	5
	Tzaneen	5
Sekhukhune District	Burgersfort	5
	Groblersdal	5
Vhembe District	Thohoyandou	5
	Makhado	5
Waterberg District	Modimolle	5
	Lephalale	5
<b>Total</b>		<b>45</b>

(Source: Researcher's illustration)

Therefore, the total population for this study was 245 participants.

## **4.6. SAMPLING**

According to Babbie and Mouton (2012:164), sampling is the process of selecting observations. It involves following a rigorous procedure when selecting units of analysis from a larger population (Thompson, 2012). Since, this study is a mixed method approach, the researcher used a combination of probability and non-probability sampling to select respondents of this study.

### **4.6.1. Probability Sampling**

Probability sampling is one technique often employed in quantitative investigation. For the purpose of this study, the researcher used simple random sampling, which is a method of probability sampling procedure to select community members of Vuwani township. According to DePoy and Gilson (2008) in De Vos et al. (2011), probability sampling is one in which each person in the population has the same known probability to be representatively selected which permits the researcher to compute an estimate of the accuracy of the sample even before the study is done. Simple random sampling

is drawn when a sampling frame is available and each unit in the population has an equal chance of being selected (Thompson, 2012). This means that all residents of Vuwani township irrespective of gender, education or political affiliation had the equal chance to participate in this study. This kind of sampling procedure allows everybody to air their views and be part of the study. This sampling technique allowed the researcher to collect data from a wide range of respondents who are representative of the population.

Advantages of simple random sampling identified by Thompson (2012):

- Easy to draw if the population is small and a sampling frame exists
- The possibility of selection bias is eliminated
- A representative sample can be obtained
- External validity can be inferred
- A sample can be drawn via a computer

#### **4.6.2. Non-probability Sampling**

Non-probability sampling is one technique often employed in qualitative investigation. In the qualitative part of this study, the researcher used purposive sampling of non-probability sampling to select provincial public order police officials. In non-probability sampling, each unit in the sampling frame does not have an equal chance of being selected for a particular study (Unrau, Gabor & Grinnell, 2007). According to Champion (2006:178), purposive or judgmental sampling involves hand picking elements from some target population. According to McMillan and Schumacher (2014), in purposive sampling the researcher selects particular elements from the population, who will be representative or informative about the topic of interest. The sample was based on the judgement of the researcher, for instance purposive sampling means deliberately selecting samples based on certain criteria (Strydom, 2005). This means that participants were selected through purposive sampling because they are members of POP no other units.

## 4.7. DATA COLLECTION METHOD

Several different methods can be used to collect the data from the sample of respondents (Maree, 2010:156). Since the study is a mixed method approach, data was collected in two ways. Quantitative data for community members was collected using questionnaires and qualitative data for POP officials was collected through FGDs.

### 4.7.1. Questionnaire

Babbie (2016) defines a questionnaire as a document containing questions and other types of items designed to solicit information appropriate for analyses. In this study, a questionnaire was used to collect information from community members of Vuwani township. The researcher used self-administered questionnaires with closed ended questions which were completed by respondents themselves without the assistance of the researcher. The questionnaires were typed in English and translated in the language commonly used by the target population which is Tshivenda. The purpose was to make participants understand the questions and be able to answer. The researcher first explained the purpose of the questionnaires and sought the consent of the respondents to participate in the research before giving out the questionnaires.

A questionnaire was structured in a form of Likert scale, where respondents were expected to indicate their responses using:

- 1= Strongly disagree
- 2= Disagree
- 3=Average
- 4=Agree
- 5=Strongly agree

The Likert Scale was favoured for this study because it provided more precise information about the respondents' degree of agreement or disagreement, and respondents usually prefer this to a simple agree or disagree score (Oppenheimer, 1996: 141). The questionnaire consists of five sections namely A, B, C, D and E. Section A is formulated to gather demographic data about each respondent such as gender, age, race, home language and highest qualification. Section B to E aimed to achieve the objectives of the research as contained in the research proposal. Section

B determined the experiences of the community members during violent service delivery protest in Vuwani, section C assessed strategies used by the police during violent service delivery protests in Vuwani; section D outlined effects of policing strategies used during service delivery protests in Vuwani and section E community's members recommendation to Public Order Policing about service delivery protests (Annexure B attached).

Guest, Namey and Mitchell (2013) emphasises that questionnaires should be structured in a simple format to satisfy the following criterion:

- Each question should refer to one issue and require one answer.
- Social and cultural issues should be taken into account, such as family issues, community values and political beliefs.
- Respondents should be encouraged to complete the entire questionnaire by adding interesting questions that will encourage respondents to answer all the questions.
- The questionnaire should be designed to serve the research and not to collect information on a related but implicit topic
- The questionnaire was designed for one answer and it was also social and cultural sensitive, as culture issues were recognised.

The researcher chose a questionnaire for various reasons, here are the advantages of using a questionnaire (Brynard et al, 2014):

- The respondents have time to think about the answers to the question in the questionnaire
- It can reach large number of respondent distributed over a large geographical area

Although a questionnaire is costly when the researcher need to reach a large number of people to minimise the percentage of error in the results obtained, the most important thing for the researcher is that most people in the community get opportunity to participate in this study, air their view and share their experiences in their confrontation with the police during violent service delivery protests. Questionnaires was distributed to member of the community of Vuwani who was interested to be part of the study on the street, shopping complex, post office and car wash.

#### 4.7.2. Focus Group Discussions

Morgan (1997) in De Vos et al. (2011) describes FGDs as a research technique that collects data through group interaction on a topic determined by the researcher. This method is not made to replace individual interviews but to gather information that can perhaps not be collected easily by means of individual interviews. This refers to an information gathering method where the researcher or interviewer directs the interaction and inquiry. In this study, FGDs was used to collect data from POP official in Limpopo province. The researcher conducted nine FGDs in the following provincial public order police units:

- Polokwane
- Giyani
- Thohoyandou
- Makhado
- Tzaneen
- Modimolle
- Burgersfort
- Groblersdal
- Lephalale

Welman, Kruger and Mitchell (2005; 201) state that FGDs process should consist of a small number of individuals that are drawn together for the purpose of expressing their opinions on specific set of open questions. The researcher used a sample consists of 5 POP officials from each unit, all answering questions asked by the researcher and the researcher allowed them to give their views in a comfortable setting. The interview guide was used with the questions formulated by the researcher to explore the understanding and experiences of the participants on the research topic, this allowed the theme to be specified in order to prevent the discussion from going off the focus set to be discussed. The researcher first obtained the permission from the respondents to record the interview. While the respondents were busy discussing and answering the question, the researcher was busy taking notes and recording the discussion. This allowed the researcher to focus on how the interview is proceeding (Smith et al, 1995 in De Vos et al, 2011). The researcher visited all 9 units to conduct FGD and the discussion was held during office hours.

FGDs guide consists of five sections namely: A, B, C, D and E. Section A is formulated to gather demographic data about each respondent such as gender, age, home language, highest qualification, SAPS rank, period of service in the SAPS and period of service in the POP unit. Section B to E aimed to achieve the objectives of the study. Section B assesses POP strategies; section C evaluates POP training; section D highlights the challenges encountered by POP members and section E outline recommendations by POP officials (Annexure C attached).

There are three basic reasons for focus group (Morgan, 1997 in De Vos et al, 2011) as indicated below.

- They are used as a self-contained method in studies in which they serve as the principal source of data
- They are used as a supplementary source of data in studies that rely on some other primary method such as a survey
- They are used in multi-method studies that combines two or more means of gathering data in which no one primary method determines the use of the others.

Bless, Higson-Smith and Kagee (2006) suggest that this kind of interview, apart from the obvious practical advantage of interviewing several people at the same time, it is useful in that it allows participants to share their thoughts, sparking off new ideas in each other and considering a range of views before responding to the questions of the researcher.

According to Schurink and Poggenpoel in De Vos et al, 2011), FGDs are useful for:

- Conducting research at a relatively modest cost and in a relatively brief period of time.
- Allowing the moderator to probe and create the flexibility that is so important for exploring unanticipated issues.
- Developing themes, topics and schedules for subsequent interviews and/or questionnaires.
- Providing speedy results.
- Shedding light on little-known phenomena and social processes

#### **4.7.2.1. Advantages of Focus Groups Discussion**

- The brainstorm effect generates ideas as one person's view sparks off ideas in others as they clarify questions that are to be incorporated
- Participants feel safe in numbers and relax talk, they are good for resolving differences of opinions between participants
- They generate a quick understanding of the issues so that in just 1 to 2 hours everyone has moved far up the learning curve
- Groups always give a real understanding of the issues even if there are no measurements of how many thinks what

#### **4.7.2.2. Disadvantages of Focus Groups Discussion**

- When a subject is highly sensitive, participants may be inhibited in exchanging beliefs, the minority view can be lost
- It is costly, one group seldom is not enough and four groups costs depending on the difficulty of recruitment
- The success of the groups depends very much on the moderator skills and these can be variable, it is not possible to organise groups if participants are thin on the ground, they are subject to bias from dominating respondents
- In a similar way to the above point, they are subject to the herd instinct, it is difficult to know to what extend there has been contamination of views from the debate and they can be difficult to control (De Vos et al, 2011).

#### **4.7.3. Tape Recording**

In this study, tape recorder was used to collect data during FGDs. De Vos (2011) argued that if possible and if permission is obtained from the participants, the researcher should record interviews on tape or video. Tape recorder allows a much fuller record than notes taken during the focus group discussion. It also means that the researcher can concentrate on how the interview is proceeding and where to go next. Tape recording does not have its disadvantages; however, the participants may not feel happy being taped and may even withdraw from participating. Tape recorder should therefore be placed inconspicuously so as not to unnerve the participants or novice researcher. Recording research interviews is a great way to capture qualitative data in thesis or dissertation research and ensures descriptive validity. While taking

notes is also important, it is rare that a researcher can miss out on some details. An audio recording of an interview also allows the researcher to refer back to the interview and take a fresh look at the interview data, these are some of the advantages of recording interviews in qualitative research (De Vos, 2011:358).

The advantages of tape recording include the following:

- The researcher can concentrate and listen and respond better
- The discussion flows better when there are no distractions
- In note taking there is an increased risk of the researcher being more subjective
- The entire interview/ observation is recorded, which gives a better, more holistic picture of what is going on
- The participants may feel less observed if the tape recorded is used in a discreet way
- During analysis, the researcher has the opportunity to go back over material (Creswell, 2015).

## **4.8. DATA ANALYSIS**

The purpose of analysis is to faithfully reflect in summary and organised form of what have been found (Gillham, 2003:25). Data analysis enables the researcher to organise and bring meaning to a large amount of data collected (Babbie, 2016). Since this study is a combination of qualitative and quantitative research, qualitative data was analysed using thematic content analysis and quantitative data was analysed using a computerized statistical analysis programme namely Statistical Package for Social Science (SPSS), version 22.

### **4.8.1. Quantitative Data Analysis**

Quantitative method uses numerical representation and manipulation of observation for the purpose of describing and explaining the phenomena that those observations reflect (Babbie, 2011:420). Quantitative method was used to collect data from community members using close ended questionnaires

The researcher chose to use the Statistical Package for Social Sciences Version 22 (SPSS) because of its accuracy and reliability as it uses numbers, which is also a comprehensive system for analysing data. SPSS Version 22 helped the researcher to

generate trends, descriptive statistics and tabulated reports, charts, and plots of distribution. After the fieldwork had been completed and before the researcher conducted the analysis and interpretation, there was need to prepare the data for the following steps:

Step 1: Organising and coding of data on the questionnaires (the researcher numbered all the questionnaires to avoid capturing one questionnaire twice)

Step 2: Cleaning the data (correct errors in the coding and capturing of the data)

Step 3: Capturing the data on Microsoft Excel then imported to SPSS programme (IBM SPSS Statistics Version 22) to be analysed. Data was then presented in the form of graphs and frequency tables which were interpreted by the researcher.

#### **4.8.2. Qualitative Data Analysis**

De Vos et al (2011) suggest that data analysis involves reducing the volume of raw information, sifting significance from trivia, identifying significant patterns and constructing a framework for communicating the essence of what the data reveals. According to Welman and Kruger (2001), the analysis of information gathered by means of unstructured interviews is based on the interviewers' record. During the record taking process, the interviewer took notes, with a view to writing a more detailed, and complete report afterwards. Voice recorder was used when focus group discussions were conducted, with the view to transcribing the information gathered at a later stage. The researcher then organised the data by categorising it on the basis of themes, concepts, or similar features. This is further argued by Leedy and Ormrod (2015) who stated that data analysis takes place whenever theory and data are compared.

In line with the above, the researcher organised the obtained data from focus groups discussion while ensuring the elicited data answer the original research objectives, questions and the problem statement. The researcher read the data several times to grasp the perspective of the participants and took notes as expressed. This was done by making obscure of written notes of what the participants were saying during the focus group discussion. Thematic content analysis was used to analysed POP

members FGDs, all the unit responses were analysed as a one. The responses were not analysed individually but all 9 units as one thing.

#### **4.8.2.1. The data utilisation process**

Kimberly and Roderick (2016) point out that in this initial stage of data analysis, the qualitative researcher utilised all the data collected from the FGDs. Data utilisation refers to the selection of the units of analysis and the isolation of material into coding units for the sole purpose of forming categories and connecting relations in such a way that they are recalled as units, as opposed to individual entities. During the utilisation process, the voice recorder was used when focus groups discussion were conducted, with a view to transcribing the information gathered at a later stage. The researcher then organised the data by categorising it on the basis of themes, concepts, or similar features. Leedy and Ormrod (2015) argue that data analysis takes place whenever theory and data are compared. These indications further align with the procedures used to analyse the data (Strydom, Fouche & Poggenpoel, 1998).

As a result, data analysis helps to achieve the following objective:

- To describe the data clearly
- To bring to light the differences, relationships and other patterns
- To answer the research questions
- To test the hypotheses

In light of these objectives, the researcher organised the data obtained from the interview schedule, while ensuring that the elicited data answered the original research objectives, questions and the problem statement. The researcher read the data several times to grasp the perspective of the participants and took notes as expressed. This was done by making written notes of what the participants were saying during FGD.

#### **4.8.2.2. The coding processes**

Coding is the classification of text according to some conceptual framework and is an indispensable operation in qualitative content analysis (Creswell, 2015; Babbie, 2016).

The codes of this study were derived from the literature and some of the transcribed manuscripts, these were either imposed by the researcher or empirically generated from the participants' responses. The actual words used by the participants were written down with the aid of the voice recorder to analyse at a later stage. In instances where the researcher did not grasp what the participants were attempting to say, the selected participants were asked to explain what they meant with their provided answers in order to further transcribe the notes and elicit themes from the participants responses.

In addition, a voice recorder was used to supplement the written notes by capturing what could be inadvertently left out while taking notes. The coding in this study was generated by clustering particular phrases from the focus group discussion conducted and conceptualising them into descriptive words. The coding process was conducted manually, with no involvement of any analytical software. In this regard, the codes generated in this study were never assigned values, since the study was empirical, with no requirement of quantification. In the light of this statement, the researcher further followed Tesch's eight steps processes for organising descriptive qualitative data analysis.

Tesch's eight step process of data analysis are summarised as follows:

Step 1: The researcher ought to read the entire transcript carefully to obtain a sense of the whole and to jot down some ideas. The researcher read the notes that were taken during the FGDs, started with one unit, followed by another.

Step 2: The researcher selects one case, asks "what is this about?" and thinks about the underlying meaning in the information. The researcher's thoughts can be written in the margin.

Step 3: A list is made of all the themes or topics. Similar themes or topics are clustered together.

Step 4: The researcher applies the list of themes or topics to the data. The themes or topics are abbreviated as codes, which are written next to the appropriate segments

of the transcripts. The researcher tries out this preliminary organising scheme to see whether new categories and codes emerge.

Step 5: The researcher finds the most descriptive wording for the themes or topics and categorises them. Lines are drawn between categories to show the relationships.

Step 6: The researcher makes a final decision on the abbreviation for each category and alphabetises the codes.

Step 7: The data material belonging to each category is assembled and a preliminary analysis is performed.

Step 8: The researcher recodes existing material if necessary (Tesch, 1990, in De Vos et al, 2011).

#### **4.8.2.3. The categorisation process**

Categorisation requires that the researcher fully comprehends the real-world constraints under which the data was produced. Categorisation refers to the assignment of texts to predefined categories, based on their content (Creswell, 2014; Babbie, 2016). During this phase, the researcher grouped the identified codes into categories, but not in order of importance. The process was done manually, without the assistance of computerised or analytical software. The coding and categorisation in this study were applied by the researcher to analyse and make sense of all collected data to identify possible themes emerging from the data. This was done by means of continuous identification and comparison of the themes emerging from the data derived from the participants responses and ascertaining relationships among the identified themes. The retrieved data was examined by the researcher to identify the meaningful collaborations, patterns, relationships and structures involved. The researcher went on to highlight the process followed in this study, while collecting data to draw a meaning conclusion.

#### 4.8.2.4. The clustering of the research themes

Chapter five of this study discusses in detail the analysis and interpretation of codes, categories and themes that emerged from the fieldwork findings. Welman and Kruger (2001) found that researchers are obliged to release their findings to the public domain for public scrutiny, so that the findings can be critically evaluated by the scientific community. Thus, it is equally important for a study to outline the processes followed to ensure that the integrity of the collected data was sufficiently protected and the selected participants were not subjected to any harmful environment or practices.

### 4.9. RELIABILITY, VALIDITY, CREDIBILITY AND TRANSFERABILITY

#### 4.9.1. Reliability

Reliability concerns the matter whether a particular technique, applied repeatedly to the same object, would yield the same result each time (Babbie & Mouton, 2012:119). In essence, reliability refers to the extent to which different researchers will discover the same phenomenon (Merriam, 2009). A combination of both qualitative and quantitative methods is crucial to increase the credibility and validity of the research outcomes (Yin, 2003). Two sets of questionnaires were used to source data from respondents and questions that were asked to correspond with the objectives of the study.

#### 4.9.2. Validity

Validity refers to the potential of a design or an instrument to achieve or measure what it is supposed to achieve or measure. The following validity criteria have been developed (Bless, Higson-Smith & Kagee, 2006):

- **Content validity** usually refers to the correctness and appropriateness of the questions included in a test or questionnaire. Duplication of questions can thus be avoided. The results of a preliminary investigation will also help determine whether or not the questions included are relevant to the research problem
- **Criterion-related validity** involves testing whether or not an instrument (A), selected for data collection, measure what it is expected to measure and whether or not it can be compared to another instrument (B), which is known to be valid. If the data collected through both instruments closely match, then

instrument (A) is also valid. The stipulation is that the two sets of data should be collected from the same group of subjects.

- **Construct validity** refers to the degree to which measurement technique uncovers the information which it was designed to uncover. For example, questions for a questionnaire should be specifically designed to obtain the desired information.
- **Face validity** is concerned with the way an instrument appears to the participants. For example, do they view it as so simple, childish and boring that they experience it as an insult to their intellect, or does it appear so difficult that the participants give up even before starting? Face validity is therefore based on the subjective judgement of the researcher and the respondents.
- **External validity** refers to the applicability to similar problems of the conclusions drawn from the research, provided that the sample is representative and the study is a simulation of the real world and real-life situations.

#### 4.9.3. Credibility

Credibility involves establishing that the results of qualitative research are credible or believable from the perspective of the participant in the research. As qualitative research studies explore people's perceptions, experience, feelings and beliefs, it is believed that the respondents are the best judge of whether or not the research findings have been able to reflect their opinions and feeling accurately (Kumar, 2014:219), in preference to internal validity, instances that researchers seek to ensure that their study measures or tests what is actually intended by determining the relation of the study findings with reality.

#### 4.9.4. Transferability

This refers to the degree to which the results of qualitative research can be generalised or transferred to other contexts or settings. Though it is very difficult to establish transferability primarily because of the approach one adopted in qualitative research, to some extent this can be achieved if one extensively and thoroughly describe the

process one adopted for others to follow and replicate (Kumar, 2014:219). In preference to external validity and generalisability, this is concerned with the extent to which the findings of one study can be applied to other situations. In positivist work, the concern often lies in demonstrating that the results of the work at hand can be applied to a wider population. Since the findings of a qualitative project are specific to a small number of particular environments and individuals, it is impossible to demonstrate that the findings and conclusions are applicable to other situations and populations. Thus, the findings of this study can be transferred to other provinces experiencing violent service delivery protest across South Africa.

#### **4.10. ETHICAL CONSIDERATION**

Ethical issues arise out of our interaction with other people, other things such as animals and the environment where there is potential (Babbie & Mouton, 2012:520). Ethics implies preferences that influence behaviour in human relation, conforming to a code of principles, the rules of conduct, the responsibility of the researcher and the standards of conduct of a given profession (Babbie, 2016; Bless, Higson-smith & Kagee, 2006). The approval to conduct the research was sought from the School of Law Higher Degree Committee and University of Venda Higher Degrees Committee (UHDC) issued ethical clearance letter. Since this study is primary or first-hand data collection, when dealing with human, the following ethical considerations were observed by the researcher:

##### **4.10.1. Voluntary participation**

According to Leedy and Ormrod (2015:101), participants should be informed of the nature of the study to be conducted and given the choice of either participating or not participating. Voluntary participation means that participation should at all times be voluntary and no one should be forced to participate in a project (Rubin & Babbie, 2011). This means that no person should be forced to participate in this study and participants are free to discontinue their participation at any time during the research process.

#### **4.10.2. Informed consent**

Informed consent is a process of seeking unforced agreement from subject to participate and the right to know what the study is about, how it will affect them and benefits of participation. All human subject who are subjected to a research investigation must be informed of any likely occurrences and their signed consent should be obtained (Brynard et al, 2014). The researcher informed the community members of Vuwani about the nature of the study and ask if they would like to be part of the study, those who agreed was given an informed consent form to sign.

#### **4.10.3. No harm to the participants**

Social research should never injure the people being studied (Babbie & Mouton, 2012:522). This means that participants should not be harmed either physically or emotionally from taking part in this study. In this regard, the researcher needs to apply sensitivity to issues being dealt with and ensure that harm to participants is avoided.

#### **4.10.4. Anonymity and Confidentiality**

Where anonymity of the respondents is not possible, a researcher should maintain strict confidentiality (Babbie & Mouton, 2012). Participants' information and identity were protected in this research. All participants remained anonymous in this research. Information collected was only be used for this study.

#### **4.10.5. Permission**

The researcher was granted permission by the Provincial SAPS to interview public order police officials in Limpopo province.

### **4.11. CONCLUSION**

In this chapter, the research methodology chosen for the study was presented. A successive use of mixed methods was preferred. The combination of both qualitative and quantitative research approach helped to enhance and enrich the current knowledge by filling in the gaps that might have been created by using a singular approach. After identifying the target group, simple random and purposive sampling techniques were used in selecting the respondents to the study; then FGDs and questionnaire were used to gather the relevant data. The anonymity, confidentiality

and dignity of the respondents were carefully considered. The next chapter will analyse and interpret the collected data to present the research findings in order to provide recommendations.

## CHAPTER 5

### DATA ANALYSIS AND RESEARCH FINDINGS

#### 5.1. INTRODUCTION

The previous chapter described the research methodology. This chapter focuses on the presentation, analysis, interpretation and the discussion of the major findings based on the data collected through questionnaires and FGDs regarding policing of violent service delivery protests. The results are discussed with reference to the literature review of the study.

Data was collected from 245 participants by means of questionnaire and FGDs, with 45 Public Order Police official from 9 units in Limpopo Province and 200 community members of Vuwani township in Vhembe district assessing their experiences in confrontation with the police during violent service delivery protests. Frequency distribution tables, SPSS, graphs, and themes were used for presentation and analysis of the data.

Since this study is a mixed method approach, data was collected from two different populations: Sample A: is a quantitative data of 200 community members residing in Vuwani township and Sample B: is a qualitative data of 45 Public order police official from 9 units in Limpopo Province. The quantitative data expected frequency was set at 200, but after careful editing of the closed ended questionnaires, a total of 5 had to be rejected due to incomplete information, representing a drop-out rate of 2.5%. The researcher is confident that a return rate of  $n=195$  (97,5%) would be sufficient to be subjected to data analysis. The qualitative data expected was set at 9 FGDs consists of 5 members making a total of 45 participants, all 45 members participated representing 100% participation. Therefore, a total number of participants was 240 (97,9%) and only 2,1 % withdrew from the study.

Mixed methodological approach has been followed, sample A ( $n=195$ ) is based on a quantitative approach and sample B ( $n=45$ ) is based on qualitative approach. This chapter is divided into two sections. The first section entails the analysis and

interpretation of quantitative data collected from 195 community members of Vuwani. The second section entails the analysis and interpretation of qualitative data collected from 45 Public Order Policing officials assessing their strategies during violent protests and the challenges they encounter in the process of carrying out their duties.

## 5.2. QUANTITATIVE DATA PRESENTATION, ANALYSIS AND INTERPRETATION OF COMMUNITY MEMBERS

### 5.2.1. Biographical Information

Personal information regarding the participants is presented in this section. Personal information was presented in the form of gender, age, race, home language and highest educational qualification.

#### 5.2.1.1 Participants' Gender

The following information indicates the gender distribution of individuals who participated in this study.

Table 4: Gender

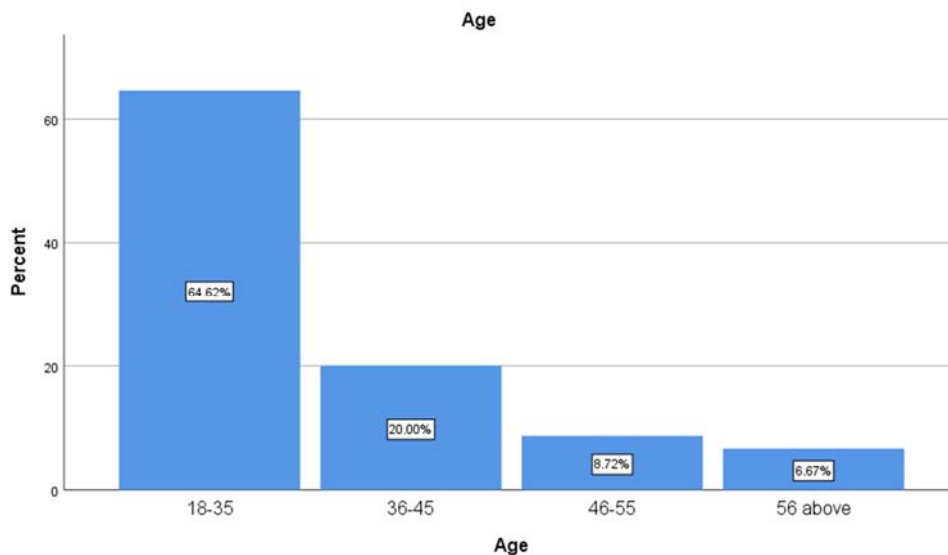
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Male	115	59.0	59.0	59.0
	Female	80	41.0	41.0	100.0
	Total	195	100.0	100.0	

It is evident from this table that, out of the 195 participants, 115 (59%) are males and 80 (41%) are females. This finding shows that males were more interested to participate in this study of protests than females. The reason for high male participants is because majority of females declined to take part.

### 5.2.1.2. Participants' Age

The following information indicates the age distribution of individuals who participated in this study.

Figure 3: Age



It is evident from this table that, out of the 195 participants, 126 (64,6 %) were in the age group of 18- 35, 39 (20 %) were between 36-45, 17 (8,7%) were between 46-55 and 13 (6,7%) were 56 and above. This table shows that the older ones have less chances of participating in research or surveys. Majority of the respondents in Vuwani township were at the lower age group. This is not surprising because young ones are still active and they understand better the nature of this study than elderly people. Old people were reluctant to participate thinking that the researcher will rob them and old people are not easily accessible compared to young ones.

### 5.2.1.3. Participants' Race

The following information indicates the race distribution of individuals who participated in this study.

Table 5 : Race

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid African	195	100.0	100.0	100.0

It is evident from the table above that 195 which is 100% of the people who participated in this study are African. No white, coloured or other race participated in this study. This means that majority of people who reside in Vuwani are Black African.

### 5.2.1.4. Participants' Home Language

The following information indicates the home language distribution of individuals who participated in this study.

Table 6 : Home language

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Tshivenda	175	89.7	89.7	89.7
Xitsonga	13	6.7	6.7	96.4
Sepedi	7	3.6	3.6	100.0
Total	195	100.0	100.0	

The above table shows that 175 out of 195 participants (89,7 %) are Venda speaking, 13 (6,7 %) are Tsonga speaking and 7 (3,6%) are Pedi speaking. The findings show that majority of people who reside in Vuwani township are Venda speaking than other languages.

### 5.2.1.5. Participants' Highest Qualification

The following information indicates the highest education qualification distribution of individuals who participated in this study.

Table 7 : Highest Qualification

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Grade 12	81	41.5	41.5	41.5
	Certificate/Diploma	17	8.7	8.7	50.3
	Degree	31	15.9	15.9	66.2
	Postgraduate	3	1.5	1.5	67.7
	Other	63	32.3	32.3	100.0
	Total	195	100.0	100.0	

The findings of this study show that 81 participants (41,5%) have grade 12 qualifications, 17 participants (8,7) with certificate and diploma, 31 (15,7%) with degree, 3 (1,5 %) with postgraduate qualification and 63 (32,3%) with other. Majority of participants in this study have grade 12 qualification.

## 5.2.2. The following District are known for violent service delivery protests in Limpopo Province

Table 8: Limpopo Province districts that are known for violent service delivery protests

Frequency		Mopani District	Vhembe District	Capricorn District	Waterberg District	Sekhukhune District
Valid	Strongly Disagree	14,9	3,1	22,1	29,7	28,7
	Disagree	1,5		19,5	18,5	29,2
	Average	34,4	7,2	34,4	33,8	23,6
	Agree	33,3	28,7	8,7	11,3	13,3
	Strongly Agree	15,9	61,0	15,4	6,7	5,1
	Total	100,0	100,0	100,0	100,0	100,0

The purpose of table to determine the knowledge of Vuwani members regarding districts known with violent service delivery protests. Majority of participants with 61,0% know Vhembe district as one with highest volume of protests. Although the findings made by Managa (2012) show that protest reported shows 42% Sekhukhune district, followed by the Mopani and Vhembe districts with 17% while Capricorn district with 14% and Waterberg district 10%.

## 5.2.3. The following areas are known for violent service delivery protests in Vhembe district

Table 9 : Areas in Vhembe District known for violent service delivery protests

Frequency		Malamulele	Vuwani	Tshakuma	Ndzhelele	Shayandima	Musina	Thohoyandou	Other
Valid	Strongly Disagree	3,1	2,1	13,8	18,5	50,8	23,1	33,3	7,7
	Disagree		0,5	13,3	24,1	20,5	34,4	24,6	0,5
	Average	9,2	6,2	28,2	37,4	15,9	25,1	4,1	0,5
	Agree	22,1	17,9	11,8	7,7	7,7	12,3	20,5	
	Strongly Agree	65,6	73,3	32,8	12,3	5,1	5,1	17,4	
	Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

The table above illustrates areas known for violent service delivery protests in Vhembe district. It is evident with 73,3 of participants view Vuwani as an area with violent

protests whilst Malamulele appears with 65,6% of participants. The study shows that Vuwani and Malamulele have an increase of violent protests after the announcement of the decision by the Municipal Demarcation Board (MDB) that Vuwani should form a new municipality with Malamulele (Kanyane, Pophiwa, Raseala, Mdlongwa, Viljoen, Moolman, Adonis, Ramphalile and Rule, 2017).

#### 5.2.4. How were you mobilized to participate in violent service delivery protest in Vuwani?

Table 10: Mobilization to participate in violent service delivery protests in Vuwani

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Community meetings	1,5	0,5	3,1	16,9	77,9
Imbizo	18,5	15,4	31,3	5,1	29,7
Civic Organisation	12,8	7,2	15,4	12,3	52,3
Community Policing Forums (CPF)	20,0	9,7	17,9	11,8	40,0
Churches forum	55,5	8,7	7,2	13,3	15,4
School Governing Body (SGB)	54,9	3,6	11,3	12,3	17,9
Social media	7,2	6,7	7,2	13,3	65,6
Radio	45,6	19,5	4,1	8,2	22,6
Newspaper	45,1	20,5	4,1	9,2	19,5
Pressure groups	31,3	12,8	4,1	26,2	25,6
Word of mouth	9,2	0,5	4,1	23,1	63,1
Other	9,2		0,5		

Table 10 shows how community members were mobilised to participate in violent service delivery protests. The above table shows that 77,9% of participants were informed of possible service delivery through community meetings. The table further highlights that a total of 65,6% participants were mobilised through social media such as Facebook, WhatsApp and Twitter. This finding concurs with a finding by Saad-Filho (2013) who found that Facebook and Twitter play a key role to connect people, to be able to organise themselves for meetings and march. Multiple ways in which protests

were mobilised were identified such as word of mouth with 63,1%, civic organisations with 52,3%. Though Community Policing Forums (CPF) members came to know of anticipated service delivery protests with 40%. The table further shows Imbizo 29,7%, pressure groups 25,6%, radio with 22,6%. Newspaper did not play much role because only 19,5% participants indicated being mobilised through it. Fewer community members were mobilised through School Governing Body (SGB) with 17,9% and churches forum with 15,4%.

### 5.2.5. What was the outcomes of violent service delivery protests in Vuwani area?

Table 11: The outcomes of violent service delivery protests in Vuwani

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Service was delivered	65,6	10,8	1,0	7,2	15,4
Promise was made	14,9	4,1	4,6	11,8	64,6
Negotiation began	25,6	13,8	9,7	8,7	42,1
Policy reviewed	23,6	12,8	35,4	22,1	6,2
Authorities listened	47,2	10,8	19,0	10,3	12,8
Required service was delivered	62,1	9,7	2,6	10,8	14,9
Other	8,2	0,5			

The purpose of the table was to show the outcomes of violent service delivery protests. Overwhelming majority of participants with 64,6% highlight that upon their protest only promise was made to them. A total of 42,1% of participants indicated that negotiation began upon violent service delivery protests. The table further shows that 15,4% of participants maintain that service was delivered whilst 12,8% of participants believe authorities listened upon their protests. Fewer participants with 14,9% believe that the required service was delivered. The Vuwani community rejected a decision by the Municipal Demarcation Board that it should move from Makhado Municipality and form a new Municipality with Malamulele (SAPS, 2016). According to Kgatle (2018), Vuwani is still under Makhado Municipality. Only 6,2% of participants maintain that upon their violent service delivery policy was reviewed. The findings show that indeed authorities

listened because Vuwani was never moved to the new municipality called Collins Chabane.

### 5.2.6. What was the extend of violent service delivery protest in Vuwani?

Table 12: The extend of violent service delivery protest in Vuwani

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Use of weapons	14,9	4,6	8,2	19,0	52,8
Burning tyres		1,5	6,7	15,4	76,4
Barricading roads		0,5	6,7	19,5	73,3
Littering			4,1	15,9	80,0
Damage to property	4,1	2,1	5,1	13,8	74,9
Marching to hand over the memorandum	3,1	7,7	4,1	20,0	65,1
Throwing stones	2,1	2,6	9,2	15,9	70,3
Singing, chanting and Toyi-toying	1,0	1,5	10,3	17,9	69,2
Election boycott	8,2	8,2	12,3	14,4	56,9
Mass meetings	1,0	5,1	3,6	19,5	70,8
Other	8,7				

The table shows the extend of violent protests in Vuwani. Overwhelming majority of participants with 80,0 % show littering as the most committed during protests. Only 76,4% participants argue that tyres were mostly burned during protests in Vuwani. However, 74,9% maintain that there was damage to property during protest. This finding concurs with those by Kgatle (2018) who found the other acts of violence in the Vuwani protests include a truck offloaded sand in the middle of the road to block access; SAPS trailer burnt; purification system damaged; trucks belonging to a contractor and guard room burnt (Nandoni). Furthermore, 18 private vehicles windows smashed; 5 SAPS vehicles smashed by stones; 4 burnt houses; 1 Tribal authority office and satellite police station damaged; attacking and ambushing the police vehicles patrolling the area and attack to specific community members and Councillors (Parliament of the Republic of South Africa, 2016:3).

A total of 70,3% of participants indicated throwing of stones was common and mass meetings with 70,8%. According to 73,3% of participants barricaded road during violent service delivery protests. This finding is similar to findings by Mottiar and Bond (2012) and Alexander (2010) who found that various methods of protest common in South Africa includes mass meetings, drafting of memorandum, toyi-toying processions, stay-aways, election boycotts, blockading of roads, construction of barricades, burning of tyres, stone throwing, physical assault, chasing, littering, peaceful protest, intimidation, threats, threatening behaviour, disruption, use of weapons, looting, destruction of buildings and chasing unpopular individuals out of townships. They further highlighted that burning tyres and barricading roads seemed to be the most favoured methods of protests.

Again, 65,1% of participants marched to hand over memorandum whilst 69,2% chanted and toyitoyed during protests. This finding echoes those by Booysen (2012) and Tshishonga (2015) who found that protests have taken on several different forms, namely, police confrontations, municipal functionaries forced to resign, toyi-toying, mass meetings, submission of memoranda, and petitions, processions, stayaways, chasing unpopular residents out of townships, election boycotts, road blockades, construction of barriers and burning of tyres, and the destruction of property and looting.

During protests in Vuwani, 56,9% of participants reflects that elections were boycotted. This finding is echoed by the Independence Election Commission (IEC) report of community members inability to cast their votes for municipal elections. Community members were victimised and threatened not to participate. Apparently, weapons were used during protest in Vuwani, this is evident with 52,8% of participants who indicated common use of weapons.

### 5.2.7. At what level service delivery protest in Vuwani escalated to violence

Table 13: The level service delivery protest in Vuwani escalated to violence

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Planning phase	36,9	8,2	9,7	14,4	30,8
Police presence	14,9	4,6	9,2	18,5	52,8
Police absence	23,6	10,3	14,4	7,7	44,1
Negotiation	4,6	1,0	23,1	21,0	50,3
Delayed response by the police	10,3	4,1	8,7	20,5	56,4
Other	8,2	1,0	0,5		

According to the above table, 56,4% of participants indicated that delayed response by the police as a factor that escalated violence during service delivery protests. Surprisingly, 52,8% of participants argued that police presence perpetuated violence during service delivery protest. This finding concurs those by Hough (2008) who argued that the violence is a reaction to police presence when the latter react to instances of vandalism or the blocking of roads to explain the violent nature of protest action. This is noted in *The Smoke that Calls* (Von Holdt, Langa, Molapo, Mogapi, Nubeni, Dlamini & Kirsten ,2011) who agree that the deployment of police often leads to more violence as police represent the state's symbolic power.

Again, 44,1% of participants indicated that police absence encourages violent actions during protests. Therefore, the above findings demonstrate that police absence, police presence and delayed response by the police do not have an impact in the level of violence during service delivery protests. Criminal intents seem to be the factor. According to Maroga (2012), criminal intent is also pre-occupied the minds of unemployed residences to use service delivery protest as a means to get economic gain by looting shops. Half of participants with 50,3% reveal that negotiations escalates to violence. It was during negotiations in Vuwani that the protests turned violence. However, only 30,8% of participants believe it was during the planning phase of the protests escalated to violence.

### 5.2.8. What was the cause of violent service delivery protest in Vuwani?

Table 14: The cause of violent service delivery protest in Vuwani

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Tribalism	3,1	10,8	6,2	15,9	64,1
Poor service delivery	0,5		3,1	14,9	81,5
Unemployment	5,6	4,1		7,7	82,6
Political instability	19,5	8,7	4,6	17,4	49,7
Poor local governance	6,2	1,5	4,6	14,9	72,8
Community frustration	20,5	1,0	0,5	17,4	60,5
Police presence	30,8	15,4	1,0	3,6	49,2
Municipal demarcation issues	2,1		3,6	8,2	86,2
Other	4,6	0,5	1,5	0,5	0,5

The findings indicate that 86,2% of participants identified municipal demarcation issues as a major cause of violent service delivery protest in Vuwani. This finding is in line with the findings of Kanyane (2016) which indicate that Vuwani protest was mainly caused by residents' refusal of their area to be included into the newly established local municipality. Kanyane (2016) further indicated that Vuwani residents did not want to be merged with Malamulele and its surrounding villages to form a new local municipal entity but would rather be part of the current Makhado Local Municipality than to be merged with Malamulele to form the new local municipality.

Unemployment played a major role in community members participating in violent service delivery protest. This is evident with 82,6% of participants as reflected on the above table. The table further shows 81,5% of participants who identified poor service delivery as amongst major causes of violent service delivery protest. The findings by Shaidi (2013) support this by stating that poor service delivery by the municipality such as water, electricity, tar road, sewerage and provision of housing are amongst obstacles of service delivery protests.

Furthermore, 72,8% of participants argue that poor local governance perpetuated violent protests in Vuwani. Similar finding was made by Ntsala and Mahlatji (2016)

who found that poor communication with the communities, lack of transparency, poor governance, ineffective management and political infighting were found to be some of the main factors contributing to the protests. Tribalism was identified by 64,1% of participants as a major cause of violent service delivery protest. Tribalism was similarly found as a cause by Kgatle in his study titled “The causes and nature of the June 2016 protests in the city of Tshwane: A practical theological reflection” published in 2017. Again, 49,7% of participants indicate that political instability as one of the causes of violent service delivery protests. This finding concurs with those by Sikweyiya and Nkosi (2017) who found that violence in public protests due to the power based structural arrangement of society.

The table illustrates that 60,5% of participants identified community frustration as a cause. Frustration is seen as a factor that causes violent protest for both community members and the police. According to Buccus (2016), the burning of schools and other state property are an indication of the deepest levels of frustration in communities and a deep crisis of local democracy. Ultimately, police presence causes violent service delivery protests, only 49,2 % indicate that.

### 5.2.9. What are the perceptions about police presence during protests?

Table 15: The perceptions about police presence during protests

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Police mandate	7,7	13,3	22,1	12,8	44,1
Enemy	30,3	3,6	11,8	34,9	19,5
Threat by state	22,6	9,7	8,7	33,3	25,6
Police strategy	12,8	10,3	6,7	33,3	36,9
Other	4,1		0,5	0,5	

During protests, 44,1% of participants believe that police presence is merely police mandate whilst 36,9% of participants regard it as a police strategy. However, 25,6% of participants view police presence as a threat by the state to Vuwani community. Furthermore, only 19,5% of participants view police presence as being an enemy.

### 5.2.10. What are the common crimes that occurred during violent service delivery protest in Vuwani?

Table 16: The common crimes that occurred during violent service delivery protest in Vuwani

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Rape	50,3	24,1	9,2	5,6	10,8
Looting	3,1	1,0	6,2	24,6	65,1
Assault	16,9	3,6	10,3	19,5	48,7
House breaking	16,9	2,6	20,5	20,0	40,0
Arson	1,5	1,5	6,7	9,2	81,0
Vandalism	1,5	1,0	4,1	10,8	82,6
Other	1,5	0,5			

The above table illustrates that 82,6% of participants believe vandalism as common crime during service delivery protest in Vuwani. Majority of participants with 81,0% mention arson as a common crime. This finding was similarly made by Seattle Office of Emergency Management looting and arson are the most common crimes in Seattle's civil disorders. Snyman's (2008) definition of the crime of arson as being committed where a person unlawfully and intentionally sets fire to (i) immovable property belonging to another or (ii) to his own immovable insured property, in order to claim the value from the insurer.

Looting is pointed as a common crime with 65,1% of participants. A study for South African Local Government Association (SALGA) conducted by Steyn (2015), the findings shows that many of the interviewees agreed that there is a criminal element and opportunism, like when there is a strike by informal traders to claim a market space, there will be elements that loot. It starts of as service delivery but degenerates into looting. Only 48,7% of participants highlight assault and there are reports of house breaking during violent protest with 40,0% of participants. Only 10,8% participants point rape as a common crime during violent service delivery protest.

### 5.2.11. How was police treatment in Vuwani during violent service delivery protest?

Table 17: Police treatment in Vuwani during violent service delivery protest

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Intention to harm	50,3	14,9	10,8	10,8	13,3
Intention to restore peace	12,8	6,2	5,1	17,9	57,9
Use of force	30,3	4,1	6,2	26,7	32,8
Respect	20,5	6,2	15,9	13,3	44,1
Anger	33,3	2,6	10,8	19,5	33,8
Threat	28,7	19,0	3,1	2,5	27,7
Other	7,2				

The above table illustrates that community perception with regard to police treatment during protests in Vuwani. Majority of participants with 57,9% believe that police intention was to restore peace. Again, the majority of participants with 44,1% felt and respected by the police during protest. However, only 32,8% of participants indicated that police used excessive force during protests, while 33,8% participants feel police had anger during the protest. Community members felt threatened by police presence as shown on the table with 27,7% of participants. Mbuba (2010) found that the minorities have more contacts with the police which makes it more likely that they look at the police more suspiciously and view them as a threat. Lastly, police intention was to harm community members during protests as indicated by fewer participants with 13,3%.

## 5.2.12. Which policing strategies were used by the police during violent service delivery protest in Vuwani?

Table 18: Policing strategies used by the police during violent service delivery protest in Vuwani

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Rubber bullets	3,6	3,1		9,7	83,6
Pepper spray	4,1	4,1	2,6	9,7	79,5
Water spray	5,1	4,6	6,2	11,3	72,8
Pushing	26,2	4,1	3,1	13,8	52,8
Shoving	35,4	7,7	8,2	11,3	37,4
Stun grenades	26,7	12,8	11,3	7,2	42,1
Live ammunition	56,4	23,1	4,6	4,6	11,3
Negotiation	5,6	3,6	6,2	28,7	55,9
Assault with Grievously Bodily Harm (GBH)	26,2	7,2	28,2	10,8	27,7
Other	5,1	1,0	0,5	0,5	0,5

The table illustrates strategies used by the police during violent service delivery protest in Vuwani. Majority of participants with 83,6% agree that rubber bullets were used as a strategy by the police. Again, pepper spray with 79,5%, water spray 72,8% and pushing 52,8%. These strategies are mostly approved by the POP guide. Furthermore, 55,9% of participants indicate that negotiations as policing strategies used by the police during service delivery protests while 37,4% of participants mention shoving as a strategy. Vuwani community members identify stun grenade with 42,1% as a strategy, assault with Grievously Bodily Harm (GBH) with 27,7% of participants. The table shows that 56,4% of participants believe that live ammunition was never used as a policing strategy in Vuwani.

### 5.2.13. What are the negative consequences experienced by Vuwani residence as a result of police actions?

Table 19: The negative consequences experienced by Vuwani residence as a result of police actions

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Physical harm	5,6	10,3	12,8	19,0	52,3
Emotional harm	10,8	14,4	18,5	22,1	34,4
Visual disability	37,9	35,4	10,3	4,1	12,3
Living with fear	10,3	9,2	12,8	19,0	48,7
Death	55,9	25,6	8,7	2,1	7,7
Other	4,1	0,5	0,5	0,5	

Negative consequences experienced by Vuwani community members during protest as a result of police actions. Majority of participants with 52,3% identified physical harm as a negative consequence. Twala (2014) asserted that violent protests could be defined as physical acts that either caused immediate harm to persons or were likely to result in substantial harm. Only 48,7% of participants are living with fear while 34,4% of participants are emotionally harmed. Fewer participants with 12,3% suffered visually.

### 5.2.14. What do you think should be done by POP during violent service delivery protest to curb death and injuries?

Table 20: Recommendations to curb death and injuries during violent service delivery protests

	Strongly disagree	Disagree	Average	Agree	Strongly agree
Community police relation	2,1	1,0	1,5	21,3	73,8
POP training	4,1	7,2	8,2	13,8	66,7
Less use of force	2,1	0,5	9,2	13,3	74,9
Police accountability		0,5	11,3	11,3	76,9
Proper planning	8,7	4,6	5,1	13,3	68,2
POP policy review	9,2	2,6	10,3	12,3	65,6
Negotiation			8,2	11,8	80,0
Adequate POP/ Skilled POP	0,5	3,6	7,7	11,3	76,9
Police absence	28,7	8,2	6,7	6,2	50,3
Police visibility	24,1	3,6	6,2	11,3	54,9
Other	4,6		0,5		

The above table highlights what Vuwani community members think should be done by POP to avoid death and injuries. Overwhelming majority of participants with 80,0% believe that negotiation during protests can curb death and injuries. This is also supported by Govender (2016) and Iwu and Iwu (2015:549) who argue that police should be trained in the art of negotiating skills, soft skills such as communication, listening and emotional intelligence and mediating with leaders of the protest in order to make informed decision to avoid violence which could lead to death and injuries. Majority of participants with 76,9% believe police should be held accountable for any wrongdoing. This finding concurs with Tait and Mark (2011:22) who maintain that police did not engage in POP to adhere to the rules of democratic policing which include respecting human dignity and being publicly accountable.

However, another 76,9% of participants indicate that adequate POP can curb injuries and death. Only 74,9% of participants maintain that less use of force can curb death

and injuries during protests. This is supported by SAPS Standing Order No. 262 on Crowd Management that the use of force must be avoided at all costs and members deployed for the operation must display the highest degree of tolerance. The table illustrates that 73,8% of participants who believe community police relation as a solution to death and injuries during protests while 68,2% of participants regard proper planning as able to curb injuries and death. Only 66,7% of participants see POP training as a solution and 65,6% argues POP policy review can curb death and injuries. Furthermore, 54,9% of participants argue police visibility whilst 50,0% of participants state that police absence can curb death and injuries during violent service delivery protests.

### 5.3. QUALITATIVE DATA PRESENTATION, ANALYSIS AND INTERPRETATION OF PUBLIC ORDER POLICING OFFICIALS

Data was collected through focus group discussion with 45 POP members in Limpopo province (Lephalale, Modimolle, Tzaneen, Giyani, Thohoyandou, Makhado, Polokwane, Burgersfort and Groblerdaal). The study aimed to evaluate the effectiveness of Public Order Policing strategies in curbing common acts of violence during service delivery protests. FGDs were tape-recorded, field notes were taken, transcribed and analyzed. Core themes were identified and analyzed for the purpose of interpreting data. The themes were divided into five as follows:

Table 21: Thematic analysis themes

Theme 1	Biographical information of POP members in Limpopo Province
Theme 2	Assessment of POP strategies during unrests
Theme 3	Evaluation of POP training
Theme 4	Challenges encountered by POP members
Theme 5	Recommendation by POP members

Source: Researcher's illustration

### 5.3.1. Description and location of POP units in Limpopo province

This section describe the all the 9 POP unit in the Province.

#### 5.3.1.1. Description of Lephalale unit

Lephalale is a coal mining town in the Limpopo province of [South Africa](#). The town was established as Ellisras in 1960 and in 2002 Ellisras was renamed Lephalale by the provincial government of Limpopo Province. Lephalale is derived from the [Setswana language](#) meaning "to flow". Public Order Policing Unit in Lephalale is located in town, inside the main police station under the Lephalale municipality in Waterberg district.



Illustration 1: Lephalale POP unit

Source: Contributed by the Author

The above is an illustration of Lephalale POP Unit. The pictures show the unit office, armoured vehicles, light vehicles and babab wires (razor wires). Pictures were taken by the researcher during FGDs.

### 5.3.1.2. Description of Modimolle Unit

Modimolle is a town that focuses primarily on agriculture and farming ([citrus](#)) in Limpopo province of South Africa. The town was formally known as Nylstroom in 2002, its name was officially changed by the provincial government to Modimolle which comes from the [Sotho-Tswana](#) phrase, *Modimo o lle*, meaning "the forefather's spirit has eaten" or "God has eaten". Public Order Policing Unit in Modimolle is located in town outside the main police station under the Modimolle municipality in Waterberg district.



Illustration 2: Modimolle POP unit

Source: Contributed by the Author

The above is an illustration of Modimolle POP Unit. The pictures show the unit office, armoured vehicles and light vehicles. Pictures were taken by the researcher during FGDs.

### 5.3.1.3. Description of Tzaneen unit

Tzaneen is a large tropical garden town situated in the [Mopani District Municipality](#) of the [Limpopo](#) province in [South Africa](#). Tzaneen corrupted name derived from a [Northern Sotho](#) word 'Tsaneng', which means gathering place and was then adopted by [Afrikaner](#) colonisers as Tzaneen. Public Order Policing unit in Tzaneen is located at Tzaneen SAPS Joint Operation Centre (JOC) next to Tzaneen dam.



Illustration 3: Tzaneen POP unit

Source: Contributed by the Author

The above is an illustration of Tzaneen POP unit. The pictures show the unit entrance, unit office, light vehicle and armoured vehicle. Pictures were taken by the researcher during FGDs.

#### 5.3.1.4. Description of Giyani unit

Giyani is a north-eastern town situated in Mopani district of [Limpopo](#) province, [South Africa](#). It is a former capital of the [Gazankulu](#) bantustan. Giyani is situated at the intersection between [R578](#) and [R81](#) road. Public Order Policing unit in Giyani is located at the R81 road inside the Giyani cluster.



Illustration 4: Giyani POP unit

Source: Contributed by the Author

The above is an illustration of Giyani POP unit. The pictures show the unit office, armoured vehicles and light vehicles. Pictures were taken by the researcher during FGDs.

### 5.3.1.5. Description of Thohoyandou unit

Thohoyandou is a town in the [Limpopo Province](#) of [South Africa](#). It is located in [Vhembe district](#) under [Thulamela Local Municipality](#). Thohoyandou name means "head of the elephant" in the Venda language. POP unit is situated at Sibasa, Thohoyandou cluster office outside the main police station.



Illustration 5: Thohoyandou POP unit

Source: Contributed by the Author

The above is an illustration of Thohoyandou POP unit. The pictures show the cluster main gate where the unit is situated and their vehicles. Pictures were taken by the researcher during FGDs.

### 5.3.1.6. Description of Makhado unit

Makhado is a town in Vhembe district of Limpopo province South Africa formally known as Louis Trichardt. The unit is located in town next to the main police station under Makhado Local Municipality. It is a base unit under Thohoyandou.



Illustration 6: Makhado POP unit

Source: Contributed by the Author

The above is an illustration of Makhado POP unit. The pictures show the unit office, entrance gate and their vehicle. Pictures were taken by the researcher during FGDs.

### 5.3.1.7. Description of Polokwane unit

Polokwane is the capital city of Limpopo province South Africa formerly named Pietersburg. Polokwane was one of the host cities of the 2010 FIFA World Cup in South Africa. The unit is situated outside town the main under Polokwane Municipality in Capricorn district.



Illustration 7: Polokwane POP unit

Source: Contributed by the Author

The above is an illustration of Polokwane POP unit. The pictures show the main entrance gate, unit office, vehicle and nyalas. Pictures were taken by the researcher during FGDs.

### 5.3.1.8. Description of Burgersfort unit

Burgersfort is a rich platinum town located in the Sekhukhune district under Fetakgomo Greater Tubatse Local Municipality Limpopo province. POP unit in Burgerfort is located outside the main police station.



Illustration 8: Burgersfort POP unit

Source: Contributed by the Author

The above is an illustration of Burgersfort POP unit. The pictures show the main entrance, unit office and vehicle. Pictures were taken by the researcher during FGDs.

### 5.3.1.9. Description of Groblersdal unit

Groblersdal is a farming town situated in the Sekhukhune District of Limpopo Province. POP unit is located in Groblersdal town under Elias Motsoaledi Municipality. POP unit is located inside the main police station.



Illustration 9: Groblersdal POP unit

Source: Contributed by the Author

The above is an illustration of Groblersdal POP unit. The pictures show the main entrance gate, office and POP vehicle. Pictures were taken by the researcher during FGDs.

### **5.3.2. Theme 1: Biographical information of POP members in Limpopo Province**

This theme is aimed at identifying biographical information such as gender, age, home language, qualification, SAPS rank, years of service in SAPS and years of service in POP unit. FGDs comprised of 45 POP members from 9 units in the province were conducted. The findings show that majority of participants were males mostly Africans. Furthermore, majority had senior certificate (Grade 12) mostly aged between 35 and 56 years. Most participants have more than 20 years working experience in SAPS though not in public order but in policing. FGDs findings highlights that majority joined the POP unit or have been trained in preparation of the 2010 FIFA World Cup.

### **5.3.3. Theme 2: Assessment of POP strategies during unrests**

The purpose of this theme is to assess POP strategies during protests by finding out how the unit is informed about protests, identifying strategies used during violent and peaceful protests, whether POP members receive cooperation from the community, community leaders or councilors, support they receive from other SAPS units and the equipment that they use during unrests.

According to the participants in 9 POP units in Limpopo Province, when local protests start the unit is informed by the station commander and information officer within the unit. Sometimes in some cases, first responders from the station will inform the operational room of the unit. One participant said: *"sometimes we are approached by community members during our normal patrol duties or the station where the protest is taking place"*. Some participants stated that *"for planned protests or march, information is received from police station, the municipality and section 4 meeting notice from the convener thereafter the representing officer will inform the office"*. Majority of respondent indicated that, for provincial protest like one in Vuwani, the provincial commander will inform the unit commander to deploy officers to the place where unrest is taking place.

The respondent indicated that when protest turn violent the first step is to negotiate with the protestors also identify the protest leader to inform protestors to disperse and follow peaceful protest procedure, then warn the protestors, the Captain will inform that throwing stones and blocking the roads is against the law. The captain will inform the protestors to disperse and give them 5 minutes to do so. If not dispersing the

captain will instruct officers to disperse the crowd using stun grenade, also the captain will command the use of minimum force. The minimum force used is short gun with rubber bullet, stopper gun with tear gas, water cannon, shields, razor wires to channel the protestors and also effect lawful arrest. The use of video operator is used as an evidence to show that the protest was truly violent. The above findings are in line with those by Van Vuuren (2014) who maintains that police must know what to do when they are the first responder to unrest related incident (this includes: observe, assess, evaluate, identify the leaders, use soft skills like communication and negotiation, and implement the principle of minimum force).

One officer stated that: *“if the protest is about service delivery we engage with the municipality to come and address the protestors, and is always a challenge because mayor will just switch off their cell phones”*

In case of peaceful protests, the unit attends the march to monitor the situation with the help of municipal manager, traffic officers, Emergency Medical Service (EMS), fire brigade, deputy conveyer and the conveyer. Escort the march from the gathering point to a place where they are handing the memorandum and make sure they disperse without harm. One respondent highlighted that peace march is not guaranteed to be peaceful, they can turn to be violent at any stage because a human mind is unpredictable.

Officers indicated that they do not receive cooperation from community members during protest especially in situations where community members have been demanding service for years with no provision and those protestors become more violent with anger and frustrations. Most officers highlighted that *“Community leaders and local councillors do not cooperate when is service delivery protests related, they even switch off their cell phones”*.

POP officials indicated that they receive support from other SAPS unit such as: *“crime prevention unit, the station and first responders.... first responders arrive first at the scene to stabilize the situation by police visibility. They just access the situation because they are not trained in crowd management and if the situation poses them to danger they wait for POP unit to arrive and they withdraw”*. One highlighted that *“local criminal record centre support if there is arson and damage to property and K9 members sometimes support without dogs”*.

Officers highlighted the equipment that they use which includes stun grenade (handuse and 40ml), stopper gun (tear gas), shield, water cannon, shot gun with rubber bullet, armoured vehicles (Nyala), babad wires, batons, tonfas, soft top vehicle, helmet, gas musk and video camera which are in line with POP equipment by (Van Vuuren, 2014). Boring (2014) further indicates that the police in Netherlands are equipped with truncheon, pepper spray, long electric baton, smoke and stun grenades. While New Zealand police are equipped with armoured vehicles, OC sprays, taser, batons, tear gas, stun grenades and sponge rounds. Russian police make use of rubber batons, teargas, paint dispenses, sound and light as a means of distraction, shot guns and water throwing cannons for the policing of crowds.

#### **5.3.4. Theme 3: Evaluation of POP training**

The purpose of this section is to evaluate POP training by assessing their training and how often they go to refreshers courses. Officers indicated that when they joined POP unit from other units in SAPS they went to POP training where they were taught to deal with crowd, fitness training and practice the equipment. Majority of participants highlighted that: *the training does equip them to deal with the current patterns of violent protests.*

They further mentioned that they go to refreshers courses once a year when there are no protests taking place and every week there is a in service training this is supported by (SAPS, 2014) that according to Section 20 (1) of the National Instruction 4 of 2014, commanders must ensure that members undergo regular maintenance training in order for them to be operational ready.

#### **5.3.5. Theme 4: Challenges encountered by POP members**

The purpose of this section is to highlight the challenges encountered by POP members during unrest. The findings indicate that the POP officials encountered the following challenges: majority of respondents highlighted lack resources as a factor that hinders them to carry their duties effectively. Resources included armoured vehicles (Nyala), light vehicles, amardillo protective gear and water cannon. One participants indicated that: *“Information manager do not have cars, how are they supposed to get information with marked vehicles”*

Majority of participants said that: *“we have one water cannon in the province and its broken”* One participants indicated that: *“we have one armoured vehicle at this unit and its not road worthy”* Others highlighted that *“we don’t have helmet, shield and protective gear that is equal to all the officials”*

Another challenged highlighted was shortage of manpower, indicating that they are high demand of POP with few officials. Some officers gave a pictorial view that *“we are only 3 in the unit at the moment, if something erupt now we won’t manage. This means that we will be outnumbered by the mass”*. These findings are in line with those of Capazario (2016) stating that the SAPS management has admitted that they do not have enough Public Order Policing personnel to deal with escalating violence in protest marches. This designate that the management of the SAPS is aware of this challenge that is encountered by the Public Order Policing. This shortage of manpower results in members working long hours without over time. Some members indicated that: *“During Vuwani protest, we worked 2 days without rest waiting for other officers from other units to be deployed”*. Members indicated that they only receive overtime when deployed by the national.

Another challenge indicated by majority of participants was that they lack cooperation from the municipality especially when the protest is service delivery related. One participants indicated that: *“when we call mayors to come and address the protestors, they just switch off their cellphone, they are nowhere to be found”*.

Amongst other challenge, participants highlighted that sometimes when deployed to other areas they will find that accommodation not booked, sometimes they are forced to sleep in their cars. Lastly, few participants indicated that first responders are not always available, sometimes they are tasked to escort money or do other duties.

The findings of this study indicate that police use minimal force when the protestors throw stones to them, throwing patrol bombs, blocking the roads, burning property, using sling slot and injuring other people. Participants also highlighted that there no enough equipment. *“members do not have their own equipment such as shield and helmet. At all time, members have to exchange equipment because they are not equal to everyone”*

Most officers indicated that the current crowd management technique is not working for them. They indicated that they currently using Belgium and French model style of

policing. Belgium model is a challenge in rural areas because protestors need to be channeled and it is working because of tall building. Trait and Marks (2011:18) state that the Belgium style of policing crowds was introduced to South Africa in 1994. Subsequently, the French Model of Public Order Police was introduced to the SAPS in 2011 due to FIFA World cup.

### **5.3.6. Theme 5: Recommendation by POP members**

The purpose of this section is to provide recommendations by the POP members about policing of protests. Majority of POP members think that is not possible to control crowd without force. One participants said that: *“it is not possible to control crowd without force because people are unpredictable”* Other said: *“if we are not aggressive community members will turn more violent”* and one said that *“iron sharpen the iron”*. Some officers agreed that they can control violent protest without force *“we can negotiate with the protest leaders to follow proper procedures but this work when the protest is not related to service delivery”*.

Officers added the following information about policing of public protests: *“the community need to be educated about legislatures such as regulation of gathering act to follow proper protest procedures. Again, community members need to be educated that police presence during protests ensure safety of individuals and monitor that crime is not committed in the process”*. *“Community members have their own protest equipment such as self-made shield, spikes on the road and dig tar road”*

Other participants suggested that: *“Municipalities and POP unit should have a relationship because most protests are service delivery related. Have action plan how to strategies and always hold meetings even though they are no protests”*. Other participants indicated the issue of illegal mining and department of mineral and mining do not cooperate and people are getting injured and killing others.

## 5.4. CONCLUSION

Community members indicated that littering, damage to property, burning tyres and road barricade were amongst other extend of violent protest in Vuwani. The study revealed that the protest becomes violent when the response was delayed by the police. Furthermore, they highlighted that municipal demarcation issue was a major cause of Vuwani protest. Vandalism and arson were highlighted as common crimes that occurred during the violent protest in Vuwani. The study further revealed that police treated them with the aim to restore peace. Rubber bullets were rated as the most strategy used by the POP during violent service delivery protest. Community members think POP should practice the art of negotiation skills.

On the other hand, POP members indicated that the use of shield, negotiation, stun grenade, water cannon, tear gas and rubber bullets as their minimal force strategies. Officials highlighted that POP training is a standing rule for all officials joining POP unit. Lastly, lack of resources such as water cannon and shortage of manpower was amongst the challenges encountered by POP officials. The next chapter presents the conclusion and recommendations of this study.

## CHAPTER 6

### RECOMMENDATIONS AND CONCLUSION

#### 6.1. INTRODUCTION

The previous chapter discussed the findings and analysis of data obtained through questionnaires and FGDs with regards to Public order policing strategies in Vuwani, Vhembe district. This chapter focuses on concluding remarks on the research problem raised and providing recommendations with the aim to evaluate the effectiveness of Public Order Policing strategies in curbing common acts of violence during service delivery protests.

#### 6.2. CHAPTER SUMMARY

The study evaluated POP strategies during violent service delivery protests in Vuwani. Data was collected from 240 participants whereby 45 were POP officials and 195 community members of Vuwani. The researcher used both qualitative and quantitative research approach.

##### **Chapter 1 General orientation**

This chapter provided a general orientation of the study which includes background of the study, research problem, aim of the study, objectives of the study, research questions, and significant of the study.

##### **Chapter 2 Legislative framework**

The legal framework on the issue of policing public protests was discussed. The first policy explained was the Constitution of the Republic of South Africa (1996). The Regulation of Gathering Act 205 of 1993, the SAPS Act 68 of 1995, SAPS Standing Order No. 262 on Crowd Management, Criminal Procedure Act 51 of 1977, National Instruction of 2014 Public Order Police: Crowd Regulations and Management during Public Gathering and demonstration, Ministry of Police: Policy and Guidelines; Policing of public protest, gatherings and major events and Independent Police Investigative Directorate Act 1 of 2011 was discussed.

### **Chapter 3 Literature review**

Various scholarly writings were reviewed to explore the issue of POP at a national and international perspective. The causes of violent protests, nature of violent protests, POP strategies, common crimes committed during violent protest, challenges encountered by the POP during violent protests, various models of policing the public and a global perspective on POP were explored.

### **Chapter 4 Research methodology**

This chapter provided the research methodology of this study focusing on the research design, a description of the research population, sampling and size, data collection methods and data analysis.

### **Chapter 5 Data analysis and research finding**

This chapter focused on data presentation and interpretation of research results. Quantitative data was analysed with SPSS and interpreted by the research and qualitative data was analysed with thematic analysis.

### **Chapter 6 Recommendations and conclusion**

This chapter provided with conclusions drawn from this study and recommendations provided by the researcher based on the findings.

## **6.3. CONCLUSION**

### **6.3.1. Aim of the Study**

The aim of the study was to evaluate the effectiveness of Public Order Policing strategies in curbing common acts of violence during service delivery protests. The aim was achieved as reflected in the discussion in chapter five. The findings indicate that POP officials do not have enough resources and manpower to deal with the increasing of violent service delivery protests. POP officials highlighted that community members force them to use minimum force such as rubber bullets when they throw them with stones, patrol bombs and destroying property.

## **6.3.2. Research Objectives**

### **6.3.2.1. To assess POP strategies during violent protests**

The research findings in chapter five reveal that POP negotiate with the protestors, then identify the protest leader to inform protestors to disperse and follow peaceful protest procedure, then warn the protestors, instruct the crowd to disperse, officers will use stun grenade to disperse the crowd. Amongst other strategies include the use of stopper gun with tear gas, water cannon, shields, tonfas, razor wires to channel the protestors, short gun with rubber bullet as the last resort and effecting lawful arrest.

### **6.3.2.2. To determine the experiences of the community in their confrontation with the police during violent service delivery protests**

This objective was achieved as reflected in chapter five. The research findings are highlighted in table 8 to 20. The findings revealed that the outcome of Vuwani protests was that promise was made to the community members. Community members indicated that littering, damage to property, burning tyres and road barricade were amongst other extend of violent protest in Vuwani. The study revealed that the protest become violent when the response was delayed by the police. Furthermore, they highlighted that municipal demarcation was a major cause of Vuwani protest. Vandalism and arson were highlighted as common crimes that occurred during the violent protest in Vuwani. The study further revealed that police treated them with the aim to restore peace. Rubber bullets were rated as the most strategy used by the POP during violent service delivery protest. Community members think POP should practice the art of negotiation skills.

### **6.3.2.3. To highlight challenges encountered by Public Order Police Officers**

The findings of this study show that POP officials lack resources such as armoured vehicles (Nyala), light vehicles, amadilo protective gear and water cannon. Another challenged highlighted was shortage of manpower which result in members working long hours without over time. Furthermore, POP officials lack cooperation from the municipality especially when the protest is service delivery related. Lastly, a challenged highlighted was no proper accommodation when deployed which ends them up sleeping in the car.

#### **6.3.2.4. To examine common acts of violence during service delivery protest**

The findings revealed that vandalism, arson and looting were amongst crimes that were committed during service delivery protest in Vuwani. Few reports of house breaking and assaults were highlighted by participants. This finding shows that common methods of protest in Vuwani includes use of weapons, mass meetings, marching handing over the memorandum, toyi-toying, processions, election boycotts, barricading roads, burning of tyres, stone throwing, littering and destruction of buildings. Findings show that burning tyres and barricading roads seemed to be the most favoured methods of protests.

#### **6.4. LIMITATIONS OF THE STUDY**

The limitation of the study refers to the lack of ability or the challenges the researcher encountered to carry out proper procedures to conduct this study.

- Community members of Vuwani were afraid to participate in this study, some thinking that the researcher was an investigator from SAPS, the researcher and her assistant had to explain thoroughly that the question is for a purpose of completing a qualification. Some then agreed while others still did not want to participate. Among all, elderly people were the ones who do not want to participate thinking that we want to rob them.
- Some community members filled the questionnaires half way and said that they are in a hurry, then the researcher had to destroy all questionnaires that are not completed.
- Community members were complaining that the questionnaire was too long, some just paged the questionnaire and not complete it.
- The approval from the SAPS Provincial head took long to be granted, that delayed the progress of the study.
- Some POPs members did not understand what is a research, they thought it was a public lecture that delayed the researcher to conduct focus group discussions in one of the unit.

## 6.5. SUMMARY OF MAJOR FINDINGS

- Burning tyres is the most common method used by protestors during violent protests.
- Community members escalate to violence due to police presence.
- Issues of municipal demarcation caused violent service delivery protest in Vuwani.
- Vandalism and arson were common crimes that occur during violent service delivery protest in Vuwani.
- Rubber bullets were identified as the most used POP strategy during the protest in Vuwani. However, POP officials indicated that rubber bullet was used as the last resort of gradually police response.
- Community members believed that negotiation skills of the police will prevent injuries and death during violent protests.
- POP officials do not have enough manpower to deal with the increase of violent protests.
- POP unit lack proper equipment such as water cannon, protective gear, shield, vehicles (4x4) and armoured vehicles.
- Vehicles are not roadworthy and some are broken down.

## 6.6. RECOMMENDATIONS

Based on the findings of this study, the recommendations are as follows:

### 6.6.1. Provision of resources

It was highlighted that POP unit is facing a serious problem on shortage of specialised resources such as the armoured vehicles (Nyalas), water cannons, light vehicles and protective gear for officers to carry their duties effectively. Considering that fact, it is recommended that the Provincial Office prioritise this matter and bring this to the immediate attention to the National Office requesting a bigger budget to ensure the availability of the required vehicles and equipment. The POP unit needs more armoured vehicles and water cannons in each unit as this will reduce the use of force like rubber bullets that will end up injuring other protestors.

### **6.6.2. Recruitment of manpower**

The findings have indicated that shortage of manpower as a challenge encountered by POP officials. It is therefore recommended that adequate manpower that is capable of policing crowds should be addressed as a matter as members cannot use the appropriate techniques with minimum manpower because these techniques require a specific number of members in order to be executed successfully. The shortage of manpower leaves the police with limited options and it therefore forces them to resort to the escalated level of force because sometimes members are outnumbered by the protestors leaving them with no option but to use force.

### **6.6.3. Educate the public about police presence during protests**

The findings of the study reveal that community members view POP officials or the police in general presence as a police mandate or police strategy, though few individuals perceive POP as their enemy. It is recommended that community members should be educated that police presence at the protests is to ensure safety of individuals and buildings, monitor the protest and to make sure that other crimes are not committed in the process because community members have a perception that police are there to hurt them.

### **6.6.4. Relationship with the municipality**

The findings of this study show that one of the major challenges encountered by POP officials is lack of cooperation with municipality's high-profile individuals during service delivery protests. Participants highlighted that mayors and councillors switch off their cell phones when they are needed to address the protestors. It is therefore recommended that the POP and municipalities should have a relationship and work together during violent protests especially service delivery related.

### **6.6.5. Educate POP officials**

As indicated that on the researcher was deprived opportunity to collect data at one of the unit due to members not understanding what research is about. It is recommended that POP officials need to go thorough induction about issues of research because studies are aimed at helping them to improve the way of doing things.

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## ANNEXURE A: CONSENT FORM

Dear participant

My name is Khethiwe Madima, I am doing a research on “Evaluation of Public Order Policing strategies during violent service delivery protest: A case of Vuwani in Vhembe District, Limpopo Province”. This study is conducted in compliance with the need to fulfil the requirements of Masters of Arts in Criminal Justice at the University of Venda.

Your participation is voluntary and you can withdraw at any time if you feel uncomfortable. All information will be kept confidential and you are not required to give your personal details that will reveal your identity. Your contribution to this study is extremely important to ensure the success of this project.

Kindly complete this questionnaire.

### Contact details of the researcher:

Name : Khethiwe Madima

Institution : University of Venda

Student No : 17012379

Contact : [khethiwemawai@gmail.com](mailto:khethiwemawai@gmail.com)

083 287 6623

Signature of participant.....

Date.....

## ANNEXURE A: CONSENT FORM

Aa

Nne ndi pfi Khethiwe Madima, ndi khou ita thodisiso zwi tshi kwama “Maano na ndila ya kushumele kwa tshipholisa kha u disa vhudziki kha lushaka musu wa migwalobo ya ndisedzo ya tshumelo: Ndi kha mafhungo a Vuwani kha dzingu la Vhembe, Vunduni la Limpopo”. Thodisiso idzi dzi khou itwa malunga na u khunyeledza thodea dza muhulwani wa muhasho wa zwa vhugevhenga na vhulamukanyi Yunivesithi ya Venda.

U di dzhenisa asi khombe-khombe nahone vha nga di bvisa tshifhinga tshinwe na tshinwe arali vha sa khou dzulisea ngazwo. Mafhungo othe a do vha a tshiphirini nahone a hunga todei thalusavhune dzavho. U shela havho mulenzhe kha iyi thodisiso ndi zwa ndeme vhukuma kha u bveledza iyi thandela/ thodisiso.

Ri humbela uri vha fhindule mbudziso dzi tevhelaho

Zwidombedzwa zwa mutodulusi

Dzina : Khethiwe Madima

Tshimiswa : Yunivesithi ya Venda

Nomoro ya mugudiswa : 17012379

Zwidombedzwa zwa vhukwamani : [khethiwemawai@gmail.com](mailto:khethiwemawai@gmail.com)

083 287 6623

Signature.....

Duvha.....

## ANNEXURE B: QUESTIONNAIRE FOR COMMUNITY MEMBERS

This appendix is a questionnaire for community members of Vuwani. It aims to determine some of the experiences of community members in their confrontation with the police during service delivery protests.

### SECTION A – BIOGRAPHICAL INFORMATION

This section of the questionnaire requires your background or biographical information.

**Please answer the following questions by crossing (x) in the relevant block**

#### 1. Gender

Male	1
Female	

#### 2. Age

18 to 35 years	1
36 to 45 years	2
46 to 55 years	3
56 and above	4

#### 3. Race

African	1
White	2
Coloured	3
Other	4

#### 4. Home language

Tshivenda	1
Xitsonga	2
Sepedi	3
Other	4

#### 5. Highest qualification

Grade 12	1
Certificate/ Diploma	2
Degree	3
Postgraduate	4
Other	5

### SECTION B

This section determines the community member's perspective on violent service delivery protest in Vuwani

To what extent do you rate the following statements? Please indicate your answer using the following 5-point scale where: 1= Strongly disagree 2= Disagree 3=Average 4=Agree 5=Strongly agree

#### 6. The following District are known for violent service delivery protests in Limpopo Province

	Strongly disagree	Disagree	Average	Agree	Strongly agree
6.1. Mopani District	1	2	3	4	5
6.2. Vhembe District	1	2	3	4	5
6.3. Capricorn District	1	2	3	4	5
6.4. Waterberg District	1	2	3	4	5
6.5. Sekhukhune District	1	2	3	4	5

## 7. The following areas are known for violent service delivery protests in Vhembe District

	Strongly disagree	Disagree	Average	Agree	Strongly agree
7.1. Malamulele	1	2	3	4	5
7.2. Vuwani	1	2	3	4	5
7.3. Tshakhuma	1	2	3	4	5
7.4. Ndzhelele	1	2	3	4	5
7.5. Shayandima	1	2	3	4	5
7.6. Musina	1	2	3	4	5
7.7. Thohoyandou	1	2	3	4	5
7.8. Other	1	2	3	4	5

## 8. How were you mobilized to participate in violent service delivery protest in Vuwani?

	Strongly disagree	Disagree	Average	Agree	Strongly agree
8.1. Community meetings	1	2	3	4	5
8.2. Imbizo	1	2	3	4	5
8.3. Civic organizations	1	2	3	4	5
8.4. Community Policing Forums (CPF)	1	2	3	4	5
8.5. Churches forum	1	2	3	4	5
8.6. School Governing Bodies (SGB)	1	2	3	4	5
8.7. Social media (WhatsApp, Facebook and Twitter)	1	2	3	4	5
8.8. Community radio station	1	2	3	4	5
8.9. Local newspapers	1	2	3	4	5

8.10. Pressure groups	1	2	3	4	5
8.11. Word of mouth	1	2	3	4	5
8.12. Other	1	2	3	4	5

**9. What was the outcomes of violent service delivery protests in Vuwani area?**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Average</b>	<b>Agree</b>	<b>Strongly agree</b>
9.1. Service was delivered	1	2	3	4	5
9.2. Promise was made	1	2	3	4	5
9.3. Negotiations began	1	2	3	4	5
9.4. Policy reviewed	1	2	3	4	5
9.5. Authorities listened	1	2	3	4	5
9.6. Required service was delivered	1	2	3	4	5
9.7. Other	1	2	3	4	5

**10. What was the extend of violent service delivery protest in Vuwani?**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Average</b>	<b>Agree</b>	<b>Strongly agree</b>
10.1. Use of Weapons	1	2	3	4	5
10.2. Burning tyres	1	2	3	4	5
10.3. Barricading roads	1	2	3	4	5
10.4. Littering	1	2	3	4	5
10.5. Damage to property	1	2	3	4	5
10.6. Marching to hand over the memorandum	1	2	3	4	5
10.7. Throwing stones	1	2	3	4	5
10.8. Singing, chanting and toyitoying	1	2	3	4	5
10.9. Election boycott	1	2	3	4	5
10.10. mass meetings	1	2	3	4	5

10.11. Other	1	2	3	4	5
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**11. At what level service delivery protest in Vuwani escalated to violence?**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Average</b>	<b>Agree</b>	<b>Strongly agree</b>
11.1. Planning phase	1	2	3	4	5
11.2. Police presence	1	2	3	4	5
11.3. Police absence	1	2	3	4	5
11.4. Negotiations	1	2	3	4	5
11.5. Delayed response by police	1	2	3	4	5
11.6. Other	1	2	3	4	5

**12. What was the cause of violent service delivery protest in Vuwani?**

	<b>Strongly disagree</b>	<b>Disagree</b>	<b>Average</b>	<b>Agree</b>	<b>Strongly agree</b>
12.1. Tribalism	1	2	3	4	5
12.2. Poor service delivery	1	2	3	4	5
12.3. Unemployment	1	2	3	4	5
12.4. Political instability	1	2	3	4	5
12.5. Poor local governance	1	2	3	4	5
12.6. Community frustration	1	2	3	4	5
12.7. Police presence	1	2	3	4	5
12.8. Municipal demarcation issues	1	2	3	4	5
12.9. Other	1	2	3	4	5

### 13. What are the perceptions about police presence during protests?

	Strongly disagree	Disagree	Average	Agree	Strongly agree
13.1. Police mandate	1	2	3	4	5
13.2. Enemy	1	2	3	4	5
13.3. Threats by state	1	2	3	4	5
13.4. Police strategy	1	2	3	4	5
13.5. Other	1	2	3	4	5

### 14. What are the common crimes that occurred during violent service delivery protest in Vuwani?

	Strongly disagree	Disagree	Average	Agree	Strongly agree
14.1. Rape	1	2	3	4	5
14.2. Looting	1	2	3	4	5
14.3. Assault	1	2	3	4	5
14.4. House breaking	1	2	3	4	5
14.5. Arson	1	2	3	4	5
14.6. Vandalism	1	2	3	4	5
14.7. Other	1	2	3	4	5

### 15. How was police treatment in Vuwani during violent service delivery protest?

	Strongly disagree	Disagree	Average	Agree	Strongly agree
15.1. Intention to harm	1	2	3	4	5
15.2. Intention to restore peace	1	2	3	4	5
15.3. Use of force	1	2	3	4	5
15.4. Respect	1	2	3	4	5
15.5. Anger	1	2	3	4	5
15.6. Threats	1	2	3	4	5

15.7. Other	1	2	3	4	5
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## SECTION C

This section assesses strategies used by the police during violent service delivery protests in Vuwani.

### 16. Which policing strategies were used by the police during violent service delivery protest in Vuwani?

	Strongly Disagree	Disagree	Average	Agree	Strongly Agree
16.1. Rubber bullets	1	2	3	4	5
16.2. Pepper spray	1	2	3	4	5
16.3. Water spray	1	2	3	4	5
16.4. Pushing	1	2	3	4	5
16.5. Shoving	1	2	3	4	5
16.6. Stun grenades	1	2	3	4	5
16.7. Live ammunition	1	2	3	4	5
16.8. Negotiation	1	2	3	4	5
16.9. Assault with grievously bodily harm	1	2	3	4	5
16.10. Other	1	2	3	4	5

## SECTION D

This section outlines effects of policing strategies used during service delivery protests in Vuwani.

**17. What are the negative consequences experienced by Vuwani residence as a result of police actions?**

	Strongly Disagree	Disagree	Average	Agree	Strongly Agree
17.1. Physical harm	1	2	3	4	5
17.2. Emotional trauma	1	2	3	4	5
17.3. Visual disability	1	2	3	4	5
17.4. Living with fear	1	2	3	4	5
17.5. Death	1	2	3	4	5
17.6. Other	1	2	3	4	5

## SECTION E

This section requires community's members recommendation to Public Order Policing about service delivery protests.

**18. What do you think should be done by POP during violent service delivery protest to curb death and injuries?**

	Strongly Disagree	Disagree	Average	Agree	Strongly Agree
18.1. Community police relation	1	2	3	4	5
18.2. POP training	1	2	3	4	5
18.3. Less use of force	1	2	3	4	5
18.4. Police accountability	1	2	3	4	5
18.5. Proper planning	1	2	3	4	5
18.6. POP policy review	1	2	3	4	5
18.7. Negotiation	1	2	3	4	5
18.8. Adequate POP/ Skilled POP	1	2	3	4	5

18.9. Police absence	1	2	3	4	5
18.10. Police visibility	1	2	3	4	5
18.11. Other	1	2	3	4	5

..... **End** .....

## **ANNEXURE B: BAMBIRI LA MIRADO YA TSHITSHAVHA**

Bambiri ili ndi la dzi mbudziso uya kha mirado ya tshitshvha tsha Vuwani. Li khou toda u swikelela nahune la talutshedza tshenzhemo ya minwe ya mirado ya tshitshavha musi vha tshi livhana na vha tshipholisa nga tshifhinga tsha migwalabo

### **TSHITENWA TSHA A**

Itshi tshipida tsha dzi mbudziso tshi khou todana siangane ya mafhungo

Ri hambela vha fhindule mbudziso dzi tevhelaho nga u ita tshiswayo (X)

#### **1. Mbeu**

Tshinnani	1
Tshifumakadzini	2

#### **2. Minwaha**

18 u swika 35	1
36 u swika 45	2
46 u swika 55	3
56 u ya nthu	4

#### **3. Murafho**

Murema	1
Mutshena	2
Mukhaladi	3
Munwevho	4

#### **4. Luambo lwa hayani**

Tshivenda	1
Xitsonga	2
Sepedi	3
Na dzinwe	4

## 5. He vha guma hone nga zwa pfunzo

Murole wa 12	1
Certificate/ Diploma	2
Digirii	3
Postgraduate	4
Nadzinwe	5

## TSHTENWA TSHA B

Ulu luta lu khou sedzana na zwe miredo ya tshitshavha ya tshenzhema nga tshifhinga tsha migwalabo

Naa aya mufhungo a tevhelaho vha a kalahani? Ndi do humbe uri vha zwi sumbedzise nga zwikaso zwa 5 hune: 1= Athi tendi na luthihi 2= Athi tendi 3= Ndi vhukati

4= Ndia tenda 5= Ndia tenda vhukuma

## 6. Migwalabo ya dzi khakhati yo dalesa mavunduni a tevhelaho hafha kha vundu la Limpopo?

	Athi tendi na luthihi	Athi tendi	Ndi vhukati	Ndia tenda	Ndia tenda vhukuma
6.1. Dzingu la Mopani	1	2	3	4	5
6.2. Dzingu la Vhembe	1	2	3	4	5
6.3. Dzingu la Capricorn	1	2	3	4	5
6.4. Dzingu la Waterberg	1	2	3	4	5
6.5. Dzingu la Sekhukhune	1	2	3	4	5

**7. Vhupo vhu tevhelaho vhu divhelwa migwalabo ya dzikhakhathi kha dzingu la Vhembe?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
7.1. Malamulele	1	2	3	4	5
7.2. Vuwani	1	2	3	4	5
7.3. Tshakhuma	1	2	3	4	5
7.4. Ndzhelele	1	2	3	4	5
7.5. Shayandima	1	2	3	4	5
7.6. Musina	1	2	3	4	5
7.7. Thohoyandou	1	2	3	4	5
7.8. Na zwinwe	1	2	3	4	5

**8. Vho kungwa hani u vha tshipida tsha migwalabo ya dzikhakhathi afha Vuwani?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
8.1. Mitanngano ya tshitshavha	1	2	3	4	5
8.2. Imbizo	1	2	3	4	5
8.3. Zwi imiswa zwa siviki	1	2	3	4	5
8.4. Vha zwi imiswa zwa tshipholisa tshitshavhani	1	2	3	4	5
8.5. Zwiimiswa zwa kereke	1	2	3	4	5
8.6. Vhulangi ha tshikolo	1	2	3	4	5
8.7. Nyandadzamafhungo	1	2	3	4	5
8.8. Radio ya tsini	1	2	3	4	5
8.9. Guranda la tsini	1	2	3	4	5

8.10. Zwigwada zwa mutsiko	1	2	3	4	5
8.11. Mavharivhari	1	2	3	4	5
8.12. Na zwinwe	1	2	3	4	5

**9. Masiadoitwa a migwalabo ya dzikhakhathi ndi a fhio kha vhupo ha Vuwani?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
9.1. Ho vha na ndisedzo ya tshumelo	1	2	3	4	5
9.2. Ho vha na pfhulufhedziso	1	2	3	4	5
9.3. Nyambedzano dzo thoma	1	2	3	4	5
9.4. Mulayo wa sedzuluswa	1	2	3	4	5
9.5. Vhahulwane vho thetsheswa	1	2	3	4	5
9.6. Thodea yo netsheledzwa	1	2	3	4	5
9.7. Na zwinwe	1	2	3	4	5

**10. Migwalabo ya dzikhakhathi yo vha inga ndila de kha la Vuwani?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
10.1. UShumisa zwinali	1	2	3	4	5
10.2. U fhisa mathaela	1	2	3	4	5
10.3. U thivha dzi bada	1	2	3	4	5

10.4. U tevhukanya mashika	1	2	3	4	5
10.5. U kwasha ndaka	1	2	3	4	5
10.6. U netshedza memorandamu	1	2	3	4	5
10.7. U posa matombo	1	2	3	4	5
10.8. U imba na u tshina	1	2	3	4	5
10.9. Usa di dzhenisa kha dzi khetho	1	2	3	4	5
10.10. Mitangano ya gote	1	2	3	4	5
10.11. Na zwinwe	1	2	3	4	5

**11. Nd inga ndilade he migwalabo ya Vuwani ya swikisa kha ndisedzo ya tshumelo?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
11.1. U luka maano	1	2	3	4	5
11.2. Vhuhone ha mapholisa	1	2	3	4	5
11.3. Usa vha hone ha mapholisa	1	2	3	4	5
11.4. Nyambedzano	1	2	3	4	5
11.5. U lenga u fhindula ha mapholisa	1	2	3	4	5
11.6. Na zwinwe	1	2	3	4	5

## 12. Zwivhanga zwa migwalabo ya dzikhakhathi Vuwani ndi zwifhio?

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
12.1. U vhengana uya nga lushaka na luambo	1	2	3	4	5
12.2. U shaeya ha ndisedzo ya tshumelo	1	2	3	4	5
12.3. U sa vha hone a mishumo	1	2	3	4	5
12.4. Usa dzudzanyea ha zwa polotiki	1	2	3	4	5
12.5. U shaeya ha vhurangapanda vhuponi	1	2	3	4	5
12.6. Ndado ya lushaka	1	2	3	4	5
12.7. Usa vha hone ha mapholisa	1	2	3	4	5
12.8. Mikano ya masipala	1	2	3	4	5
12.9. Na zwinwe	1	2	3	4	5

## 13. Hunga vha hu mini tsho vhangaho vhuhone ha mapholisa nga tshifhinga tsha migwalabo?

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
13.1. Mushumo wa mapholisa	1	2	3	4	5
13.2. Maswina	1	2	3	4	5
13.3. U shushedzwa nga muvhuso	1	2	3	4	5
13.4. Ku shumele kwa mapholisa	1	2	3	4	5

13.5. Na zwinwe	1	2	3	4	5
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**14. Ndi vhufhio vhugevhenga vhe ha itea nga tshifhinga tsha migwalabo ya Vuwani?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
14.1. U tshipa	1	2	3	4	5
14.2. Utswaa	1	2	3	4	5
14.3. U rwa vhathu	1	2	3	4	5
14.4. U kwasha dzinndu	1	2	3	4	5
14.5. U levha	1	2	3	4	5
14.6. U tshinyadza	1	2	3	4	5
14.7. Na zwinwe	1	2	3	4	5

**15. Mapholisa oli farwahani nga tshifhinga tsha migwalabo ya Vuwani?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
15.1. U di lugisela uvhaisa	1	2	3	4	5
15.2. U di lugisela u disa mulalo	1	2	3	4	5
15.3. U kombetshedza	1	2	3	4	5
15.4. U thonifha	1	2	3	4	5
15.5. Mbiti	1	2	3	4	5
15.6. U shushedza	1	2	3	4	5
15.7. Na zwinwe	1	2	3	4	5

## TSHITENWA TSHA C

Tshitenwa itshi tshi lingulula ndila ya kushumelo ya mapholisa nga tshifhinga tsha migwalabo Vuwani

### 16. Mapholisa vho shumisa ndila de?

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
16.1. Gulu dza raba	1	2	3	4	5
16.2. U fafadzela phiriphiri	1	2	3	4	5
16.3. U fafadzela madi	1	2	3	4	5
16.4. U khurumedza	1	2	3	4	5
16.5. U somba	1	2	3	4	5
16.6. Stun grenades	1	2	3	4	5
16.7. Gulu dza vhukuma	1	2	3	4	5
16.8. Nyambedzano	1	2	3	4	5
16.9. U vhaisa vhukuma	1	2	3	4	5
16.10. Na zwinwe	1	2	3	4	5

## TSHITENWA TSHA D

Tshitenwa itshi tshi sumbedza masiandoitwa a kushumele kwa mapholisa kha migwalabo ya Vuwani

### 17. Ndiafho masiandoitwa asi a vhudi o itwaho nga vhadzulapo nga mulandu wa mapholisa?

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
17.1. U vhaisa	1	2	3	4	5
17.2. U vhaisa muyani	1	2	3	4	5
17.3. Usa kona uvhona	1	2	3	4	5
17.4. U tshila na nyofho	1	2	3	4	5

17.5. Lufu	1	2	3	4	5
17.6. Na zwinwe	1	2	3	4	5

## TSHITENWA TSHA E

Tshitenwa itshi tshi todana na themendelo ya vhadzulapo kha vhudziki nga tshipholisa malungana na migwalabo

**18. Vha vhona unga hu tea u itwani nga vha POP nga tshifhinga tsha migwalabo u thivela lufu na mafuvhalo?**

	<b>Athi tendi na luthihi</b>	<b>Athi tendi</b>	<b>Ndi vhukati</b>	<b>Ndia tenda</b>	<b>Ndia tenda vhukuma</b>
18.1. Ushuma ha mapholisa vhapo	1	2	3	4	5
18.2. Mpfumbudzwa ha vha POP	1	2	3	4	5
18.3. Usa shumisesa mutsiko	1	2	3	4	5
18.4. U imela ndavha ha mapholisa	1	2	3	4	5
18.5. U lugisela ha vhudi	1	2	3	4	5
18.6. U sedzulusa milayo ya POP	1	2	3	4	5
18.7. Nyambedzano	1	2	3	4	5
18.8. Zwikili zwo lugelaho zwa vha POP	1	2	3	4	5
18.9. Usa vha hone ha mapholisa	1	2	3	4	5
18.10. Usa vhonala ha mapholisa	1	2	3	4	5
18.11. Na zwinwe	1	2	3	4	5

## **ANNEXURE C: FGDs GUIDE FOR PUBLIC ORDER POLICE OFFICIALS**

Interview guide for Public Order Policing officers in Limpopo province.

### **SECTION A (Biographical information)**

1. Gender
2. Age
3. Home language
4. Highest qualification
5. South African Police Service rank
6. How long have you been working in the South African Police Service?
7. How long have you been working in the Public Order Policing unit?

### **SECTION B (Assess POP strategies)**

8. When public protests start, how is your unit informed?
9. When public protests turn violent how do you handle them?
10. Which POP strategies do you use during peaceful protests?
11. Which POP strategies do you use during violent protests?
12. Do you receive cooperation from the community? If yes what kind?
13. Do you receive cooperation from community leaders and local councillors? If yes what kind?
14. What kind of support do you receive from other SAPS units when the protests get out of your control?
15. Do you believe that the support is enough?
16. Which equipment do you use for policing protests?

**SECTION C (This section evaluate POP training)**

17. When you join the POP did you undergo any special training?

18. How was the training? Do you think the training equipped you enough?

19. How often do you go to refreshers courses?

**SECTION D (This section highlights the challenges encountered by POP members)**

20. Mention the challenges you encounter in policing of public protest?

21. What factors contribute to the use of force/ when or at what stage do you use force?

22. Do you always have enough equipment; do you believe that the equipment that you have is enough for you to carry out your duties effectively?

23. What is your view on the current crowd management techniques?

**SECTION E (Recommendations)**

24. Do you think is possible to control violent protest without force? If yes, explain

25. Is there any other information that you want to add in the policing of public protest?  
If so, please give details

## ANNEXURE D: ETHICAL CLEARANCE

### UNIVERSITY OF VENDA

#### OFFICE OF THE DEPUTY VICE-CHANCELLOR: ACADEMIC

TO : MR/MS K MAWAI  
SCHOOL OF LAW

FROM: SENIOR PROF L.B KHOZA  
ACTING DEPUTY VICE-CHANCELLOR: ACADEMIC

DATE : 09 OCTOBER 2018

#### **DECISIONS TAKEN BY UHDC OF 1<sup>ST</sup> OCTOBER 2018**

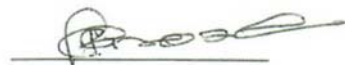
Application for approval of Masters research proposal in Human and Social Science: K. Mawai (17012379)

Topic: "Evaluation of Public Policing Strategies during Violent Service Delivery Protests: A Case of Vuwani in Vhembe District, Limpopo Province."

Supervisor UNIVEN  
Co-supervisor UNIVEN

Dr. K.A Mothibi  
Dr. F.M Manganyi

**UHDC approved Masters proposal**



**SENIOR PROF L.B KHOZA  
ACTING DEPUTY VICE-CHANCELLOR: ACADEMIC**

## ANNEXURE E: LETTER TO SAPS

08 -11- 2018



University of Venda  
School of Law

Private Bag X5050, Thohoyandou, 0950  
Limpopo, South Africa  
+27 15 962 8311  
+27 15 962 8045

The Provincial Commissioner  
South African Police Service  
Limpopo Province  
0700  
08 November 2018

Dear Sir

### REQUEST FOR PERMISSION TO CONDUCT MASTERS RESEARCH

This letter serves as a formal request for permission to collect data in your institution which is the SAPS Public Order Policing Unit. The study intent evaluating the effectiveness of Public Order Policing (POP) strategies in curbing common acts of violence during service delivery protests. South Africa is facing an increase in service delivery protest which turns violent and results in death and injuries by members of Public Order Police. Therefore, the manner in which POP deals with public protest is always questioned and criticised by the civilians. The study intend exploring the challenges and pressure POP members have to deal with while on duty.

The proposed research is titled: **Evaluation of Public Order Policing Strategies during Violent Service Delivery Protests: A case of Vuwani in Vhembe District, Limpopo Province**

As the title suggests, the researcher needs to interview POP members in the Limpopo Province. The interviews will be conducted in a form of focus group discussions

consisting of five (5) POP members in each of the eight units in the province. The 8 units includes: Polokwane unit, Giyani unit, Tzaneen unit, Thohoyandou unit, Modimolle unit, Lephalale unit, Burgerfort unit and Groblersdal unit. The researcher will therefore visit each unit twice to collect data and to disseminate data.

The outcome of this research will not only assist me in obtaining masters degree, but can also be used by the unit to evaluate their strategies in dealing with civilians to curb violence during protests. Furthermore, the findings will assist in POP policy reviews in enforcing accountability amongst its officials during violent protests. Attached find the University of Venda Ethical Clearance Certificate/ Letter.

Thank you

**Student**



Khethiwe Mawai

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**Supervisor**



Dr K.A Mothibi

082 735 1285

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## ANNEXURE F: PERMISSION GRANT LETTER

SAP 21

**SUID-AFRIKAANSE POLISIEDIENS**



**SOUTH AFRICAN POLICE SERVICE**


Verwysing Reference	2/1/2/1(16/2018)
Navrae Enquiries	Colonel Tau Lt Col Montjane
Telefoon Telephone	015 290 6090/6300
Faksnommer Fax number	015 230 1023

**THE PROVINCIAL COMMISSIONER  
SOUTH AFRICAN POLICE SERVICE  
LIMPOPO  
POLOKWANE  
0700**

- A. K Mawai  
PO Box 2413  
Sibasa  
0970
- B. The Provincial Commander (Brigadier Tinyani)  
Public Order Policing SAPS  
Polokwane  
Limpopo Province

**AUTHORITY TO CONDUCT RESEARCH IN SAPS: EVALUATION OF PUBLIC ORDER POLICING STRATEGIES DURING VIOLENT PROTESTS: A CASE OF VUWANI IN VHEMBE DISDRICT: LIMPOPO PROVINCE: UNIVERSITY OF VENDA: MASTERS DEGREE: RESEACHER: K MAWAI.**

- A.1. Your authority to conduct research in SAPS is herewith granted.
2. The researcher should take note of the following:
- 2.1 You will conduct research without any disruption of the personnel duties;
- 2.2 The research will be conducted at your own cost;
- 2.3 The information to be treated as strictly confidential;
- 2.4 You will donate a copy of the research report to the service;
- 2.5 You are advised to adhere to the provisions of National Instruction 1 of 2006 on research in the SAPS.
- B. Copy for your information.
3. The researcher has been granted authority to conduct research, and you are therefore requested to assist the researcher were it is possible.

  
.....LIEUTENANT GENERAL  
PROVINCIAL COMMISSIONER  
LIMPOPO PROVINCE  
NJ LEDWABA  
DATE: 2018-12-27

*South African Police Service*



*Suid-Afrikaanse Polisiediens*

Privaatsak  
Private Bag X94

Pretoria  
0001

Faks No.  
Fax No.

(012) 393 2128

Your reference/U verwysing:

My reference/My verwysing: **3/34/2**

Enquiries/Navrae:

**Lt Col Joubert  
A/C Thenga  
(012) 393 3118**

Tel:

Email:

**JoubertG@saps.gov.za**

THE HEAD: RESEARCH  
SOUTH AFRICAN POLICE SERVICE  
PRETORIA  
0001

Ms K Mawai  
**UNIVERSITY OF VENDA**

**RE: PERMISSION TO CONDUCT RESEARCH IN SAPS: THE EVALUATION OF PUBLIC ORDER POLICING STRATEGIES DURING VIOLENT SERVICE DELIVERY PROTESTS: A CASE OF VUVANI IN VHEMBE DISTRICT, LIMPOPO PROVINCE: UNIVERSITY OF VENDA: MASTERS DEGREE: RESEACHER: K MAWAI**

The above subject matter refers.

You are hereby granted approval for your research study on the above mentioned topic in terms of National Instruction 1 of 2006.

Further arrangements regarding the research study may be made with the following offices:


The Provincial Commissioner: Limpopo:

- **Contact Person:** Lt Col Montjane
- **Contact Details:** 015 230 1023

The Divisional Commissioner: Operational Response Service:

- **Contact Person:** Capt JJ Helberg
- **Contact Details:** (012) 400 5674
- **Email Address:** HelbergJ@saps.gov.za

Kindly adhere to paragraph 6 of our attached letter signed on the **2018-12-15** with the same above reference number.



**MAJOR GENERAL**  
**THE HEAD: RESEARCH**  
**DR PR VUMA**

**DATE:** 2019 -01- 2 8

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

**Privaatsak/Private Bag X 94**

Verwysing/Reference: 3/34/2

Navrae/Enquiries: Lt Col Joubert  
AC Thenga

Telefoon/Telephone: (012) 393 3118

**DIVISION: RESEARCH  
SOUTH AFRICAN POLICE SERVICE  
PRETORIA  
0001**

- A. The Provincial Commissioner  
**LIMPOPO**
- B. The Divisional Commissioner  
**OPERATIONAL RESPONSE SERVICES**

**PERMISSION TO CONDUCT RESEARCH IN SAPS: EVALUATION OF PUBLIC ORDER POLICING STRATEGIES DURING VIOLENT SERVICE DELIVERY PROTESTS: A CASE OF VUWANI IN VHEMBE DISTRICT, LIMPOPO PROVINCE: UNIVERSITY OF VENDA: MASTERS DEGREE: RESEARCHER: K MAWAI**

- A
  - 1. The above subject matter refers.
  - 2. The researcher, Ms K Mawai, is conducting a study with the aim ***to evaluate the effectiveness of Public Order Policing strategies in curbing common acts of violence during service delivery protests***
  - 3. The researcher is requesting permission to distribute 40 questionnaires among Public Order Police members at the following Police Stations: Polokwane, Giyane, Thohoyandou, Tzaneen, Modimolle, Lephalale, Burgersford and Groblersdal. The researcher will include five (5) members per station.
  - 4. The proposal was perused according to National Instruction 1 of 2006. This office recommends that permission be granted for the research study, subject to the final approval and further arrangements by the office of the Provincial Commissioner: Limpopo.
  - 5. We hereby request the final approval by your office if you concur with our recommendation. Your office is also at liberty to set terms and conditions to the researcher to ensure that compliance standards are adhered to during the research process and that research has impact to the organisation.

**PERMISSION TO CONDUCT RESEARCH IN SAPS: EVALUATION OF PUBLIC ORDER POLICING STRATEGIES DURING VIOLENT SERVICE DELIVERY PROTESTS: A CASE OF VUWANI IN VHEMBE DISTRICT, LIMPOPO PROVINCE: UNIVERSITY OF VENDA: MASTERS DEGREE: RESEARCHER: K MAWAI**

6. If approval granted by your office, this office will obtain a signed undertaking from researcher prior to the commencement of the research which will include your terms and conditions if there are any and the following:
    - 6.1. The research will be conducted at his/her exclusive cost.
    - 6.2. The researcher will conduct the research without the disruption of the duties of members of the Service and where it is necessary for the research goals, research procedures or research instruments to disrupt the duties of a member, prior arrangements must be made with the commander of such member.
    - 6.3. The researcher should bear in mind that participation in the interviews must be on a voluntary basis.
    - 6.4. The information will at all times be treated as strictly confidential.
    - 6.5. The researcher will provide an annotated copy of the research work to the Service.
    - 6.6. The researcher will ensure that research report / publication complies with all conditions for the approval of research.
  7. If approval granted by your office, for smooth coordination of research process between your office and the researcher, the following information is kindly requested to be forwarded to our office:
    - **Contact person:** Rank, Initials and Surname.
    - **Contact details:** Office telephone number and email address.
  8. A copy of the approval (if granted) and signed undertaking as per paragraph 6 supra to be provided to this office within 21 days after receipt of this letter.
  9. Your cooperation will be highly appreciated.
- B.** 1. Copy for your information

  
LIEUTENANT GENERAL  
DIVISIONAL COMMISSIONER: RESEARCH  
DR BM ZULU

DATE: 2018/12/13

## ANNEXURE G: EDITOR'S LETTER

Office No. C7-4  
Department of English  
University of Venda  
P/Bag X 5050  
Thohoyandou  
0950  
13 February 2019

Dear Sir/Madam

This serves to confirm that I proof-read and edited dissertation entitled "Evaluation of Public Order Policing Strategies during Violent Service Delivery Protests: A Case of Vuwani in Vhembe District, Limpopo Province" by Khethiwe Mawai, student number: 17012379.

I have suggested a few amendments, provided the changes I recommended are effected to the text, the language is of an acceptable standard.

Please don't hesitate to contact me for any enquiry.

Regards



Dr. Hlavisio Motlhaka  
English Lecturer  
Department of English  
University of Venda  
**Tel: 015 962-8185**  
**079-721-0620**  
**078 196-4459**

E-mail: [hlavisio.motlhaka@univen.ac.za](mailto:hlavisio.motlhaka@univen.ac.za)  
Website: <http://www.univen.ac.za/>



University of Venda

A quality driven, financially sustainable, rural-based comprehensive university.