# CHAPTER SIX
# CROWD MANAGEMENT

**SPECIFIC OUTCOMES**
- Manage a crowd effectively, until CCU or other support arrives.

**LEARNING OUTCOMES OF CHAPTER**
The learner will be able to-
- relevant legislation/legal aspects of crowd management;
- report crowd forming and actions by the first member(s) in the crowd that is developing;
- first member(s) responsibilities at the scene of the spontaneous gathering;
- crowd dynamics; and
- use of force in crowd management operations.

# INTRODUCTION

South Africa has been asked by various world organizations to host world major events. The SAPS faces the challenge of proving to the world that the peace agents of this country are capable of managing crowds in accordance with the democratic principles of the Constitution and acceptable international standards.

In an endeavor to prove to the world that the SAPS is capable of managing crowds professionally, the SAPS must be able to defuse riotous situations that may arise whenever people are dissatisfied about.

The Constitution of our country gives people the right to express themselves freely and also the right to assemble, demonstrate, picket or hand over petitions. On the other hand there are laws that are in place for the regulation of the gatherings and most of the people are not familiar with those laws.

For that reason it is the responsibility of SAPS members to be very patient. They must educate the community, while acknowledging that it is their democratic rights to express themselves, as long as it is peaceful and orderly.

To establish standardized procedures in the SAPS to manage a crowd in such a way that they follow to democratic values and accepted international standards.

# GOLDEN RULES OF CROWD MANAGEMENT

- To achieve the goal of managing a crowd with the minimum injuries and no loss of life.

- **To achieve a goal** with little or no physical contact between the police and the rioters, where the crowd is extremely violent.

# PRINCIPLES OF CROWD MANAGEMENT

All interventions by the SAPS will be prepared and carried out in accordance with the following basic principles of crowd management.

- The legal aspects of crowd management.

- The situational appropriateness at that particular time, taking both the participants and non-participants into consideration.

- The full utilization of the suitable means available.

- The proportionality of the means which is used on the participants.

**WITH SOUTH AFRICA HAVING THE RIGHT TO HOST THE 2010 WORLD FOOTBALL CUP, THE ABILITY OF THE SAPS TO MANAGE CROWDS WILL BE PUT TO A TEST.**

## 1. RELEVANT LEGISLATION/LEGAL ASPECTS OF CROWD MANAGEMENT

### 1.1 CONSTITUTION

The Constitution of the Republic of South Africa stipulates the following functions to the SAPS:
- To prevent, combat and investigate crime
- To maintain public order
- To protect and secure the inhabitants of the Republic and their property
- To enforce the law

While police officials perform their functions/powers as conferred to them by the Constitution, they must also bear in mind that the same Constitution gives people certain rights, ie:

- The right to human dignity-Section 10
- The right to life - section 11
- The right to freedom and the security of the person - section 12
- The right to freedom of expression - section 16
- The right to assemble, demonstrate, picket and hand over petitions - section 17
- The right to association - section 18
- Labour relations rights - section 23

### 1.2 SAPS ACT, 1995 (Act No 68 of 1995)

In terms of the South African Police Service Act 1995 (Act No 68 of 1995). The SAPS is the institution of the state which is tasked to uphold and

safeguard the fundamental rights of every person, as guaranteed by the Constitution.

## 1.3 REGULATION OF GATHERING ACT, 1993 (Act No 205 of 1993)

This Act shifted the focus away from asking permission to hold a gathering to giving notice of an intended gathering.

Only a few sections of Chapter one of this Act will be discussed, namely: section 2, section 3 and section 4.

### 1.3.1 Section 2

#### APPOINTMENT OF CONVENERS, AUTHORIZED MEMBERS AND RESPONSIBLE OFFICERS

- **Convener -**
  A person to be responsible for the arrangements of a gathering. An organization or branch of an organization or members of any community structures intending to hold a gathering appoints him/her.

- **Authorized member –**
  An officer designated by the area commissioner in writing at a station or area level. He represents the service and liaises with the responsible officer and convener concerning all negotiations and consultations as prescribed by this Act.

- **Responsible officer –**
  A person appointed by the local authority or the management or the executive committee of the local government within whose area of jurisdiction a gathering is to take place.

### 1.3.2 Section 3

#### NOTICE OF GATHERING

- The notice must be signed by the convener.
- It must be handed to the responsible officer seven days before the date of an intended gathering.
- If it was not possible for the convener to give such a notice earlier than seven days before such date, he/she must give such notice at the earliest opportunity.
- If notice is given less than 48 hours before the commencement of the gathering, the responsible officer may, by notice to the convener, in writing prohibit the gathering.
- The notice shall contain the following information :

  - Name, address and contact number of the convener
  - The name of the organization or branch of an organization or village or the structure of the community on whose behalf the

gathering is convened.
- ▪ Purpose of the gathering
- ▪ Date, time and duration of the gathering
- ▪ Place of the gathering
- ▪ Anticipated number of participants
- ▪ The proposed number of marshals and their identity
- ▪ In the case of a procession
- ▪ The exact route of a procession
- ▪ Time and place to assemble and commence
- ▪ Time and place to end and disperse
- ▪ If a notice is given later than seven days before the gathering, the reasons why it was not given in time
- ▪ If a petition or any other document is to be handed over to any person the place where and the person to whom it is to be handed to

### 1.3.3 SECTION 4

### CONSULTATIONS, NEGOTIATIONS, AMENDMENTS AND CONDITIONS OF NOTICES

Consultations must take place during the golden triangle meeting, whereby discussions shall be held on the contents of the notice, amendments thereof or additions there to, and the conditions, if any, imposed in respect of holding of the gathering so as to meet the objective of the REGULATION OF GATHERING ACT, 1993 (ACT 205/1993).

## 2. REPORTING OF CROWD FORMING AND ACTIONS BY THE FIRST MEMBER(S) ARRIVING AT THE CROWD THAT DEVELOPED SPONTANEOUSLY

### 2.1 FIRST MEMBER'S RESPONSIBILITIES:

- The first member who arrives at the scene or venue of an unforeseen (spontaneous) gathering must seek to preserve the peace and to protect and help the community.

### 2.2 HE/SHE MUST FOLLOW THE FOLLOWING PROCEDURE:

- Contact the Radio Control and report the following:
- Location and time when the crowd was first noticed
- Size
- Crowd increasing or decreasing
- Direction and speed
- Violent or peaceful, calm, panic-stricken or angry
- Were there any negotiations?
- Do they have a leader?
- Intentions of the crowd
- Specific groups or individuals involved
- Has any action been taken against the crowd? If so, what action?

- Number of policemen at the scene
- Number and call signs of vehicles at the scene
- Equipment and manpower required
- Service number, rank and name of member in command
- Any damage to public or private property?
- Any injuries or loss of life?

**2.3** Attempt to create an atmosphere, which is conducive to negotiations, by refraining from the display of aggression, such as the brandishing of firearms and special equipment.

**2.4** Identify the leadership in order to establish communication and to start negotiations.

**2.5** Set the highest standards of tolerance and do not use any firearms against the demonstrators, except in the case of private defence, should lives be in serious danger.

**2.6** Consult with the local authorities and the authorized member about the gathering and the purpose of the gathering.

# 3. CROWD DYNAMICS

## 3.1 TYPES OF CROWDS

Many types of crowds are distinguished in manuals and articles, according to the degree of the organization of the crowd. However, the following crowd are distinguished: the spontaneous crowd, the semi-organized crowd, the fully organized crowd and the polarized crowd.

## 3.2 THE SPONTANEOUS CROWD

The spontaneous crowd forms immediately on the scene of an event without any prior organization (the trigger event) e.g. while a person is being arrested, a fight or argument between two people, etc. This type of crowd it might be formed, for example, if a certain group of people classified themselves as been poor owing to an adequate provision of recreational facilities. They also view themselves as the underdogs of society. When one or more persons are then arrested, thousands of people feel the same towards the police (being the protectors of an unacceptable system), and immediately focus their attention on the event; and they congregate at the scene. As the crowd starts to grow, it attracts more curious people. All that is needed for the crowd is to turn to riotous and behave violently. These people will then start to behave in a violent manner if the members of SAPS at the scene start overreacting by producing firearms.

Example: 23 September 2005 at Springs, Gauteng a crowd immediately gathered after a motorist had knocked over two children and killed them. The crowd increased until there were about 700 people at the scene barricading

the roads. The first officers who arrived at the scene (the Metro Police) used rubber rounds on the crowd. This aggravated the situation as the crowd became even more violent. On their arrival at the scene the Crowd Combating Unit opened the channels of negotiation and they managed to restore order.

## 3.3 THE SEMI-ORGANIZED CROWD

In the case of a semi-organized crowd, almost everything has been organized in advance. The organizers of this crowd will organize the crowd in such a way that there is no internal control within the crowd, ensuring that the proceedings remain peaceful and orderly. The organizers normally remain faceless. In many cases they are not even present in the crowd themselves or they will move around somewhere in the background. In many instances they do run away from being responsible for the behavior of the crowd. As a matter of fact, they intentionally plan the events in such a way that the crowd will become violent and riotous. Good examples of this type of crowd are: On the 21 September 2005 at Dennilton, Mpumalanga there were people who organized a gathering or march and influenced people to resist a decision of the government to incorporate Dennilton into Limpopo. The faceless organizers/leaders organized the gathering and, seeking attention from the local authorities, about 2 000 people barricaded the road with burning tyres and threw stones at vehicles. People who remained anonymous/faceless organized the gathering. The intervention by ACCU helped, as communication was resumed and the local authorities stepped in an attempt to solve the problem of the residents.

## 3.4 THE FULLY ORGANIZED CROWD

This is the crowd where the organizers obtain permission for the march or gathering from all the relevant authorities, e.g. local government and the municipalities' authorities a few weeks before holding the march or gathering. In this type of crowd everything is planned ahead in detail, e.g. the reasons for that particular march or gathering, in which directions are they going to move etc. Everything is cleared with the police. All the role-players are informed in time, e.g. the South African Police Service, the Metro Police, who will be undertaking traffic control, emergency services, e.g. the fire department and ambulances and some local authorities. The route and place where that march or gathering is going to take place or end are on the day before the march or gathering for that event. It is also closed for security purposes. According to this fully organized crowd the organizers here will accept full responsibility and accountability for any possible damage, should rioting occur.

Provision is even made for persons who will maintain order within the crowd (e.g. the marshals of that specific crowd). Usually the leaders (the organizers) at the front of the march and identifiable. The running of fully organized crowds has been developed into a fine art in South Africa. A good example of this kind of crowd is: on 30 March 2005 the leaders or organizers of Cosatu organized a march or gathering next to the Beit Bridge border post between South Africa and Zimbabwe. They were picketing for solidarity with

Zimbabwean trade unions. The reasons were unfair labour practices and allegations of no labour law in Zimbabwe. Approximately 500 Cosatu members demonstrated peacefully until picketing ended and on the very same day at 19:00 till 31 March 2005 at 06:00 Cosatu staged a night vigil at the very same border post. The demonstration was peaceful because it was fully organized. The ACCU from Limpopo were there to monitor the situation.

## 3.5 THE POLARIZED CROWD

This type of crowd was relatively unknown up to the time of the unrest in Natal and the Rand .The polarized crowd might be a spontaneous or semi-organized crowd. The probability of such a crowd being fully organized is very small. As a matter of fact, the polarized crowd is normally formed by two groups opposing one another. Example: It once happened in Richmond near Pietermaritzburg in Kwazulu Natal that the United Democratic Movement (UDM) from Magoda village organized a march to the local police station. The procedures were followed and the march was anticipated to be peaceful. While marching under police escort past Ndaleni village, a group of ANC members stormed the road and challenged the marching UDM members. At that time there was political intolerance in that area and it was clear that violence might erupt but the troops of CCU members that were deployed managed to contain the situation.

# 4. FACTORS IN CROWD DYNAMICS

Every person in any crowd is exposed to the following crowd dynamics:

## 4.1 INTENSE GROUP COHESION (GROUP FEELING)

- The group feeling is stimulated by rhythmic movements (e.g. dancing and singing), among other things.

## 4.2 INCREASED PSYCHOLOGICAL AROUSAL

- The increased secretion of adrenaline by the adrenal glands, which can once again be stimulated by rhythmic movements and external threats to the group. This arousal can lead to aggression.

## 4.3 FACELESSNESS

- The people in any crowd often believe that nobody will be able to identify them in the crowd, and that they can behave in a different way than normally.

## 4.4 EXHAUSTION

- Crowd behaviour exhausts people, when they become exhausted they become irritated and minor matters become big and important issues, which can easily incite aggression. Normally, though, if they

become exhausted, people might go home and the crowd will disperse.

# 5. MANAGEMENT OF INDUSTRIAL ACTION

## 5.1 OBJECTIVES OF THE SAPS CONCERNING STRIKES

- Maintaining law and order.
- Protection of life and property.
- Protection of the basic human rights of all persons concerned, in the interest of the public order.
- The SAPS can only achieve these objectives through acting absolutely neutral and with responsibility. An officer must be appointed to handle all strikes and trade union disputes. This officer must attend as many business and social functions as possible, so as to get to know these persons involved in disputes. His/her responsibility will be to develop relations with employees and employers before conflict erupts.

## 5.2 INTELLIGENCE GATHERING

Circumstances are connected to the problems that give rise to a strike. It serves as an advantage for the SAPS be informed of those circumstances and information that is required is knowledge of a prevailing industrial dispute or of one, which may arise. Every station must have a contingency plan available that includes the reporting of all industrial disputes and actions.

### 5.2.1 The following information should be included in the report:

- Name, business address and telephone number of the employer.
- Name and address of union or trade union, affiliation and telephone number.
- Nature of the business.
- Number and occupations of employees.
- Reason for the dispute.
- Date on which the strike was declared.
- Number and occupations of employees who want to continue working.
- Problems expected.
- Type of strike, e.g. sit-down strike (passive resistance)
- Any additional factors which will determine how the police must act and how much manpower will be required.

### 5.2.2 Do's

- Be absolutely impartial and neutral.
- Restrict all discussions to the recognized leaders or spokesmen of the parties.
- Keep the general public away from the dispute in order to relieve tension.

- Place the responsibility on the shoulders of the party leaders by directing instructions to them.
- Be aware of professional agitators. They will place the police in a position that which will make them appear to support a certain party.
- Make use of the CIS for gathering information that will be used by the officer or people involved with handling the strikes.
- Give verbal instructions to a disputant when he asks for indications/directions.
- Break the picket line only very temporarily to allow vehicles through. No hand signals must be given.

### 5.2.3 Don'ts

- Do not give any instructions, which may give the impression that the SAPS is siding with the bosses.
- Do not allow insults to cause you to lose your temper.
- Do not approach the strikers in large numbers to gather information, because this will cause anxiety.
- Do not drive around on the employer's property.
- Do not talk about the merits of the strike.
- Do not physically help or accompany a disputant if doing so can create the impression of partiality.
- Do not escort a person or vehicle with a police vehicle when asked for directions.
- Do not drink coffee or eat in places where the disputants visit regularly.
- Do not perform a task immediately after conversing with a disputant.
- Do not move around on the premises of the disputant unless this is absolutely necessary.
- Organise toilet facilities away from the premises of the disputant.
- Do not accept any gifts.

## 6.    USE OF FORCE IN CROWD MANAGEMENT OPERATIONS

## INTRODUCTION

In crowd management operations the use of force must be avoided at all costs and members deployed for the operation must display the highest degree of tolerance.

If a certain amount of force or the dispersal of crowd is to be used, the force must comply with the requirements of section 9(1) and (2) of the Regulation of Gathering Act, 1993 (Act No 205 of 1993).

During the operation ongoing negotiations must take place between the police and the conveners or other leadership elements.

## 6.1 IF THE USE OF FORCE IS UNAVOIDABLE IN THE CIRCUMSTANCES, THE FOLLOWING REQUIREMENTS SHOULD BE MET:

- The type of force to be used must help de-escalate the conflict with minimum force, to accomplish the goal.

- The degree of force must be proportional to the severity of the situation and the threat posed.

- The degree of force must be reasonable in the circumstances.

- The use of force must be discontinued once the objective has been achieved.

## 6.2 THE FIVE C STAIRS
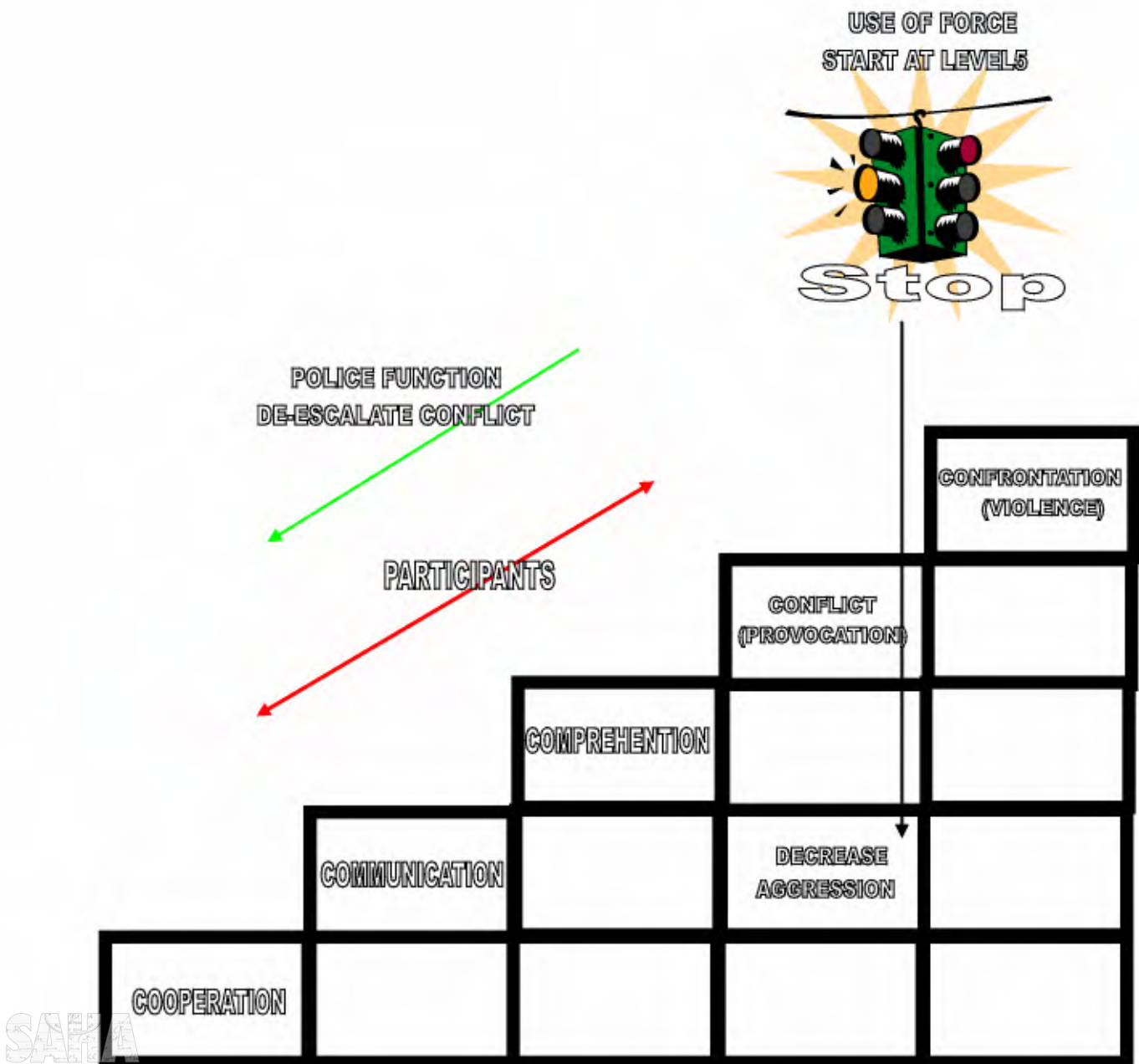
## 6. MANAGEMENT

### 6.3.1 The aim of this theory in crowd management is:

- The police must be able to resolve conflict at the lowest level without the use of force.

- To **achieve** the above goal, the police must begin at the level of comprehension (they must have tolerance and understanding of the interests of the different multi cultural attitude of crowds).

- Police officials must try not to have the perception that, crowds are dangerous and that crowds are not to be trusted. Once the police develop this attitude, they will not be able to communicate or cooperate with crowds and the police will not be able to help the community to organize the marches.

- Understanding the reasons why people want to march/demonstrate (comprehension), will benefit police officials in the long run, as the community will have trust in them. Communication and cooperation will eventually be seen as the best option. Comprehension or understanding is without any doubt a good starting point from where the police can take action.

- Should the crowd move up the stairs to conflict or confrontation, the police must not follow, but try to invite the crowd to move down to the level of comprehension. (The crowd must also be made to understand that police are not against the community's idea of marching/demonstrating, but that they want a peaceful march or demonstration.) Once the crowd has moved down to the level of comprehension, communication channels will be open and cooperation will be achieved.

- If it is apparent that the participants are looking for conflict or confrontation, the police should remain calm and tolerant.

- The police will only intervene when, based upon their assessment of the situation, the participants have overstepped the limit of tolerance.

- The first step the police will take is to give a warning, stating that the crowd has overstepped the level of tolerance and that action will be taken against them if they continue with their actions.

- There must be communication and negotiations between the police and the conveners of the protest throughout the whole process.

# 7.    SUMMARY

During this chapter the following aspects were dealt with:

- Relevant legislation/legal aspects of crowd management.
- Reporting of crowd forming and actions by the first member(s) at the spontaneous crowd.
- First member(s)' responsibilities at the scene of the spontaneous gathering.
- Crowd dynamics.
- Use of force in crowd management operations.