

BASIC TRAINING LEARNING PROGRAMME

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TITLE PAGE

SAQA US ID	UNIT STANDARD TITLE
120494	Demonstrate understanding of Proportionality Force
PROVIDER NAME	SAPS BASIC TRAINING
NQF LEVEL	LEVEL 5
CREDITS	8
ORG. STANDARD NUMBER	ORGANIZATIONAL STANDARD TITLE
THEME: FITNESS AND STREET SURVIVAL	
MODULE: USE OF FORCE	
SPECIFIC OUTCOMES (US) On completion on this module the learner will be able to-	
<ul style="list-style-type: none">• understand the principle based approach;• exercise alertness during policing tasks to ensure the safety of police officials and the public through preventative actions• exercise initiative during policing tasks;• understand techniques of tactical communication; and• use personal equipment safely to ensure safe and lawful execution of policing tasks.• make 'use of force' decisions that meet legal, organisational and public requirements; and• apply the principles for team movement to ensure safe and lawful execution of policing tasks..	

CHAPTER ONE

TACTICAL ALERTNESS

SPECIFIC OUTCOMES

- Understanding of use of force

CHAPTER LEARNING OUTCOMES

The learner will be able to-

- understand the principle based approach;
- exercise alertness during policing tasks to ensure the safety of police officials and the public through preventative actions.

INTRODUCTION

There is a thin line between becoming the victim of a physical attack and being the transgressor of fundamental human rights. Police officials must treat everyone with respect and dignity, uphold the fundamental rights of individuals and abide by the law. At the same time, the police form the thin blue line between criminal elements, such as dangerous gangs, and the vision of a safe and secure environment for all the people of South Africa. This is no easy task in a country where statistics indicate an abnormally high occurrence of violent crimes committed with firearms. The police have to deal with the law-abiding citizens on the one hand and violent criminals on the other, when patrolling, making arrests or investigating crimes. It is not always possible to distinguish clearly between situations that pose a threat to life or situations that do not. Upholding democratic policing values and rendering an effective service are, therefore, daily challenges facing all police officials in South Africa.

A high percentage of police officials fall victim to violent attacks when off duty. Some of these attacks are conducted with the purpose of intimidating investigators or ensuring that other police officials are afraid to do their job. A second, more common phenomenon is that of off-duty police officials being shot or killed while visiting shebeens or travelling between home and the workplace. The 'use of force' concept that is described in this manual is relevant to situations both on and off-duty. However, preventative measures are the most effective way to limit the risk of off-duty incidents. The organization cannot take responsibility for off duty behaviour that may trigger incidents of violence. Each police official should, therefore, analyse his/her personal environment and take steps to minimise the risks.

The principles for the use of force are for generic application during all operations or policing tasks including low, medium, and high risk policing situations. This training will focus on applications for basic policing activities such as vehicle stops, arrests, searches, crowd control and attending to complaints. The decision to use firearms and other munitions is included (deadly force decision).

- For this training to be successful, it is assumed that learners have the necessary skills to communicate effectively, comply with selection criteria for policing officials in a professional policing organisation and have been introduced to the social dynamics that influence policing and fundamental policing principles.

To be competent in this unit standard, you will have to prove that you-

- understand the law applicable to policing powers and functions;
- are competent in tactical movement as required in the relevant unit standard, as prescribed; and
- are competent in the use of all the relevant 'use of force' equipment that you will use to execute policing tasks.

1. A PRINCIPLE BASED APPROACH

- This model provides 'use of force' and safety principles for the day-to-day operational tasks of the police. The principles cover six fields, namely-
 - to be alert by adapting a culture of awareness, anticipation and action planning;
 - to follow a safe procedure when approaching, searching or arresting suspects;
 - to use tactical communication to avoid the need for physical force options,
 - to correctly and effectively use appropriate equipment;
 - to make 'use of force' decisions that comply with constitutional, legal and policy requirements; and
 - to function as a member of a cohesive team and ensure structured teamwork in applying tactics and techniques.
- This model also gives a police safety outline that can be adapted to suit any law enforcement task or target group, including the off duty environment.
- The foregoing six fields are to be applied in conducting any operational task. The acronym, **AI-TEST** is used to teach the principles. The six 'use of force' and survival principles focus strongly on a preventative approach that improves skills in preventing conflict or violence, as well as the ability to make good 'use of force' decisions. Apart from contributing to officer safety, the concept will improve service delivery, achieve a more professional approach and enhance the ability of police officials to make appropriate 'use of force' decisions.

2. AI-TEST

2.1 A-ALERT

- Prevention is better than cure! Many murders of police officials could have

been prevented if the officers had been 'switched on' and alert. The normal reaction to being caught by surprise is that of shock and paralysis. The challenge is, therefore, to develop a survival-orientated mindset or attitude that will foster a preventative approach.

Alertness manifests in-

- knowledge of the threat (in terms of statistics);
- level of preparedness;
- awareness of personal circumstances that increase the risk of being a target;
- ability to read the signs of a possible attack/ambush; and
- ability to anticipate danger and application of constant action planning to eliminate the possibility of a surprise attack and to maintain the initiative.

2.2 KNOWLEDGE OF THE THREAT (INFORMATION GATHERING)

- It is advisable to study the latest statistics and case studies of attacks on police on a continuous basis. This information will help police officials to assess the level of threat and identify dangerous areas and types of attacks that can be expected in certain areas. Knowledge of the profile and *modus operandi* of criminals and their skills and mindset is important background information, which the police official needs to survive.
- Information on the threat must always be obtained. The habit of gathering essential elements of information that you need for your own safety should become a way of life. Before you go on duty, ensure that you obtain all relevant information from the line manager and from written documentation such as information book entries and other registers. The radio control room will be able to give you information on the latest incidents and lookouts.
- The information section of the station must provide the most recent modus operandi and attitudes of criminals. The information manager of the police station is an important source of information that you should utilise optimally.
- Have discussions with other police officials to ensure that information is shared as far as possible.
- When you are involved in incidents, or have observed something, that is relevant to the safety of police officials, inform others during the shift debriefing or at the first opportunity.
- Criminals are, in most cases, well trained and work according to a well-prepared plan when committing crime. Because criminals become involved in crime through desperation for their own survival and as result of the culture of violence in South Africa, the dangerous criminal will kill or use dangerous weapons to reach his/her objectives. Since you stand in the way of their objectives, they will kill you unless you follow the basic

police survival principles.

2.3 AWARENESS

- Be mentally alert, 'switched on'. Police officials are easy targets if they are daydreaming. You should therefore strive towards a condition of constant alertness. By doing so police officials will make themselves difficult targets and will probably not be attacked.
- Anything out of the ordinary should always be suspected as a sign of a possible attack. A group of people standing next to the road or at a stop street, a vehicle that is positioned next to the road, a vehicle blocking the road, a hitchhiker or an injured person are examples of situations that should be treated with suspicion. Always approach such situations with the necessary care by using communication techniques to analyse the threat before responding. Information received from the public should be confirmed and assessed to exclude the possibility of an ambush.
- Police members are targets of criminal elements. Members need to develop a lifestyle of constant awareness. Never relax. When police officials are attacked or killed, it is usually because they were not alert. Issues that need special attention include-
 - thorough searching of suspects;
 - safe keeping and transport of suspects; and
 - constant and effective observation and assessment of all situations.

A tool for assessing your own awareness, using the following colour code:

CONDITION	DESCRIPTION
WHITE	Generally passive, not aware of any danger, mentally asleep, unaware, unprepared
YELLOW	Relaxed yet alert, aware of surroundings and situation in general, but no problems are perceived at this time
ORANGE	Fully alert and focussed on a specific problem or potential danger, the mind is focused on the threat and formulates a possible plan of action
RED	Engaged in a violent or life-threatening situation. The subconscious mind will take over and you will only do things you have been trained to do Your heart rate is very fast, you have tunnel vision and you lose all fine motor skills
BLACK	Condition of shock and paralysis. This happens when you are taken by surprise and were not prepared. This happens when you were in condition white before the attack.

2.4 DANGER CLUES

- Be sensitive to danger clues. Clues (indicators) of an attack can be seen in people's body language. Look for clues such as the direction in which the person is looking and the tensing of muscles, especially the large muscle groups. The person may also look at the place where a firearm is hidden before it is used. The ability to read body language and understand the mannerisms of the different race groups is important in order to anticipate danger and make an accurate assessment of a situation.
- When confronted with any situation, whether a broken vehicle next to the road or a routine complaint, first assess the situation for danger clues. This can be done through thorough observation and questions to the control room and the involved parties before engaging in any action or in direct contact with the parties. Ask the complainant or other people involved in a situation to approach you rather than approaching them. You can also ask parties to sit down before you engage in any discussions. Questioning a person that has asked for help, and at the same time observing the persons body language will give you enough information to determine the best option for safe response to the situation.

2.5 ANTICIPATE DANGER

- Knowledge of crime statistics and sensitivity to signs of danger creates a climate for constant assessment of all situations. This attitude will enable officials to reach realistic conclusions in anticipating danger. As soon as the point is reached where danger is anticipated, it is time to develop and visualise a plan of action. The plan should consider all tactical options, including requesting support before action is considered. Fear is an important survival skill. When in doubt, ask for help! (The colour codes should be used).

2.6 AVOID POSSIBLE DANGEROUS SITUATIONS

- When danger is anticipated in any situation, steps can be taken to avoid attacks by manoeuvring defensively or taking evasive action. For example, when you are walking on the sidewalk, a group of people coming from behind may indicate a potentially dangerous situation. If you cross the road, the possibility of an attack is avoided. When you drive in a vehicle, it is important to drive in a defensive manner to prevent the possibility of being blocked in. Always leave enough space to allow you to make a U-turn or manoeuvre your vehicle out of trouble.

2.7 CONTINUOUS ASSESSMENT AND PLANNING

2.7.1 'Plus one' rule

- Always remember the 'plus one' rule. If there is one suspect, remember that he/she might not be alone.

2.7.2 Visualisation

- Athletes frequently use visualisation to improve their performance. Likewise, police officials can rehearse specific survival situations by mentally identifying threats and threat clues and using appropriate tactical responses. Visualisation allows police officials to prepare for and plan individual performance through mental rehearsal. They can clarify tasks, identify potential performance problems and choose effective tactics.
- Visualisation contains three components:
 - Predicting potential threat clues
 - Programming the proper survival response
 - Programming back-up plans.
- First, you must imagine the factors that could indicate a threat in a specific situation. After identifying the potential threat clues, you must picture yourself responding to the threat by using the correct survival response. Finally, you must plan alternative actions in case the primary response is ineffective or cannot be used. Through visualisation, you must plan simple, yet effective, strategies to respond to deadly force situations. Visualisation reduces reaction time and increases your chances of survival.

2.8 TACTICAL BREATHING

- Apply tactical breathing during dangerous situations. Tactical breathing is similar to conscious hyperventilation, where the person breathes in and out deeply in a controlled manner. This technique helps control the heart rate and avoids full activation of the sympathetic nervous system. By bringing more oxygen into the system, the heart rate is lowered, which improves perceptual abilities and reduces anxiety.

3. SUMMARY

Maintaining alertness forms the thin line between becoming the victim of a physical attack and being the transgressor of fundamental human rights. Through visualisation, you must plan simple, yet effective, strategies to respond to deadly force situations. When confronted with any situation, whether a broken vehicle next to the road or a routine complaint, first assess the situation for danger clues.

CHAPTER TWO TACTICAL PREPARATIONS

SPECIFIC OUTCOMES

- Understanding of use of force

CHAPTER LEARNING OUTCOMES

The learner will be able to-

- exercise initiative during policing tasks;
- understand techniques of tactical communication; and
- use personal equipment safely to ensure safe and lawful execution of policing tasks.

INTRODUCTION

Preparation is the corner stone to ensure members survival. Member's way of thinking, understanding of tactical communication and correct handling of personal equipment will ensure survival in the line of duty.

1. I - INITIATIVE

1.1 SAFE PROGRESSION

- During the execution of daily tasks, police officials may easily find themselves isolated and overpowered by criminals. To ensure a safe platform for the execution of policing tasks, full control over the object or suspect should be gained and maintained at all times. Safety can only be ensured when there is control over the suspect. In other words, safety implies that there must always be control over the suspect, which is ensured by safe progression of the suspect or object.

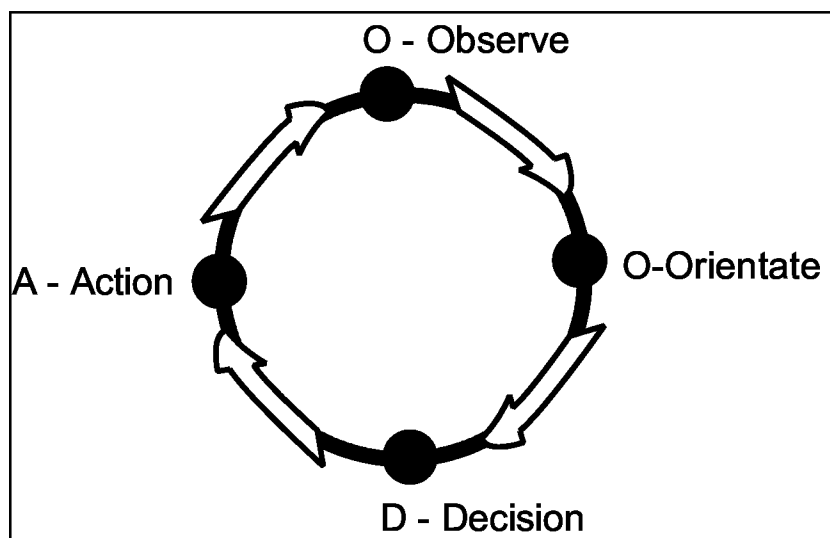
Safe progression is achieved through cohesive action without any individual action. It is, therefore, important not to become isolated in efforts to arrest suspects or to execute any other task. It is better to work from a defensive position, as the first objective, to a situation of containment of the problem or suspect, as the second objective. Only after reaching the second objective should the next objective of isolation be attempted, where after the arrest can take place. Following this process, it is possible to progress in a safe manner, not take risks and still be effective. When in doubt, ask for assistance. You have the whole SAPS to support you.

- At any moment when you have lost the initiative, the suspect will have the opportunity to attack. In arresting a suspect, firm control must be maintained over the suspect's movements by not allowing him/her to make any movements without instruction or command. If the suspect does not

follow the commands or breaks loose, the process of containment, isolation and then arrest should be repeated starting from a defensive position. Support from other police officials, which could include physical restraint, can be considered if the suspect does not follow the verbal commands.

1.2 OODA-LOOP DECISION MAKING MODEL

- In order to gain and maintain the initiative in the process of containment, isolation, arrest or any other police operation, it is important that the police official's cycle of action is faster than that of the suspect. The official must act faster than the suspect, placing the suspect rather than the police official in a reactive position. It is recommended that officials use the continuous planning process commonly known as the OODA-LOOP.
- In the pre-containment phase of an operation, officials will mostly find themselves outside the suspect's cycle of action (OODA-LOOP) resulting in a situation in which the suspect has the initiative. The challenge is to get inside the suspect's OODA-LOOP and take over the initiative. Using the OODA-LOOP process will enable officials to move from a defensive position and take control of the situation.



- Despite the limitations of the use of force that will be discussed, police officials should always ensure initiative and control by using tactics and equipment that will discourage an attack. Different situations will require different levels of action and a threat assessment must be made in order to determine the level of threat and consequently the level of the force that can be used. It is important to stay at least one step ahead of the suspect.

Example:

The first responder to an armed robbery arrives on the scene just as the robbers climb into the escape vehicle and speed away. The first responder will have two options.

- Attempt to stop the vehicle immediately in order to arrest the robbers; or
- Take down the description of the vehicle and the suspects and follow in the direction the vehicle is fleeing. Then through radio control, arrange support vehicles to stop and contain the vehicle, and then isolate the suspects before the arrest is attempted under controlled conditions.
- In situations such as this, it is usually safer and more effective not to confront the suspects immediately but to arrange support to assist with the arrest. The safety of the public and the police official must come first, although each situation should be assessed on its own merit. This is because there may be sufficient cover and opportunities to stop the vehicle safely and then to contain, isolate and arrest the suspects. Support that is nearby can also influence a decision to attempt direct confrontation.

2. T-TECHNIQUES OF TACTICAL COMMUNICATION

2.1 HOW TO BE

- A police officer that attends to a conflict situation by entering with force, aggression and arrogance (for instance, by pulling one of the parties on the shoulder and asking him/her what is going on), might trigger a larger conflict. Arrogant body language will also have a detrimental effect on communication and could escalate the conflict.
- Professional presence is characterised by the ability to make quick decisions, a broad knowledge, a high standard of physical skills resulting from continuous training and high ethical standard of conduct. Professional presence is the first step towards successful conflict de-escalation. The essence of professionalism is to achieve voluntary compliance by the suspect(s).
- It is important not to lose one's temper or become angry, but to be tolerant, open, flexible and unbiased. This attitude will result in much more power than anger. Anger will result in the deterioration of physical skills. It is also important to learn to read people in order to be able to identify the kind of people that may cause trouble.
- When reacting to a complaint or incident, police officials must approach the situation with a plan for example, to separate the parties in conflict and ask the golden question '...what can I do for you'. Such an approach will

set the climate for de-escalation. Another effective strategy could be to ask everybody to sit down, as it is more difficult to respond aggressively from a sitting position. In most cases, it is important to separate the conflicting parties for discussions.

Communication and negotiation skills are needed for the de-escalation of conflict. The following ten tips should always be followed:

- Ask questions rather than trying to enforce standpoints.
- Show tolerance to verbal attacks by reacting to what is said normally by using the "... yes but...." phrase.
- Be flexible in the sense that the letter of the law can be applied with discretion in order to reach a larger goal of safety security and public order.
- Work towards a win-win situation by focussing the attention on consequences of certain actions and the support needed to resolve the situation, for example '... for your safety and mine please put your hands on the steering wheel or get out of the car'.
- Put the suspect at ease by building trust in situations in which he/she might be afraid for police brutality or have misperceptions about the police official's identity.
- Follow the steps of active listening by being open-minded, hearing initially, interpreting and responding appropriately.
- Take note of communication filters.
- Be aware of the fact that up to 60% of a message is conveyed through non-verbal clues.
- The tone of the voice can give away feelings, and the voice must therefore always be calm and collected.
- Tone of voice, and body language should 'speak' of empathy when necessary.
- Effective policing requires that members be good communicators who can apply basic negotiation skills. Courses in verbal judo, conflict resolution and negotiation should be followed to improve the police official's skills and limit the use of physical force. In addition, this manual deals briefly with handling verbal abuse, visual control and verbal commands in a manner that is practical to the South African situation.

2.2 HOW TO DEAL WITH VERBAL ABUSE

- Police officials need to prepare their mindset so as not to react naturally, because natural reaction would probably result in confrontation. This natural reaction must be replaced by a studied response with which the verbal abuse is deflected and redirected. The following phrases can be used:
 - I understand that, but...
 - Oh yes, but...

- You have a point, but...
- Maybe so, but...
- The two basic laws to follow at all times are:
- They can say what they want as long as they do what I say; and
- This is the only profession that requires us to be in control when everyone around us are out of control.

2.3 VISUAL CONTROL

- Visual control is the opposite of tunnel vision. By looking around and using peripheral vision, it is possible to discourage a person from attacking, as he/she will not have the opportunity to surprise you. Visual control should be ensured, not only over all suspects, but also in all directions from which an attack may be expected.

2.4 VERBAL COMMANDS

- In high threat situations, or where suspects or persons do not comply with requests, verbal commands can be used to gain and maintain control without using physical force. Verbal commands are used to keep distance from the suspect or suspected assailant. When approaching a suspect, verbal commands must be used with enough authority to convince the suspect/person to follow the commands. This technique is normally used in medium or high threat situations in which normal communication has failed or is not appropriate in that specific circumstance.
- The voice must be controlled in such a manner that it shows the appropriate level of aggressiveness. When the possible assailant is following the commands, the voice tone must calm down to the normal volume level, to be increased in volume and aggressiveness when the suspect/person tries to break out or take his/her own initiative. Members should never sound as if they are panicking but instead create an impression of authority, control and confidence.
- When taking control of suspects, use the following verbal commands in this order:
 - **STOP!**
 - **POLICE!**
 - **DO NOT MOVE! / or GO DOWN! DOWN**
- Repeat these commands, increasing the volume and level of assertiveness until control has been achieved. The commands must be clear and should be focused on the movement of the suspect. These phrases should be translated and learnt in local ethnic languages.

Apply verbal commands and do not engage in any physical confrontation before there is certainty of achieving the upper hand. Have support available and have a plan.

- In high threat situations, it is best to get the suspect off his/her feet by asking him/her to sit down. When arresting a person, instruct him/her to turn around after which further commands can follow, such as, 'go down on your knees!' or 'Hold your hands where I can see them'. After containment, each situation will determine the specific commands required.
- During less threatening situations, control and initiative are still priorities but should be acquired in a more diplomatic manner than by giving instructions. It is possible to move to normal verbal communication in a calm and collected manner as long as the situation permits it, for example where full compliance is given.

2.5 BODY LANGUAGE

- Members must show confidence and control when confronting suspects. Look assertive, although never losing the gift of fear. It is best to look the suspect in the eyes without losing vision of the smallest body movements (visual control). Control own muscle contractions, breathing and movements.
- When somebody is afraid, he/she will show signs such as increased breathing speed, enlarged pupils, contracting muscles, or a stiff neck. Be sensitive to clues such as eyes flicking in the direction of a door and position of his/here body or other person(s). This will always mean something, such as the direction of an attempt to flee, or a firearm or that he/she is unsure and is trying to make a plan.
- When a possible assailant is focusing on you with his eyes and his/her larger body muscles are contracting, an attack can be expected at any time.

2.6 POSITIONING YOURSELF

- Stay out of the line and range of a possible attack. Place obstacles or people between you and the person you are confronting or a suspected assailant. Look for positions to take cover where there is a threat of a firearm attack.
- It is important to place yourself in a position where the suspect or assailant

is at a disadvantage. Sometimes it is the best option to aggressively close the distance between yourself and the suspect in order to increase reaction time advantage over him/her.

- Body position should always demonstrate a readiness to react immediately.

3. E - EQUIPMENT

- It is the employer's responsibility to provide the employee with the equipment to do his/her job safely. Members are provided with body armour and firearms. Although there might be opportunities to improve on the equipment and systems provided to SAPS members, it is the member's responsibility to acquaint him/her with the equipment provided and to use it in the most effective manner possible. Optimal use of uniform and equipment is an important aspect of tactical survival. If your body armour covers your pistol in such a way that you cannot draw the firearm effectively, this could cause a slow response and possibly another police murder.
- The drawing and firing of a firearm, the skills to effectively use a tonfa and other less lethal tools (such as pepper spray (OC), rubber rounds and stun grenades) are very important aspects that depend on the official's own attitude towards survival. Officials must apply their minds to these skills and, through regular individual training sessions, train themselves to the level that they are conditioned to the skills and can react without thinking. Police officials that are not properly conditioned will not be able to act at all during high-risk situations. Stressful situations require instinctive reaction and actions. Dry fire must become second nature through daily training sessions. Officials should spend a few minutes every day conducting dry fire exercises and testing equipment before going on duty.
- Actions such as taking cover in the car or exiting a vehicle, especially when the doors are locked and the safety belt is fastened, should be rehearsed. It is necessary to visualise steps to exit (debus) a patrol vehicle. Reaction under stress will be retarded if these actions have not been practised. Shooting from inside a vehicle is also a skill that must be practised. Answer the following questions:
 - Where would you put your firearm, baton or OC spray while driving?
 - What would you do with your hand radio or microphone?
 - What is the quickest sequence of actions to get out of the vehicle?

Police officials must be prepared and well conditioned. They must remember that conditioning will give them confidence, which will send a message to potential attackers that they are prepared and will not be easily overpowered. In most cases, officials will prevent an attack by discouraging the potential

attacker through their body language.

4. SUMMARY

The principles of the AI TEST, together with the members' preparation could be the deciding factor between life and death. For practical reasons, it is best to assess the application of the AI TEST in a controlled training environment, because on-the-job situations could be dangerous or unpredictable.

All policing actions can be measured against the AI TEST to determine if the level of force that was used were acceptable. Police officials must comply with all the elements of the AI TEST at all times. For example, if the 'alert' principle is not complied with by not developing a plan for a crowd management operation, and force is used during that operation, questions will be asked afterwards. Lack of planning can result in inadequate communication, individual or uncoordinated action and loss of control. Such situations can lead to violence or the extensive use of force to stabilise the situation. In such instances, it can be said the lack of planning contributed to the extensive use of force.

CHAPTER THREE TACTICAL DECISIONS

SPECIFIC OUTCOMES

- Understanding of use of force

CHAPTER LEARNING OUTCOMES

The learner will be able to-

- make 'use of force' decisions that meet legal, organisational and public requirements; and
- apply the principles for team movement to ensure safe and lawful execution of policing tasks.

INTRODUCTION

Decision-making plays a role in all functions of a Police member. Members sometimes have only a split second to make clear and lawful decision. Clearly understanding all relevant legislation will ensure a correct decision.

1. S - SCALE FOR 'USE OF FORCE' AND SHOOTING DECISIONS

1.1 AUTHORITY TO POLICE (OBLIGATION)

- The authority and responsibility of the South African Police Service (SAPS) are derived directly from the supreme law of the country. Section 205(3) of the Constitution stipulates the objects of the Service:
- Preventing, combating and investigating crime;
- maintaining public order; and
- protecting and securing the inhabitants of the Republic and their property and upholding and enforcing the law.

1.2 POWERS AND DISCRETION OF THE POLICE

- The Constitution also provides that national legislation must establish the powers and functions of the SAPS, and must enable the SAPS to discharge its responsibilities effectively. The laws that give effect to this are the Police Service Act, the Criminal Procedure Act and the Regulation of Gatherings Act.
- The Criminal Procedure Act prescribes procedures relating to obtaining evidence and methods for securing the presence of the accused in the court. Police officials are granted far-reaching powers and authority for these purposes, such as searching a person or premises, seizing certain

articles, arresting a person and using force; including the use of firearms (Section 49), in order to exercise their powers in this regard.

- Sections 9(1) and (2) of the Regulation of Gatherings Act, give the SAPS powers to restrict certain marches and even to use force, including the use of firearms, to disperse crowds.
- The conditions under which force can or may be used are always described clearly and limited to specified circumstances.
- It is important to note that empowering provisions of the law are indicated by words such as 'can' or 'may'. When discretion is granted, the police official who has that discretion must be familiar with all possible alternative actions. They must carefully consider all the different options and try to keep from infringing the rights of individuals.
- To add to the complexity of the 'use of force' decisions, reasonableness requirements are embodied in the law in phrases such as 'reasonable grounds' for forming beliefs, 'reasonable suspicion' that a crime has been committed and the use of force which is 'reasonably necessary'.
 - A person can claim that there are reasonable grounds only if-
 - he/she really believes or suspects it;
 - the belief or suspicion is based on facts; and
 - if reasonable person in the same circumstances and view of those grounds would have the same belief or suspicion.
- A police official may use force to defend him/herself or a third party from an attack based on private defence as the grounds of justification in terms of common law. Individuals have the right to live and therefore the right to defend themselves against unlawful attacks.

1.3 FRAMEWORK FOR APPLICATION OF DISCRETIONAL POWERS

RECOMMENDED TABLE OF FORCE TO BE USED

Most of the times you will be working with a partner. Acting together may enable you to use less force. The table of compliance tools and techniques is only a guideline, to enable you to formulate a discreet and valid decision during the use of force. The diagram below describes the use of force on a range from one to nine.

Level of force	Type of force	When will you apply?
One	Authority presence.	To intimidate a suspect/offender psychologically.
Two	Verbal judo.	To verbally persuade a person to comply.
Three	Control hold.	When physical force is needed to control a person. Including handcuffing techniques.
Four	Takedowns.	When physical force is needed to control a person. Including handcuffing.
Five	Use of pepper spray.	When more force is needed to control a person than that provided by control holds and takedowns.
Six	Offensive and defensive holds, blocks and strikes.	When you have to overcome an attack by an unarmed suspect/offender.
Seven	Police dogs.	When the situation involves more than one suspect/offender.
Eight	Police baton.	When you require a level of force greater than that provided by weapon less control techniques, but less than that provided by firearms.
Nine	Lethal force. Firearms	To protect your life or another's.

- As members of a democratic police service, police officials are limited in the methods and means they may use to take control and execute policing tasks. Officials may only use the level of force that is acceptable to the community and appropriate to the situation. Pointing a firearm at an innocent person can lead to criminal charges. Members must, therefore, master the principle of appropriate use of force, measured against the limitations set by the SAPS code of conduct, community policing principles, ethical principles and the law.
- In terms of section 36(1) of the Constitution, the rights endorsed in the Bill of Rights may be lawfully limited only if the limitation is:
 - Contained in law of general application; and
 - reasonable and justifiable in an open and democratic society based on human

dignity, equality and freedom.

- The Police Service Act (section 13, subsection (1)) provides that police officials may exercise the powers and perform the duties and functions conferred on or assigned to them, subject to the Constitution and with due regard for the fundamental rights of every person. The Police Service Act also provides for the Minister to issue a code of conduct for the Service. In the code of conduct police officials undertake, among other things, to;
 - Uphold the constitution and the law;
 - uphold and protect the fundamental rights of every person; and
 - exercise the powers conferred upon them in a responsible and controlled manner.
- The Police Service Act (section 13, subsection (3)(b)) states that police officials that are authorised by law to use force may use only the minimum force that is reasonable in the circumstances. For example, a police official should use his/her discretion before carrying out an arrest in a crowd, because it may place lives in danger or trigger a major unrest situation.
- Furthermore, policing philosophies are based on an accountable policing service, with good information and good relationships and partnerships with empowered communities. A single questionable decision may damage trust and weaken the partnerships with the community and may even result in public unrest.

1.4 WHO IS THE POLICE OFFICIAL OR PERSON THAT HAS TO MAKE USE OF FORCE DECISIONS?

The police official must-

- have an extensive knowledge of police powers given by law;
 - with second nature, act in private defence as ground of justification in terms of common law;
 - be committed to upholding the constitutional parameters;
 - be committed to complying with the parameters set by the Police Service Act and SAPS code of conduct;
 - understand the dynamics of the society that he/she serves and the root causes of crime in that society; and
 - be able and committed to complying with the ethical principles of the SAPS and in doing so serve the Constitution and the code of conduct,
- The most important attribute of the ideal police official is the comprehension or understanding of social norms and dynamics. Without this understanding,

police officials will not be able to make appropriate use of force decisions. For example, a police official approaching the scene of a spontaneous gathering who believes that crowds may be dangerous, has no role in society and no right to demonstrate. Compared with a police official whom approaching the same crowd who believes that crowds have a positive role to play in a society and are not always dangerous. The conduct of the two police officials at the scene will differ. The first official will be more likely to use physical force than the second.

Another example is that of an official that may have had bad experiences with German soccer fans in the past. He may believe al German soccer fans are bad and may dislike them. When approaching an incident in which a German soccer fan is involved, this police official will be more likely to handle the situation in such a manner that will progress to violence than an official who has Germans as friends.

- Compliance with the ethical principles of the SAPS is another key ingredient to the successful use of force. The following principles establish a climate that enables police officials to apply the appropriate level of force:
- Integrity
- Respect for diversity
- Obedience to Law
- Service excellence
- Public approval

1.5 DEADLY FORCE DECISION-MAKING MODEL

- Being alert and well-trained, and applying the techniques of tactical communication, will place officials in a favourable position when they have to decide whether to use deadly force. Using deadly force however, remains one of the most liability prone activities in law enforcement. An improper shooting decision carries the potential of costly civil damage awards, criminal prosecution, strained community relations and ruined professional and personal lives.
- The decision to shoot or not to shoot is always made under highly stressful situations. You may fail to comply with the limitations set by law or you may be afraid to shoot because of the possible repercussions. Good knowledge of the legal restrictions, excellent weapon handling skills, a simplified decision making model and a dynamic outcomes-based learning programme involving all the elements of the AI TEST concept can help police officials make confident decisions. The Deadly Force Decision Making model that is discussed here will simplify the decision-making process, help to clarify policy and provide guidance for effective, legal, and deadly force decisions.

- This model relies on private defence as the only rational decision for using deadly force. As an element of survival training, you can rely only on self-defence as ground of justification when using your firearm.
- The deadly force model is designed to enhance the police official's ability to respond to deadly force situations that he/she may encounter while remaining within the legal and policy parameters. The three sides of an equilateral triangle represent the three factors of ability, opportunity and jeopardy. All three factors must be present to justify deadly force.
- In this model, 'ability' means the suspect's physical capacity to harm the police official or other innocent persons. This is widely interpreted as a suspect being armed with a weapon capable of inflicting death or serious injury, such as a firearm, knife or club. Ability also includes personal physical capability, such as that possessed by a martial arts practitioner, a powerfully built man or an agitated suspect on drugs.
- 'Opportunity' describes the suspect's potential chances to use his/her ability to kill or seriously injure. An unarmed but very large and powerfully built suspect might have the ability to seriously injure or kill a smaller, less conditioned person. However, opportunity does not exist if the suspect is fifty metres away. Similarly, a suspect armed with a knife has the ability to kill or injure a person but might lack opportunity if the person has taken cover.
- Jeopardy exists when the suspect takes advantage of his/her ability and opportunity to place a police official or another innocent person in imminent physical danger. For example, a situation in which a confronted armed robbery suspect refuses to drop a weapon after being pursued on foot would constitute jeopardy.

2. T- TEAMWORK TACTICS AND TECHNIQUES

- A successful team works towards a common goal in a unified, cohesive manner. The opposite of teamwork is individual action, which tends to divide power and results in unplanned, isolated action, which places the suspect at an advantage. For police officials, forming effective teams and developing skills, as good team members are crucial to survival. Officials will have to develop skills to communicate with team members and the ability to anticipate what other team members will do next. These skills can only be acquired by regular scenario and team training.
- It is important to be constantly alert to opportunities to assist the team, for example, to get oneself into a position to assist by giving cover. The person closest to the threat must take charge by organising the team to help him/her. Maintain communication and be aware of every step taken by the other team

member(s). Members must never progress on their own in isolation and forget about the rest of the team. Those at the back must move towards the front, and those in front must give cover and communicate for assistance. All team members must use the OODA-LOOP mental process as an action-planning method in high stress situations. Team members must keep a distance between one another in order to divide the attention of the suspect(s), but must never lose contact with one another.

2.1 TACTICS AND TECHNIQUES

- Never commit all the team members to tasks in line, for example, while two team members are arresting two suspects, one member must give cover and stay some distance away, while the other team members conduct the search and make the arrest.

- Team members must be trained in basic team movement skills such as leopard crawl, cat crawl, leapfrog movements, taking cover, using cover, silent approach and movement past windows and doors, penetrating doors, movement on stairs, movement in passages, basic search methods and negotiating obstacles. Thorough training will build trust, which is crucial for good team work.



- Quick reaction or immediate reaction drills must be practised in small groups using practical scenarios. Simulation ammunition should be used to make the training as realistic as possible. These exercises should include a wide variety, depicting the full range of operational activities conducted by a specific target group.
- The ability to effectively apply the techniques for profiling search, arrest, restraining and self-defence is a prerequisite for the effective and appropriate use of force. High competency in the techniques will also permit less opportunity for anyone to launch an attack on a police official.

3. OFF-DUTY ENVIRONMENT

- Apply the AI TEST also when off duty. Each police official must take the necessary steps to ensure his/her own safety when off duty as far as possible. You remain a target both on and off duty.

4. SUMMARY

It has never been said that policing in a democracy would be easy, but the decisions that police officials have to make in a split second may be very complex. A police official is expected to be a lawyer, criminologist, sociologist, psychologist and judge. The reality is that the post and promotion requirements for police officials in South Africa mean that the police officials are generally average citizens, rather than highly qualified academics. Abstract theory and concepts can therefore not work in practice. This workbook provides a model that makes it possible to integrate complex practical skills and knowledge into a simplified basis for effective outcome-based training. By using the acronym AI TEST, all the elements relevant to 'use of force' decisions are linked in a manner that is easy to remember and to apply.