



Communication and Marketing Department
Isebe loThungelwano neNtengiso
Kommunikasie en Bemerkingsdepartement

Private Bag X3, Rondebosch 7701, South Africa
Welgelegen House, Chapel Road Extension, Rosebank, Cape Town
Tel: +27 (0) 21 650 5427/5428/5674 Fax: +27 (0) 21 650 5628

www.uct.ac.za



23 October 2015

Joint Statement: Excessive Use of Force by the South African Police Service (SAPS)

We are deeply concerned about the excessive use of force displayed by the SAPS Public Order Policing members against unarmed protesting students at Parliament and other parts of South Africa this week. These were not isolated incidents as we have witnessed an intensification of police violence against protesting citizens, particularly poor and marginalised people in recent years. The Marikana Massacre remains at the forefront of our minds. Last year the SAPS paid out close to R200 million in civil claims due to excessive use of force by its members (including shootings), money that could have been better spent on education and healthcare.

The National Development Plan, as well as the SAPS' own Strategic Plan calls for the demilitarisation of the SAPS, which should have a considerable impact on reducing incidents of police violence. The Marikana Commission of Inquiry has recommended a review of Public Order Policing in South Africa by a panel of experts. Both these recommendations should be implemented as a matter of urgency.

While acknowledging the challenges of policing in South Africa, we call on all members of the SAPS to adhere to the legal requirements set out in Section 9 of the Regulation of Gatherings

Act 205 of 1993, which requires SAPS members to pursue all avenues to avoid the use of force.

We support Prof Pierre De Vos' comments of earlier this week that: "Members of the SAPS who use force without complying with the provisions of Section 9 of the Regulation of Gatherings Act must be prosecuted for assault and disciplined accordingly. Members of the SAPS who comply with the formal requirements of Section 9 of the Regulation of Gatherings Act, but nevertheless use excessive force against peaceful protesters must be prosecuted".

As a top priority the SAPS Public Order police must be provided with the legally required skills to respond to peaceful protests and gatherings without having to resort to using any kind of force.

For media enquiries contact:

Guy Lamb (Safety and Violence Initiative): 082 882 6657

Mark Shaw (Centre of Criminology): 083 389 7956

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Issued by: UCT Communication and Marketing Department

Thami Nkwanyane

Media Liaison and Monitoring Officer
Communication and Marketing Department
University of Cape Town
Rondebosch
Tel: (021) 650 5672
Fax: (021) 650 3780
Cell: (072) 563 9500
Email: thami.nkwanyane@uct.ac.za
Website: www.uct.ac.za