

The South African Police Service (SAPS) on UCT Campuses

Guidelines in respect of requests for intervention in the case of demonstrations, protests and occupations.

As approved by Council resolution: 19 March 2016

Background

These guidelines relate to requests for SAPS intervention in the case of demonstrations, occupations and other activities related to protests. They take as given that SAPS personnel may legitimately enter UCT campus for other purposes. Examples of legitimate other purposes include:

- To take statements from relevant persons, gather evidence and, if appropriate, arrest persons where a crime has been reported to SAPS;
- To enforce protection orders issued in terms of relevant legislation;
- To participate in meetings and other events at the invitation of UCT management, academics, and/or student bodies.
- To engage in crime prevention patrols.

The guidelines recognise the right of students, staff and individuals considered to be part of the university community to engage in demonstrations and protest action compliant with the law. The guidelines do not recognise a right to endanger the health and safety of others, or to damage property.

The guidelines start from the premise that UCT is committed to protecting the rights and safety of both protestors and other members of the university community. Further, they are based on a commitment to discussion and working through demands, differences of opinion and conflict through direct engagement, mediation and other means so as, wherever possible, to avoid conflict escalating to a situation where security needs to be called in.

In cases where conflict has escalated and Campus Protection Services (CPS) are not able to contain or defuse threatening situations on their own, the guidelines recommend the use of private security services, before seeking the intervention of SAPS. While the University incurs a financial cost in employing private security services, the advantage is that UCT management retains more control over actions taken by private security staff than over actions by SAPS.

The guidelines comprise recommended conduct. They recognise that in exceptional circumstances, it may be necessary to depart from them.

Guidelines

1. CPS should be used as the first line of intervention against any action that threatens the health and safety of persons and/or damage to property.

2. Private security services should be used as the second line of intervention in such situations in cases where CPS are not able to manage and defuse the situation. Where private security services are invoked, this must be on the authority of the Vice-Chancellor or Acting Vice-Chancellor. At all times UCT management will maintain control over actions that may be taken by private security.
3. When private security services are deployed:
 - a) all private security personnel must be identifiable, for example through a clearly visible name badge and number;
 - b) the lines of accountability, and of redress where there are allegations of unacceptable actions, must be clearly specified.
4. SAPS should be requested to intervene on UCT campuses in relation to demonstrations and protest action only:
 - a) where these threaten the health and safety of students, staff and/or university visitors, or damage to property;
 - b) where CPS and private security services are not available or able to manage and defuse unsafe or threatening situations, or where the VC or Acting VC considers that the urgency of the need for action precludes the deployment of private security services.
5. SAPS should be called onto UCT campuses only on the explicit request of the VC or Acting VC.
6. The VC or Acting VC must, as soon as is possible, inform the Chair of Council, the President of the Students' Representative Council and senior officials of the representative trade unions of UCT employees that SAPS have been called on to campus.
7. UCT executive must subsequently keep the UCT community updated on developments as much as is reasonably possible.
8. When deployed on UCT campuses, members of the SAPS are required to comply fully with provisions of the Public Gatherings Act (Act 205 of 1993), the Criminal Procedure Act (Act 51 of 1977), and other relevant legislation and regulations.
9. When SAPS is deployed on UCT campuses at the same time as private security and/or CPS:
 - a) the lines of command and control must be clear

b) the lines of accountability, and thus of redress where there are allegations of unacceptable actions, must be clear.

10. These guidelines should be publicly available to members of the UCT community.