



PSIRA
Private Security Industry Regulatory Authority

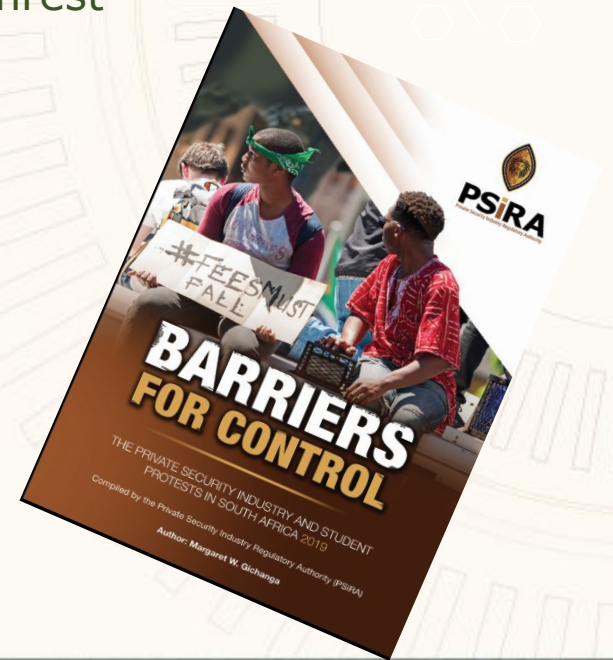
Reflections and Learnings from Private Sector on Policing & Public Unrest

11 August 2022



Presentation Overview

- A. Overview of The Private Security Industry Regulatory Authority (PSiRA)
- B. Definition of a “Security Service” in terms of the PSiRA Act / 2001
- C. The Role of Private Security in Responding to Civil Unrest
- D. Cooperation Between Private Security and SAPS
- E. Maintaining Public Order
- F. Accountability of Private Security
- G. Conclusion



Overview of PSiRA

- ❑ PSiRA's primary objects are:
 - ❑ "...to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the **public** and **national interest** and in the interest of the **private security industry itself...**"
- ❖ Public Entity
- ❖ **Independent** Regulator
- ❖ **Law Enforcement** Agency

Definition of a “Security Service”

- Security Services (in terms of S1 of P*Si*R Act) means one or more of the following services or activities:
 - a) **Protecting or safeguarding** a person or property in any manner;
 - b) Giving advice on the protection or safeguarding of a person or property, on any other type of security service as defined in this section, or on the use of security equipment;
 - c) Providing **a reactive or responsive service** in connection with the safeguarding of a person or property in any manner;
 - d) Providing a service aimed at **ensuring order and safety** on the premises used for sporting, recreation, entertainment or similar purpose.....

The Role of Private Security in Responding to Civil Unrest

- ❑ The role of private security is to protect or safeguard persons or properties in any manner
 - ❑ **Persons & Property**
- ❑ Private Security is **not legally authorized to engage** in crowd management
- ❑ **SAPS is legally mandated** in terms of the Regulation of Gatherings Act/1993 to deal with demonstrations and civil unrest (including crowd management)
- ❑ Private Security Providers exercise **the powers of the landlord** and are not peace officers

The Role of Private Security in Responding to Civil Unrest

❑ Regulatory Concerns:

- ❑ SASSETA accredits a security training course on “**crowd control**” to private security officers
- ❑ **Requirements** for the use of security **are not well known** by users
- ❑ The **uniforms used** by private security officers **during protests create an impression** that they are members of SAPS and/or SANDF
- ❑ Some deployed security officers are **not PSiRA registered**
- ❑ Acquisition of **para-military weapons and equipment** concerning

Cooperation between the private security & SAPS

- ❑ Private Security are the **first responders** to demonstrations and civil unrests
- ❑ In terms of the P*S*iRA Code of Conduct for Security Providers, they must **assist members** of the SAPS with any relevant information
- ❑ Security Service Providers **should hand over the scene to the police** when the situation shifts from peaceful activity to a violent situation
- ❑ Private Security Providers **must abide by the laws** of the Republic in carrying out their services

Maintaining Public Order

- ❑ **Section 205(3)** of the SA Constitution / 1996
 - ❑ Mandate of the Service: **to maintain public order**, protect and secure the inhabitants of SA and to uphold and enforce the law
- ❑ Section 17(1) & (2) of the SAPS Act/1995
 - ❑ The **National Commissioner must establish** and maintain a national public order policing unit
- ❑ Public Order Policing
 - ❑ Requires the maintenance of public order by
 - ❑ Ensuring **public order during gatherings** and demonstrations
 - ❑ **Intelligence driven crime** combating and prevention operations

Maintaining Public Order

- ❑ National Instruction 4/2014
 - ❑ If a crowd management or public order **situation escalates** to the extent that **public violence erupts** and the necessity to restore public order is required, **Public Order Police unit** must take **full operational command** and stabilize the situation
- ❑ Prohibited or restricted "tools"
 - ❑ **Pepper spray** – unless a relevant commander has issued a instruction
 - ❑ Firearms & **sharp ammunition** including birdshot and buckshot
- ❑ **Teargas** may **only be used** by Public Order Police members on command of the *operational commander*

Maintaining Public Order

- ❑ National Instruction 4 /2014 Public Order Police: Crowd Management During Public Gatherings & Demonstrations
 - ❑ The **use of force and dispersal of crowds** must only be conducted by those *members* of Public Order Police trained in *crowd management* and equipped with the relevant crowd management equipment
 - ❑ The situation must be **contained by members of Visible Policing** at station level and Metro Police until Public Order Police members take over the situation
 - ❑ If it is not possible to contain or wait for Public Order Police to arrive, only members of Visible Policing at station level and Metro Police

Accountability Of Private Security

- ❑ The **Code of Conduct** for Private Security Providers **is binding** on every security service providers (registered or not)
- ❑ The act of a security service provider may be a contravention of the P*Si*RA **Code of Conduct and a criminal offence**
- ❑ Improper Conduct dockets may be registered against the security service providers who transgress the applicable legislation
- ❑ The **penalties covered** under section 25 & 27 of the Code of Conduct would be imposed upon every security service provider found guilty

Conclusion

- ❑ Private **security providers must complement the work** of SAPS Public Order Police
 - ❑ and **not substitute them** (they must not seek to emulate the SAPS POP)
- ❑ P*S*iRA **requirements must be adhered to** by all private security providers
- ❑ Regular P*S*iRA **inspections continue** to be undertaken during civil unrests
- ❑ **Compliance fora** are encouraged by P*S*iRA to ensure that all stakeholders are aware of P*S*iRA requirements
- ❑ New regulations in **use and issuing** of fire-arms
- ❑ Considering **regulations on weapons** and equipments
- ❑ Collaborations with other **stakeholders** such **Conventional Weapons** Committee

THANK YOU



PSiRA
Private Security Industry Regulatory Authority

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