

# SAPS decision on pepper spray welcomed

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By Gustav Thiel

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The Institute for Security Studies has welcomed a decision by the police to encourage the use of pepper spray instead of firearms or fists when possible.

Safety and Security Minister Charles Nqakula said in parliament on Monday that "the SAPS is in favour of the minimum use of violence and we are currently introducing the use of pepper spray in the provinces".

The Independent Complaints Directorate recommended the use of pepper spray earlier this year after they released the findings of a survey about the prevalence of police violence in Gauteng.

The directorate found that the majority of violence took place during arrests or when the life of a colleague was threatened.

According to the survey, police officers "mostly used their weapons, not only to shoot, but also to hit the victim with or to threaten them and they also used their fists, kicked and slapped (people). In addition, teargas and shocks were also used".

The decision to introduce pepper spray also follows a decision by the Constitutional Court to declare a section 49 of the Criminal Procedures Act unconstitutional.

The section gave police the permission to shoot any person guilty of a category one misdemeanour, including robbery, murder and rape, if that person resisted arrest.

The section of the Act was rewritten to include very specific circumstances under which the police may use deadly force.

Ted Leggett, senior researcher at the ISS, said: "We have been calling for some time for the introduction of the use of pepper spray, because currently the police have only two force options (firearm and fists).

"The problem is that the police will pull their guns when they wouldn't be able to discharge them."

He said the biggest problem was that the police still did not possess sufficient funds to train enough officers in the use of pepper spray.

Nqakula, however, said that personnel have been trained since May this year in the use of pepper spray and that enough instructors have been trained to conduct the training.

But Leggett said the police had thousands of batons in lockers around the country which could not be used because personnel have not been trained.