

The Prevention of Police Action and Custody Deaths

by

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Introduction

Since the ICD started operating in April 1997 statistics have for the first time become available on the real number of police action and police custody deaths. In the three year period since then 2174 of these deaths have been recorded by the ICD. This means that, on average over the three years to March 2000, the ICD has recorded 725 of these deaths per year.

Effectively on average every month in South Africa during this period there have been 60 of these deaths (roughly 43 police action deaths and 17 in police custody).

High crime

The problem of the high number of these deaths is not independent of other problems currently facing South Africa. Most notably high levels of crime and particularly violent crime represent something of a crisis for this country. Government should be supported in prioritising measures to tackle the crime problem and emphasising the urgency with which it needs to be addressed.

But while the problem of the high number of police action and custody deaths is partly related to the level of crime this does not mean that there is not the potential for specific measures to be implemented intended to reduce the overall level of these deaths. Reducing the high number of police action and custody deaths needs to be seen as one of a range of issues which need to be addressed by government in improving the effectiveness of the criminal justice system and particularly the SAPS.

Attacks on police

A further issue which is cause for concern and which is related to the problem of the high number of police action and custody deaths is that of the high number of attacks on and murders of members of the SAPS. In fact it may be the case that the two problems in some ways reinforce each other in different ways. Thus high levels of victimization of the police may feed into fear on the part of police members which encourages them to use higher levels of violence. In turn higher levels of police violence may contribute to violence against the police.

At the same time that the problems are related some components of a strategy to prevent police custody and action deaths might also reinforce measures to reduce the number of deaths of police officers. Particularly if there are common issues there may even be value therefore in linking a programme for improved prevention of police action and custody deaths with measures to improve the safety of police officers and measures to reduce the number of attacks on police.

Respecting and protecting human life

At the centre of the values which are upheld in the Constitution, of the values of ubuntu, and of the values on which an African Renaissance needs to be built is the idea of value for people and for human life.

Supporting measures to reduce the number of police action and custody deaths, must form part of efforts to rebuild South Africa and to establish it as a country where human dignity and human life is truly valued. The [South African Police Service](#) (SAPS) itself, through improving its practise in preventing police action and custody deaths, can enhance its own credibility and itself play a role in building a South Africa in which human life is valued, respected and protected.

Government, the SAPS and other role players should therefore give their support to measures to address this problem. Such measures will support the objective of developing a police service that is effective and professional and has public credibility.

Towards this end this briefing document therefore:

- Clarifies some issues to do with terminology;
- Looks at trends in police action and custody deaths over the 34 month period April 1997 - January 2000;
- Examine the causes of these deaths;
- Looks at the motivation for and value of a focus on prevention;
- Looks at the requirements for an effective preventive strategy;
- Provides an outline of possible measures which would assist in the prevention of these deaths;
- Propose a way of taking the issue forward.

Points of Clarification

Distinction between police action and police custody deaths

There is some overlap between the concepts of "police action deaths" ("deaths as a result of police action") and "police custody deaths" ("deaths in police custody") which sometimes leads to confusion when issues relating to these deaths are being discussed. In distinguishing between them the ICD therefore adopts the following approach:

- Police action deaths are deaths which occur as a result of the actions of the police prior to a person being taken into custody. The use of force (particularly shootings) i.e. uses of force which occur prior to a person being taken into custody, is the major cause of police action deaths. Note that the police action which is the direct cause of

deaths takes place prior to the person being taken into custody but in some cases the person may die much later, effectively while s/he is in custody;

- Police custody deaths are deaths which occur when a person is in police custody other than when their injuries were caused by the police prior to their being taken into custody. Some deaths in custody are the result of uses of force by the police in custody but this is not the major cause of deaths in custody (the causes are discussed in the next section).

Use of force as a cause of police action and custody deaths

The use of force by the police is the cause of over 90% of police action deaths and also of roughly 12% of deaths in custody. Uses of force by the police, whether inside or outside of custody, may be lawful or unlawful.

Issue of Prevention Concerned with Lawful and Unlawful Deaths

Current evidence is that most police action and custody deaths are not the result of unlawful actions by the police. In particular most custody deaths are not directly the result of actions by the police but include deaths which are the result of suicide, deaths which are the result of assaults by members of the public prior to custody and deaths by natural causes. The issue of the prevention of deaths however does not relate to unlawful deaths only.

Potentially a significant number of both police action and custody deaths which are not linked to unlawful actions by the police as well as those which are linked to unlawful actions could be prevented by improvements in police practise.

Overall Levels and Trends in Custody and Action Deaths

Table 1: Number of police action and custody deaths recorded by ICD, April 1997 March 2000

Deaths	Apr '97 - Mar'98	Apr '98 - Mar '99	April '99 - Mar '00	Total: 3 years	% of total number of deaths
A Result of Police Action	518	558	472	1548	71%
In Police Custody	219	198	203	626	29%
Total	737	756	681	2174	100%

As reflected in the above table during the period April 1997 March 2000 - the first three years of operation of the ICD - there have been a total of 2174 police custody and action deaths. Of these:

- 71% were deaths as a result of police action - these have fluctuated with the *highest* monthly average (46.5) being recorded during the period April 1998 - March 1999. The monthly average for the final 12 month period (39 per month) is lower than

those for any of the previous periods.

- 29% were deaths in custody - these have fluctuated with the *lowest* monthly average (16.5) being recorded in the period April 1998 March 1999. The figures of 209 (17.4 per month) for the final 12 month period indicates a slight upward trend in comparison to the April 1998 March 1999 period.

Between the first and the second year of operation of the ICD *the overall monthly average* of these deaths did not change significantly (increase of 2%). The monthly average figure for the April 1999 March 2000 period (57) represents a decline on the monthly average for the previous two year period (62). While the possibility exists that this decline is the result of a lower rate of reporting rather than a lower rate of these deaths it is to be hoped that this is not the case. If we assume that the lower number reported reflects actual trends then this is a positive sign.

Causes of Police Action and Custody Deaths

Causes: Police action deaths

Deaths as a result of police action constitute roughly 71% of the total number of deaths. As is apparent from the following table virtually 90% of deaths as a result of police action are caused by shootings by the police. The remaining 12% also include a significant number which are the result of uses of force by the police (physical force not involving firearms). Effectively therefore uses of force account for in the region of 95% of deaths as a result of police action. Other causes include, for instance, vehicle accidents.

Table 2: Causes of deaths as a result of police action

Cause	No. (30 months)	%
Shootings	1308	88%
Other police action (e.g. other force, vehicle)	172	12%
Total	1480	100%

Causes: Deaths in police custody

Deaths in custody account for roughly 29% of the total number of deaths. The major causes of custody deaths are the following:

- **Police action in custody accounts for roughly 12% of deaths in custody** - these deaths include apparently lawful actions - such as cases where a suspect is lawfully shot while trying to escape from custody - and obviously unlawful cases of police violence against persons in custody.
- **More than 30% of custody deaths are caused by another person's (non-police)**

actions pre-custody - these are people who are fatally injured by members of the public and are then taken into custody by the police. These people include some killed by members of the public acting lawfully (e.g. in self defence) against criminals but also include a significant number which are the result of unlawful (vigilante) actions.

- **More than 30%** of custody deaths are apparent cases of **suicide** - it appears that most of these are actual cases of suicide. There may be cases where people die as a result of assaults by the police with the death then being made to appear to be a suicide but, if there are such cases, they do not constitute the majority of suicides.
- **Roughly another 6%** are also the result of the deceased persons own actions in the form of **substance abuse**. Most of these are people who die from alcohol related causes.
- **Roughly another 16%** are the result of the deceased's medical condition/natural causes.
- **Other causes** of death include, for instance, persons killed by other persons in custody.

Deaths are sometimes the result of a combination of factors such as substance abuse in addition to the deceased's medical condition, or a use of force complicated by the effects of substance abuse.

Causes Overall: Action and custody deaths combined

On the basis that 29% of deaths are in custody and 71% are police action deaths the causes of custody and action deaths relative to each 100 custody and action deaths are summarised in the right hand column of Table 3.

Effectively therefore of all police custody and action deaths:

- **Roughly 70 % of police action and custody deaths are caused by uses of force by the police** making this by far the biggest cause of these deaths. These are primarily deaths as a result of police action prior to custody but also include some which are caused by uses of force in custody.
- Roughly 9% are deaths in custody as a result of injuries sustained prior to custody at the hands of members of the public.
- Roughly 11 are the result of the deceased person's own actions (9% suicide, 2% substance abuse)
- Roughly 4% are the result of the deceased's medical condition or natural causes.
- The remaining 6% or so are caused by a variety of factors including vehicle accidents and the actions of another person in custody.

Table 3: Causes of death as percentages of combined total of police custody and police action deaths

Cause	As a result of police action	In custody	Both police action and custody
Police shootings or other force (prior to or in custody)	67	3	70
Injuries prior to custody (not caused by police)		9	9
Suicide		9	9
Substance abuse		2	2
Deceased's medical condition/ natural causes		4	4
Other causes	4	2	6
Total	71	29	100

Motivation: Why focus on prevention

Current situation in terms of prevention

There are some measures which support the prevention of these deaths such as some present regulations or laws which regulate the treatment of persons in custody or the use of force by the police. Also the requirement that the ICD investigate all of these deaths serves to some extent to discourage unlawful actions by the police. While there are some measures in place however there is scope for the number of these deaths to be significantly reduced through improved police practise.

Presently the prevention of the deaths is not regarded as a priority issue by the SAPS or government. Instead there is a strong tendency for the issue of these deaths to be seen as the "ICD's business" and not as a SAPS responsibility. Thus for instance it appears that the SAPS itself does not see it as necessary to monitor these deaths but sees this as being an ICD concern. Preferably the issue of prevention of these deaths should be seen as a joint responsibility of the Secretariat, the SAPS and the ICD.

Motivation for a Focus on Prevention

The prevention of police action and custody deaths should be recognised as a concern of government policy and should be given greater priority by both government and the SAPS for the following reasons:

- ***High number of deaths***

There are currently a large number of these deaths. Since the ICD started operating three years ago in April 1997 there have been over 2000 of these deaths. The number of these deaths is in some ways linked to high rates of crime and is partly a symptom of more generalised violence in our society, violence which members of the public and the police are often victim of. However a focus on the prevention of police action and custody deaths is not inconsistent with a concern for these other issues. In fact some measures which are intended to promote the prevention of these deaths will also contribute to addressing issues of the victimisation of police officers and violence in our society more generally.

- ***Prevention is consistent with the Constitution***

A concern to prevent police action and custody deaths is consistent with the principles of the Constitution including the rights to life, the right to freedom and security of the person, and the idea that persons are presumed innocent until proven guilty. While a concern with the prevention of these deaths is not inconsistent with the idea that uses of force which result in death are sometimes justified, the concern is also consistent with a recognition that people, including police officers, are fallible, and that even where they do not deliberately break the law, they may sometimes make mistakes which lead to unnecessary loss of life.

- ***Prevention is part of promoting respect for human life in South Africa broadly***

While the causes of crime and violence in South Africa are complex one facet of the problems is a deeply rooted disregard for the value of human life. Part of the process of rebuilding the social fabric of South Africa as a nation involves building a greater respect for and value for human life. These values need to be built within state institutions, including the SAPS, as well as in society more broadly. A central component of a focus on the prevention of police action and custody deaths involves a focus on building the values of the SAPS, in relation to respect for life, and more generally.

- ***Through demonstrating its support for prevention the SAPS can play a role in building a South Africa where human life is respected***

The concern with the prevention of police custody and action deaths is based on the assumption that we should protect human life in so far as we can. Through improving its practise in preventing these deaths the SAPS can play a role in building a South Africa in which human life is valued, respected and protected. Through supporting the prevention of these deaths government and the SAPS can contribute to building support and recognition for these values.

- ***Through supporting prevention the SAPS can contribute to building its own credibility***

Even if there is no criminality on the part of police, there is often suspicion against police when these deaths occur. Through emphasising that it is concerned to prevent these deaths and by demonstrating its concern in this regard through improved practise the SAPS can minimise such suspicion and thereby enhance its credibility.

- *Prevention partly involves improved implementation of existing measures*

Potentially some components of a strategy for prevention of police action and custody deaths involves simply giving greater emphasis to regulations which are already in place and a slight tightening up of some regulations such as in relation to the issue of persons who are taken into custody. Improved prevention of action and custody deaths can therefore be achieved partly through improved implementation of existing provisions rather than major policy changes.

- *Improved prevention can include assisting police to use force more effectively*

Addressing the issue of the prevention of deaths includes addressing the issue of the use of force by the police. This includes developing an appropriate legislative framework for the control of the use of force and improving the effectiveness of the police in relation to their use of force. This will mean assisting members of the police service to use force in an effective manner where it is necessary, according to the principles of minimum force, as well as assisting members of the police service in learning how to avoid the use of force where it is not necessary. The framework put forward here for improving the use of force by the police therefore recognises that police need to continue to be able to use force and in fact should be assisted to use force more effectively in situations where this is called for including situations where their own lives are in jeopardy.

- *Need for investigation of individual deaths as well as preventive measures*

The possibility of deliberate and unlawful police actions exists in relation to many of these deaths and there is therefore an ongoing need for ICD involvement in the investigation of these deaths. However it appears that most police action and custody deaths are not the result of deliberate criminality by the police. Nevertheless some deaths in all categories could be prevented if the issue is given greater priority and there is an improvement in SAPS practise relating to prevention.

Requirements for an Effective Strategy for Prevention

An effective strategy for prevention would need to meet the following requirements:

- Measures which are adopted should take into account international experience of good practise in preventing police action and custody deaths but should integrate this understanding with an understanding of the circumstances of occurrence of police action and custody deaths, the realities and conditions under which policing is conducted, and an understanding of capacity and resource constraints in South Africa.
- In developing the framework particular consideration should be given to the identification of measures which are readily implementable in the short term. Other measures however may only substantially impact on the problem in the medium term.
- All measures should preferably build on existing mechanisms and procedures and

policies, and be consistent with effective policing. The framework for prevention should therefore contribute to enhancing the professionalism of the SAPS.

- The prevention strategy may include components which are of general relevance to both police action and custody deaths but should also include components which are focused on specific categories of deaths in terms of their circumstances of occurrence or causes.
- Due to the fact that over 70% of these deaths are the result of the use of force by police the preventive strategy should give particularly emphasis to addressing issues to do with the use of force.
- In so far as is possible measures to improve the prevention of police action and custody deaths should be integrated with measures intended to improve the safety of police officers.
- Considerations relevant to the prioritizing and initial targeting of measures might include the number of police action and custody deaths in those areas, areas where police members are confronted with situations requiring the use of force more frequently, and areas where greater numbers of people are placed in police custody.

Proposed measures intended to reducing the number of police action and custody deaths

Taking into account existing evidence as to the causes and circumstances of occurrence of police custody and action deaths, as well as international research on the types of measures which have been of value in preventing these deaths, the following measures are suggested:

(i) Investigation and monitoring of police action and custody deaths

While most of the measures which are suggested below need to be implemented by the SAPS, the ICDs role in investigating and monitoring these deaths can make a crucial contribution to their prevention. For these benefits to be fully realised however:

- The ICD needs to have the necessary powers, resources, training, recruitment and management systems to ensure effective investigation;
- The approach which the ICD adopts to these investigations should take account of the need to address the issues of skill relating to the ability of police officers to deal effectively with use of force situations.
- ICD systems for recording and monitoring these deaths should be adapted to improve the quality of information which is available relating to these deaths. This includes classifying deaths in terms of categories that create greater potential for deaths to be analysed in a meaningful way as well as ensuring that information can also be provided on the factors such as the geographical location of deaths and the stations and units affected. This will feed into improved understanding particularly around the targeting of preventive measures and nature of the interventions which need to be made.

(ii) A legislative framework which supports prevention

Of particular relevance here is Section 49 of the Criminal Procedure Act which regulates the use of force, and particularly the use of lethal force in affecting arrest. Section 49 was amended in November 1998 but the amendment has not been brought into operations partly as a result of some controversy relating to the implications of the new Act. Effectively the key issue would appear to relate to whether the amended Act clearly enough defines the circumstances in which police officers may use lethal force or whether it places unfair demands on police officers in terms of interpreting the circumstances in which they are permitted to use force.

What is clear nevertheless is that the old Section 49 is unacceptable, *inter alia*, because it would appear to be contrary to the provisions of the South African Constitution, and therefore that Section 49 needs to be amended. Furthermore according to one of the leading works on the use of force by police in the US it appears clear that the adoption of defence-of-life shooting policies (which permit shootings only to defeat an immediate threat to life or to prevent the escape of a demonstrably life-threatening individual) have been a major factor in reducing the overall level of fatalities as a result of shootings by police in the US. It should be noted that, according to the authors, the adoption of such policies has usually been followed not only by "marked decreases in shootings by police" and "increases in the proportion of the shootings that are responses to serious criminal activity" but also by *greater or unchanged officer safety, and no resultant adverse impact on crime levels or arrest[s]*" (Geller and Scott, 1991, p. 465, italics added).

With police shootings the major cause of custody and action deaths, it therefore appears clear that the implementation of an amendment to Section 49 of the Criminal Procedure Act, which is based on a defence of life approach, would potentially be a key measure in reducing the overall number of these deaths. If the present amendment is unsatisfactory then a further amendment should urgently be drafted, passed and promulgated.

(iii) Emphasising values within the SAPS which promote the prevention of deaths

It is widely recognised that addressing issues of values is central to the management of the use of force by police. This is partly because the legal framework merely provides a set of minimum standards within which the use of force is permissible. To effectively address issues relating to the use of force police organisations cannot simply rely on the legal provisions but must provide a clear framework which sets out the values of the organisation in relation to the use of force.

Issues of values are relevant not only to the issue of the use of force but to the prevention of deaths more generally. Particularly where strong emphasis is given to tackling the crime problem this may feed into a belief on the part of members of the organisation that the only thing that matters in the organisation is fighting crime. For instance where a suspect is sick or injured members may be tempted to neglect ensuring that the person is provided with rapid medical attention as, in terms of the fight against crime, it doesn't matter if the person lives or dies.

The main document which is intended to guide the values of SAPS members is the SAPS Code of Conduct. However the current Code makes no direct reference either to issues

concerning the protection of human life or, more specifically to issues relating to the use of force by members of the SAPS. In the interests of contributing to the prevention of action and custody deaths as well as more generally therefore prominence and emphasis should be given to values including:

- The importance of protecting and valuing human life SAPS members need to be continuously reminded that the organisation is concerned to protect citizens and to ensure the safety of members but that this concern to protect life extends also to preventing police action and custody deaths; and
- Regarding the use of force - where it is necessary members should use force effectively according to the principles of minimum force but wherever possible unnecessary uses of force should be avoided.

Ensuring that members are aware and reminded of these values should be regarded as a key management responsibility. Members therefore need to be continually aware that the purpose of the organisation is not merely to fight crime but to uphold and support a broader set of values within society and particularly to protect human life.

(iv) Measures to support police officers in meeting new standards in terms of the use of force

Some of the problems with the current system relate to the provision of training and equipment as well as the current system of shooting incident investigation. Thus for instance:

- While the current basic training system deals reasonably effectively with issues relating to the use of force, it appears that there are major problems relating to the provisions of in-service training. Not only is in-service training not consistently provided but, in so far as it relates to the use of force, consists mainly of brief firearm training sessions and lectures regarding legal developments. While it is recognised that resources are limited and there are also difficulties associated with the availability of personnel for training, the provision of ongoing training to members is a necessity for effective policing.
- Presently most members do not have access to the tonfa or other intermediate weapons. This limits the ability of members to minimise both the need for force, and the level of force used, while carrying out their work effectively.
- The current system of shooting incident investigation is focused purely on whether or not shootings were lawful or not. Those responsible for the investigation of shooting incidents rarely, if ever, attend to issues concerning the effective handling of potential use of force situations. The system for investigating shooting incidents would be far more useful if it was also used to help members, particularly those who are inexperienced, learn how to deal with such situations more effectively.

The SAPS should set minimum standards relating to in-service (refresher) training, and put in place systems to ensure that these standards are met. Inter alia this in service training should focus on intermediate weapons (currently the tonfa), weaponless tactics, issues of skill in avoiding the use of force, and other relevant issues, in addition to firearm training.

Furthermore a more effective system for shooting (and other use of force) incident investigations should be developed which would be of more benefit to members in that it would promote the development of skills around the effective handling of potential use of force situations, including skill in avoiding the use of force.

The measures outlined here would therefore not only be of benefit in preventing police action deaths but would also contribute to improved safety for police officers as well as greater effectiveness on the part of police members in handling potential use of force situations. However their benefit in contributing to reducing police action deaths would only be fully realised if these measures are combined with emphasis on a clearly defined set of values relating to the use of force by SAPS members. As outlined above these values would need to emphasise the need to avoid unnecessary uses of force.

(v) The issuing of firearms to members and their responsibilities while off duty

Two related problems are:

- Firstly the current system, in terms of which virtually all members are issued with firearms on a permanent basis. This is associated with a number of problems including high levels of suicides by SAPS members, unlawful and unjustified killings and other shootings by SAPS members while off duty, other undesirable behaviour including the use of firearms for the purpose of intimidating persons including family members, as well as creating a motivation for, and escalating levels of violence in, attacks on police officers;
- Secondly the generalised expectation that SAPS members will "place themselves on duty" when they encounter criminal activity while they are off duty. This expectation feeds into the need for SAPS members to be armed while off duty which itself feeds into attacks on SAPS members as well as the other undesired consequences outlined above. This requirement also contributes to the stress which SAPS members are exposed to and sometimes leads to foolhardy action on the part of SAPS members.

Regarding the issuing of firearms to SAPS members considerations which need to be taken into account include the issue of identifying behaviour or other factors which point to a risk of suicide or violence by the police officer. Furthermore legal provisions relating to firearm ownership and possession and the potential for persons to be declared unfit to possess firearms also have implications for members of the police service.

There would appear to be at least three implications which follow from the above:

- Alternatives to the 108 and station issue system should urgently be explored and an alternative system implemented;
- The SAPS should define in policy the responsibilities of members when off duty and issues relating to "placing themselves on duty";
- Furthermore clearer guidelines should be developed relating to circumstances where SAPS members should be denied access to firearms either on a temporary or

permanent basis.

On balance it appears reasonable to argue that the undesirable consequences associated with the current state of affairs outweigh any beneficial consequences that may arise from it either for SAPS members or South African society. What is needed is therefore the introduction and enforcement of defensible and fair but strict policies on the issuing of firearms to police officers. Measures of this kind would be intended to integrate controls on the use of firearms by police with measures to prevent police deaths (murders, suicides, accidental deaths).

In addressing the issue the fact that it is in some ways seen as "sensitive" in police circles should also be taken into account. The process of identifying alternatives should take into account the concerns of, and seek to involve, SAPS members at all levels.

(vi) Prompt medical care for injured and sick persons

One area where it would appear that there is room for improvement in relation to the prevention of both police custody and action deaths is in relation to the provision of medical care to persons who are injured or otherwise require medical attention. Medical attention which is timeously provided may assist in preventing some deaths as a result of police action as well as deaths of persons in custody which occur as a result of injuries sustained prior to custody at the hands of members of the public, deaths related to natural causes or substance abuse and even some deaths in other categories.

Measures to ensure prompt medical care are one of the type of measures that can potentially be implemented at short notice. Potentially, if the issue is properly addressed, it can be of enormous benefit in preventing action and custody. As a measure it is potentially relevant to deaths in all categories includes persons injured by members of the public or the SAPS as well as persons in custody who require medical attention. As with many of the other measures proposed however, encouraging members to ensure that injured and sick persons receive prompt medical care will only have substantial benefit if it is undertaken in conjunction with measures which address the motivation for this concern particularly by engaging with the values of SAPS members.

(vii) Other measures specifically relevant to the prevention of deaths in custody

The issues relevant to the prevention of deaths in custody include:

- Enforcing strict clear standards for securing and searching people who are taken into custody or who have access to them the access of persons in custody to weapons in some cases leads to the need for force to be used against them as well as presenting a risk to police members and other persons in custody. Furthermore not only when they are in cells but more generally where they have been arrested and are under police guard persons in custody who are not properly restrained present a greater risk of escape as well as of potential violence against the police thus creating the need for force to be used against them. Finally there is also the risk of persons using items which are in their own possession to inflict harm on themselves and sometimes to commit suicide.

- Identifying and taking appropriate action in relation to "early warning signs" for prevention of deaths in custody potentially this may contribute to the prevention of some suicides, some deaths from alcohol and drug related causes, as well as deaths from injuries or other medical causes.

The newly adopted anti-torture policy goes some way to addressing issues relating to persons in custody for instance in relation to the provision of medical treatment to such persons. However there is room for improving standards and police practise relating to arrest procedure and the management and care of persons in custody. This may involve the amendment of regulations or standing orders relating to arrested persons, the implementation of special training for charge office commanders or other police personnel involved in the management of persons in custody, and possibly a system of specially trained custody officers.

(viii) Initiatives already implemented which may have a beneficial impact in reducing custody and action deaths

- Human Rights training;
- Implementation of anti-torture policy;
- Traumatic stress debriefing;
- Improvement of conditions at police stations (holding cells);
- Existing components of basic training orientated to avoiding use of force;
- Initiatives taken within the Public Order Police aimed at avoiding unnecessary uses of force and minimising the levels of force used where the use of force proves to be necessary.

Summary of suggested measures

Table 4 summarises the suggested measures in relation to whether they are relevant to the prevention of police action and/or custody deaths and whether they may start being implemented in the short (by the end of the year) or medium term.

Measures	Prevent police action deaths	Prevent police custody deaths	When implementable
Improved investigation and monitoring	*	*	Short and medium
Amend legislative framework	*		Short term
Define and promote appropriate values	*	*	Short and medium
Improve in-service training	*	*	Medium term
Access to intermediate weapons	*		Has started

System for shooting incident investigation	*		Medium term
Issuing of firearms and responsibilities of members off duty	*		Short and medium term
Prompt medical care for injured and sick	*	*	Short term
Standards for securing and searching people		*	Short term
Identification and appropriate action regarding "early warning signs"		*	Medium term
Specially trained custody officers		*	Medium term
Initiatives already implemented	*	*	Being implemented

The Way Forward

In order to address the issue of prevention effectively:

- The process of addressing the issue needs to be supported by key role players;
- A framework for improving prevention needs to be developed and agreed on;
- There needs to be appropriate consultation around sensitive components of the proposed framework.
- Implementation of measures intended to promote prevention needs to be recognised as a priority by the SAPS and other role players and the necessary support given to such implementation.

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