

Protests and use of rubber bullets in South Africa: Unspoken pain and trauma of eye injuries

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Key points of interest

- There is no reliable documentation of fatal or non-fatal rubber bullet injuries in South Africa
- The use of rubber bullets by police during public protests results in large numbers of eye injuries for both protestors and civilians.
- There is an urgent need to provide essential services and support for people impacted by this form of violence.

Abstract:

Introduction: The article examines the experiences of protesters and bystanders who have sustained eye injuries from rubber bullets fired by the police. Use of rubber bullets by police officers during public protests is officially regulated, but there is insufficient documentation about the nature of fatal and non-fatal injuries linked to rubber bullet use during protests in South Africa. *Methods:* We present three case studies based on data gathered from student protests, community protests, and media reports. Through the analysis of these sources, the article presents the personal stories of individuals who have experienced eye injuries, detailing how the incidents occurred and the subsequent impact on their lives. It also examines the accessibility of medical, psychological, and legal services available to victims in addressing the consequences of these injuries. *Results:* The cases studies illustrate that rubber bullets were used frequently and often without due caution by police officers during the events examined. The use of rubber bullets was linked to numerous eye injuries, resulting in lasting psychological and physical consequences for those affected. *Discussion:* Rubber bullet-related eye injuries during protests are disturbingly common in South Africa. Consequently, there is an urgent need to provide essential services and support to those who suffer from these life-altering incidents.

Keywords: Eye injuries, rubber bullets, trauma, police, and protests

Introduction: South Africa is a protest nation.

Protests in South Africa have a long history, dating back to the apartheid era when police frequently used live ammunition to disperse protesters (Lodge, 2011). The transition to democracy in 1994 brought hope for a new era of respect for human rights,

including the right to assemble and protest, which is enshrined in the Bill of Rights (section 17) (Chamberlain, 2016; De Vos, 2018; Klaasen, 2020). However, despite the advent of democracy, South Africa has continued to experience violent responses by the police to protests (Duncan, 2016; Lancaster, 2016). Accurate data

collection on protests in the country is challenging due to the absence of a formal recording system, leading researchers to rely on potentially biased media reports that may disproportionately cover violent events (Duncan, 2016; Lancaster, 2016). Despite these limitations, protests are a prevalent form of expression in South Africa. This has led some observers to label the country as the 'protest capital of the world' or a 'protest nation' (Duncan, 2016; Richardson et al., 2022). These protests are driven by a range of factors, including failure to deliver services such as water, electricity, education, health care, and housing, as well as allegations of corruption, maladministration, incompetence, and nepotism against government officials (Alexander, 2010; Booysen, 2007; De Visser and Powell, 2012). While many studies have examined the causes and drivers of these protests, fewer (Bruce, 2019; Richardson et al., 2022) have focused on the injuries resulting from police use of rubber bullets and the remedies, both legal and medical, available to those injured. Dating back to roughly 2009, there are accounts of persons killed or injured from the use of rubber bullets, by members of the South African Police Service (SAPS), which included incidents of eye injury and the permanent loss of an eye (Bruce, 2012). However, there is no reliable documentation or statistics of either fatal or non-fatal rubber bullet related injuries in South Africa. Any attempt to analyse the prevalence of rubber bullet related deaths and injuries involves drawing inferences from other data (Bruce, 2012).

This article seeks to explore the injuries suffered by students who participated in protests at the University of Witwatersrand (popularly known as Wits University), community protest in the community of Kwaggafontein and other cases reported in the media, as well as the assistance provided to those injured.

Use of less-lethal weapons by the South African Police Service

The utilization of less-lethal weapons (LLW) by law enforcement has significantly evolved throughout history, particularly with advancements in technology that have reshaped the methods of using force in policing (Stander, 2013). These weapons are increasingly employed by law enforcement agencies worldwide in response to protests, primarily due to the perception that they mitigate issues related to police use of force (Rappert, 2007).

Rappert (2007) suggests that the acceptable levels of force are intertwined with the authority and legitimacy of police forces within a society, especially in liberal democracies. This perspective is particularly relevant in the current South African context. Despite their intended purpose, there is limited information on the appropriate use of LLWs, including their potential for misuse and negative health impacts.

Contrary to the notion that LLWs are harmless, evidence indicates that their deployment in various protests worldwide

has frequently resulted in injury, disability, and even death (INCLO, 2016).

This paper explores the utilization of kinetic impact projectiles (KIPs), commonly referred to as rubber bullets, in crowd control situations globally. As a type of less-lethal weapon (LLW), KIPs possess distinct characteristics compared to traditional bullets. Their tumbling movement results in reduced speed, decreasing the risk of penetrating injuries but compromising accuracy (INCLO, 2016). Consequently, KIPs may be potentially lethal when used at close range and indiscriminate and inaccurate at longer ranges.

The Use of Force Guidelines advises that KIPs should only be employed for controlling individual force and not against groups of people (INCLO, 2016). However, there is substantial evidence indicating that these guidelines are often violated, with instances of KIPs being fired at the upper body or face, discharged from dangerously close distances, and indiscriminately targeted at crowds.

When rubber bullets are used by the SAPS, this generally refers to Public Order Policing (POP) units who are mandated to respond to protests as well as other incidents involving 'crowd management' and who are armed with various LLWs. Rubber bullets are not only used by SAPS POP personnel. Notably during the early stages of the Covid-19 related lockdown, which started on 27 March 2020, they were used by other members of SAPS for the purpose of enforcing the lockdown. Some metropolitan police services have also established public order units, and these are equipped with shotguns that fire rubber bullets. According to the SAPS guidelines, the use of force must be lawful, necessary, and proportional, with the goal of restoring order rather than causing harm. However, there have been numerous reports of injuries caused by police during protests, raising concerns about whether these guidelines are being followed or not (Madima, Rakhubu, & Tirivangasi, 2022; Richardson et al., 2022). Police data related to a 2013 protest outside Johannesburg, indicated that 1 100 rubber rounds were fired (Bruce, 2016). The Gauteng Provincial Commissioner stated that 16,971 shotgun rounds were fired by SAPS members in Gauteng during the July 2021 unrest (Smith, 2018). One highly publicized case is that of Andries Tatane, who was shot in the chest with rubber bullets and killed during a service delivery protest in Ficksburg, Free State, on April 13, 2011. This incident sparked public outrage and calls for a review of the use of rubber bullets during protests.

Following the Tatane incident, new guidelines were developed for the police. These were introduced in National Instruction 4 of 2014, on when and how to use rubber bullets in extreme situations when less forceful methods prove ineffective

or are unavailable. However, these guidelines have not led to a significant reduction in the disproportionate or indiscriminate use of rubber bullets against protesters.

This article presents case examples of injuries suffered by protesting students at Wits University, community members in Kwaggafontein and other communities across South Africa due to rubber bullets fired by the police. These injuries have resulted in both physical and psychological consequences. It is apparent from these case studies that many of the victims have a legal claim for compensation for the pain and suffering they endured, but accessing such justice in South Africa can be challenging due to a lack of established systems and processes.

Case studies

Case study 1: #FeesMustfall protest at the University of Witwatersrand (known as Wits University)

In 2015/2016, student-led protests against rising tuition fees gained momentum and spread across universities in the country (Langa, 2017). The #FeesMustFall movement sparked debates about the affordability of higher education and led to additional demands from students for decolonization of the educational system, greater diversity among staff, and improved working conditions for general workers (Langa, 2017; Maringira et al, 2022). Initially, the protests were peaceful and received support from academics and other stakeholders. The central message was that tuition costs were too high and posed a barrier to access for many Black students from low-income backgrounds. The #FeesMustFall movement garnered widespread support, but the situation escalated when protests turned violent, and police were called in to maintain order on university campuses (Ndlovu, 2017).

According to a report *A double harm: police misuse of force and barriers to necessary health care services* by Rayner, Baldwin-Ragaven, and Naidoo (2017), in September 2016, the management of Wits University, citing a High Court Order, requested the deployment of police to manage new waves of protests on campus. This led to incidents of police using unjustified force against protesting students and bystanders presented below, resulting in physical injuries and emotional trauma as well as eye injuries and loss of sight as documented in the *Double Harm* report (Rayner, Baldwin-Ragaven, and Naidoo, 2017).

A priest who worked at Trinity Catholic Church (situated next to the university) where some protesting students had taken refuge was shot by rubber bullets in his lower legs while negotiating with the police to stop violence. The priest at that time did not consider that he was specifically targeted in that incident. Following this incident while

sitting at the gate of the church, the priest was shot again. He recalled seeing 'thin gun barrels sticking out of the right side of the police vehicle and pointing straight at him. He was hit in his face. He felt stunned and pain. He was helped away by students. He was bleeding profusely and taken to the nearest hospital. This incident was covered extensively in the media, especially his white clerical collar that was soaked with blood. Soon after this incident, the priest mentioned that the Police National Commissioner accompanied by a small delegation, visited him at his home and apologized for what had happened and promised that an official investigation into the incident shall be instituted but to date nothing has happened and investigators had not come back to him.

On the same date, another student was shot in her right eye with a rubber bullet. The tissue in her eye had ruptured. She was bleeding and was not able to close her upper eyelid. She was later taken to the hospital after waiting for the ambulance for many hours. She was taken to a private hospital for medical assistance but as she did not have medical insurance and she was taken to a public hospital.

An office cleaner who was walking in the area near where student protests were taking place was shot in the eye with a rubber bullet and, as a result, suffered permanent loss of eyesight in his right eye (Rayner, Baldwin-Ragaven, and Naidoo, 2017).

The above documented incidents underscore the serious health implications of rubber bullet use, notably eye injuries. The Socio-Economic Rights Institute (SERI), a non-governmental human rights organization, commissioned the *Double Harm* report to raise public awareness about the unjust, unfair, and disproportionate use of force by police against protesting students. Drawing attention to these injuries helps address the data gap surrounding the negative health consequences of rubber bullets and advocate for more appropriate measures to maintain order during protests while safeguarding the health and well-being of the protestors.

Case study 2: Kwaggafontein community protest in Mpumalanga
Kwaggafontein is a small semi-urban area located in Mpumalanga Province, with an estimated population of 2,000. The community is characterized by high levels of poverty and unemployment, and residents have faced significant challenges in accessing clean water. According to media reports, on April 15, 2019, community members organized a public march to demand the provision of water, which they had been lacking for up to two years. Prior to the protest, residents claimed that they

had alerted local and provincial authorities about the dire situation, but no action had been taken. The protesters blocked the main road leading to the community, disrupting traffic and preventing residents from going to work or school.

In response to the protests, the police were called in, and reportedly began firing rubber bullets indiscriminately at protesters and bystanders. In retaliation, community members started throwing stones at the police and engaging in acts of vandalism, looting shops owned by foreign nationals and setting fire to government offices. According to media reports, 38 people were arrested that day, and numerous individuals suffered eye injuries due to rubber bullets as described below.

On April 15, 2019, Martin (pseudonym) was traveling from Kwa Mhlanga, Suncity Village, to his parental home. Due to a blockade, the vehicle he was traveling in could not reach his parental home. This obstruction prevented various forms of transportation, including taxis, buses, and private vehicles, from accessing the area. Passengers, including Martin, were dropped off at, about two kilometers from his parental home and had to walk the remaining distance. Martin joined a group of people who were also walking toward his home.

As Martin and a few other individuals approached the police to explain that they were not part of the protest group, the officers began shooting at them. Martin was hit on the right side of his leg, just below the knee, as he tried to run away. The police continued to fire shots indiscriminately at the people around the four-way stop, causing widespread panic and chaos. Martin managed to find cover under a bridge, but two police officers cornered him and continued shooting until they ran out of ammunition. He was struck by several bullets, one of which hit his left eye.

Despite his serious injuries and pleas for medical assistance, Martin was unlawfully arrested and loaded into a truck. He endured severe pain for over 30 minutes without receiving any medical treatment. Shockingly, one police officer was quoted as saying, "Let him die".

The arrested individuals, including Martin, were transported to the Kwaggafontein police station and taken to the charge office. Martin was instructed to go to the clinic for medical treatment. He requested that the truck driver, who was returning to the four-way stop, give him a ride to the clinic. However, his request was denied, and he was told to "walk there". Fortunately, a member of the public offered assistance and escorted Martin to an ambulance stationed on the police premises. From there, he was taken to Philadelphia Hospital for further treatment. Upon arrival at

the hospital, Martin was handcuffed to the bed and placed under police guard for four days. On the fourth day, he was released after being informed that his bail had been paid. Since then, Martin has been unable to afford consultations with eye specialists, and his vision remains impaired due to the eye injury he sustained during the incident.

Velaphi (pseudonym) left home to purchase electricity on the morning of April 15 at around 9:00 AM. He entered the shop, and shortly after, protesters rushed in, followed by police officers who were shooting indiscriminately at everyone present. Velaphi was shot in the eye during the chaos. He attempted to seek medical attention at a nearby clinic, but it was closed due to the ongoing protest. The next day, on April 16, 2019, he went to Kwa Mhlanga Hospital, where he was scheduled for a follow-up appointment on April 25, 2019.

As a result of the injury, Velaphi has suffered permanent damage to his left eye, significantly affecting his vision. This has caused him considerable distress and made his daily life more challenging. He believes that his injury could have been avoided, as he was not participating in the protest. The persistent reminder of his injured eye has led to feelings of depression.

Several individuals who were injured during the protests, including Martin and Velaphi, have filed civil claims against the police. However, at the time of writing this article, their cases have not yet started due to the length of the legal process required to launch civil claims against the police. Pursuing civil claims against the police can be a complicated and lengthy process, presenting significant challenges for plaintiffs seeking justice for their injuries. As part of the legal process, victims must consult with various professionals to assess the physical and psychological impacts of their experiences. For instance, psychological assessments are required to evaluate symptoms of PTSD, depression, and anxiety for a claim of emotional shock. In cases involving physical injuries, such as eye injuries, specialized medical professionals like ophthalmologists are needed to provide expert assessments. However, accessing these necessary services can be a major obstacle for many victims, particularly those who are indigent or lack the financial resources to cover the costs of professional services and legal fees. While some professionals may offer their services pro bono, this assistance is often limited and insufficient to address the needs of all victims. Currently, there is an urgent need for victims to access to legal and medical services to effectively pursue justice in civil claims against the police (Langa, 2014).

Case study 3: Other documented cases of eye injuries and loss of eyesight

Several significant cases of eye injuries and vision loss have been reported in the media.

Some notable examples include:

The case of Sivuyisiwe Dyani, who lost sight in both eyes after being struck by rubber bullets fired by police during protests in Hermanus, Western Cape, in 2017. On July 17, 2018, Dyani heard a commotion outside his home in Zwelihle and went to investigate. He witnessed police shooting at protesters who were running up the road, and he was hit by a rubber bullet, resulting in immediate vision loss. A neighbor arranged for private transportation to Hermanus Provincial Hospital, and the following day, Dyani was transferred to Tygerberg Hospital for surgery. He filed a complaint with the Independent Police Investigative Directorate (IPID), but as of 2020, there had been no progress in his case (Washinyira, 2020)

Siyasanga Gijana, a resident of the Ramaphosa informal settlement in Philippi, Cape Town, lost her right eye in April 2020, a month after the COVID-19 lockdown was declared. She was shot by police officers while inside her yard. Nearly seven months later, no arrests had been made, and the Independent Police Investigative Directorate (IPID) was still investigating the case. Gijana recounted that around 7:30 pm on April 23, she was outside her shack fetching water when she heard gunshots. She was unaware that she had been shot until she noticed blood coming from her eye. Her neighbor rushed her to a clinic, and she was then referred to Groote Schuur Hospital, where doctors informed her that her eye could not be saved. Gijana filed a complaint with the police station and IPID, but as of the report in 2020, she had not received any updates on her case, despite her attempts to follow up (Nocuze, 2020).

The July unrest in South Africa refers to the violent riots and protests that erupted in 2021 following the arrest of former President Jacob Zuma for contempt of court. In response to Zuma's arrest, individuals in Gauteng and Kwa-Zulu-Natal engaged in widespread looting and destruction of property, prompting police to use rubber bullets in an attempt to disperse the crowds. A press report highlighted the impact of rubber bullet injuries during the July 2021 unrest, focusing on cases treated at a Johannesburg Clinic.

According to the report, a doctor mentioned that during a single shift, they had treated between 20 and 30 patients with rubber bullet injuries, including two cases that resulted in the loss of an eye (Smillie, 2021).

Multiple media reports corroborate the findings in this article that rubber bullet-related eye injuries are a frequent occurrence during South African protests. Despite the lack of a comprehensive data collection system, these media reports also show how excessive force by police often result in various types of injuries.

Discussion of the key findings:

These case studies, taken in conjunction with the work of Lancaster (2016), show that protests are common in South Africa, often stemming from demands for basic human rights such as affordable education and access to clean water. In many cases, protests are not the first course of action for individuals (Langa & von Holdt, 2012). Rather, they are often seen as a last resort when communities feel that their concerns have not been addressed through democratic processes like consulting with local government or other relevant institutions. Research suggests that peaceful protests are often held without receiving media coverage (Duncan, 2016), and it appears that the government may be more likely to respond when protests are highly visible and disruptive.

Von Holdt (2014) has characterised South Africa's democracy as violent with a tendency for the state to respond to protests with repressive measures, rather than addressing the underlying issues that lead to discontent. This use of state violence is often seen as a means of delegitimizing protesters and their demands. The case studies presented here highlight the fact that protesters and bystanders can suffer serious eye injuries and long-lasting psychological effects from the use of rubber bullets, and that access to medical, psychosocial, and legal services is not readily available. These consequences are often overlooked or ignored, leaving the victims without the support they need to heal and seek justice.

Access to health facilities

The protesters and bystanders who were injured after being shot by the police required urgent medical attention, but unfortunately, the public healthcare system in South Africa is already strained due to the high demand for services related to HIV, diabetes, hypertension, and other health conditions (Achoki et al., 2022; Mayosi et al., 2009). Many South Africans rely on public hospitals for medical care, especially those who do not have access to private medical aid. In the case studies presented here, it

was evident that the injured individuals required specialist care, particularly from eye specialists.

Unfortunately, accessing specialist care in public hospitals can be challenging due to long waiting lists, which can be as long as a year or more for an appointment. In cases where patients have suffered eye injuries from rubber bullets, a timely response is crucial to prevent permanent blindness. A concerning aspect revealed in this article is that many victims suffering from eye injuries have been unable to access specialized medical care. This lack of proper treatment by ophthalmologists may lead to potentially irreversible damage, resulting in long-lasting vision impairment, which means this lack of access must be addressed urgently.

Access to psychosocial services

Beyond the physical injuries inflicted, the incidents discussed in the case studies had profound psychological implications for the victims. Comprehensive psychological assessments conducted on the patients revealed a prevalence of severe symptoms related to major depression, anxiety, and post-traumatic stress disorder (PTSD). These findings are consistent with other studies that have highlighted the strong link between rubber bullet eye injuries and psychological trauma (Çelebi, Adam-Troian, & Mahfud, 2022). Unfortunately, access to psychological services is limited in South Africa, with many people lacking access due to a lack of resources and geographical barriers (Docrat, Besada & Lund, 2019; Pillay, 2019). These long-lasting effects underscore the need for greater attention to the psychological impact of these incidents and the importance of ensuring access to psychological services for those affected.

During student protests, the Centre for the Study of Violence and Reconciliation (CSVR), a non-governmental organization founded in 1989, working across a multi-disciplinary team to prevent violence, address its effects, and build sustainable peace through various programmes, provided support by facilitating a trauma debriefing session for twelve protest leaders, aimed at addressing the emotional impact of the violence they experienced and offering strategies for self-care.

Individual counselling sessions were offered to the students, but this option was not utilized due to the ongoing volatility of the situation during the protest period from September to October 2016. Additionally, after the protest, the students' focus shifted to their upcoming exams. They were reluctant to use the university's student counselling services as they associated them with the university administration, which they saw as complicit in the police's use of violence against them. The students also expressed mistrust towards mental health workers affiliated with the university, as some of their student lead-

ers and peers had been suspended for their involvement in the protest. A study by Greeff, Mostert, Kahl, and Jonker (2021) found that the traumatic experiences of the protesting students, including those who were injured, remained unresolved as the university's support structures were inadequate to address their mental health needs.

Pursuit of justice through legal processes

Accessing legal services to seek justice can be a challenging process, particularly when it comes to filing complaints against the police. The procedure requires complainants to go to a police station to open a criminal case, but this can often be an obstacle as police may be reluctant to help with cases against their colleagues. Additionally, there have been reports of a mentality of 'brotherhood', or peer-solidarity, within the police that tacitly condones the use of force against protesters, who are sometimes labelled as troublemakers (Mkhize, 2016). Complainants have also reported experiencing threats and intimidation when attempting to file criminal cases, leading many to refrain from reporting their cases out of fear. These barriers can make it difficult for individuals to seek legal recourse and hold those responsible for misconduct accountable, which can be a significant obstacle in obtaining justice.

Those who manage to file a criminal case must then take the next step of reporting it to the Independent Police Investigative Directorate (IPID), which is legally mandated to investigate and prosecute any police officer accused of misconduct. However, the effectiveness and independence of IPID in investigating and prosecuting these cases have been called into question (Langa, 2014). Police officers found guilty of misconduct are often given light punishments such as written warnings, even in severe cases of murder or torture (Langa, 2014). The odds of success in pursuing criminal cases against police officers are slim, as evidenced by the acquittal of police officers who were captured on video using rubber bullets that killed Andries Tatane, despite clear evidence that he did not pose any threat. This case highlights the difficulties of holding police officers accountable for their use of rubber bullets.

One of the most common remedies available to complainants is pursuing civil claims against the police, as the requirements for these types of cases are less stringent than for criminal cases. To initiate a civil claim, complainants must submit a letter of demand to the Minister of Police along with an affidavit detailing the alleged abuse. The Minister, through the Office of the Attorney General, may choose to defend the case or not. In many instances, the police settle these cases without contesting them. However, the process of pursuing civil claims can be lengthy and time-consuming, as it involves

a significant amount of paperwork and communication between lawyers and the state attorney. On average, it may take anywhere from five to eight years before a case is resolved through this process.

Many complainants are poor and as a result, they cannot afford legal fees associated with this process. There are few human rights organisations as compared to apartheid years where many people were willing to assist individuals pursue such cases. SERI as mentioned earlier through its publication of *Double Harm* report (documenting injuries that students suffered during their protest at Wits) remains as a major human rights organisation which is trying its level best to hold police accountable for their actions of violating protestors rights (Rayner, Baldwin- Ragaven, and Naidoo, 2017). Over the years, SERI has advocated for the rights of victims of police violence, including their well-known legal representation of families of the Marikana massacre where 34 protesting mineworkers were killed by the police in 2012. With regards to the Wits University students' protest, SERI worked closely with other human rights lawyers to legally represent students who were detained during protests and represented the students in their High Court application to interdict the university for proceeding with exams. This litigation work is emotionally highly costly as lawyers often receive death threats for pursuing these cases.

In two recent cases, the Minister of Police was held liable for damages suffered by the plaintiff, Ms Tinny Nkoane, who lost her left eye after being hit by a rubber bullet during a community protest in Botshabelo, Free State (*Nkoane v Minister of Police* (3920/2020) [2023]). In another case, the Minister of Police was also held liable for the injuries suffered by Ms Nomsa Dyibishe after she was shot by the police with rubber bullets (*Dyibishe v Minister of Police* (3050/2019) [2023]). In both cases, both Ms Nkoane and Ms Dyibishe were shot with rubber bullets during protest actions, although they were not part of any protest. These cases serve as a precedent for acknowledging the validity of individual claims for damages resulting from injuries caused by police actions rubber bullets. The compensation in these cases encompassed the pain and suffering due to the injury, as well as current and future medical expenses related to the injuries (including eyes), along with psychological trauma. Nevertheless, it was evident that seeking justice through these cases was challenging for victims, as police denied any responsibility. Ultimately, judges ruled that the police had acted disproportionately in their use of rubber bullets and awarded costs. In light of these cases, Minister of Police Bheki Cele acknowledged the urgent need to review the use of rubber bullets in crowd control management but admitted that an im-

mediate cessation of this was not feasible (Wicks, 2021). It was emphasized the necessity to revise the standard operating procedures governing their use during protests. At the time of this article's publication, these revised procedures had not yet been established. However, the severe health implications of rubber bullets make it abundantly clear that prompt action is required to address this issue and ensure the safety and well-being of individuals during protests.

Conclusion

The case studies raise concerns about potential violations of the basic rights of protesters and bystanders. The use of rubber bullets by the police in many instances appears to have been disproportionate. Many protesters did not appear to pose a direct threat to the police, yet they were still targeted and injured. According to police guidelines, non-lethal methods should only be used in specific circumstances, such as when there is an imminent threat to public safety or when other methods have been exhausted. The incidents described raise questions about whether these criteria were met and whether the use of force was justified in each case. Police officers need to be continually trained in crowd control and those who use unlawfully use of excessive force should be held to account in both their professional and personal capacity through disciplinary actions, termination of service, or criminal charges, based on the severity of their offence. The capacity of institutions like the Independent Police Investigative Directorate (IPID) must be enhanced to effectively hold officers accountable and promote transparency within law enforcement agencies.

The eye injuries suffered by victims have proven to be highly traumatic and life-altering, as some individuals have experienced permanent vision loss. Compounding their struggles, many victims face limited access to essential medical services and legal assistance, which could help them pursue financial compensation for their eye injuries. Governments should offer free legal representation to victims seeking to file civil cases against police officers who use force unlawfully. This highlights the urgent need for improved resources and support systems to address the long-term consequences of the injuries suffered due to the use of KIPs. these devastating incidents during protests. It also offers opportunities to strengthen SAPS regulations, in particular National Instruction 4 of 2014, to ensure that the use of KIPs should be restricted to circumstances where a threat to life or a threat of serious injury exists, and where all other means to protect life have been exhausted; and to discontinue the practice of skip firing in the discharge of KIPS as it serves no utility, and increases the risk for indiscriminate use.

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Submitted 29th of Feb. 2024
Accepted 27th of April 2024