



PROJECT:

SELF-DEFENCE

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An attack against which action is taken in self-defence must meet the following requirements:

- The attack must be in response to an illegal act.
- The attack must be directed against a person's life, bodily integrity (including sexual integrity, or prevention of rape), or property.
- The attack must have already begun or been imminent but not already over.
- If a robber is scared off during the attack and *runs away*, a person acts outside the limits of self-defence if he were to shoot or kill the robber while the robber no longer creates an act of imminent danger.

WARNING SHOTS:

- No law or regulation compels one to fire a warning shot.
- However, a warning shot at an assailant or fugitive can count in your favour regarding a court case.
- The purpose of a warning shot is to make the assailant or criminal abandon his evil intentions, convince a fugitive to surrender himself and confirm to the attacker that a firearm will be used if the crime or attack continues.
- A warning shot has several practical implications.
 - It sends a message that the next shot could be fatal; it can give the fugitive enough time to escape and put other people out of danger.
 - The attacker may continue to charge or shoot even after a warning shot has been fired.
 - A warning shot can betray your position, making it possible for you to become the target of other criminals.
 - In the case of a burglar inside the home, a trespasser inside the security fence, or a stranger on the premises who does not heed a verbal warning or warning shot.

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- In that case, there is good reason to think beyond a reasonable doubt that the warning shot did not achieve the desired effect or had no effect.
 - Attackers may initially flee after the warning shot but find cover to continue with the planned attack immediately afterwards.
 - From this, firearm owners must know how to act in a possible or probable danger situation and in a real danger situation.
 - A regulated procedure must be followed as soon as someone wants to defend themselves if their life or property is threatened, as a court will consider the defendant's actions after the incident.
 - Several self-defence situations are of such a nature that a *less* harmful self-defence action can have the same effect as a more harmful self-defence action.
 - The principle is clear that the defender must survive by acting reasonably within the limits of self-defence.
 - The actions of the defender must therefore be survival and court oriented, that is to say, to act in such a way that the self-defence actions in court are in his favour and can count.

DESIRABLE ACTION STEPS:

The following steps should be followed, depending on the circumstances, as soon as someone suspects that he may be in danger, such as when several strangers approach him on a farm:

- Summarize the situation and determine its degree of danger.
- If you genuinely believe that you are in immediate or imminent danger of your life and that shooting is the only safe way out, then the right of self-defence applies.
- If you do not feel badly threatened, try to scare off the attacker(s).
- If the strangers keep getting closer, make your intention audible by warning: "Stay still, or I'll shoot!".
- If the potential attacker(s) continues to approach with no indication from their side that the unlawful intentions have been abandoned, a warning shot can be fired, this confirms the seriousness that the firearm may be used.
- If the warning shot does not deter the attacker and you believe you are still in mortal danger, shoot the attacker in the leg.
- Physical pain and shock are effective deterrents.
- If the attacker still threatens your life even after the warning shot and the shot in the leg, you have the right to injure him further or fatally, depending on the circumstances.

The value of this process cannot be overemphasised - you need to act reasonably and always use the least harmful means and methods to repel the attack.

After following this procedure, the court will probably decide in favour of the defender.

- Situations may arise in which applying these steps is not feasible, such as when strangers approach a farmer and point firearms at him, or people are robbed inside their homes.
- In some instances, the danger that threatens can be so immediate that there is no time to warn the attacker verbally or to fire a warning shot or a shot in the leg.
- In such cases, you have the right to fire at the attacker to kill him or them immediately.
- This action can be taken in an emergency when you are in immediate and real danger of losing your life, and no other reasonable alternative exists.
- Finally, the following suggestions:
 - One cannot act out of necessity if the attacker flees.
 - Do not shoot a fugitive.
 - If a group of strangers approaches someone and one points a firearm, all are considered attackers unless they indicate that this is not the case.
 - A stranger on your property or your premises at night does not authorise one to shoot summarily.
 - If a person and his family can flee to escape the threat, that would be the best route to follow.
 - If it is too dangerous or impossible to flee, the person may protect himself and his family.
 - Summon your legal representative immediately after an emergency has occurred.
 - Leave the talking to your legal representative and make no statement to any other institution.
 - Beware of saying too much to other people.
 - There should never be an attempt to conceal or distort the evidence, for example, by putting a weapon in the deceased's hand or dragging him into the house from outside.
 - The Police have methods to investigate and determine the truth.

Killing a person is a serious matter.

Consider the matter well before purchasing or using a weapon. If an armed attack is aimed at you, do not hesitate - immediately use all necessary force to repel the attack.

Your first duty is to survive.

- In an emergency, a person defends himself against another person's unlawful (illegal) attack.

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- In certain circumstances, the defender may kill the attacker.
 - Emergency response is a defence that an accused usually raises in court; in other words, the person who used the violence is usually charged with murder, manslaughter, attempted murder, or assault, and he then raises the point that he acted in unavoidable self-defence.
 - Although he does not have to prove his defence, the following rules must be met:
 - It must be a response to an illegal attack.
 - He is not entitled to defend himself by force against a lawful attack.
 - A defendant may not resist a police officer who lawfully arrests him.
 - The attack must be directed against his life, or another person's life, or property.
 - Although he may protect his property and kill a person in these circumstances, the courts usually look to the value of the protected property to decide whether the act was reasonable.
 - The attack must have already started or been imminent but not already over.
 - If he acts against a person after the attack, he acts in retaliation, which is not allowed.
 - Similarly, he cannot use violence if he knows there is an intention from the attacker to attack him later.
 - The law expects him to use other means, such as contacting the Police.
 - The attack does not have to be aimed at the defender himself. He can therefore protect the life or property of another person as well.
 - The defence must be directed against the attacker.
 - If A attacks you, you must not injure or kill B.
 - Defensive action must be necessary to repel the attack.
 - If other, less harmful methods exist to repel the attack, these should be used instead.
 - For example, if a landlord wants to evict a tenant unlawfully, the tenant should not use violence against the landlord; he should obtain a court order prohibiting the landlord from evicting him.
 - The defensive action must not be more harmful than necessary to repel the attack.
 - For example, if the attacker slaps him, the defender may not pull out a firearm and shoot the attacker. (This will, of course, make a difference if the defender is a weak person in a wheelchair and the attacker is a powerful person who could potentially kill someone with such a blow.)
 - Likewise, a woman may be able to defend herself with a weapon against a physical attack by a man.
 - If the attacker were armed during the attack, the court would usually grant the defender that he could defend himself with a weapon.
 - If the defender exceeds the limits of self-defence, he himself becomes the attacker, and the court will punish him for it.

INJURY OR DEATH DURING ARREST:

- Anyone has the power to arrest a person who commits or is suspected of having committed a crime (mentioned in the First Schedule to the Criminal Procedure Act) in his presence.

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- These crimes include the following:
 - treason,
 - murder,
 - culpable homicide,
 - rape,
 - indecent assault,
 - robbery,
 - assault causing grievous bodily harm,
 - arson,
 - burglary with intent to commit a felony,
 - theft,
 - forgery,
 - fraud and
 - escape.
 - If such a person escapes or resists the arrest, the necessary force may be used to re-arrest the fugitive or bring the person who resists under control.
 - Should the suspect be killed in the circumstances, the courts will consider it as justifiable homicide.
 - The person who invokes this defence must prove the following:
 - That he attempted to arrest the suspect for a crime mentioned in the First Schedule.
 - That the crime was committed in his presence or that the suspect could reasonably be suspected of having committed the crime.
 - That the suspect resisted.
 - That the arrester could not re-arrest or restrain the suspect in any way other than by killing him.
 - The law requires the arrester to warn the fugitive and, if possible and safe, even fire warning shots.
 - If the court finds that the arrester used too much or unnecessary force, he will be found guilty of murder, manslaughter, or assault.

From the foregoing, it is clear that a person may not use violence simply because someone steals your property or is even in your home. Should you attempt to arrest the burglar and he tries to attack you, you will be entitled to use the necessary force.

**CONTACT MR MIKE BOLHUIS FOR ADVICE,
RECOMMENDATIONS, SECURITY, PROTECTION,
OR AN INVESTIGATION IF NEEDED.**

**ALL INFORMATION WILL BE TREATED WITH THE
UTMOST PRIVACY AND CONFIDENTIALITY.**

FORWARD THIS DOCUMENT TO EVERYBODY.

Regards,

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EXTREMELY IMPORTANT: All potential clients need to be aware that owing to the nature of our work as specialist investigators there are people who have been caught on the wrong side of the law - who are trying to discredit me - Mike Bolhuis and my organisation Specialised Security Services - to get themselves off the hook.

This retaliation happens on social media and creates doubt about our integrity and ability. Doubt created on social media platforms is both unwarranted and untrue.

We strongly recommend that you make up your minds concerning me and our organisation only after considering all the factual information - to the exclusion of hearsay and assumptions.

Furthermore, you are welcome to address your concerns directly with me should you still be unsatisfied with your conclusions. While the internet provides a lot of valuable information, it is also a platform that distributes a lot of false information. The distribution of false information, fake news, slander and hate speech constitutes a crime that can be prosecuted by law. Your own research discretion and discernment are imperative when choosing what and what not to believe.

STANDARD RULES APPLY: Upon appointment, we require a formal mandate with detailed instructions. Please take note that should you not make use of our services – you may not under any circumstance use my name or the name of my organisation as a means to achieve whatever end.

POPI ACT 4 of 2013 South Africa: Mike Bolhuis' "Specialised Security Services" falls under Section 6 of the act. Read more here: <https://mikebolhuis.co.za/popi-act-4-of-2013-section-6-mike-bolhuis/>

SSS TASK TEAM:

<https://mikebh.link/Task-Team-2023>



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