



Email: manager@chasa.co.za

Website: www.chasa.co.za

Proposed Firearm Amnesty – Latest Developments 16 Feb 2018

The SAPS have made various ill-conceived attempts during last year to “spring” an amnesty on the public. At least three appearances and presentations were done to the Parliamentary Portfolio Committee for Police (PPCP) and even one attempt to “sneak” it through the National Council of Provinces, rather than as legislated, through the National Assembly. CHASA CEO Stephen Palos was invited to present at the first appearance and pointed out some serious concerns as well as the total lack of consultation with firearm ownership stakeholders.

It now appears that a somewhat more polished version was presented again to the PPCP this past Wednesday, 14 Feb. It also appears that the PPCP have agreed with this one in principal, and the proposed dates are from 1 June to 30 November 2018.

There has already been some public, and social media noise about this amnesty, with some organisations vehemently against it and others seeing possible benefit, particularly for people with expired licences. CHASA would still urge caution however, and as such, would take a stand against this amnesty as things stand. The main reason for this is that although SAPS now are following a parliamentary procedurally correct process, hence the PPCP being satisfied, all of the original concerns remain and still no consultation with firearm ownership stakeholders has occurred.

Problems include:

- Failures of the previous amnesties, particularly with regard firearms being illegally filtered back into criminal hands. SAPS is NOT a fundamentally better institution yet, so as to ensure this won't again happen.
- SAPS admitted that NO direct criminal case resulted from the many thousands of previous firearms handed in, yet still want to ballistically test every handed in firearm, INCLUDING those for expired licences where the individual wishes to re-apply.
- SAPS has not shown any consultation with the National Prosecuting Authority to ensure this amnesty does not allow serious criminals to slip through the nets such as for organised crime/gangsterism or wildlife crime.

- No clear directive is shown for how a person handing in an expired licence firearm will not be refused his renewal on the grounds that allowing the expiry is a “criminal” offence, thus rendering him/her now unfit to own a firearm.
- SAPS have still not rectified administrative and service related deficiencies within the Central Firearms Registry. Nor is there integrity in their database and records.
- The draft amendments to the Firearm Control Act have appeared to have totally disappeared and until these are back on line an amnesty is premature.

The reason behind SAPS’ urgency with this amnesty remains for us a mystery as does their steadfast refusal to talk in good faith to recognised stakeholders about it. Those with expired licences are anxiously awaiting the judgement from the Constitutional Court in the matter relating to the whole renewal process, and it is pointless to give further advice to our members relating to this proposed amnesty until such judgement is known. Depending on that outcome, we shall also determine whether another approach either to SAPS or the PPCP is in order. By then, there should also be some clarity and stability in the political leadership of the country, including in SAPS. We will inform you further as such information comes to light.

Stephen Palos

CEO - CHASA