

MEDIA STATEMENT
FIREARMS CONTROL AMENDMENT BILL, 2021

TO: Media and Citizens

DATE: 25 June 2021

“Following the publication of the Firearms Control Amendment Bill on 21 May 2021, the Civilian Secretariat Police Service received a number of requests for information with particular interest in the Witwatersrand School of Governance (WSG) of 2015 and the Firearms Committee Research Reports of 2016 which formed the basis of the amendments.

Some of the requests were through the Promotion of Access to Information Act, 2000 (PAIA) applications and some were not. As a result, a decision has been taken to make these Research Reports available in the spirit of fairness and transparency. Therefore, all members of the public who are interested can have proper insight into the Research Reports and provide informed comments into the strengthening of the Bill. It should be noted that these Research Reports were not the only source of information which informed the provisions of the amendments, but consideration of the Crime statistics was utilised as well. The Crime Statistics are readily available on the South African Police Service (SAPS) Website.

As part of the review of the Firearms Control Amendment Bill, 2021, an analytical study by the WSG was commissioned which studied the effect of the Firearms Control Act on crime. The report focused on the period between the years 2000 to 2014. The WSG Report, is based on statistics, not only provided by the SAPS, but also independently researched and cross checked against other data and confirmed by the WSG. It should be kept in mind that both the WSG and Firearms Committee Research Reports were intended to guide the process of the review of the Firearms Control Act, 2000.

The WSG study was used in developing a policy report by a Committee appointed by the then Minister of Police in 2016. This policy report was considered in the drafting of the Firearms Control Amendment Bill, 2021.

Over and above the WSG and Firearms Committee Policy report, there were further policy decisions made in the course of the approval by Cabinet of the Bill for publication for public comments in view of the fact that the said reports were dated at the time of approval of the Bill for public comments.

The spike in the use of firearms in violent crimes, such as murder with legal firearms, was taken into account. The SAPS statistics show that an increase in the use of firearms to commit murder. For the periods, 2017/18, 6 551 firearms were used to commit murder, while in 2018/2019, 7 156 firearms were used in murders, and 7 351 firearms were used in murders in 2019/2020. During the 2018/2019 financial year, state mortuaries in Gauteng alone recorded 2416 gunshot deaths.

The use of firearms in self-defence by private citizens is extremely rare. More firearms are stolen each year than are used in self-defence. There is sufficient evidence across the world that the presence and availability of firearms (in particular handguns) contribute to higher levels of violent crime. In Australia, licence holders must demonstrate a "genuine reason" (which does not include self-defence) for holding a firearm licence. In Japan where handguns are banned outright, in 2017 there was only one death as a result of a firearm, whereas in the UK for the same period there were only 107 deaths as a result of a firearm.

In 2019/20, 3 861 legal firearms were used to commit crimes overall, while 4 176 illegal firearms were used in the same categories of crimes. These figures demonstrate that both the illegal and legal pools contribute to crimes.

As a responsible government, we cannot ignore what the statistics are saying, it is clear that firearms are a major contributor to crimes.

The research considered and policy used in the development of legislation are deemed important and the two reports are made available to the public, trusting that it will assist the public debate and elicit comments on the Bill.

In the normal course of promoting legislation, the Bill will, once it has been finalised after the public comments period be submitted to Cabinet for approval for introduction to Parliament. Parliament will then again publish the Bill and convene public hearings on the Bill.”

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