

Simpler, better, faster

Review of the 2005 firearms amnesty

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On 1 January 2005 the South African government launched its most ambitious effort to remove surplus and unwanted guns and reduce the number of illegal guns in circulation in South Africa.¹ By 30 June, just over 100 000 firearms had been collected.² This paper reviews the process of the 2005 firearms amnesty with particular focus on station level; assesses the meaning and impact of the amnesty, examining the factors for success; and offers suggestions for consideration for future amnesties.

Contrary to popular belief that most of the guns collected during the six-month amnesty period were licensed weapons surrendered by legal gun holders, most of the firearms removed from circulation were illegal. Of the total of 100 006 firearms that were handed in, by definition 53 435 were illegal weapons. Of these, 33 823 were surrendered by people who were in 'unlawful possession' of the weapon, through negligence, such as failing to register the gun, or through having a 'deceased estate' firearm. Some were confiscated firearms that had been recovered at the scene of a crime during day-to-day police activities (17 665) or through special operations such as *Sethunya II* (1 947). The remaining 46 631 were registered weapons that were surrendered by licensed owners.

Considering the widespread loss and theft of firearms in South Africa and the use of guns in violent crime, the removal from circulation of over 100 000 guns represents a substantial victory in the fight against the use of guns in violent crime. Given the prevalence of the use of handguns in violent crime, the removal of over 70 000 revolvers and pistols is significant.

Background

The Firearms Control Act: A new national arms control framework

In October 2000, parliament passed the Firearms Control Act (no 60 of 2000), which replaced the Arms

and Ammunitions Act (1969), which had regulated civilian firearm ownership during the apartheid era and was restricted to whites only until the mid 1980s. A 1983 amendment made special provision for certain categories of black South Africans, such as police officers, to apply for individual gun licences.³

One of the primary aims of the Firearms Control Act (FCA) was to establish a comprehensive and effective system of arms control and management in order to monitor the supply, possession, safe storage, transfer and use of firearms and to detect the criminal or negligent use of weapons.⁴ The FCA significantly strengthened the regulation of possession and use of firearms. It expanded the criteria for obtaining a licence, for example raising the age from 16 to 21 years and requiring a competency certificate; it increased administrative controls, for example establishing a system of regular licence renewals; and it imposed stricter penalties, for example 25 years for the illegal possession of a firearm.

At the same time as the National Crime Prevention Strategy (NCPS) was developed, which identified addressing serious and violent crime as one of four priorities, the Ministry of Safety and Security put in place a comprehensive firearms control strategy that included a review of national firearms legislation.⁵ It took three years of consultation, collecting data, drawing on international expertise and intense public debate before the Firearms Control Bill was gazetted in December 1999. As with other legislation in the new democratic South Africa, it was subject to scrutiny by many interest groups within civil society including weapons dealers and owners as well as health professionals, violence prevention groups, human rights advocates and community-based organisations. After six weeks of public hearings and a further two weeks of committee deliberations, the bill was approved in late 2000. However, it took almost four years before it came into effect in July 2004. Six months later, in January 2005,

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the renewal process for all existing licensed firearms owners commenced together with the declaration of a three-month amnesty.

Diversion of civilian-owned firearms to illegal markets

Virtually every illegal firearm begins as a legal weapon. That is, it is legally manufactured and legally sold. In many countries, including South Africa, most firearms recovered in crime appear to have been legally owned in the past by states or civilians. Globally, the diversion of firearms from their legal owners, often through loss and theft, contributes significantly to the illegal pool of firearms (CHD 2005:13–25). In South Africa, the single largest source of illegal firearms constitutes loss and theft from civilian owners (Chetty 2000:45). Annually an average of 20 000 guns are stolen from civilians, most of which are handguns (Gould and Lamb 2004). In addition, between 1990 and 2002, an estimated 16 893 police firearms were lost or stolen, and 1 759 firearms were stolen from the South African National Defence Force (SANDF) (Gould and Lamb 2004).

Worldwide there are more small arms in the hands of civilians than in state agencies. The Small Arms Survey (2001) estimates that more than 60 per cent of the global stockpile of 640 million guns are in the possession of civilians. As one example, South African civilians have more than six times as many guns as the police and the military (Gould and Lamb).⁶

Any effort aimed at preventing the diversion of legal guns into the illegal market and controlling the illegal trade in small arms must therefore include initiatives to strengthen controls over civilian possession, to improve stockpile management, and to restrict the types of firearms that are owned.

Why firearm amnesties?

Given the link between the legal and illegal markets, firearm amnesties are viewed by most governments as tools to control the legal and illegal pool of guns, and have been used around the world for this purpose. Amnesties help to reduce or dispose of illegal firearms and superfluous guns, such as old stock held by the military or the police.

Although the primary objective of an amnesty is to recover illegal guns, a second important objective may be to provide firearm owners with an opportunity to hand in unwanted licensed firearms. These are sometimes called voluntary weapons collection programmes and may take the form of gun buy-back schemes or exchange programmes. These weapons

collection programmes have been used successfully in a variety of situations: UN peace operations in post-conflict countries such as Sierra Leone and the Solomon Islands; in inner city and rural town operations in the US; in the collection weapons that were banned under new legislation in Australia; and as part of the implementation of new firearms legislation in South Africa and Brazil.

In addition to these key objectives, experience shows that amnesties can achieve much more than merely remove illegal guns from circulation. This includes:

- Raising public awareness about the need to prevent gun violence
- Creating a climate to assist the implementation of new firearms legislation
- Providing an opportunity for the voluntary surrender of licensed guns that are no longer needed or wanted
- Improving community-police relations and building partnerships with civil society organisations

Amnesties in South Africa

Several amnesties have been held in South Africa since 1990. The first national amnesty was held over a period of three days during the negotiated settlement (1990–1994).⁷

On 16 December 1994, a 24-hour national firearms amnesty, initiated by civil society through the Gun Free South Africa Campaign, resulted in the collection of almost 900 weapons. This blanket amnesty included the public destruction of guns as they were handed in, mostly at churches and mosques.

Despite the limited number of guns that were received, the amnesty's most significant impact was to put the issue of gun control on the political agenda.

The FCA gives the minister the power to declare an amnesty via a notice in the *Government Gazette* and with the approval of parliament. The act defines amnesty as 'indemnity against prosecution for the unlawful possession of a firearm or ammunition'. The law also allows the minister to impose certain conditions during an amnesty such as the ballistic testing of any firearm handed in, which can result in prosecution if the firearm is linked to a crime. Although the term 'amnesty' may imply anonymity and exemption from prosecution, this is not always the case. In Brazil, however, blanket amnesties have been declared, which means that identifying information such as name or physical address is not required and there is no ballistic testing of weapons handed in.

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illegal pool of guns

In late 2004, the Minister of Safety and Security announced a three-month amnesty from 1 January to 31 March 2005 – the first amnesty held under the FCA. On 1 April the amnesty was extended for a further three months to the end of June 2005.

Analysis of data

Methodology

The initial review of the first three months of the 2005 amnesty (Kirsten 2005) concentrated on the national strategy, including official documents, perspectives and results. This in-depth assessment of the six-month period of the amnesty focuses more on the experiences and perspectives of SAPS officers at station level and senior personnel at provincial level. At national level, semi-structured interviews were held with senior staff at the Central Firearms Register (CFR) and the South African Police Services (SAPS) Communications Department. Three to four police stations were visited, and clerks, heads of crime prevention or designated firearms officers (DFOs) across three provinces, namely Gauteng, Western Cape and KwaZulu-Natal (KZN), were interviewed. In each of these provinces provincial firearm heads were interviewed, including several senior officers in provincial offices.⁸ The criteria for choosing the police stations included location, demographics, number of firearms handed in and high to moderate crime levels.

The views of civil society were also sought, including sections of the gun-owning fraternity and Gun Free South Africa (GFSA).⁹

Strategic contradictions?

It is clear from the official SAPS documents and from the interviews with the SAPS officers that the 2005 firearms amnesty was not a 'stand alone' initiative by the South African government to reduce the circulation of illegal weapons in the country, but formed part of a broader arms control strategy, which included the implementation of the act. One of the priorities of the SAPS's five-pillar strategy for combating the proliferation of firearms is to reduce and eradicate the illegal pool of guns and criminal use of firearms.¹⁰ Operation Sethunya – the largest-ever police effort to stem the proliferation of illegal firearms – was one of the mechanisms for dealing with this problem (Meek and Stott 2004). Sethunya II was initiated in conjunction with the extension of the amnesty on 1 April 2005, and weapons recovered from this operation are included in the final total. Another priority is stricter control over civilian ownership of firearms, which is achieved primarily through the FCA.

Despite the understanding at senior level within the SAPS that the amnesty was more than merely another tool to address the problem of illegal weapons, the dual objective of removing illegal guns and supporting the implementation of the new firearms legislation was poorly communicated internally and to the public, leading to confusion, particularly at station level. This may be seen as a strategic contradiction, because that is how it was perceived at station level and reinforced in statements to the media by public spokespersons of the SAPS and the minister's office. For example, when the minister came under pressure from various quarters to explain why licensed gun owners were handing in their weapons as part of the amnesty effort, his office failed to articulate the purposes clearly enough, claiming that the primary purpose was to remove illegal guns. This reinforced the views within the public and at station level that there was a contradiction between what was said and what was happening: a similar number of legal and illegal guns were being handed in.

Although the dual purpose contributed to the success of the amnesty, resulting in the surrender of a significant number of guns, the key question is whether the apparent strategic contradictions made any difference. Did they in any way hinder the number of guns that could have been recovered? The majority of police officers at station level agreed that the dual purpose of the amnesty (and more importantly the dual messaging and poor communications) created unnecessary obstacles and confusion – both for the police and for the target audience. The paper will show how this view is confirmed by almost all interviewees, from officers in township police stations to criminals and licensed gun owners.

It is impossible to predict whether more guns would have been recovered if this dual purpose had been understood. However, it is possible through the interviews to show that the apparent strategic contradictions did have a negative impact on key constituencies. For example, police officers reported that criminals did not see the amnesty as being directed at them because there were no incentives and the conditions were too tough: names, addresses and identity numbers (ID) were required, plus ballistic testing, which could mean prosecution.

In addition, perhaps one of the most significant constituencies comprises SAPS officers at station level. They are key role players in making the amnesty a success. Not enough attention was paid to ensuring that these officers clearly understood the dual objectives.

The 2005 firearms amnesty was not a 'stand alone' initiative

Factors for success

Experience internationally and in South Africa has demonstrated that several key factors contribute to the success of an amnesty. These include duration and timing, conditions for amnesty, location of hand-in points, clarity on objectives, communication and publicity, incentives, and internal organisational planning and capacity (Kirsten 2005; Meek 1998). In addition, the socio-political climate in which a declaration of amnesty occurs is critical to its success or failure. For amnesties to be successful they need to be seen as integral to a comprehensive firearms control strategy and therefore must be conducted in conjunction with other activities such as regional cooperation initiatives, search and seizure operations, and the implementation of new legislation. Finally, they are most effective when the police work closely with community leaders and structures to make sure that everyone is involved in making the amnesty a success.

Some of the potential factors for success, such as communications and logistics in particular, may have been adversely affected by the broader challenges faced by the SAPS such as the lack of institutional capacity and political responsiveness to new ideas. In addition, the SAPS is a large and unwieldy state bureaucracy which has been the focus of transformation efforts, albeit with limited success.

This chapter will look at some of these factors in more detail.

Objectives of the 2005 firearms amnesty

The primary objective of the amnesty was articulated in official internal documents and in the *Government Gazette* as 'removing illegal guns from circulation'.¹¹ This was the principal message conveyed to SAPS officers at provincial and station level, and was confirmed by most senior officers who were interviewed at national and provincial level. The second objective – supporting the implementation of the FCA – was communicated chiefly through the materials that were produced, the main focus being on the FCA rather than the amnesty. Only one pamphlet explained the amnesty process and how to hand in an illegal gun; the other materials focused on the FCA. At station level, the general view was that these two objectives were not clearly articulated, leaving many officers confused about the real purpose of the amnesty. The official internal and external communications emphasised the recovery of illegal guns, yet the materials emphasised the implementation of the FCA, in particular the renewals process.

Two views were expressed across all stations that differed from the perceptions and understanding at national level:

- *The gap between the stated objective and the means used to achieve it*

For most officers at station level, and some senior officers at provincial level, the conditions of the 2005 amnesty were a major obstacle to getting the 'real' illegal weapons off the streets, that is, guns used for criminal purposes.¹² The 2005 amnesty was described as 'selective and incomplete'.¹³ Bearing in mind the emphasis on recovering illegal weapons, most SAPS officers felt that 'unlawful possession' of firearms did not fall into the category of 'illegal', though they recognised that these firearms are technically illegal and may readily enter the illegal market.

The major constraints to recovering more illegal guns were identified as:

- No blanket amnesty
- Identifying information being required from applicants
- The threat of prosecution through ballistics testing
- No incentives for surrendering an illegal gun or reporting it
- Poor or insufficient community-based partnerships in order to target key constituencies more effectively
- Too much paper work

- *Gap between stated objective and results*

Although most interviewees understood the primary stated objective to be 'the removal of illegal guns', they felt there was a gap between what was communicated and the results. The perception of the majority of officers who received or processed weapons was that the guns belonged to legal owners – either as legal guns that were surrendered by a licensed holder or as guns that were in unlawful possession. Although most officers understood that, in terms of the law, the latter were illegal weapons, they did not regard them as such because it was very unlikely that they had been used to commit violent crimes.

Officers expressed frustration that more guns had not been surrendered and specifically that they did not get more guns from criminals. So, although they liked the results, they were not satisfied with the means of getting there.

Many described this as a contradiction between what they saw at station level and what was communicated in the public domain. This led several officers to regard the amnesty as not having achieved its objective, that is, the removal of illegal guns. These different understandings and perceptions of the definition of 'illegal' – one informed primarily by the technical legal term as

defined in the act, and the other by experience as a law enforcement agent at station level – fundamentally influenced officers’ experience and understanding of the amnesty and their views on whether it had been a success. Another example was the different understandings of the purpose of a firearms amnesty – from a narrow definition of aiming only at illegal guns to one that includes a broad range of objectives, of which only one is removing illegal guns from circulation. These differences contributed to the apparent strategic contradictions being exacerbated rather than weakened or ignored.

Categorisation of recovered weapons

It is important to pay some attention to definitions because the research shows that much of the confusion over the purpose of the amnesty, and therefore its impact, was reinforced by officers’ perceptions of the definitions of terms as inaccurate or irrelevant. The SAPS did take remedial action during the extension period by altering the categorisation of weapons – in part to be more accurate, but also to include weapons recovered in Sethunya II operations.

All weapons collected under the amnesty were sorted into three main categories:

- *Confiscated*: This referred to any firearm or ammunition that is confiscated by the SAPS during day-to-day police activities and operations
- *Amnesty*: This category consists of weapons and ammunition that are deemed illegal under the new act and are surrendered voluntarily. These may include guns from deceased estates, and firearms (licensed or unlicensed) used to commit a crime
- *Voluntary*: This referred to the handing in of any licensed firearm or ammunition permitted under the licence

The primary objective of the amnesty was to remove illegal guns from circulation. The first two categories fall under that definition, although with different meanings. ‘Confiscated’ refers to firearms that were recovered from a crime scene during the amnesty period or from information about where a gun was to be found. In all of these cases, it was assumed that these guns had been used for criminal purposes. ‘Amnesty’ refers to guns handed in by persons in ‘unlawful possession’ of the weapon, who were using the amnesty to avoid prosecution. This could mean failure to register an inherited gun, possession of a firearm from a deceased estate, and keeping a gun safe for a friend, and therefore included guns that might have been used in a crime.

A second, but equally important objective was to provide firearm owners with the opportunity to hand in unwanted licensed firearms.¹⁴ This covers weapons categorised under the term ‘Voluntary’.

Although the classification seems clear, many officers reported difficulties in categorising recovered weapons. Most officers questioned why licensed weapons that were handed in and classified as voluntary were regarded as amnesty weapons. Their understanding is (and correctly so) that these guns could be handed in at any time, and the amnesty did not make any material difference. This is of course true but, although this is a valid point, it demonstrates a narrow view of what can be achieved through an amnesty. It also shows a lack of understanding of the explicit link between the amnesty and the implementation of the FCA, in particular the phasing in of the first renewal process. Despite their dissatisfaction at this category being included in the total amnesty figures, there was consensus that it had resulted in thousands of unwanted guns being taken out of circulation.

In addition, officers felt that the confiscation of weapons by the police during the amnesty period was part of ongoing operations and would have been done irrespective of the amnesty.

In reviewing the objectives of the amnesty against the results, it is clear that the two main objectives had been achieved. However, this was not always clear to officers at station level, resulting in uneven perceptions as to whether the amnesty had been a success.

Amnesty conditions

Although most officers at station level strongly supported a blanket amnesty, there was some appreciation of the tension between a blanket amnesty and the need to close a docket, such as a murder case. The tension arose between two competing objectives: removing illegal guns as effectively and efficiently as possible (which a full amnesty would achieve) and, as law enforcement officers, solving a crime, therefore not wanting to destroy evidence. Placing conditions such as ballistic testing on an amnesty – which arouses fear of prosecution – will automatically exclude certain people from participating. The government’s decision not to provide a blanket amnesty was based on a legal review by state law advisers, as well as concern that criminals might be seen to be ‘getting off the hook’ if weapons were not tested. Declaring a blanket amnesty might have exacerbated the public perception that government is ‘soft on crime’.

So although most officers saw the final results as a success, some argued that if there had been a blanket

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amnesty, the police would have doubled or even trebled the final numbers of weapons. There is no easy answer to this dilemma. However, in future amnesties, government will need to grapple with this issue and make its decision according to its strategic priorities.

In addition, most officers felt that the absence of any kind of incentive prevented criminals from handing in their weapons. They had many suggestions, ranging from community incentives such as building a peace park or health clinic to offering cash or skills training. Although there was no conclusion on what would be most effective, most officers recognised that incentives would have to be relevant and appropriate to the target constituency in their local context.

Duration and timing

Link between the FCA and the amnesty

The timing of the amnesty was not arbitrary, but was influenced by two key factors. In 2004, discussions in the SAPS and the Secretariat of Safety and Security led to the conclusion that the time was right because the firearms strategy adopted by government in 2000 was beginning to show results.¹⁵ Specifically, these included police initiatives such as Operation Sethunya and its integration into day-to-day police activities; the public destruction of recovered firearms; and the implementation of the FCA in July 2000.

In spite of the 'strategic contradictions', the declaration of the 2005 amnesty during the first phase of the implementation of the new FCA contributed significantly to its success. People could hand in weapons that would become illegal under the new act; those who had not complied under the old act (such as failing to register an inherited firearm) and those who did not want to renew their licences could dispose of their weapons. This would decrease the administrative burden of the renewal process. This is not unique. In Brazil, for example, the government called a six-month amnesty in June 2004 as part of its implementation of new firearms legislation, which came into effect in December 2003.¹⁶

Almost all officers who were interviewed acknowledged that the amnesty was linked to the implementation of the act. Some saw the amnesty as providing the SAPS with an opportunity to raise awareness about the act, in particular the need to comply with the renewal process. Others reported that because the FCA is much stricter than the old Arms and Ammunition Act, it may serve as a disincentive to own a gun, and the amnesty therefore gave legal gun owners an opportunity to

reconsider whether they wanted or needed their weapons. Almost all the SAPS communication about the amnesty included information about the new act with the emphasis on the renewal process. (This is expanded in the section on communications.) SAPS officers therefore understood that these two issues were integrated: the amnesty and the FCA.

However, the confusion arose when at national level the SAPS stressed that the recovery of illegal guns was the primary objective, but did not sufficiently acknowledge the second objective. This gave rise to feelings of despondency, confusion and disempowerment. What officers saw in the materials they received, as well as in the guns that came in to the charge office, did not match what their leaders were saying.

The duration of the amnesty was a key element in its success. All previous amnesties in South Africa had taken place in less than a week, the shortest being 24 hours. This is insufficient time for people to decide to hand in their weapon(s). Evidence shows that time

is required to build momentum in an amnesty campaign, which includes peer pressure and regular reporting in the media. The 2005 amnesty demonstrated the importance of having a lengthy period in which guns can be handed in, combined with a comprehensive communications strategy. The decision to extend the amnesty because of public requests suggests that the original three-month timeframe may well have been too short.

Extending the amnesty

Hours after the deadline, the minister announced that the amnesty would be extended to 30 June 2005. Extending the amnesty for an additional three months was generally viewed as a positive intervention, with some variations, depending on the location of the station. In those stations that had received very few weapons, extending the amnesty made no or little difference and in some instances the extension was viewed as a sign that the SAPS had not obtained the numbers of weapons they had anticipated and therefore needed more time. The extension therefore was seen more as a political decision than an operational one. Others saw it as a sign that things were going well, and as confidence that more guns would be brought in.

Most felt that the extension was to be expected as a function of the South African malaise of 'waiting for the last minute', and many referred to the drivers' licence renewal process as an example of this malaise. Although most were not surprised, the majority of officers at station level heard about the extension

Holding the amnesty during the first phase of the implementation of the FCA contributed to its success



several days after it was announced publicly on Friday 1 April.

In the official announcement, government stated that the extension was in response to a public request for more time. The length of time is an important factor in creating a climate of trust between the police and the public, enabling an opportunity for dialogue, and allowing people to consider their options and decide how they will act or respond.

Logistics

The officers' experience of the logistics of implementing the amnesty was uneven across the stations. Some stations were organised with regard to taking their own initiative and having good communication and support at provincial level. Others would reveal only that an action plan had been in place and things had been 'okay'. Some were very critical, complaining of forms not being delivered on time, of being able to get them only on the SAPS intranet, and of general lack of planning. The officers' experiences also differed according to their location. At those stations where many guns were recovered, one of the problems was lack of space for storing the weapons safely and subsequently long delays in the weapons being removed for destruction. One station still had several thousand weapons in safe storage in May 2006, more than a year later.

A concern that was shared by the officers was the volume of paperwork, and all recommended a simplification of this process. The lack of safety procedures and equipment for handling firearms at the station was also disquieting. Some officers suggested using bullet traps or test tubes when dismantling a weapon. Firearms discharged accidentally, causing injury in several incidents.¹⁷

Civil society partnerships

Although the SAPS developed strong partnerships with the corporate business sector, they acknowledged that they had failed to develop any significant partnerships with civil society organisations, either at national level with bodies such as GFSA or the South African Gunowners Association (SAGA) or at local level with community-based organisations. If local level partnerships did develop, it was usually on the initiative of the local station commissioner or the head of crime prevention. Most officers were aware of the key constituencies that would need to be targeted in their areas in order to bring in more firearms. For example, in Manenberg, the most important group to target were gangsters, whereas in Rondebosch officers had to direct their activities at old people's homes and licensed gun owners who were

due for renewals. There was widespread agreement across all stakeholders that more had to be done to build partnerships with civil society organisations.

National communications strategy

The SAPS viewed communications as a priority, and a comprehensive strategy was developed at national level, with the emphasis on devolving authority and initiative to provincial and station levels. The aims of the strategy were:

- To inform the public about the amnesty and encourage them to hand in firearms
- To inform the public about the FCA with particular emphasis on responsible gun ownership and the requirements of the new act

The strategy had specific internal and external components. Although most communications were directed at the public, all police members had to be aware of the SAPS's goals in declaring an amnesty, and the need to reduce the circulation of firearms in the country.¹⁸ To this end, a leaflet explaining the purpose of and the procedures for the amnesty and the voluntary handing in of firearms was inserted into all 144 000 SAPS salary advice envelopes. There has been some recognition at senior level that insufficient communication was directed at senior personnel at provincial level and station commissioners, resulting in uneven buy-in at this level.¹⁹

Communicating with the public

The external communications strategy was extensive, and used a multi-media approach to meet its three objectives:

- To tell the public how to participate in the amnesty through distributing materials such as pamphlets, newspaper adverts and inserts in national newspapers
- To communicate with the public through a national call centre, which operated on a 24-hour basis and was able to give detailed information on each case
- To mobilise broad support for the amnesty and the vision of a safer South Africa through radio adverts, mobile billboards and T-shirts, caps and posters

In the first few weeks of 2005, double-page inserts were placed in popular magazines and newspapers such as *Huisgenoot*, *You*, *City Press* and *Rapport*. The insert combined information about the amnesty with useful details about the new act in the hope of encouraging people to use the amnesty to dispose of their illegal or unwanted firearms. Products such as T-shirts, caps, posters and pamphlets were aimed

More has to be done to build partnerships with civil society organisations

primarily at promoting the FCA. This was a deliberate strategy to ensure that some of the key messages communicated during the amnesty period – such as responsible firearm ownership – could be sustained afterwards, in support of the new legislation.

The SAPS also developed partnerships with key corporate institutions such as the SABC, Shoprite Checkers and Street Pole Ads, securing sponsorship at the same time as obtaining maximum coverage. Media coverage was most extensive on radio, which included adverts as well as frequent talk shows. Although the SABC was one of the main channels of communication, local community radio stations and independent stations were also used.

The national firearms call centre received between 500 and 1 000 calls a day, peaking in the last few days before the original 31 March deadline. This pattern continued throughout the three-month extension to the end of June 2005.²⁰

Key message

The key slogan of the amnesty campaign was 'Don't be caught in the crossfire ... be on the right side of the law!' This slogan had the double intention of targeting those with illegal guns and owners with firearms that in terms of the new act might put them 'on the wrong side' of the law.²¹

Provincial communication strategies

Although the communications strategy was developed and managed at national level, provinces could work out their own programmes, based on their particular needs and context. These provincial strategies differed, but were generally impressive. The communications strategies of KwaZulu-Natal and the Western Cape were the most comprehensive,²² which is encouraging when one considers that these two provinces, together with Gauteng, have the highest number of firearm-related crimes. For example, the KZN Department of Community Safety and Liaison, together with the SAPS, distributed thousands of pamphlets, flyers and posters from police stations, the target groups being students, gun dealers, security companies, gun manufacturers, attorneys, educational institutions, community police forums (CPFs) and the *amakhosi* and *izindunas*. Pamphlets were translated into isiZulu. Internal communication sessions were held with DFOs, CPFs and communications personnel at provincial level.

The province took a proactive stance towards the print and electronic media. In the initial three months, 56 media statements were released, with 16 half-page colour adverts being placed in all major newspapers

across a wide range of constituencies such as the *Mercury*, *Ilanga* and *Umafrika*. Sixty six articles about the amnesty were published in the local media, with a further 32 articles in provincial newspapers. In addition, 96 slots were purchased on community radio, concentrating on stations in the rural areas, especially those areas with a history of factional problems; and 510 air minutes on current affairs programmes on the major radio stations such as Siyaya FM, Radio Handvani and Durban Youth Radio. The province also produced a glossy six-page dual-language pamphlet called 'Let us defend the weak / Masisukume Sakhe', which was wholly dedicated to the amnesty and included messages from the MEC for Community Safety and Liaison and the premier, as well as data on weapons that had been handed in.

A message shared across most of the provinces was that of the creation of a safer country or province. For example, one of the slogans in the Eastern Cape was 'Let's make the Eastern Cape the safest province.'²³ In some provinces, such as Mpumalanga, greater emphasis was placed on the amnesty process, the primary message being: 'You only have ninety (90) days to surrender your unlawful firearm or ammunition without prosecution.'²⁴

Although most police officers agreed that this had been one of the most extensive communications campaigns ever conducted by SAPS, all felt that much more could have been done. This included increasing the volume of materials and allowing greater flexibility in determining the form, style and content of the communications materials in order to be more relevant to local target constituencies, not just at provincial level, but also at local level.

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Results

Weapons profile

A total of 100 066 firearms, including firearm components, were handed in during the 2005 amnesty (table 1). Given its dual focus on recovering illegal firearms and unwanted legal firearms, it is encouraging to see that the totals for these two categories are similar: 53 435 and 46 631 respectively. It is not surprising that the largest number of weapons was in the illegal category as it includes the amnesty guns as well as those confiscated and recovered through Operation Sethunya II. This represents 54 per cent of all the firearms recovered during the amnesty. One aspect that has been underplayed in media reports is the significant amount of ammunition that was handed in and confiscated, amounting to nearly two million rounds (table 1).

Table 1 Firearms and components surrendered under amnesty, by type

Type	Confiscated (day to day)	Amnesty	Voluntary	Sethunya II	Total
Complete firearm					
Revolver/pistol	14 670	22 390	34 468	1 445	72 973
Rifle	1 213	7 376	7 475	258	16 322
Shotgun	1 136	3 333	3 690	154	8 313
Auto/semi-auto	130	89	67	14	300
Homemade	377	58	27	42	504
Total	17 526	33 246	45 727	1 913	98 412
Firearm components					
Barrel	117	461	812	32	1 422
Frame	10	88	80	1	179
Receiver	12	28	12	1	53
Total	139	577	904	34	1 654
Total: Firearms and components	17 665	33 823	46 631	1 947	100 066
Ammunition					
All ammunition	370 189	608 794	821 527	47 367	1 847 877
Other					
Magazines	9 272	6 033	9 734	647	25 686

Source: Central Firearms Registry

Handguns (pistols/revolvers) constituted the most significant number of firearms surrendered across all three categories, followed by rifles and shotguns (table 1). Given the widespread use of handguns in violent crime in South Africa, this is one of the most significant impacts of the amnesty: over 70 000 handguns were removed from circulation.

The research shows that the location of the police station determined not just the type of person who was surrendering a weapon, but also the type of firearm that was most likely to be handed in. For example, in KZN, the majority of guns handed in at stations in Ulundi were rifles, whereas those handed in at stations such as Umbilo and Westville were handguns. This reinforces the need to analyse more carefully the target audience and patterns of gun use in each region and even at station level to help develop more appropriate strategies.

Reasons for surrendering

The ISS was given permission to examine a sample of the applications received by the SAPS from people surrendering firearms. A total of 534 SAPS 522(a) forms were randomly selected and reviewed, which identified the province, the make and type of firearm, and the reasons for handing it in. The results show that the commonest reason (42 per cent) for turning in a gun was that it had belonged to a deceased person (table 2).

The perception among the majority of officers was that the most common reasons for handing in a firearm were that it was part of a deceased estate; the owner no longer wanted or needed it; or the owner did not want to go through the renewal process. This correlates with some of the figures in table 2. Other reasons included anxiety about being robbed and killed with one's own gun, and uncertainty as to whether one would meet the new, stricter criteria of the FCA. Others just felt that it was 'time to hand it in'. This view was supported by the chairman of the South African Wingshooters Association.²⁵

Table 2 Most common reason for surrendering firearm*

Category	Number	%
Belonged to deceased person	225	42
Take advantage of amnesty	73	13
No need or use for firearm	68	12
Want firearm destroyed	44	8

* Respondents provided their own reasons for surrender, with some listing several reasons

Profile of people who handed in weapons

Officers reported that the people who surrendered weapons, whether in unlawful or legal possession, were predominantly white South Africans, many of them widows handing in their late husband's gun(s) or



grandchildren who had inherited the weapon and no longer wanted it or did not see a need for it. At stations such as Rondebosch (Western Cape) and Lyttelton (Gauteng), many guns were collected at old people's homes. Many officers expressed surprise at the number of guns that were handed in by South Africans who had failed to register them, citing reasons that ranged from not knowing this was required by law to acknowledging that it had been hidden in a cupboard for decades and they had forgotten about it. Generally officers were surprised at the number of legal guns in circulation, despite their knowledge of gun ownership statistics, not just at individual station level, but also nationally. In some stations, such as Durbanville (Western Cape), there was insufficient space in the SAPS 13 store to hold all the weapons securely and they were stored at a nearby station for safekeeping.

Attitudes to handing in weapons

Many people displayed a combination of resentment and resignation: resentment at having to comply with new legislation, and a feeling that they had 'no other option'; and being resigned to surrendering their weapons, with the tacit acknowledgement that a new political dispensation exists. Given the historical meaning of guns in South Africa, particularly among Afrikaners, surrendering a weapon was not an easy task, and sometimes gave rise to strong emotions. As one woman officer said: 'I am a boere girl. This was a very emotional thing – seeing old men bring in their guns, tears in their eyes – that was very difficult.'

Another view was that the amnesty was 'just another attempt by government to disarm us'.²⁶ This sentiment was not restricted to residents of traditional white suburbs, but was prevalent in parts of KZN, where Inkatha Freedom Party (IFP) supporters saw it as an attempt by the ruling ANC to disarm them.

Most officers seemed to handle these situations relatively well and were sufficiently knowledgeable about the conditions of the amnesty and the process to follow under the FCA renewals procedure. Most officers reported that once the amnesty conditions had been explained, including the option of applying for a licence within 14 days, most people accepted the process. This one-on-one contact, which happened through telephone calls, home visits and at station level, was very important in reassuring gun owners and those handing in weapons on behalf of others, about the purpose and process of the amnesty. Most people were concerned about what would happen to the gun and wanted to be reassured that it would be destroyed. This view was confirmed in the analysis of the SAPS forms.

The most difficult customers to deal with were those who became hostile, aggressive or rude after waiting for many hours in long queues, those who did not have the correct documentation and were thus turned away, and those who complained about all the forms to complete. This required enormous personal effort on the part of officers to explain, placate, and assist as much as possible under very difficult conditions. Many felt that their workload could have been reduced with less paperwork, more personnel and better communications.

The general perception among senior police officers was that overall people were cooperative and not as hostile as expected, perhaps with the exception of dealers. This is not surprising as the downward trend in legal firearm ownership is adversely affecting their business and livelihood, with the amnesty providing another opportunity for people to hand in unwanted guns. However, several dealers used the amnesty to dispose of surplus stock or weapons that had been earmarked for clients who had subsequently been refused a licence.

SAPS attitude to the amnesty

Most SAPS officers supported the amnesty – 'the fewer the guns, the fewer the opportunities to be shot'

Most SAPS officers supported the amnesty, despite their criticism of some of the conditions and the process of implementation, which included the cancellation of leave and work overload. This is primarily because officers risk being killed, on and off duty, so it is not surprising that their attitude is that 'the fewer the guns, the fewer the opportunities to be shot'.²⁷

Many expressed disappointment at the few 'crime' guns that were handed in, especially officers at stations in areas where it is known there are many guns, such as Manenberg and Kwa-Mashu. Others were frank and said they had not expected the amnesty to yield the illegal guns because criminals and gang members had no incentives and therefore no reason to hand in their firearms.

Impact

The majority of police officers recognised that the 2005 firearms amnesty was not a stand-alone activity and that its success depended on a range of factors such as continuing with day-to-day police operations and raising public awareness.

The amnesty has had a significant impact on several levels:

- Thousands of firearms were removed from circulation

- It increased public awareness of the importance of controlling firearms, including the need to remove guns from circulation
- It raised public awareness of the FCA – giving people an opportunity to hand in their unwanted firearms as well as educating gun owners about the renewal process
- It provided police officers with an opportunity to learn new skills and receive training on the FCA, and to gain more knowledge about gun-owning patterns in their area
- It helped to verify the firearms database at firearm registration centres. For example, at one station 100 deceased estates had been on the system, with no trace of the current holders. The amnesty reduced this to five²⁸
- It assisted in creating a climate for the public destruction of weapons

Despite concerns about the apparent strategic contradictions concerning the purpose of the amnesty, all the SAPS officials agreed that the most significant impact of the amnesty was that it had removed a substantial number of guns from society. Although some felt that the amnesty had made no impact on crime and violence because the guns that were causing the crime had been not recovered, others felt that the source of the guns was irrelevant. The result was more important: 100 000 fewer guns on the streets.

Removing firearms from circulation

The 2005 firearms amnesty recovered the largest number of weapons of any amnesty effort in South Africa. The number and types of guns handed in suggest that the amnesty was a success.

The 50 000 licensed guns that were handed in voluntarily translate into an almost two years' supply of guns that will not enter the illegal market, thanks to the amnesty. According to one analyst, 'no matter what way you look at it, this amnesty has been an unqualified success'.²⁹

The tendency to ask why more illegal firearms had not been recovered misses one of the central purposes of an amnesty: its ability to create a climate for all types of weapons to be handed in. This is evident not just from the significant number of legal firearms that were surrendered, but also from the handing over of limpet mines, grenades and other explosives and light weapons that technically were not covered under the amnesty declaration.

Raising public awareness

The amnesty created a climate in which government was able not only to remove illegal guns from circulation,

but also to raise awareness about the new act and the need for gun owners to comply with its provisions or face prosecution. In a survey conducted by SaferAfrica in the first half of the amnesty period among 400 South Africans between the ages of 16 and 40, 90 per cent of the sample had heard about the amnesty through radio, TV, the print media or the police (Gumede, Jefferson and Rooseboom, 2005). This shows a high level of awareness.

The SAPS recognised that more has to be done to maintain public interest in and awareness of the need to remove firearms from circulation. This will require greater cooperation with community-based organisations and leadership at local level.

Police training

Many officers reported that the amnesty gave them an opportunity to learn new skills such as understanding the process of receiving a weapon under the conditions of an amnesty, and greater knowledge of the FCA. Several officers had been on a week's training course on the FCA in the first three months of the amnesty period. However, all the officers felt that not enough of them had received training and that this put an extra burden on those that had been trained.

Lessons learned

Simpler, better, faster

This sums up how most officers felt about the amnesty: to keep it simple, to have better communications and logistics from national to regional and local levels, and to process faster. Although most officers had a positive attitude to the

amnesty and would support repetitions, they all felt that there was room for improvement. Some important lessons were learned during the process and the most important ones are discussed in more detail below.

Logistics

One of the key criticisms of the amnesty was the extent of the paperwork required to process one weapon: there were too many documents to fill in, requiring too much detailed information from the person handing over the weapon. There were insufficient personnel to handle the processing and receiving of guns at station level, and sometimes staff changes were made at the last minute, negatively affecting capacity to handle the workload. Other concerns included not receiving the forms in time and the forms being available only on the intranet; communications received at the last minute; and limited budget at all levels, not just station level. Although many officers were trained in preparation for

The 2005 amnesty recovered the largest number of weapons of any amnesty effort in South Africa

the amnesty, they felt that officers in the charge office should have received some training on the amnesty. This would have prevented people from having to return the following day because the charge officer was unable or lacked the confidence to follow the procedure for receiving an amnesty weapon. The restrictive hours of 8 am to 4 pm contributed to the workload and did not make it easy for people to hand in their firearms, as most wanted to come after hours. (The hours were extended only in the last few days of the amnesty.)

Communications

Communications was one of the key issues officers raised as requiring attention. Although all those interviewed acknowledged that they had never seen such a comprehensive effort within the SAPS to communicate about a particular issue, they felt there was room for improvement. Internally, most officers felt that they had not been given a comprehensive brief sufficiently in advance of the start of the amnesty to absorb the amnesty conditions, including the definitions and categories of weapons to be received as well as the referral process for those who wanted to renew or re-license their weapon.

The officers' main concern was the need to improve communication with the public. For example, many felt that insufficient information was given to the public about the definition of an illegal weapon as well as the alternatives or choices that were available to people such as renewing or selling their weapon. Suggestions for improvement included notices in municipal utility bills.

Link to the FCA

There was a great deal of debate on whether the FCA renewal process, which ran concurrently with the amnesty, hindered or assisted the amnesty process. One conclusion was that it contributed to the increased workload on those officers handling the amnesty. However, having a firearms registration centre made a big difference to the workload, especially as some people who handed in weapons under the amnesty needed information on how to re-license other guns or wanted more information on the FCA.

The simultaneous implementation of the new FCA created enormous administration overload. Strategic decisions must be balanced with administrative and planning needs to ensure that these can happen at the same time.

Station location

Impacts varied, depending on the station area, across and within provinces. For example, in Manenberg, a known gang area and one that has many guns, only 18 firearms

were handed in during the six-month amnesty, whereas in Durbanville hundreds of guns were surrendered.³⁰ Differences across the stations depended on factors such as owner profiles, the broader socio-economic context and existing or ongoing SAPS operations during the amnesty. For example, some stations reported that more guns were brought in through special operations than were yielded through the amnesty.

The nature of the interaction between SAPS officers and the public differed according to the station area. For example, in Umbilo, the interaction was generally one-on-one, which included telephone calls, home visits and face-to-face meetings at the station. In stations such as Manenberg, much of the interaction with the public was group focused, which included handing out pamphlets at shopping malls and major street intersections, holding *imbizos*, and going on community radio stations.

Recommendations

The recommendations include a number of suggestions for future amnesties and are drawn from interviews with SAPS personnel, particularly at station level, and from an analysis of the data and internal official documents. Although most of the recommendations are specific to improving firearm amnesties, several suggestions refer to enhancing small arms control efforts in general.

- Define objectives clearly so that it is easier to measure the impact and success across all levels from station level to national level. This would go together with a comprehensive business plan that includes logistics, communications and personnel needs as well as a realistic timeframe and budget allocation.
- Declare a blanket amnesty which may include compensation, rewards or incentives to encourage as many people as possible to hand in their guns
- Support regular amnesties.
- Simplify the paperwork. For example, make the 522(a) forms readily available at shopping centres or online to allow the person to fill them in at home.
- Ongoing police recovery operations are needed during and after the amnesties. An amnesty does not replace regular police operations. Ensure that immediately after the deadline the SAPS is ready to perform follow-up operations which will catch those who did not take advantage of the amnesty, imposing tough penalties for illegal possession.
- Training is required on safety procedures for disarming a gun as well as safety equipment such as bullet traps.
- A neutral venue is essential. Consider a range of venues such as local community halls, churches, and mosques. Some suggested a secure 'drop-a-gun drum' in a central place such as the local town square.

- Greater involvement and cooperation with civil society organisations and religious organisations is necessary.
- This is a national issue and must be seen as such. Therefore other departments must be included in the communications drive, especially the Department of Justice and the Department of Correctional Services.

Conclusion

Amnesties are useful and effective tools for recovering illegal firearms, removing surplus and unwanted guns, and creating a climate that builds support for a range of other measures to manage and reduce the flow of firearms. These may include the regulation of civilian possession of firearms, and day-to-day police operations aimed at confiscating guns. The 2005 firearms amnesty may be seen as a success, not merely because it achieved its dual objectives, but because it demonstrated that the norms of firearm ownership and attitudes to firearms are beginning to change: ordinary people see the use and availability of firearms in our society as a problem. And finally, although there is room for improvement, the SAPS showed that they are able to launch a massive, broad communications campaign on a critical crime fighting issue.

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Notes

- 1 Throughout the paper, the words 'gun', 'firearm' and 'weapon' are used interchangeably to mean firearm.
- 2 This figure includes firearm components such as the barrel, frame and receiver. A total of 1 654 components were recovered, and 98 412 complete firearms. The combined total was 100 066.
- 3 This provision was made specifically to allow black police officers to have firearms when off duty and at home as they were increasingly being targeted by anti-apartheid forces.
- 4 Firearms Control Act, Act no 60 of 2000. Available at: <<http://www.gov.za/gazette/acts/2000/a60-00.pdf>> [Accessed 17 March 2007].

- 5 The other three priorities included combating organised crime, reducing crimes against women and children and improving service delivery.
- 6 South African civilians own 3.7 million firearms, while the police and the army have 567 000.
- 7 Interview with Ric de Caris, SaferAfrica, 15 April 2005.
- 8 List of stations: Gauteng: Lyttelton, Brooklyn, Sebokeng; KZN: Umbilo, KwaMashu; Western Cape: Rondebosch, Durbanville, Nyanga, Manenberg, Khayelitsha.
- 9 Despite several attempts to get the South African Gunowners Association (SAGA) to respond to my request for an interview or provide me with a written or telephonic response, I was unsuccessful in securing their input. Interviews were also held with Raoul van der Westhuizen, chairman, South African Wingshooters Association and Margy Keegan, Gun Free South Africa advocacy manager.
- 10 The other four pillars include: development of policies and procedures for the effective implementation of the FCA; development of necessary and appropriate human resource and equipment capacity to implement the FCA; prevention of crime and violence through awareness raising and partnerships; and implementation of regional firearms control measures (such as the SADC Firearms Protocol).
- 11 Government Gazette vol 473 no 27006. Pretoria, 26 November 2004.
- 12 Interviews with approximately 40 SAPS officers across three provinces between May 2005 and December 2006.
- 13 Interview with Supt Chris Prinsloo, Gauteng SAPS: Head: Firearms. October 2005.
- 14 Interview with Director Shane van den Berg, Head: Planning, Communications, Research and Marketing, SAPS, 15 April 2005.
- 15 Interview with Director Bothma, Head: CFR. 7 April 2005.
- 16 Viva Rio press release: Review of the Brazilian Firearms Handover Campaign. Rio de Janeiro, 22 December 2004.
- 17 Interviews at Brooklyn Police Station, 2006.
- 18 Telephonic interview with Director van den Berg, 15 April 2005.
- 19 Briefing with Director Bothma and Senior Superintendent Govender on the 2005 amnesty, December 2006.
- 20 Interview with Senior Supt. Govender, CFR, Pretoria.
- 21 Telephonic interview, Director van den Berg, 15 April 2005.
- 22 Review of all nine provincial communications actions as presented to CFR on 12 April 2005.
- 23 Eastern Cape Province, Communications Actions: Firearms Amnesty.
- 24 Feedback report, Operation Bullet, Amnesty 2005, Mpumalanga Province. Presented by the Provincial Crime Prevention Component and the Firearms and Liquor Control Section.
- 25 Interview with Raoul van der Westhuizen, 27 October 2006.
- 26 Interviews with SAPS officers between June 2005 and November 2006.



- 27 Interviews with SAPS officers between June 2005 and November 2006.
- 28 It is estimated that 241 000 deceased estate guns are unaccounted for.
- 29 Interview with Ric de Caris, SaferAfrica, 15 April 2005.
- 30 Interviews with officers at these two stations, 20 November 2006.

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About this paper

Firearm amnesties are seen as one of the tools available to governments to control both legal and illegal stocks of guns, and have been used around the world for this purpose. However, several factors such as the conditions of the amnesty, timing and duration, as well as the socio-political context, can either contribute to or hinder the success of an amnesty. This paper provides an in depth analysis not just of the results but more importantly the factors that contributed to making the SAPS 2005 firearms amnesty a success.

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Adèle Kirsten is a research associate with the Arms Management Programme (AMP) at the Institute for Security Studies (ISS) in Pretoria. She has worked in the field of violence prevention and small arms control for more than 20 years, with both local and international experience. She was a founding member of Gun Free South Africa, a national NGO in South Africa, and the International Action Network on Small Arms (IANSA). She is currently completing a book on the history of the gun control movement in South Africa which will be published in late 2007.

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