



## FIREARMS CONTROL BRIEFING

### WESTERN CAPE MORTUARY SURVEILLANCE SHOWS GUN DEATHS DOUBLED IN 6 YEARS

#### INTRODUCTION

Injury surveillance is a valuable tool to identify the major causes of death in a country or geographical area. When injuries are monitored over time it is particularly powerful, as changes in death patterns can be tracked against known changes in policy and practice to assess the impact of these.

In South Africa, injury surveillance is primarily undertaken by Statistics South Africa (StatsSA), which uses national vital statistics supplied by the Department of Home Affairs to report on who, where and how people die. However, the annual mortality reports published by StatsSA have been shown to be incomplete (as fewer deaths are recorded) and inaccurate (as deaths are incorrectly classified e.g. as accidental instead of firearm-related).<sup>1</sup>

Mortuary-based surveillance data are considered the 'gold-standard' of injury monitoring. However, South Africa does not have a national mortuary-based surveillance system in place to track changes in mortality patterns over time, but the Western Cape does. Forensic Pathology Services (FPS) in the Western Cape has an electronic information system at all FPS facilities which routinely collects demographic information on the deceased (age, sex) as well as location, circumstance and cause of death on all cases received by FPS.

This Briefing is based on a comprehensive report published by the Western Cape government which tracks the demographic profile and pattern of fatal injuries in the Western Cape over seven years. Unless otherwise stated, all information is sourced from *Western Cape Injury Mortality Profile: 2010-2016*.<sup>2</sup>

#### FORENSIC PATHOLOGY SERVICES (FPS) IN THE WESTERN CAPE

The Western Cape FPS was established in 2006. There are currently 16 FPS facilities across the province that are responsible for determining the cause of all injury (non-natural) deaths and all sudden unexpected or unexplained deaths in the province.

#### INJURY-RELATED DEATHS IN THE WESTERN CAPE

As of 2016:

- 14% (1 in 7) of all deaths were due to injuries, up from 12% in 2010.
- The injury death rate was 106 per 100,000, up from 96/100,000 in 2010.
- Young men in the Cape Metro are the most vulnerable to dying due to injury:
  - 60% of victims were aged 20-39 years.
  - 80% of victims were men.
  - 69% of injury deaths occurred in the Cape Metro (made up of eight sub-districts: Eastern, Khayelitsha, Klipfontein, Mitchells Plein, Northern, Southern, Tygerberg and Western).

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<sup>1</sup> See:

- Matzopoulos, Richard, Megan Prinsloo, Victoria Pillay-van Wyk, Nomonde Gwebushe, Shanaaz Mathews, Lorna Martin, Ria Laubscher, Naeemah Abrahams, William Msemburi, Carl Lombard, and Debbie Bradshaw. 2015. Injury-related mortality in South Africa: a retrospective descriptive study of postmortem investigations. *Bull World Health Organisation*, Vol 93, pp. 303-313.
- Matzopoulos, Richard, Pamela Groenewald, Naeemah Abrahams, and Debbie Bradshaw. 2016. Where have all the gun deaths gone? *South African Medical Journal*, Vol. 106, No. 6, pp. 589-591.

<sup>2</sup> Evans, Juliet, Erna Morden, Nesbert Zinyakatira, David Coetzee, Ziyanda Mgugudo-Sello, Vonita Thompson, Michael Vismer, Lorna Martin, and Johan Dempers. 2018. *Western Cape Injury Mortality Profile 2010-2016*. Cape Town: Western Cape Government Health. (Online). Available at [www.westerncape.gov.za/assets/departments/health/mortality\\_profile\\_2016.pdf](http://www.westerncape.gov.za/assets/departments/health/mortality_profile_2016.pdf) (accessed 28 February 2019).



Based broadly on cause of death, injury-related deaths are classified into one of three categories:

1. Homicide (also called assault or interpersonal violence)
2. Suicide
3. Accident (also called unintentional)

Having been broadly categorised, each injury-related death is then sub-categorised to further track the circumstances of every non-natural death; some of the sub-categories used are listed below:

| Categorisation of injury-related deaths |   |   |  |
|---|---|---|--|
| Broad category                          | Homicide/Assault/ Interpersonal violence  | Suicide   | Accident/unintentional   |
| Sub-category                            | <ul style="list-style-type: none"> <li>- Blunt force</li> <li>- Firearm</li> <li>- Sharp object</li> <li>- Strangle</li> <li>- Other</li> </ul> | <ul style="list-style-type: none"> <li>- Firearm</li> <li>- Hanging</li> <li>- Overdose</li> <li>- Other</li> </ul> | <ul style="list-style-type: none"> <li>- Drowning</li> <li>- Railway accident</li> <li>- Transport motor vehicle</li> <li>- Transport pedestrian</li> <li>- Other</li> </ul> |

In 2016, over half (51%) of all injury-related deaths in the Western Cape were homicides, followed by accidents (38%) and suicides (11%).

## HOMICIDE IN THE WESTERN CAPE

In 2016:

- Ten people were murdered every day in the Western Cape.
- The murder rate in the province was 52 deaths per 100,000 population, significantly higher than the national homicide rate of 34,1/100,000 in 2016/17.<sup>3</sup>
- Homicide increased 35% from 2010, more than double the 16.4% national increase in this time.<sup>4</sup>

### THE FACE OF HOMICIDE VICTIMS

Young men in the Cape Metro are the most vulnerable to being murdered:

- Nine out of the ten people murdered every day in the Western Cape in 2016 were men.
- Men between 20-34 years are most at risk of being murdered (262 deaths per 100,000 in this age-group in 2016).
- Male homicides were highest in the Metro district (118 deaths per 100,000 in 2016), followed by the Central Karoo district (77 deaths per 100,000).

### THE WEAPON USED

As of 2016, most murders in the Western Cape resulted from stabs, followed by gunshots and blunt-force injuries.

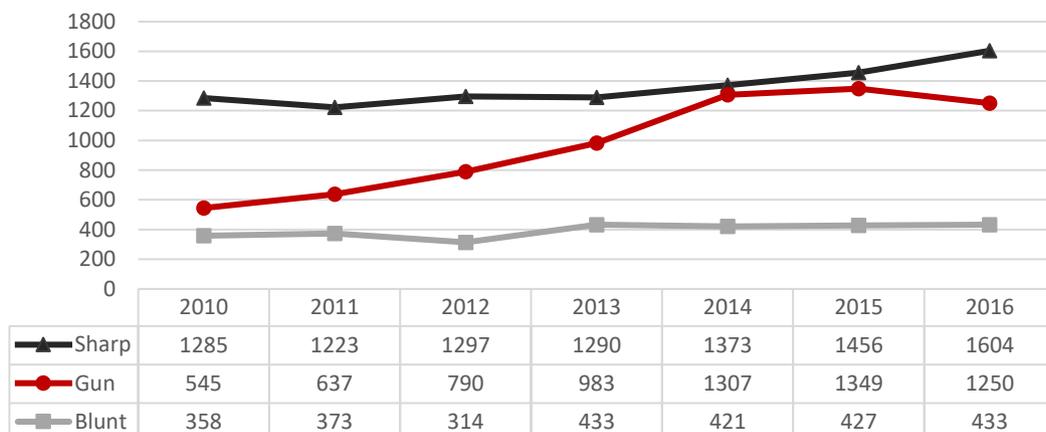
| Weapon used in murders in 2016  |     |
|---|-----|
|  | 46% |
|  | 36% |
|  | 12% |

However, while stab-related injuries were the leading cause of murder in the Western Cape in 2016, **the number of gun-related murders doubled between 2010 and 2016**, in contrast stab- and blunt-related murders remained relatively stable (see Figure 1 below).

<sup>3</sup> South African Police Service 2017-2018 national annual crime statistics. (Online). Available at [www.saps.gov.za/services/crimestats.php](http://www.saps.gov.za/services/crimestats.php) (accessed 19 February 2019).

<sup>4</sup> 19,016 murders were reported in 2016/17, compared to 15,893 in 2010/11. Source: South African Police Service 2017-2018 national annual crime statistics. (Online). Available at [www.saps.gov.za/services/crimestats.php](http://www.saps.gov.za/services/crimestats.php) (accessed 19 February 2019).

**Figure 1: Top three causes of homicide deaths, Western Cape 2010-2016**



Analysing who gets shot and where, shows that it is men in the Cape Metro who are most at risk:

- The number of men murdered with a gun doubled between 2010 and 2016, mainly in the Metro sub-districts of Klipfontein, Tygerberg and Mitchells Plein.
- As a result, the number of men that were murdered increased 39% between 2010 and 2016 (to 96 deaths per 100,000 population); in contrast, the female homicide rate has remained stable since 2010 (9 deaths per 100,000 population, equivalent to 1 female homicide per day).

#### GUN-RELATED INJURIES

Not only are the number of people who are shot and killed in the Western Cape increasing, so are the number who are injured. Two weeks ago Professor Andrew Nicol, head of trauma at Groote Schuur Hospital, reported that gunshots are the leading driver of surgeries in the trauma unit, "The major reason we operate these days is due to firearms. It has taken over motor accidents as the number one reason for surgery and trauma," said Nicol.<sup>5</sup>

#### HOMICIDE NATIONALLY

The increase in murder in the Western Cape is part of a national trend: After dropping 55% in the 18 years between 1993 and 2011, South Africa's murder rate increased 17% over the last six years; at 35.2 per 100,000 in 2017/18, South Africa remains one of the 10 most murderous countries in the world.<sup>6</sup>

As in the Western Cape, published research and data analyses show that the increase in murder in recent years is due to an increase in gun-related murders. For instance:

- A detailed study on assassinations and hits in South Africa from 2000 to 2017 found that there was "a marked increase in the total number of assassinations carried out in South Africa since 2012" and that "firearms were by far the main choice of weapon used in the incidents (83%)."<sup>7</sup>
- While both stab and gunshot-related deaths began increasing nationally in 2011, the rise in gun-related deaths has been much steeper, so narrowing the gap between the two.<sup>8</sup> The latest crime statistics from

<sup>5</sup> Fokazi, Sipokazi. 2019. Welcome to the war zone: Cape Town trauma doctors adopt battlefield medicine. TimesLive, 19 February. (Online). Available at [www.timeslive.co.za/news/south-africa/2019-02-19-welcome-to-the-war-zone-cape-town-trauma-doctors-adopt-battlefield-medicine/](http://www.timeslive.co.za/news/south-africa/2019-02-19-welcome-to-the-war-zone-cape-town-trauma-doctors-adopt-battlefield-medicine/) (accessed 4 March 2019).

<sup>6</sup> Gould, Chandre. 2018. South Africa is at war with itself. ISS Today, 12 September. (Online). Available at <https://issafrica.org/crimehub/iss-today/south-africa-is-at-war-with-itself> (accessed 24 December 2018).

<sup>7</sup> Thomas, Kim. 2018. The Rule of the Gun: Hits and Assassinations in South Africa January 2000 to December 2017. Assignment Witness Project: University of Cape Town and the Global Initiative against Transnational Organized Crime (GITOC). (Online). Available at [https://assassinationwitness.org.za/wp-content/uploads/2018/03/The-rule-of-the-gun\\_Assassination-Witness.pdf](https://assassinationwitness.org.za/wp-content/uploads/2018/03/The-rule-of-the-gun_Assassination-Witness.pdf) (accessed 9 February 2019).

<sup>8</sup> See:



the SAPS show that in 2017/18 gun-related murders equalled stab-deaths (41.3% of murders in 2017/18 were gun-related, and 42% resulted from sharp instrument injuries of which 30.7% were knives).

- As of 2018, 23 people are shot and killed a day in South Africa, up from 18 a day in 2009.<sup>9; 10</sup>

## WHY HAS GUN VIOLENCE INCREASED SO SIGNIFICANTLY?

For a gun-related murder or injury to occur, there must be a gun. In 2009 South Africa was a safer country because two key interventions had significantly reduced the availability of licensed and unlicensed guns nationally:

The first was comprehensive gun recovery and destruction operations by the state, including intelligence-led operations to recover illegally-held guns as well as campaigns, incorporating two amnesties, that encouraged licensed gun owners to voluntarily hand in their firearms.

The second intervention limited the number of new legal guns entering communities by raising the bar for gun ownership. Unlike the Arms and Ammunition Act (1969), SA's new gun law, the Firearms Control Act (FCA, 2000) strictly limits who can own what gun for which purpose. While there are a range of reasons that limiting the number of new, legal guns reduces gun violence, one of the most important is that most, if not all unlicensed guns were once legal before being leaked into the illegal pool. Loss and theft of guns is the greatest source of illegally held guns in SA: Last year civilian gun owners reported the negligent loss or theft through targeted crime of 24 guns each day (the police lost one gun a day in this time).<sup>11</sup>

From 2000 to 2010 SA's new firearms control regime, which was informed by the FCA, saved thousands and thousands of people from gun-related death, injury, intimidation and threats.<sup>12</sup>

In 2011 this changed: Poor enforcement and compliance, whether inadvertent (through poor planning, lack of resources or target setting) or due to deliberate criminality, led to a steady increase in the number of licensed and unlicensed firearms flowing into communities. In addition, the period from late 2010 to date is characterised by a slowing down of intelligence-led operations to 'mop up' unlicensed guns and campaigns, including amnesties, to recover unwanted, obsolete and excess licensed guns.

With more guns flowing into communities and limited efforts to mop them up, gun availability has steadily increased since 2011. At the same time gun violence has increased.

The Western Cape in particular has been adversely affected due to deliberate criminality by various stakeholders, particularly Christiaan Prinsloo, a senior police official who is currently serving an 18-year

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- Statistics South Africa. Nesstar interactive data system. (Online). Available at [www.statssa.gov.za](http://www.statssa.gov.za).

- South African Police Service 2017-2018 national annual crime statistics. (Online). Available at [www.saps.gov.za/services/crimestats.php](http://www.saps.gov.za/services/crimestats.php) (accessed 19 February 2019).

<sup>9</sup> 2018: 23 people shot and killed a day, source: South African Police Service 2017-2018 national annual crime statistics. (Online). Available at [www.saps.gov.za/services/crimestats.php](http://www.saps.gov.za/services/crimestats.php) (accessed 19 February 2019).

<sup>10</sup> 2009: 18 people shot and killed a day, source: Matzopoulos, Richard, Megan Prinsloo, Victoria Pillay-van Wyk, Nomonde Gwebushe, Shanaaz Mathews, Lorna Martin, Ria Laubscher, Naeemah Abrahams, William Msemburi, Carl Lombard, and Debbie Bradshaw. 2015. Injury-related mortality in South Africa: a retrospective descriptive study of postmortem investigations. *Bull World Health Organisation*, Vol 93, pp. 303-313.

<sup>11</sup> South African Police Service 2017-2018 Annual Report. (Online). Available at [www.saps.gov.za/about/stratframework/annualreports.php](http://www.saps.gov.za/about/stratframework/annualreports.php) (accessed 7 February 2019).

<sup>12</sup> See:

- Abrahams, Shanaaz Mathews, Lorna Martin, Carl Lombard, and Rachel Jewkes. 2013. Intimate Partner Femicide in South Africa in 1999 and 2009. *PLOS Medicine*, Vol. 10, No. 4, pp. 1-8.
- Campbell, Nathan, G. Colville, Y. van der Heyde, and A.B. van As. 2013. Firearm injuries to children in Cape Town, South Africa: Impact of the 2004 Firearms Control Act. *South African Journal of Surgery*, Vol. 51, No. 3, pp. 92-96.
- Matzopoulos, Richard, Mary Lou Thompson, and Jonathan Myers. 2014. Firearm and Nonfirearm Homicide in 5 South African Cities; A Retrospective Population-Based study. *American Journal of Public Health*, Vol. 104, No. 3, pp. 455-460.
- Forthcoming Gun Free South Africa publication: Gun control & violence: South Africa's story.



sentence for selling guns earmarked for destruction in police stores to gang leaders on the Cape Flats.<sup>13</sup> Thus far, 888 of the guns stolen by Prinsloo have been forensically linked to 1,066 murders in the Western Cape between February 2010 and 31 May 2016 while 1,100 of the 2,000+ guns he admitted to stealing as part of his plea bargain with the state are still missing.<sup>14</sup>

## SAVING LIVES FROM GUN VIOLENCE

If South Africa is to achieve the overarching vision of a safe country as articulated in the aspirational 2030 National Development Plan<sup>15</sup> as well as contribute to Sustainable Development Goal 16: “Peace, Justice and Strong Institutions,”<sup>16</sup> two interventions are urgently needed to reduce the number of guns in the country:

### 1. Coordinated intelligence-led operations to mop up and destroy existing illegally-held weapons and ammunition stockpiles, particularly those that have accumulated since 2011.

While there have been encouraging developments in recent months to recover firearms and reinstate charges against alleged gun smuggling syndicate members, particularly in the Western Cape, as the national election date draws closer, addressing gang violence in the province has become an electioneering battle-ground: Reported in-fighting between the Western Cape Anti-Gang Unit (established by President Ramaphosa in November 2018) and the MORT Project (Major Offences Reaction Team, established by Western Cape Provincial Police Commissioner Jula in Sept 2017)<sup>17</sup> creates confusion, opportunities for division and undermines attempts to address gang violence and build safer communities. Despite the situation being described as “an ongoing low-grade civil war,”<sup>18</sup> it is unlikely to improve between now and 8 May, despite widespread appeals that community safety be prioritised over politicking.

### 2. Limiting the number of new, legal guns entering communities by fully enforcing the FCA.

In particular, two sections of the FCA must be implemented by the state to raise the bar for gun ownership:

- Transitional provisions that require all firearm owners to comply with the FCA, as currently those with ‘green licences’ issued under the Arms and Ammunition Act have not had to comply with the stricter provisions of the FCA (set down by the so-called 2009 interdict).<sup>19</sup>
- Sections 24 and 28, which require gun owners to renew their firearm licences.<sup>20</sup>

Both of these provisions have been frozen following court rulings, which must be challenged by the state.

<sup>13</sup> Matzopoulos, Richard, J. Simonetti, M. Prinsloo, I. Neethling, P. Groenewald, J. Dempers, L.J. Martin, A. Rowhani-Rahbar, J.E. Myers, and M.L. Thompson. 2018. A retrospective time trend study of firearm and non-firearm homicide in Cape Town from 1994 to 2013. *South African Medical Journal*, Vol. 108, No. 3 pp. 197-204.

<sup>14</sup> Jacobs, Peter Anthony. 2016. Founding Affidavit in the Labour Court of South Africa, Cape Town, Case 768/16 in the matter between the Police and Prisons Civil Rights Union (POPCRU) (First Applicant), Peter Anthony Jacobs (Second Applicant), Jeremy Alan Vearey (Third Applicant), Minister of Police (First Respondent), Acting National Commissioner of Police (Second Respondent), Provincial Commissioner of Police (Third Respondent), Deputy National Commissioner Human Resource Management General Ngwenya (Fourth Respondent), Major General Mzandile L Tiyo (Fifth Respondent), Major General Sumisani Patrick Mbotho (Sixth Respondent), and the South African Police Service (Seventh Respondent), 4 October.

<sup>15</sup> National Development Plan 2030. Our Future-make it work. National Planning Commission. Pretoria: The Presidency.

<sup>16</sup> United Nations. 2015. Transforming our World: The 2030 Agenda for Sustainable Development. (Online). Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (accessed 19 February 2019).

<sup>17</sup> Thamm, Marianne. 2019. Caught in the Crossfire: Politicians leverage endemic Cape Flats gangland violence ahead of election. *Daily Maverick*, 25 February. (Online). Available at [www.dailymaverick.co.za/article/2019-02-25-caught-in-the-crossfire-politicians-leverage-endemic-cape-flats-gangland-violence-ahead-of-election/](http://www.dailymaverick.co.za/article/2019-02-25-caught-in-the-crossfire-politicians-leverage-endemic-cape-flats-gangland-violence-ahead-of-election/) (accessed 4 March 2019).

<sup>18</sup> Thamm, Marianne. 2019. Caught in the Crossfire: Politicians leverage endemic Cape Flats gangland violence ahead of election. *Daily Maverick*, 25 February. (Online). Available at [www.dailymaverick.co.za/article/2019-02-25-caught-in-the-crossfire-politicians-leverage-endemic-cape-flats-gangland-violence-ahead-of-election/](http://www.dailymaverick.co.za/article/2019-02-25-caught-in-the-crossfire-politicians-leverage-endemic-cape-flats-gangland-violence-ahead-of-election/) (accessed 4 March 2019).

<sup>19</sup> Judge B. Prinsloo. 2009. Interim Order of the North Gauteng High Court, Case 33656/09 in the matter between SA Hunters A.O. (Applicant), and Minister of Safety and Security (Respondent), 26 June.

<sup>20</sup> Judge B. Prinsloo. 2018. Interim Order of the North Gauteng High Court, Case 46684/18 in the matter between Gun Owners of South Africa (Applicant), the National Commissioner of Police (First Respondent), and Minister of Police (Second Respondent), 27 July.