



## FIREARMS CONTROL BRIEFING

### HALVING CRIME IN SA NEEDS EFFECTIVE GUN CONTROL

#### INTRODUCTION

In his State of the Nation address on 20 June this year, President Ramaphosa identified five “fundamental goals” to be achieved in the next 10 years. One of these is that “violent crime will be halved, if not eliminated.”<sup>1</sup>

President Rampahosa’s call to halve crime is based on the fact that violent crime in South Africa has steadily increased since 2010:



Between 2010/11 and 2017/18:<sup>2</sup>

- Murder increased 28%
- Attempted murder increased 19%
- Aggravated robbery increased 37%

In articulating the goal of halving crime in South Africa by 2030, President Ramaphosa in particular identified ending gender-based violence and femicide and doubling international tourist arrivals to 21 million, which entails ensuring that, “that tourists who come to our country are safe.”

If South Africa is to halve crime by 2030, we need to prevent a range of crimes, including predatory criminal violence (such as robbery and hijacking), interpersonal violence, violence against children, political violence, gang-related violence, taxi-related violence, farm attacks and wildlife poaching.

Increasingly, these different forms of violence involve guns. This hasn’t always been the case:



When SA’s Firearms Control Act (FCA) was passed into law in 2000, guns were the leading cause of murder in South Africa, with 34 people shot and killed a day.<sup>3</sup> By 2009 this number had halved to 18 a day as stricter controls regulating guns and gun ownership were put in place.<sup>4</sup>



However, since 2010 gun-related violence has steadily increased. As of 2018:<sup>5</sup>

- Guns are again the leading cause of murder, with 23 people shot and killed a day.
- Guns are overwhelmingly the weapon of choice to commit violent crime.

#### WHY DOES THE WEAPON USED TO COMMIT CRIME MATTER?

The unique nature of firearms makes them very desirable to criminals. They are small, light, easy to use, easy to conceal and enable killing from a distance. Guns are also highly effective at killing, which increases submission from victims: A gun is 18 times more lethal than a knife; 1 in 3 people who are shot will die, in contrast 1 in 55 people who are stabbed will die.<sup>6</sup>

<sup>1</sup> Ramaphosa, Cyril. 2019. State of the Nation Address, 20 June, Parliament, Cape Town. (Online). Available at [www.thepresidency.gov.za/speeches/state-nation-address-president-cyril-ramaphosa%2C-parliament%2C-cape-town](http://www.thepresidency.gov.za/speeches/state-nation-address-president-cyril-ramaphosa%2C-parliament%2C-cape-town) (accessed 1 July 2019).

<sup>2</sup> South African Police Service [www.saps.gov.za](http://www.saps.gov.za). The most recent national crime statistics (2017/18) show that murder increased 28% between 2010/11 and 2017/18 (15,893 to 20,336), attempted murder 19% (15,360 to 18,233) and aggravated robbery 37% (101,039 to 138,364).

<sup>3</sup> Chetty, Robert. 2000. Firearm Use and Distribution in South Africa. Pretoria: The National Crime Prevention Centre.

<sup>4</sup> Matzopoulos, Richard, Megan Prinsloo, Victoria Pillay-van Wyk, Nomonde Gwebushe, Shanaaz Mathews, Lorna Martin, Ria Laubscher, Naemah 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>5</sup> South African Police Service 2017-2018 national crime statistics: 41.3% of 20,336 murders were gun-related and 59.5% of aggravated robberies were gun-related. Source: South African Police Service [www.saps.gov.za](http://www.saps.gov.za).

<sup>6</sup> Center for Disease Control and Prevention, USA.

- Non-fatal injury data: <https://webappa.cdc.gov/sasweb/ncipc/nfirates2001.html> (accessed 31 January 2017).

- Fatal injury data: [https://webappa.cdc.gov/sasweb/ncipc/mortrate10\\_us.html](https://webappa.cdc.gov/sasweb/ncipc/mortrate10_us.html) (accessed 31 January 2017).



The lethality of guns is evident in both South Africa and global research:

- A published South African study into intimate femicide (defined as the killing of a female person by an intimate partner) found that women who were shot and killed had a lower Blood Alcohol Content (BAC) than women killed after being stabbed or beaten.<sup>7</sup> Because guns are so lethal, a woman cannot escape an intimate partner with a gun as easily as she can if he's using some other weapon.
- International research into suicide prevention<sup>8</sup> highlights the significantly higher likelihood of death in a suicide attempt using a firearm versus other methods, with firearms having a percentage fatal rating of 85% compared to suffocation (69%) and falls (31%).

### UNLICENSED GUNS ARE USED TO COMMIT CRIME

A common belief is that gun-related crime is only committed with illegally-held guns that are smuggled into South Africa and that the solution rests on an effectual criminal justice system involving police search and seizure and intelligence operations to recover unlicensed guns, and lengthy prison sentences for perpetrators.

However, this ignores two important factors:

#### Legal guns are the primary source of illegal guns

Most firearms are legally manufactured; this means the overwhelming majority of illegally-held guns started out being legal before they were leaked or diverted into the illegal pool.<sup>9</sup>

There are three main ways that legal guns leak into the illegal pool of weapons in South Africa:

1. Legal guns are smuggled from neighbouring countries into South Africa, though research indicates that this is low, and that guns are more likely to be smuggled to neighbouring countries;<sup>10</sup> the exception being high calibre automatic firearms smuggled into the country by organised crime syndicates involved in poaching and cash-in-transit heists.<sup>11</sup>
2. Fraud, corruption and poor enforcement of the FCA means that both state and civilian gun owners who are not "fit and proper" are issued with firearm certificates, licences, permits or authorisations.<sup>12</sup>
3. Loss and theft of firearms. Data show that loss and theft of licensed firearms is the most significant source of illegally-held guns in South Africa, with civilians losing seven times more guns than state

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<sup>7</sup> Mathews, Shanaaz, Naeemah Abrahams, Rachel Jewkes and Lorna Martin. 2012. Comparing Female Homicide and Intimate Femicide in South Africa 1999: 2009. Presentation made on 21 August 2012, Pretoria. South African Medical Research Council.

<sup>8</sup> Harvard School of Public Health. 2001. Lethality of Suicide Method Case Fatality Ratio by Method of Self-Harm, United States. (Online). Available at [www.hsph.harvard.edu/means-matter/means-matter/case-fatality](http://www.hsph.harvard.edu/means-matter/means-matter/case-fatality) (accessed 15 April 2015).

<sup>9</sup> Bevan, James. 2008. *Arsenals Adrift: Arms and Ammunition Diversion. Small Arms Survey 2008: Risk and Resilience*. New York: Cambridge University Press.

<sup>10</sup> See:

- McKenzie, Katharine. 1999. Domestic Gun Control Policy in Ten SADC Countries. Johannesburg: GFSA.
- Hennop, Etienne. 2000. Illegal Firearms in Circulation in South Africa. In Virginia Gamba, ed. *Society Under Siege: Managing Arms in South Africa*. Pretoria: Institute for Security Studies, pp. 13-32.
- Cross, Peter, Rick de Caris, Etienne Hennop and Angus Urquhart. 2003. *Law of the Gun: An audit of firearms control legislation in the SADC region. Small arms and security in Southern Africa Report*. Pretoria: SaferAfrica and Saferworld.
- Burger, Vanessa, Independent Community Activist for Human Rights and Social Justice. 2018. Email correspondence, 22 October 2018.

<sup>11</sup> See:

- Austin, Kathi Lynn. Follow the Guns. Conflict Awareness Project. (Online). Available at [www.conflictawareness.org/copy-of-kathi-lynn-austin](http://www.conflictawareness.org/copy-of-kathi-lynn-austin) (accessed 24 February 2019).
- Chairperson of the Parliamentary Portfolio Committee on Police F. (Francois) Beukman. 2018. Committee recommends these gun control measures be prioritised. Statement issued by the Republic of South Africa Parliamentary Communication Service, 16 May. (Online). Available at [www.parliament.gov.za/press-releases/committee-recommends-these-gun-control-measures-be-prioritised](http://www.parliament.gov.za/press-releases/committee-recommends-these-gun-control-measures-be-prioritised) (accessed 18 May 2018).

<sup>12</sup> Taylor, Claire. 2019. Gun control & violence: South Africa's story. Impending Gun Free South Africa publication.



employees.<sup>13</sup> In 2017/18 civilians reported the loss/ theft of 8,867 firearms (an average of 24 guns a day), while police lost 358 guns through loss and theft that year (1 gun a day).<sup>14</sup>

### Legal guns are also used to commit crime

One of the most common queries Gun Free South Africa receives are appeals for help from women who have been threatened (often repeatedly) by a partner who owns a licensed firearm. This anecdotal evidence of unauthorised gun use highlights the risk of gun-related death, injury and intimidation for women in the home; a risk that is backed by research into firearm-related domestic violence in South Africa, specifically murder-suicides: This shows that 66% of perpetrators used a legally held firearm, and that 91.5% of these double deaths (intimate femicide-suicide) “might have been prevented should gun ownership have been restricted.”<sup>15</sup>

### GUN CONTROL = LIVES SAVED

The evidence in support of the link between strong firearms control and lives saved is globally recognised.<sup>16</sup> In South Africa, various studies published in reputable, peer-reviewed journals quantify the number of lives saved because of stricter gun control:

- Research published in the American Journal of Public Health (2014) shows that over 4,500 lives were saved in Cape Town, Durban, Johannesburg, Port Elizabeth and Pretoria from 2001 to 2005 because of the FCA.<sup>17</sup>
- The most recent intimate femicide study shows that the number of women killed by their intimate partner has dropped from 4 to 3 women a day largely due to the decline in the number of women shot and killed compared to deaths by other means, including stab and blunt injuries.<sup>18</sup>
- A study assessing the impact of the FCA in protecting children from being shot found “a decline in total firearm injuries in children from 2001 (to 2010 in the Western Cape) ...demonstrating that strengthening firearm legislation can reduce firearm-related injury.”<sup>19</sup>

### GUN CONTROL = REDUCTION IN CRIME

While South Africa’s experience confirms global studies showing that stricter firearms control saves lives; research in Australia has examined the impact on gun crime in general; this is important, as fatalities constitute only a small portion of gun violence. The study concludes that Australia’s gun law reforms led to significant reductions in armed robbery and attempted murder.<sup>20</sup> That gun legislation would reduce gun-

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<sup>13</sup> In the 17 years from 2001/02 to 2017/18, civilians reported the loss/ theft of 211,438 firearms (an average of 34 guns a day), and police reported the loss/theft of 28,809 firearms (5 guns a day). Source: South African Police Service Annual Reports for the years 2001-2002 to 2017-2018.

<sup>14</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>15</sup> Shanaaz Mathews, Naeemah Abrahams, Rachel Jewkes, Lorna Martin, Carl Lombard, and Lisa Vetten. 2008. Intimate Femicide-Suicide in South Africa. Bulletin of the World Health Organization, Vol. 86, No. 7 pp. 552-558, p. 557.

<sup>16</sup> See for example:

- Anglemyer, Andrew, Tara Horvath, and George Rutherford. 2014. The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members: A Systematic Review and Meta-analysis. *Annals of Internal Medicine*, Vol. 160, pp. 101-110.
- Santaella-Tenorio, Julian, Magdalena Cerdá, Andrés Villaveces, and Sandro Galea. 2016. What do we know about the association between firearm legislation and firearm-related injuries? *Epidemiologic Reviews*, Vol. 38, pp. 140–157.
- Van Kesteren, John. 2014. Revisiting the gun ownership and violence link. *British Journal of Criminology*, Vol. 54, pp. 53-72.

<sup>17</sup> 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.

<sup>18</sup> Abrahams, Naeemah, 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.

<sup>19</sup> 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, p. 95.

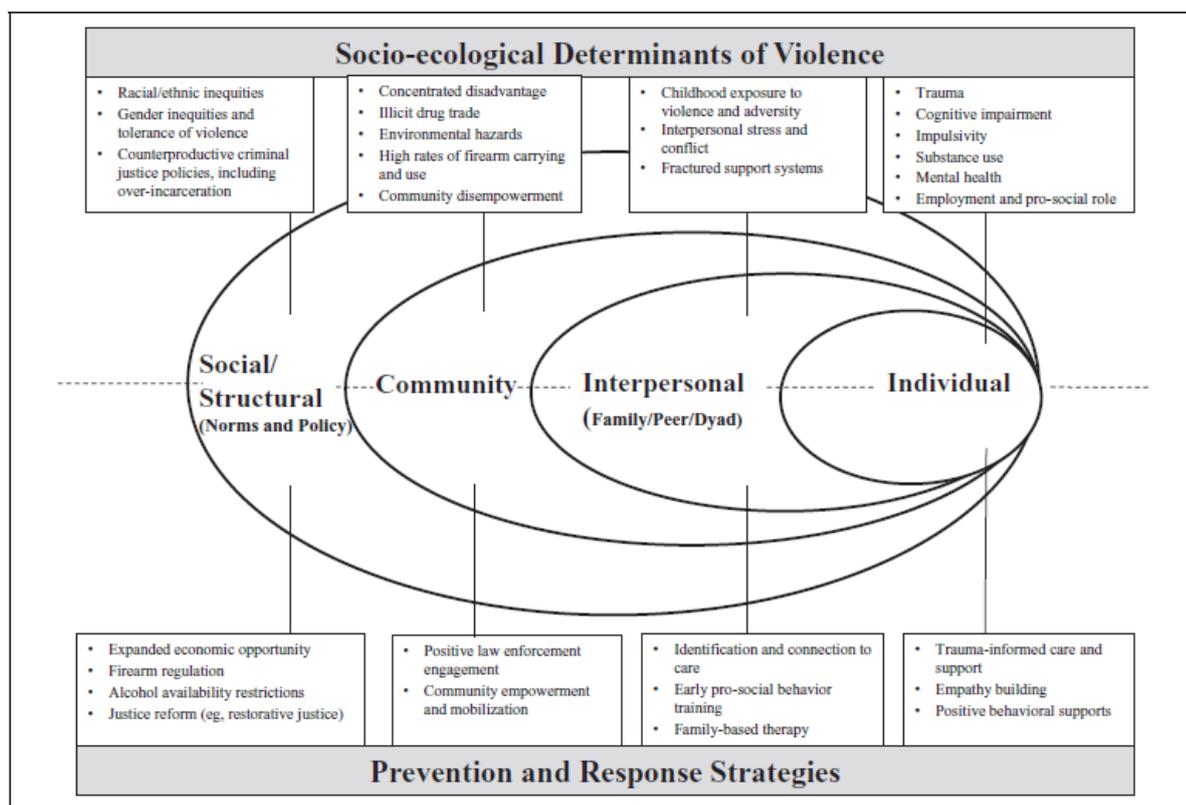
<sup>20</sup> Taylor, Benjamin and Jing Li. 2015. Do fewer guns lead to less crime? Evidence from Australia. *International Review of Law and Economics*, Vol. 42, pp. 72-78.

related crime makes sense, since the availability of a firearm is often the factor determining whether or not a criminal – especially a young person – decides to proceed with a particular crime or not.<sup>21</sup>

### A PUBLIC HEALTH APPROACH TO VIOLENCE PREVENTION

The World Health Organization (WHO), which has been at the forefront of violence prevention globally, uses a public health or socio-ecological approach to violence prevention.<sup>22</sup> This distinguishes between risk and protective factors for violence: Risk factors are those characteristics or conditions that increase the likelihood of violence occurring while protective factors are shields that reduce or eliminate these risks. Risk and protective factors are found at four levels: Individual, relationship, community and society, as illustrated in Figure 1 below.<sup>23</sup>

**Figure 1: Risk and Protective Factors for Violence**



Evidence shows that reducing risk factors and/or strengthening protective factors at these four levels leads to the prevention of violence and crime.<sup>24</sup> However, this can be challenging, as many of these interventions, which include early-childhood development, employment opportunities, social support programmes and justice reform, are often long-term and require substantial resources and investment to yield positive results. Moreover, when levels of violence are as high as in South Africa, it can be extremely difficult to roll out these interventions as people’s lives are in immediate danger.

<sup>21</sup> Peters, Rebecca. 2015. Lessons learned for gun violence prevention. Daily Maverick, 9 March. (Online). Available at [www.dailymaverick.co.za/opinionista/2015-03-09-lessons-learned-for-gun-violence-prevention/#.VTizz5MThYw](http://www.dailymaverick.co.za/opinionista/2015-03-09-lessons-learned-for-gun-violence-prevention/#.VTizz5MThYw) (accessed 4 July 2019).

<sup>22</sup> Violence Prevention Alliance. n.d. The public health approach. (Online). Available at [www.who.int/violenceprevention/approach/public\\_health/en/](http://www.who.int/violenceprevention/approach/public_health/en/) (accessed 4 July 2019).

<sup>23</sup> Decker, Michele, Holly Wilcox, Sharvonne Holliday and Daniel Webster. 2018. An Integrated Public Health Approach to Interpersonal Violence and Suicide Prevention and Response. Public Health Reports, Vol. 133, pp. 65S-79S, p. 67S.

<sup>24</sup> Ibid.



Within this situation, limiting firearm availability and limiting access to alcohol are recognised as being two of the weakest links to help break the chain of violence.<sup>25</sup> In particular, easy access to guns is associated to increases in the most serious of crimes – homicide and femicide, as well as suicide and unintentional deaths.<sup>26</sup>

## HALVING CRIME NEEDS GUN CONTROL

South Africa's own experience confirms the close association between firearm availability and violent crime:<sup>27</sup>

- Violent crime, particularly murder but also attempted murder and robbery with aggravating circumstances, decreased between 2000 and 2009 as various gun control initiatives were undertaken nationally in support of the FCA. These included firearm audits of state owned weapons, campaigns to encourage civilian gun hand-ins, two firearm amnesties, regular gun destructions as well as much stricter provisions to own a gun for both existing and new gun owners.
- However, from 2010, the number of guns in South Africa began to steadily increase due to breakdowns in law enforcement and deliberate criminality. Since this time, gun-related crime, including predatory criminal violence, violence against women, violence against children, political violence, gang-related violence, taxi-related violence, farm attacks and wildlife poaching, has steadily increased.

If South Africa is to halve crime by 2030, we need stronger gun control involving three coordinated actions to reduce availability and easy access to guns:

1. Limit the possession and use of handguns, as the evidence shows that the vast majority of violent crimes involve pistols and revolvers: Between 1999/2000 and 2013/14, handguns were used in 94% of murders and 97% of aggravated robberies.<sup>28</sup>
2. Recover and destroy unauthorised, unwanted and obsolete guns through search and seizure and intelligence-led operations as well as firearm amnesties and possibly buy-backs.
3. Effectively manage weapon stockpiles, which includes regulating existing and new guns entering the market to limit unauthorised guns, gun possession and use.

We have significantly reduced crime before, including halving the number of people that are shot and killed from 34 to 18 people a day. We can do it again.

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<sup>25</sup> Decker, Michele, Holly Wilcox, Sharvonne Holliday and Daniel Webster. 2018. An Integrated Public Health Approach to Interpersonal Violence and Suicide Prevention and Response. Public Health Reports, Vol. 133, pp. 65S-79S.

<sup>26</sup> Hemenway, David and Matthew Miller. 2019. Counterpoint: Reducing firearm violence – Why a public health approach is helpful. Journal of Policy Analysis and Management, pp. 795-801.

<sup>27</sup> Taylor, Claire. 2019. Gun control & violence: South Africa's story. Impending Gun Free South Africa publication.

<sup>28</sup> Wits School of Governance Public Safety Programme. 2015. Analysis of the Firearms Control Act on Crime (1999 to 2014). University of the Witwatersrand.