



FIREARMS CONTROL BRIEFING

GUN CONTROL AND VIOLENCE: SOUTH AFRICA'S STORY

INTRODUCTION

To mark global disarmament week (24-30 October), Gun Free South Africa has published a comprehensive report documenting the history and impact of gun control in South Africa over 25 years. Briefing 5 of 2019 summarises [Gun control and violence: South Africa's story](#).¹

OVERVIEW

Gun control and violence: South Africa's story is told in three parts: The victims of gun violence, the weapons that kill, and the chain of events bringing the two together.

PART 1: THE VICTIMS – GUN VIOLENCE IN SOUTH AFRICA

By collating data on gun-related deaths, injuries and crimes in South Africa from the early 1990s to date, Part 1 shows that gun-related death, injury and crime have followed a distinctive 'up-down-up' pattern, characterised by:

- An increase from 1994 to 2000.
- A decrease from 2001 to 2010.
- An increase from 2011 to date.

Data over 25 years also show that while gunshots were the leading cause of violence-related deaths in South Africa in the 1990s, gun-related deaths began declining in early 2000, and by 2006 stab wounds replaced gunshots. However, since 2011 there has been a steady increase in the number of gunshot-related deaths. As of 2019, guns are the leading cause of murder in South Africa (47% of murders in 2018/19 were gun-related, up from 41.3% of murders in 2017/18).²

Part 1 also shows that gunshot wounds are 18 times more lethal than stab wounds – making death much more likely. Gunshot wounds are also more complicated to treat and more likely to result in permanent disability, which – in addition to contributing to the pain, suffering and trauma of survivors, their family and friends – drains South Africa's health and social support budgets.

PART 2: THE WEAPONS – GUNS IN SOUTH AFRICA

Gun-related violence cannot happen unless there is a gun. Part 2 sources a range of data to track patterns of gun distribution and ownership in South Africa over time. As of 2015, there were 4,5 million guns licensed to 1,8 million gun owners, 90% of whom were civilians and the majority of whom live in Gauteng, KwaZulu-Natal and the Western Cape, which are characterised by high levels of gun violence. The main reason for owning a gun is self-defence, followed by occasional hunting and sports-shooting; and handguns (pistols and revolvers) are the most commonly licensed gun. Handguns are also most likely to be lost or stolen and are the preferred weapon of crime, being used in almost all murders, attempted murders and aggravated robberies (94%, 94% and 97% respectively).

While there is no accurate information on how many unlicensed guns are in South Africa, most illegally held guns were once legal before being leaked into the illegal pool. Loss and theft are the main mechanism by

¹ Taylor, Claire. 2019. Gun control & violence: South Africa's story. Johannesburg: GFSA. (Online). Available at www.gfsa.org.za/take-action/resources/send/13-research/114-gun-control-and-violence-south-africa-s-story

² South African Police Service national annual crime statistics. (Online). Available at www.saps.gov.za/services/crimestats.php (accessed 21 October 2019).



which legal guns are diverted, with civilians reporting the loss/theft of seven times as many guns as the police since 2001/02, though this ratio has increased significantly in recent years. As of 2017/18 civilians reported an average loss or theft of 24 guns a day, while police members report the loss of one gun a day.

There are two main mechanisms to recover illegally held guns:

- Police stop, search and seizure or crime intelligence-led operations to recover illicit guns; and
- Campaigns that encourage the voluntary surrender of both legal and illegally held guns, for example amnesties and gun buy-backs.

Unless the taps through which legal guns leak into the illegal pool are closed, the problem will never be addressed. This requires effective stockpile management, which involves:

1. Securely storing weapon stockpiles to prevent the loss or theft of state and civilian owned guns and ammunition and involves storage in accredited safes or strongrooms.
2. Regularly auditing stockpiles to ensure that stocks have not been breached, to identify obsolete and unwanted stocks and to update records of who owns what guns for which purpose.
3. Collecting excess, obsolete, unwanted and recovered stocks e.g. through police recovery operations or firearm amnesties.
4. Regularly destroying stocks to reduce the risk of leakage.
5. Keeping accurate records of who owns what weapon for which purpose; gun licensing, including regular licence renewals is an effective way to do this.

PART 3: LIVES SAVED OR LOST – THE ROLE OF GUN CONTROL IN SOUTH AFRICA

The final part of *Gun control and violence: South Africa's story* tracks changes in gun control policy and practice in South Africa over six time periods: Colonialism and Apartheid (1652–1993), the first years of democracy (1994–1998), negotiating a new gun law (1999–2000), phased implementation of the law (2001–2003), full implementation of the law (2004–2009) and breakdown in enforcement (2010 onwards).

Doing this shows that the chance of being shot is not random. For someone to be shot, there must be a gun. When guns are controlled and less available, fewer shootings happen and lives are saved. Conversely, when gun availability increases, people die.

Gun control saves lives

Gun control and violence: South Africa's story identifies five key pillars contained in government's Firearms Strategy that reduced the availability of guns in South Africa between 2000 and 2010:

1. **Regulators to manage the flow, possession and use of guns in SA:** Interventions included enacting and phasing in the Firearms Control Act, No 60 of 2000 (FCA) to raise the bar for gun ownership, issuing national instructions and standing orders for South African Police Service (SAPS) members responsible for implementing the FCA and finalising training unit standards for firearm competency certificates to ensure that gun owners understand the law and responsibilities of gun ownership.
2. **Capacity building to support the implementation of the FCA:** New staff, particularly Designated Firearms Officers (DFOs, police members specifically appointed and trained to implement the FCA at station level) were appointed and trained and additional posts at the Central Firearms Registry (CFR), Criminal Record Centre, Forensic Laboratory, Border Police Unit and Illegal Firearms Investigation Units were filled; new IT and logistical equipment was acquired; and the CFR's Firearms Record System was overhauled.
3. **Address illegal and criminal guns and gun use:** An "operational crime combating approach" was used to stop the leakage of legal guns into the illegal pool, reduce the demand for guns, and recover legal and illegally held guns. Interventions included:
 - Auditing state and private security companies' guns to identify obsolete and redundant firearms for destruction.



- Supporting the voluntary surrender of legally owned guns, including through two amnesties which recovered a total of over 120,000 guns.
 - Clarifying procedures to deal with firearms in deceased estates.
 - Specifying safe gun storage standards to reduce the risk of accidental death and injury in the home and theft of firearms.
 - Mobilising intelligence driven operations such as Operation Sethunya to recover and destroy illegally held guns.
4. **Awareness raising and social crime prevention:** To prevent crime and violence through public awareness and education and social crime partnerships, various campaigns were run on:
- Provisions in the FCA to support responsible ownership and use of legal firearms.
 - Voluntarily surrendering guns for destruction.
 - Options for dealing with firearms in deceased estates.
5. **Regional and sector cooperation:** Included signing two international agreements to standardise the trade, storage, possession and use of guns as well as operations to recover and destroy guns and other small arms (such as Operation Rachel which destroyed over 19,000 firearms in Mozambique).

In the 10 years that guns were strictly controlled and less available in South Africa (2000-2010), gun-related deaths almost halved, from 34 people shot and killed a day to 18.

Poor enforcement kills

However, from 2011 gun violence began increasing due to various breakdowns in South Africa's firearms control management system.

Some breakdowns were inadvertent, and resulted from:

- **Inappropriate target-setting:** To meet the Minister of Police's 2010 promise that a backlog in gun-related applications would be addressed within six months, the CFR processed over one million applications in 2011. This fast-tracking likely compromised the firearms control management system, which means that people not deemed "fit and proper" were granted gun licences or permits.
- **Under-resourcing:** DFOs are integral to upholding the law, particularly excluding unfit people from owning a gun. For instance, DFOs are required to undertake three interviews with individuals known to a firearm licence applicant, including the applicant's spouse, and must inspect the applicant's safe to ensure that it conforms to SABS specifications. Despite this key role, resource shortages including a lack of personnel, equipment, time and capacity all impact on DFOs' ability to fulfil this function.
- **Poor planning:** When government's five-pillar Firearms Strategy ended in mid-2009, it was not replaced. As a result, the coordination facilitated by having a long-term comprehensive and integrated strategy stopped, which contributed to implementation and compliance failures and an overall breakdown in South Africa's firearms control management system.

Deliberate criminality also contributed to the increasing availability of guns from 2011. This includes:

- **Fraud and corruption:** Stakeholders along the firearms management chain, including police officers, firearm training institutions, gun dealers and gun owners, have all been fingered for issuing certificates, permits, authorisations or licences to people who are not "fit and proper"; paying of bribes to ensure that certificates, permits, authorisations or licences were issued and to avoid delays; and licensing prohibited firearms which were not accurately listed on the system.
- **Leakage of guns from legal to illegal markets.** One of the most high profile cases was that of Christiaan Prinsloo, a senior police official who pleaded guilty to selling guns in police stores to gang leaders on the Cape Flats.

As a result of breakdowns in SA's firearms control management system from 2011 as well as a slowing down of government-led recovery interventions to recover firearms, guns have become increasingly available since



this time. As gun availability increased so has gun violence. The latest national crime statistics (2019) show that guns are again the leading cause of murder in South Africa.

CONCLUSION: GUN CONTROL SAVES LIVES, POOR ENFORCEMENT KILLS

Guns are designed to kill: One in three people who are shot will die. In contrast, one in 55 people who are stabbed with a sharp object will die. Globally the link between controlling firearms to limit their availability and reduce gun-related death and injury is well documented and endorsed as an effective strategy to decrease crime and violence levels.

South Africa's own experience proves that reducing gun availability through gun control saves lives. What it also shows is that poor enforcement kills.

For a law to achieve its objectives, it needs to be implemented by authorities on the one side and complied with by citizens on the other.

The FCA marks a dramatic break from the Apartheid-era Arms and Ammunition Act of 1969, but there has been significant resistance and non-compliance from some citizens, which has been facilitated by poor implementation on the part of authorities.

This enforcement vacuum is illustrated by the fact that 33% of gun owners licensed under the FCA failed to renew their licences in 2015/16. SAPS data show that of the 191,488 firearm licences up for renewal in this period, 128,419 applications were received.

Yet when the Acting National Police Commissioner issued a directive within the SAPS in February 2016 to standardise the firearm licence renewal process in Sections 24 and 28 of the FCA, which had been unevenly enforced around the country, the impact was immediate. As soon as the law was uniformly implemented, compliance levels increased: Gun licence renewal applications increased significantly in 2015/16 and 2016/17 (when an average of 126,613 gun licence renewal applications were submitted annually) compared to the previous four years (when an average of 40,000 applications were submitted).

Moreover, it appears that a legal challenge to the SAPS' 2016 directive did not impact on applications, with licence renewal applications remaining high in 2016/17.

By tracking changes in gun violence, gun availability and gun policy enforcement over 25 years, *Gun control and violence: South Africa's story* is a map to reducing gun violence in South Africa and halving crime in the country in the next 10 years. It identifies tried and tested gun control interventions that saved lives in the past. These same interventions can again save lives.

As we mark disarmament week, we call for urgent action by government to reduce the ready availability of guns by recovering and destroying illegal and unwanted guns and limiting the number of new guns entering communities by implementing the FCA in its entirety.