



Gun Free South Africa

Contributing towards a safe and secure South Africa,
free from fear, by reducing gun violence



Annual Report

2010

2011



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ACRONYMS

ANC	African National Congress
CBO	Community Based Organisation
CFR	Central Firearms Registry
CPF	Community Policing Forum
DFO	Designated Firearms Officer
FCA	Firearms Control Act
FFZ	Firearm Free Zone
GCA	Gun Control Alliance
GFA	Gun Free South Africa
GFZ	Gun Free Zone
IANSA	International Action Network on Small Arms
MEC	Member of Executive Committee
MRC	Medical Research Council
NGO	Non Governmental Organisation
NPO	Non Profit Organisation
OECD-DAC	Organisation for Economic Development Cooperation - Development Assistance Committee
PSA	Public Service Announcement
SA	South Africa
SABC	South African Broadcasting Corporation
SACC	South African Council of Churches
SANCO	South African National Civic Organisation
SAPS	South African Police Service
UCT	University of Cape Town
UNISA	University of South Africa
WHO	World Health Organisation
Y&R	Young & Rubicam (advertising agency)

IN MEMORY OF

Sheena Duncan

7 December 1932 - 4 May 2010



"Sheena Duncan was ... an unrelenting activist for justice and the pursuit of human rights for all. Her life exemplifies devotion to the highest ideals of justice and freedom".

Excerpt from the Order of the Baobab in Silver, which was bestowed on Sheena by the Presidency on 20 April 2006.

As Black Sash president and patron, and founding Chair of the Black Sash Trust, Sheena campaigned to realise the dream of a democratic and non-racial South Africa. As Gun Free South Africa's long-standing Chairperson and patron, she tirelessly continued working to establish a safe and secure South Africa. Adèle Kirsten, founding Director of Gun Free South Africa and current Board member, credits Sheena with steering Gun Free South Africa "from embattled outsider to significant, if not central, actor in redefining the meaning of guns in South Africa". She remembers Sheena as "an extraordinary and remarkable woman who encouraged me and supported me and made me feel that a lifetime of activism was a genuine job, a job to be proud of and to be honoured". Well known human rights lawyer, Geoff Budlender remembers that "Sheena taught me the difference between empathy and sentimentality. Sheena treated every human being with great respect. She had endless empathy for their pain and their problems. But she had no time for sentimentality. Once she had understood the problem, she did not wail, she started looking - with that person - for a solution".

Margaret Nash

1 March 1929 - 2 August 2011



Margaret Nash was a human rights activist who, in 1980, authored a damning report on forced removals, which the apartheid government promptly banned. Peter Storey, a founding member and patron of Gun Free South Africa describes how Margaret "rained on PW Botha's parade", when a church delegation took her report to the United Nations, Britain and Europe ahead of a tour by South Africa's then president, PW Botha. It was a devastating document, caused severe embarrassment for Botha and added to international pressure to stop forced removals. Peter goes on to note that "Margaret never did anything by halves, and once she decided to support Gun Free South Africa, she gave her all to the cause. So Margaret was there from the beginning, from that seemingly quixotic call for a nationwide hand-in of firearms on the first Day of Reconciliation, 16 December, 1994. As a supporter and patron, she helped grow Gun Free South Africa into a formidable campaign that made the Gun Free logo ubiquitous".

Margy Keegan

9 July 1951 - 3 May 2009

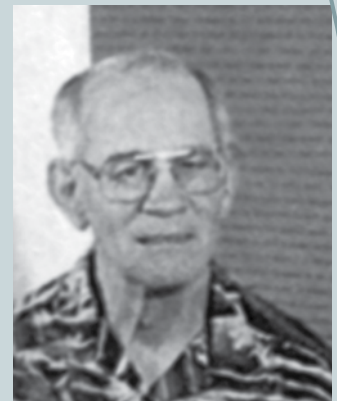
Margy Keegan was one of Gun Free South Africa's brightest, most energetic and strategic leaders - helping guide the organisation through the Firearms Control Bill deliberations and establishing Gun Free Zones as a practical tool to promote community safety and security. Born in the US, Margy won a scholarship to do a doctorate in African history at Yale University's Graduate School before meeting and marrying a South African, Tim Keegan. While she was a widely published and highly thought-of historian of Tswana-speaking people, it was clear that Margy's copious spirit couldn't be contained by an academic career - it was personal engagement with local communities that inspired her. So it was inevitable that after moving to South Africa she got involved in community activism. During the 1980's she worked tirelessly to promote adult based education, but with the changes that came about in the 90's, Margy plunged herself into politics; she worked for the Constitutional Assembly before joining Gun Free South Africa, where her presence and influence quickly became indispensable. At her memorial service, she was remembered as "a person with an infinite capacity for giving, with a capacious and all-encompassing heart in which many people from every walk of life found comfort and succour".



Jannie Janse van Rensburg

22 August 1936 - 5 October 2009

Jannie was a selfless and dedicated volunteer who joined Gun Free South Africa in 1994 and worked towards achieving this vision until the day he died. He was a constant at the Johannesburg office, responsible for the daily errand running central to any organisation's functioning as well as for monitoring the media. His dedication to the organisation stemmed from his deep commitment to firearm violence prevention and many a day saw him writing letters to the media in response to needless gun-related deaths and injuries or patiently talking to irate gun owners abusing Gun Free South Africa.



LETTER FROM THE CHAIR

As Gun Free South Africa we believe very simply that less guns mean less gun violence. With every gun removed, we are one step closer to the kind of country our Constitution promises, a country where “everyone has the right to be free from all forms of violence”.

It’s been seventeen years since our Constitution was passed and democracy was born in our country, a process often described as “miraculous”. It is true we have come a miraculously long way in these years of our young democracy. At the same time it is also true that we have a miraculously long way to go, witness the destruction caused by firearms each day. We must never allow the one truth to deny the other truth. Rather the first truth should inspire and energise us to confront and deal with the second.

And as Gun Free South Africa we are inspired. We are inspired by the people of this land who dared to struggle for freedom while still in chains. We are inspired by the people of this land who dared to work for a democratic, non-racist and non-sexist country when there was no evidence that the ruthless oppression would ease.

As Gun Free South Africa we are inspired to be part of another

miraculous moment in our nation’s history and healing, namely, when South Africa is truly gun free.

As Gun Free South Africa we are often accused by a tiny, yet loud minority that we will never achieve this. We say to them “we beg to differ”. They call us naïve - but in the end they will be shown to be naïve. For let us remember that there were those - also a tiny minority in power - that said that apartheid would never end and that it was foolish and naïve to think it ever would. But in the end we know who were the truly naïve when the day came that some people said would never come.

We are inspired by our miraculous history to work for an equally miraculous future, where the impossible will not only become possible but inevitable.

While 2010 and 2011 were difficult years for Gun Free South Africa, we came through them, and are now in a stronger position than we’ve been in for many years. With our new found strength, we look forward to standing in solidarity with the over ninety percent of South Africans who do not own guns and who want South Africa to be free from gun violence and fear.

Alan Storey



INTRODUCTION

Gun Free South Africa (GFSA) is a non-profit organisation committed to reducing gun violence in South Africa. Since being established in 1994, GFSA has remained a vital and vocal voice for the unarmed majority, helping contribute to overall safety and security in South Africa.

During the drafting of the South African Constitution, which is recognised worldwide for its pioneering approach to human rights, GFSA activists lobbied hard to ensure that gun ownership is not a constitutionally guaranteed right, but a privilege granted by the state that can be revoked at any time.

GFSA was instrumental in the drafting of South Africa's current firearm legislation, the Firearms Control Act (2000), which remains one of the best pieces of firearms legislation in the world.

In our media relations and community outreach, GFSA has consistently challenged the widespread belief that gun ownership equals increased security; instead we've offered an alternative viewpoint - that people are safer and freer without guns.

South Africa today is a safer country because of Gun Free South Africa, but our work is far from over. More than ever there is an urgent need for GFSA to create platforms to hear from those whose lives are shaped by gun violence but who have little voice in society. In addition, the implementation of the Firearms Control Act needs to be continually monitored to ensure the realisation of its intended purpose, that of reducing gun violence.

2010 and 2011 have been important years for GFSA, with the organisation making its presence felt through a range of community, policy and media interventions. This report offers a snapshot of the two year period under review, with special emphasis on the 2010 national firearms amnesty, as well as our other community mobilisation and awareness, media, advocacy policy and advisory work. The report also covers the important achievements made by GFSA in terms of governance and financial management in this time.

Poster developed to encourage the public to hand in firearms during 2010 national firearm amnesty

LOST

LOST GUNS LEAD TO LOST LIVES

For your own safety, hand in any unwanted or unlicensed guns at your local police station before the gun amnesty ends on 11 April 2010.

GUN FREE SOUTH AFRICA

To report illegal guns
CALL 012 383 6111

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CALL 012 383 6111

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PARTNERSHIPS AND SUPPORT

Since starting in 1994, GFSA's work has been underpinned by the motto, 'one message, many voices'. The message is gun control, the voices are the numerous partners we've worked with to reduce gun violence in South Africa over the years. Our partners in 2010 and 2011 included the Secretariat for Police - with whom we partnered on the 2010 national firearms amnesty, IANSA in support of a gun free World Cup and the Institute for Security Studies to promote a culture of professional policing.

2010 National Firearms Amnesty

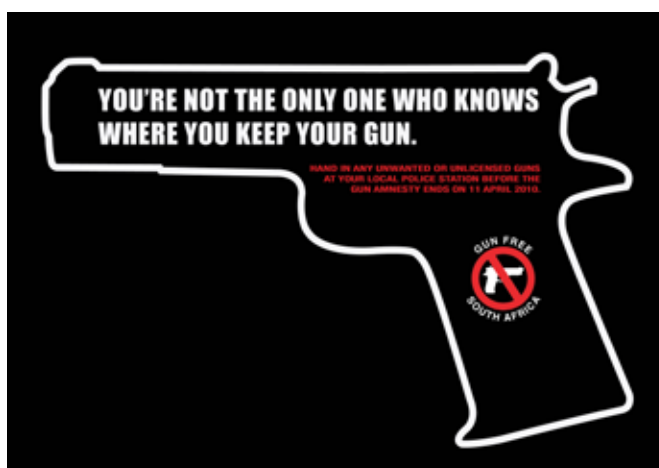
As South Africa geared itself to host the FIFA World Cup, GFSA kicked off 2010 by partnering with the Secretariat for Police on the 2010 national firearms amnesty, which aimed at reducing the number of firearms in the country prior to hosting the world's biggest sporting event.

During the amnesty, held from 11 January to 11 April 2010, the public were given immunity from prosecution for being in illegal possession of firearms or ammunition. However, to be considered for amnesty, individuals had to complete an application form providing the police with their name, identification number, contact details as well information about the firearm and ammunition being handed in. This was intended as a safeguard against individuals getting de-facto immunity for firearm-related crimes, other than being in illegal possession.

GFSA played a leading role in the amnesty; monitoring the process, thereby ensuring civil society oversight and transparency and assisting the police with communicating the amnesty message.

Monitoring the Amnesty Process

GFSA served as the official independent monitor for the amnesty process, with monitors working across five provinces. Monitors undertook unannounced oversight visits at over 200 police stations nationally. These visits checked on each station's compliance with



Poster developed to encourage the public to hand in firearms during 2010 national firearm amnesty

the amnesty process, verifying that the firearms recorded as handed in were in fact held in the police safe. Monitors also assisted with identifying any potential problems at police stations, reporting these to the national task team.

At the close of the amnesty period a total of 32,169 firearms and 348,083 rounds of ammunition had been handed in, representing a major victory in the fight against firearm proliferation in South Africa.

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Firearms Amnesty, ANC Today: 16-22 April 2010

The nationwide firearms amnesty campaign aimed at reducing illegal firearms ended at midnight on Sunday. Over 32,169 firearms were recovered. Of this, 27% were illegal and 53% were voluntary surrendered...A total of 2,500 people used the opportunity to licence their firearms under the new Act. South African citizens were given four months since January to hand in legal and illegal firearms, and 100,000 firearms were destroyed over and above the recovered firearms.

Images from Young & Rubicam gun amnesty awareness campaign



The presence of independent monitors affiliated to GFSA helped build public confidence in the South African Police Service, making the public more likely to hand in firearms and ammunition during the 2010 national firearms amnesty.



Images from Young & Rubicam gun amnesty awareness campaign



Communicating the Amnesty Message

In addition to monitoring the amnesty process, GFSA led a successful mass awareness-raising campaign to promote the gun amnesty, enlisting the pro-bono assistance of advertising agency Young & Rubicam (Y&R) to develop creative and exciting ways of communicating the amnesty message.

“The passion behind GFSA encouraged the agency to become more involved by using creativity to help make South Africa a safer and more secure place”, advertising agency Young and Rubicam’s Cape Town MD Alan Schreiber explaining Y&R’s decision to take GFSA on as a pro-bono client during the 2010 national firearms amnesty.

Partnering for Creativity

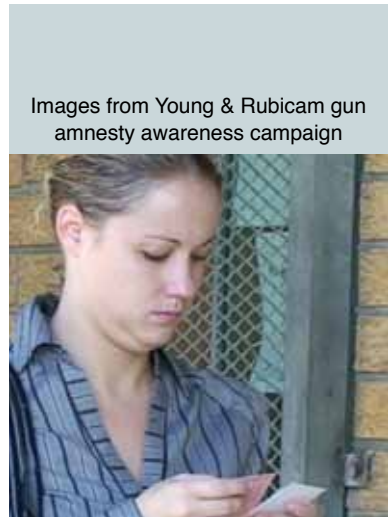
Gun Free South Africa relies on donations to contribute to a safe and secure South Africa by reducing gun violence. However, donations need not be monetary; contributions of time and creativity are just as effective, as advertising agency Y&R Cape Town showed. Y&R took GFSA on as a pro-bono client; the campaign was called Umshini Wakho and it aimed at encouraging the public to hand in illegal guns and ammunition during the 2010 national firearms amnesty.

Y&R’s creative partnership with Gun Free South Africa during the 2010 national firearms amnesty helped remove over 32,000 unlicensed guns and 348,000 rounds of ammunition from the streets of South Africa.

To illustrate the fact that with so many guns circulating the streets, there is a bullet out there with every South African’s name on it, over 15,000 bullet cases engraved with common South African names were scattered in the streets of Cape Town. A flier rolled up in each case detailed the dangers of owning an illegal gun and the specifics of the amnesty programme. Train commuters on busy routes were issued with two travel tickets; one actual ticket and one representing

With thousands of stolen and illegal guns on our streets there is a bullet out there with your name on it.

Hand in unwanted and unlicensed guns at your local police station before amnesty ends on April 11th. www.gfsa.org.za



Images from Young & Rubicam gun amnesty awareness campaign

AFTER 11 APRIL 2010 ONEWAY FROM: Cape Town TO: Pollsmoor Prison

00015 years in jail

Unless you hand in your unlicensed gun at any police station.

www.gfsa.co.za

a one-way ticket to prison for 15 years, the usual conviction for possession of an unlicensed firearm.

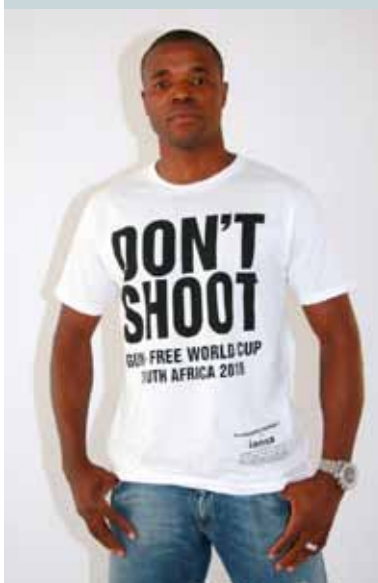
To further promote the amnesty, the popular Zulu call to arms 'struggle' song used by the ANC during apartheid, was re-recorded editing the lyrics to call people to disarm.

Y&R's controversial and effective campaign Umshini Wakho (Bring Us Your Machineguns), which encouraged South Africans to hand in illegal guns and ammunition during the 2010 national firearms amnesty, was awarded a Bronze Loerie in the Ubuntu category of the 33rd Loerie Awards, this award recognises the positive influence of brands on the social and physical environment.



Y&R published and sent a letter to President Zuma asking him to stop singing Umshini Wami ('Bring Me My Machinegun') and to sing Umshini Wakho ('Bring Us Your Machineguns') instead. The campaign created some controversy in the press and got the attention of the President's office.

Aaron Mokoena,
Captain of Bafana Bafana



"When I was growing up playing football, I always dreamed about playing for Bafana Bafana. To play for my country and be captain, particularly when the World Cup is being hosted on African soil, is a real honour. This is an opportunity to demonstrate to the world the beauty and diversity of our country. So let's be a united Africa and ensure that our country is safe. Let's support a gun-free World Cup."

Photo and quote source: IANSA

Don't Shoot: Gun-Free World Cup

GFSA supported the International Action Network on Small Arms (IANSA) Gun-Free World Cup campaign, in which all stadiums during the 2010 FIFA World Cup in South Africa were declared gun free. The campaign was well supported, both through the media and by a number of international footballers who donned the campaign T-shirt produced by UK designer Katharine Hamnett with the slogan "Don't Shoot: Gun-Free World Cup".

National Professional Policing Campaign

GFSA supported the Institute for Security Studies' Crime and Justice Programme, becoming an advocate on a national campaign aimed at supporting and promoting professional policing. GFSA endorsed the goals of the campaign - to reward excellent policing, and report police misconduct - in all our work, e.g. recognising the role the police play in recovering and destroying guns, while holding the police accountable for failing to undertake thorough background checks on gun licence applicants, leading to unfit people being granted firearm licences.

Reward a Cop, Report a Cop



COMMUNITY MOBILISATION AND AWARENESS-RAISING

Community Events

In addition to partnering with organisations on various campaigns, GFSA also partnered with a number of Gauteng-based communities to raise the voices of the unarmed majority against guns and associated violence. During 2010, GFSA worked with community-based organisations and neighbouring police stations to host events in Diepsloot, Meadowlands, Mogale City and Dobsonville - all of which experience high levels of gun violence.

Each community mobilisation initiative involved months of planning and meetings with local community members - who were given the space to debate what personal gun ownership means for commu-

nity safety, particularly when alcohol is present. Typically participants were drawn from a range of community based organisations, NGOs and other community groupings including local 'Liquor Traders against Crime' groupings, Batho Pele, SANCA, CPFs, Metro Police, SAPS, community development workers and religious groups. Key messages communicated at these events included:

- Collective action is more effective than individuals acting alone.
- Safety is everyone's responsibility, and every individual has the capacity to make a personal contribution to building a peaceful and nonviolent society.
- Responsibility for security should be shared by the government, police and citizens.

These events served as visible displays of cross-sector collaboration and illustrated the willingness of ordinary community members to get involved in promoting safety in their neighbourhoods.

The events received extensive media coverage on Soweto TV, Jozi FM, Talk Radio 702 as well as in The Star, Daily Sun and other local newspapers.

GFSA's community events aimed at raising the voice of the unarmed majority against gun violence in their communities





"GFSA's level of commitment around gun violence is greatly valued by our organisation", Gary Slutkin, MD, CeaseFire Founder and Executive Director, who visited SA in 2010 to give a series of lectures on the CeaseFire Program Model, a successful initiative of the Chicago Project for Violence Prevention that has been used very successfully to reduce gun violence.



Public Engagements

Seminars

In September 2010, GFSA together with the US Embassy in South Africa and the Institute for Security Studies co-hosted two seminars aimed at exploring ways to prevent violence in South Africa. The seminars, which took place in Johannesburg and Cape Town, brought together local violence prevention actors from government and civil society to learn about an international best practice model, CeaseFire, and explore options for applying this in a South African context.

The founder of CeaseFire, Dr Gary Slutkin, visited South Africa to present on the CeaseFire Program Model, a successful initiative of the Chicago Project for Violence Prevention that seeks to reduce shootings and killings by approaching violence through a public health lens. The CeaseFire intervention and behaviour change method was statistically proven to reduce shootings and killings in a three-year scientific and independent evaluation commissioned by the US Department of Justice.

The seminar respondents were Dr. Catherine Ward and GFSA Board Member Adèle Kirsten, both violence prevention experts in South Africa. Cathy Ward is a clinical-community psychologist and senior lecturer in the Department of Psychology at the University of Cape Town, whose work focuses on crime and violence and associated problems such as substance abuse. Adèle Kirsten, who was a founder member of GFSA in 1994, becoming its Director a year later, has been involved in a number of global initiatives including the WHO Report on Violence in Africa, and is a member of the Expert Group for the OECD-DAC on developing guidelines for Armed Violence Reduction Programming.

"Gun Free South Africa is one of the very few organisations in the country that focuses on gun violence and prevention of gun violence. It is well-known in civil society circles for this, and has a long track-record of working successfully with communities to develop interventions", Dr. Cathy Ward, UCT.

Events

GFSA was invited to participate in a number of other public events, including:

- Attending the Building Safer Communities, Building a Safer South Africa Conference, which was hosted by the Harvard Institute, 26–28 May 2010.
- Presenting at the Homicide in South Africa Colloquium, hosted jointly by the MRC and UNISA, 6 and 7 December 2010.
- Attending the Gauteng Department of Community Safety Partnership Summit, 31 March 2011.
- Participating in the gun destruction at Reclam, Benoni, 2 April 2011.
- Making a plenary presentation at the WHO 5th Milestones of a Global Campaign for Violence Prevention, entitled “Building Safe Communities: The dynamic interface between civil society and the state in preventing collective violence and reducing gun deaths”. Cape Town, 6–7 September 2011.

Just under 25,000 firearms were crushed at a gun destruction in Benoni on 2 April 2011, of which approximately 13,000 firearms had been handed in and the balance were illegal.





Media Coverage

As an established voice for gun control, GFSA is often approached to respond to firearm-related debates and issues, with regular requests for comment received from all independent newspapers. Other media coverage during 2010 and 2011 included significant radio and TV exposure, with a lengthy interview on SABC's premier investigative show, *Special Assignment*, on the private and illegal arms trade in South Africa, which aired on 10 October 2010.

Natalie Jaynes, who was appointed GFSA Western Cape Regional Director in 2009, becoming National Director in October 2010, was also recognised in a *Mail & Guardian* 2010 Special Report as one of 200 young South Africans shaping the country's future.

GFSA's National Director:

One of 200 young South Africans shaping the country's future

Source: M&G Special Report on Young South Africans, 14 June 2010

Natalie Jaynes regularly receives abusive emails and late-night phone calls. It's part of a low-level campaign by pro-gun ownership groups to silence her organisation.

"We are not just an anti-gun group", Jaynes says. "We have a radical vision that one day there will be no more guns in this country". There are approximately four million guns in circulation in South Africa, Jaynes says, and the country is a significant arms exporter.

"We also have one of the highest rates of gun violence in the world, and the highest rate of gun-related femicide".

Gun Free South Africa lobbies government to align the Firearms Control Act and the Criminal Procedure Act more closely with the letter and spirit of the Constitution.

Approximately 32,000 guns were handed in to the authorities during the most recent amnesty window. A drop in the ocean, perhaps, but Jaynes says: "Even one gun taken out of circulation is a victory for society".



In addition to being regularly asked for comment, GFSA also issued various proactive media-statements, for instance we:

Challenged a move to arm guards patrolling Table Mountain after a number of robberies. We argued that this could result in guards becoming targets for their guns, that armed patrols would increase the need and likelihood of assailants being more heavily armed and that more guns would increase the risk of gun violence and injury to tourists on the mountain. Instead GFSA urged that guard numbers be increased and that dog patrols be introduced.

Called for schools to be declared as Firearm Free Zones following a spate of gun violence at Kondelani Junior Secondary School in Soshanguve in 2010. In the first incident the school's social worker, Rachel Maikabi, was shot dead by her ex-boyfriend who then shot and killed himself, then Simon Mthimunya was killed by a stray bullet while waiting to register his niece and nephew for social grants. In our statement, we noted that, "As far back as 7 May 2004 the Minister of Safety and Security issued Government Gazette No. 26305 noting: 'his intention to declare all schools and other learning institutions as firearm-free zones, in terms of section 140 of the Firearms Control Act, 2000'. We call on the Minister of Police to explain what progress has been made in terms of this Gazette".



Public Service Announcements

In addition, to Y&R's pro-bono support of GFSA during the 2010 national firearms amnesty, a number of advertising students approached GFSA in 2010 and 2011 to develop public service announcements (PSAs) in support of our gun control message. These resulted in two powerful PSAs, the first was a radio advert focusing on the use of guns in domestic violence, while the second was a TV advert, which increased awareness of the fact that anyone can be affected by gun related violence.



"Imagine a safe South Africa. Imagine a Gun Free South Africa"

By-line from a radio PSA developed for GFSA by Keabetswe Moleko.

"Don't leave it to chance, take a stand against gun violence"

By-line from TV PSA developed for GFSA by Eugen Andersen and Richard Thompson.

ADVOCACY, POLICY AND ADVICE WORK

Strong Gun Law

GFSA, together with the Gun Control Alliance (GCA), a network of over 200 organisations including business, health, human rights, religious, women and youth organisations, was instrumental in drafting the Firearms Control Act (FCA). The Act, which was promulgated in 2000, is hailed internationally as a model firearm law, combining strict gun control with a clear human rights agenda.



Since the FCA was signed into law, GFSA has been instrumental in lobbying for regulations and policy frameworks that maximize the positive impact of the law.

Firearms Control Act Amendment Bill, 2011

In June 2011, the Minister of Police published an amendment of the Firearms Control Act for public comment. GFSA rallied key GCA members to counter attempts to weaken the FCA.

A number of submissions were made by a diverse section of Gun Control Alliance members, including from organisations representing health, women and children's rights, all calling for stricter gun control.

Welcome Provisions

GFSA and its partners welcomed a number of provisions in the proposed FCA amendment, including:

- Provision for accredited associations to help verify firearm licence applications, as this would create greater accountability on the part of associations as well as potentially lighten the administrative burden on the Central Firearms Registry, which is overall responsible for controlling firearm licensing and registration in SA.
- The detailed elaboration on the duties and responsibilities of Designated Firearms Officers (DFOs), who are the 'face' of gun control at police station level.

- Proposed amendments to the Appeals Board to ensure that there are at least five members on the Board, and which spell out the role and mandate of the Board, so contributing to its transparency. However, a plea was made for the Minister to consider including a health care professional as well as experts working in the field of preventing violence against women as members of the Appeals Board, since both represent constituencies negatively affected by gun violence.

Concerns

Concern was expressed about a number of proposed changes in the Amendment Bill, which would weaken gun control, GFSA and its partners:

- Opposed proposed changes aimed at lengthening the period of validity of competency certificates, which is the first step to getting a firearm licence. We argued that one of the principles underpinning the FCA is the concept of renewal, which is intended to ensure the ongoing integrity and accuracy of information contained in the CFR of who owns which firearms and for what purpose. The need for renewals is based on the understanding that an individual's circumstances change over time so necessitating regular evaluations of whether a person is still fit to own a firearm.
- Strongly resisted a proposed increase to the limit on the number of firearms an individual can own from four to five, with submissions arguing that the limit on the number of firearms any one person may be licensed to possess is based both on sound international norms and standards and on the particular context in South Africa which has a high rate of loss and theft of weapons from civilian firearm owners.

The Firearms Control Amendment Bill of June 2011 is yet to be finalised; it's expected to go through the parliamentary process of public hearings and deliberation by the Police Portfolio Committee in late 2012.

Dangerous Weapons Bill, 2011

The draft Dangerous Weapons Bill, which was published in the Government Gazette for public comment on 2 September 2011 before going before Cabinet for approval, led to a heated response



from some sectors of society who claimed that the Bill would prevent people from playing paintball or using any weapon to defend themselves. In our media work GFSA noted that the Bill, which aims to replace the Dangerous Weapons Act (71) of 1968:

- Would still allow members of the community to defend themselves, as nowhere does it prohibit self-defence.
- Gives further protection to all members of society by granting the police additional powers to confront anyone carrying a dangerous weapon, including a crossbow, sword or replica firearm; there have been a number of incidents of the latter being used to commit crimes including robberies and rapes.



Litigation

GFSA assisted and supported the Secretariat for Police in two cases brought against the Minister of Safety and Security, each challenging different elements of the Firearms Control Act. GFSA closely monitored developments and offered input from field work to strengthen the arguments put forward by legal counsel for the SAPS.

SA Hunters v Minister of Safety and Security

On 26 June 2009, Judge Prinsloo handed down an interim order in the case of SA Hunters v Minister of Safety and Security. The order was a serious blow to gun control and the FCA in particular as it found in favour of SA Hunters, stating that all firearm licences issued under the apartheid era Arms and Ammunition Act of 1969 would remain valid until the final order was heard. The case further questioned the constitutional validity of the FCA.

Following this interim order, GFSA successfully lobbied the Secretariat for Police to increase the capacity of the SAPS legal team. As a result, the legal counsel currently handling the case is far stronger and better equipped to argue a favourable outcome. The result of this case is still pending, as the parties engage in an out of court settlement.

Justice Alliance of South Africa & False Bay Gun Club v Minister of Safety and Security

On 5 November 2010, the Western Cape High Court handed down judgment in the matter of the Justice Alliance of South Africa and False Bay Gun Club v National Minister of Safety and Security and others. The case concerned the question of whether the state should pay monetary compensation to persons who voluntarily hand in their firearms to the SAPS.

The Court upheld the guidelines on compensation written by the Minister of Finance, which stipulate that financial compensation will only be paid if the SAPS decide to retain the surrendered firearm for training, research or heritage reasons. The Court agreed

with counsel’s interpretation of Chapter 19 of the FCA, that no compensation needs to be paid for firearms voluntarily surrendered for destruction. This judgment means that a significant amount of money will be saved and these funds can rather be spent on core policing.

The judge also rejected the contention that the compensation provision read with the guidelines amounted to an arbitrary deprivation of property, and accepted the argument that any deprivation was a rational measure in furtherance of a legitimate governmental objective of reducing the number of firearms in circulation.

Finally the Court declined to accept the invitation of the Justice Alliance to declare provisions of the FCA itself unconstitutional. The Court maintained and upheld the constitutionality of the FCA.

All in all this judgment represents a comprehensive victory for the FCA, and a significant saving for the national fiscus, in particular the police budget (perhaps as much as R1 billion). As GFSA we contributed to this successful outcome through our lobbying for stronger legal counsel, and through providing input to the legal team.

Effective Implementation

Central Firearms Registry Functioning

In June 2010 GFSA was invited to join a core working group set up to improve the functioning of the Central Firearms Registry (CFR). A well functioning CFR is the cornerstone to effective gun control in South Africa through:

- Increasing control and monitoring of legal, licensed firearms – a stolen firearm can be traced more easily and prosecution can be rendered more effective.
- Limiting the potential flow of legal firearms into the illegal pool through stricter control and management.
- Maintaining the constitutionally guaranteed limitation not to allow for the unrestricted carrying of arms.

Through our work GFSA has been alerted to a number of weaknesses in the CFR’s functioning, leading to firearms being granted to people who are not ‘fit and proper’ as well as to firearms not being removed

“Our dream is for a **gun free** South Africa”

– Minister of Police, Nathi Mthethwa, briefing a press conference in Pretoria on changes to be made at the Central Firearms Registry following an internal review process and submissions from civil society, including GFSA, on how to improve CFR’s functioning, 2 November 2010.

from unfit people. As a result of our on-the-ground knowledge, GFSA made a submission recommending various ways in which the CFR could be strengthened and better aligned with the purpose of the FCA. Our recommendations were included in the Minister’s findings and are currently being implemented. While we do not have direct control over the process of implementation, we were nevertheless able to exercise significant influence during the process. Moreover, it is particularly significant to note that without GFSA, this process would have been dominated by gun lobby groups.

Advice Function

Throughout 2010 and 2011 GFSA received a steady string of requests from the public for advice and help on firearm-related matters. While we do not have the capacity to offer full legal advice, we were able to provide quick and accurate responses to assist the public and ensure the effective use of the existing law.

While most queries relate to getting rid of unwanted guns, other more complex queries included:

Gun Violence Survivor

The distressed parents of a young man, who lost an arm following a shooting incident, contacted GFSA in 2011 for help about the seeming lack of consequences after the shooting. GFSA followed up with relevant authorities on behalf of the family to ascertain what action they could take to hold the shooter accountable. The advice given was that the family must approach the DFO at the police station where the shooting had been reported and request that the Registrar (that is, National Commissioner of SAPS) hold an inquiry under section 102 of the Act. Further it was suggested that the family appoint a lawyer to institute a civil claim against the shooter.

Huntex 2011

GFSA responded to a complaint about the Huntex gun and hunting show, which took place at the Gallagher Convention Centre, Johannesburg in April 2011. A member of the public contacted GFSA expressing concern over whether gun dealers at the show could “ensure that their activities do not pose a risk to society...I know Gallagher Estate very well, and unless things have changed recently, they do not have a high specification vault that can handle the firearms for a big show like this. To me that is a concern if the firearms will not be stored in a dealer compliant vault”.

GFSA followed up this complaint with the organisers of the show, who reported that the CFR had stipulated stringent security measures for safe firearm storage during the show. Further, following a complaint from GFSA, the organisers corrected wording on their website, which claimed that buyers at the show could “apply for a firearms licence on the spot”; this is in contravention of the FCA, which states that firearm licences applications need to be made at a police station.



OPERATIONS AND ORGANISATIONAL DEVELOPMENT

Governance

During the last quarter of 2009, GFSA embarked on a review to consolidate and build the organisation. Consultation with experts in NPO governance and financial management highlighted key governance issues that needed to be addressed, including evidence of fraud in the Johannesburg office. These matters were cause for serious concern, and in 2010 GFSA set the goal of addressing this governance deficit.

As of mid-2010 GFSA was again legally compliant with the NPO Act and its attendant requirements. Further, a new high-profile Board was constituted to ensure long-term compliance and growth.

In addition, the pro-bono services of a reputable accounting firm, Cookson & Associates, were secured and strict financial policies and procedures put in place.

After much deliberation and attempts to address the situation, it was decided to close the Johannesburg office, in line with recommendations from our accountants.

GFSA is now in a stronger position, and able to meet the requirements of rigorous auditing. We are proud of what we have been able to achieve as an organisation, not least that we were able to reflect honestly and critically and effect the changes needed to ensure our long-term sustainability.



Staffing

As part of GFSA's consolidation efforts, a number of staff members and volunteers were retrenched in 2010, including Gauteng-based volunteers Thabiso Mollo and Thandu Xaki as well as Cape Town volunteer Vincent Labrosse. Natalie Jaynes, who started work with

GFSA as Western Cape Regional Director in November 2009, was appointed as National Director in October 2010. It was in this role that Natalie oversaw GFSA's consolidation. Natalie resigned from GFSA in March 2011, having placed GFSA on a sound governance footing. From April 2011, GFSA's work was undertaken by very active and committed Board Members while searching for a national coordinator to take over the day-to-day running of the organisation.

GFSA Board

During 2010 and 2011 GFSA strengthened its Board to include a diverse group of highly skilled individuals.

Name	Position on Board	Organisation, skills and experience
Alan Storey	Chair	Methodist Minister, Central Methodist Mission, Cape Town
Felicity Harrison	Vice-Chair	Director, Goedgedacht Forum for Social Reflection
Pamela Crowsley	Secretary	Gun Violence Survivor
Nareshnie Maharaj	Treasurer	Finance Manager, PACSA (Pietermaritzburg Agency For Community Social Action)
Adèle Kirsten	Board Member	Founding Director GFSA, International Expert and Consultant on Small Arms and Light Weapons and Armed Violence Prevention
Naeemah Abrahams	Board Member	Deputy Director, Gender and Health Research Unit, Medical Research Council
Richard Matzopoulos	Board Member	Specialist Scientist, Burden Of Disease Research Unit, Medical Research Council
Sebastian van As	Board Member	Professor and Head: Trauma Unit of Red Cross Children's Hospital and Department of Paediatric Surgery, UCT; President: Childsafe South Africa



FINANCE REPORT

GUN FREE SOUTH AFRICA

Registration Number: NPO 014-085

Annual Financial Statements

for the period ended 31 December 2010

SWART & ASSOCIATES

CHARTERED ACCOUNTANTS (SA)
REGISTERED ACCOUNTANTS & AUDITORS

ARNOLD SWART C.A. (S.A.)

Suite 205, Wolroy House
37 Buitenkant Street
Cape-Town 8001

TEL 021 462 5266
FAX: 021 465 5859

REPORT OF THE INDEPENDENT AUDITORS TO THE NATIONAL, STEERING COMMITTEE GUN FREE SOUTH AFRICA REGISTRATION NUMBER: NPO 014-085

We have audited the annual financial statements of GUN FREE SOUTH AFRICA, which comprise of the statement of the financial position as at 31 December 2010, and the statement of comprehensive income, and statements of cash flows for the period then ended.

Steering Committee's Responsibility for the Annual Financial Statements

The organisation's Steering Committee is responsible for the preparation and fair presentation of these annual financial statements in accordance with generally accepted accounting practice and in the manner required by the organisation's articles of incorporation. This responsibility includes: designing, implementing and maintaining internal control; relevant to the preparation and fair presentation of annual financial statements that are free from material misstatement whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Scope and Auditor's Responsibility

Our responsibility is to express an opinion on these annual financial statements based on our audit. We conducted our audit in accordance with statements of International Auditing Standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the annual financial statements are free of material misstatement. An audit includes:

- performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements
- the procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the annual financial statements, whether due to fraud or error
- making risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the annual financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness on the entity's internal control

- evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the annual financial statements
- examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements,
- assessing the accounting principles used and significant estimates made by management, and
- evaluating the overall financial statement presentation.

We believe that the audit evidence we have obtained is sufficient and appropriate and provides a reasonable basis for our opinion.

Audit opinion

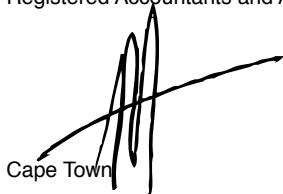
In our opinion, the annual financial statements fairly present, in all material respects, the financial position of the entity named GUN FREE SOUTH AFRICA as at 31 December 2010 and the results of its financial performance at cash flows for the period then ended in accordance with generally accepted accounting practice and in the manner required by the organisations articles of incorporation.

Emphasis of Matter

In common with similar organisations. it is not feasible for the organisation to institute accounting controls over cash collections from grants and donations prior to the initial of the collections in the accounting records. Accordingly it was impractical for us to extend our examinations beyond receipts actually recorded.

Swart & Associates Chartered Accountants (S.A.)

Registered Accountants and Auditors

A handwritten signature in black ink, consisting of several vertical strokes and a long horizontal stroke extending to the right.

Cape Town

GUN FREE SOUTH AFRICA

Registration Number: NPO 014-085

Statement of Financial Position

for the period ended 31 December 2010

	December 2010 R	March 2010 R
Assets		
Non-Current Assets		
Current Assets	73,691	198,402
Trade & Other Receivables	-	-
Cash & Cash Equivalents	464	28,863
Investments	73,227	169,538
Total Assets	73,691	198,402
Equity & Liabilities		
Retained Surplus	73,691	182,634
Current Liabilities	-	15,768
Trade & Other Payables	-	15,768
Total Equity & Liabilities	73,691	198,402



GUN FREE SOUTH AFRICA

Registration Number: NPO 014-085

Statement of Comprehensive Income

for the period ended 31 December 2010

	December 2010 R	March 2010 R
Grants and Donations Received	186,950	448,278
Operating Expenses	(282,623)	(544,182)
Interest Received	3,829	16,858
Surplus (Deficit) for the year	(91,844)	(79,045)



GUN FREE SOUTH AFRICA

Registration Number: NPO 014-085

Annual Financial Statements

for the period ended 31 December 2011

SWART & ASSOCIATES

CHARTERED ACCOUNTANTS (SA)
REGISTERED ACCOUNTANTS & AUDITORS

ARNOLD SWART C.A. (S.A.)

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REPORT OF THE INDEPENDENT AUDITORS TO THE NATIONAL, STEERING COMMITTEE GUN FREE SOUTH AFRICA REGISTRATION NUMBER: NPO 014-085

We have audited the annual financial statements of GUN FREE SOUTH AFRICA, which comprise of the statement of the financial position as at 31 December 2011, and the statement of comprehensive income, and statements of cash flows for the period then ended.

Steering Committee's Responsibility for the Annual Financial Statements

The organisation's Steering Committee is responsible for the preparation and fair presentation of these annual financial statements in accordance with generally accepted accounting practice and in the manner required by the organisation's articles of incorporation. This responsibility includes: designing, implementing and maintaining internal control; relevant to the preparation and fair presentation of annual financial statements that are free from material misstatement whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Scope and Auditor's Responsibility

Our responsibility is to express an opinion on these annual financial statements based on our audit. We conducted our audit in accordance with statements of International Auditing Standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the annual financial statements are free of material misstatement. An audit includes:

- performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements
- the procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the annual financial statements, whether due to fraud or error
- making risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the annual financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness on the entity's internal control

- evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the annual financial statements
- examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements,
- assessing the accounting principles used and significant estimates made by management, and
- evaluating the overall financial statement presentation.

We believe that the audit evidence we have obtained is sufficient and appropriate and provides a reasonable basis for our opinion.

Audit opinion

In our opinion, the annual financial statements fairly present, in all material respects, the financial position of the entity named GUN FREE SOUTH AFRICA as at 31 December 2011 and the results of its financial performance at cash flows for the period then ended in accordance with generally accepted accounting practice and in the manner required by the organisations articles of incorporation.

Emphasis of Matter

In common with similar organisations. it is not feasible for the organisation to institute accounting controls over cash collections from grants and donations prior to the initial of the collections in the accounting records. Accordingly it was impractical for us to extend our examinations beyond receipts actually recorded.

Swart & Associates Chartered Accountants (S.A.)

Registered Accountants and Auditors

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Cape Town

GUN FREE SOUTH AFRICA

Registration Number: NPO 014-085

Statement of Financial Position

for the period ended 31 December 2011

	December 2011 R	December 2010 R
Assets		
Non-Current Assets		
Current Assets	74,930	73,691
Cash & Cash Equivalents	3,274	464
Investments	71,656	73,227
Total Assets	74,930	73,691
Equity & Liabilities		
Retained Surplus	74,930	73,691
Current Liabilities	-	-
Trade & Other Payables	-	-
Total Equity & Liabilities	74,930	73,691



GUN FREE SOUTH AFRICA

Registration Number: NPO 014-085

Statement of Comprehensive Income

for the period ended 31 December 2011

	December 2011 R	December 2010 R
Grants and Donations Received	48,276	186,950
Operating Expenses	(50,002)	(282,623)
Interest Received	2,966	3,829
Surplus (Deficit) for the year	1,239	(91,844)



Funding Partners

Gun Free South Africa could not have achieved all that we did in 2010 and 2011 without the ongoing and generous support of all our donors. Thank you for your belief, your commitment and your support.

GFSA gratefully acknowledges the help of the following funders:

Gauteng Department of Community Safety

The Embassy of Finland

All those individuals who've made donations, whether monetary or in kind



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