

MYTH BUSTING

DID YOU KNOW?

DEATHS
GUNS ARE A SERIOUS RISK FACTOR FOR INJURY AND DEATH WHEN THERE IS DOMESTIC VIOLENCE



[57%]
MORE WOMEN ARE MURDERED BY THEIR HUSBANDS OR PARTNERS THAN BY STRANGERS

IN 17% OF CASES* A FIREARM WAS USED TO KILL THE WOMAN

*All figures are derived from Abrahams N. et al. 2013. Intimate Partner Femicide in South Africa in 1999 and 2009. PLoS Med 10(4): e1001412. doi:10.1371/journal.pmed.1001412.

KNOW THE LAW USE THE LAW SAVE A LIFE:

USE THE LAW

TO REMOVE GUNS FROM YOUR HOME

The application form needs to be filled in carefully, especially the following questions:

Q 5: information regarding acts of domestic violence

Give a full and detailed history of the abuse, and describe any incidents where the gun or other dangerous weapon was used to threaten, intimidate or injure.

Q 6: information regarding urgency of application

Explain that the victim's life and safety are at risk and that the respondent has a firearm.

Q 8b: requests the SAPS to seize any gun/s in the possession of the respondent

Request that the court orders the removal of any and all firearms in the possession of or accessible to the respondent.

MORE INFO

info@gfsa.org.za | www.gfsa.org.za

GRANTING OF PROTECTION ORDERS BY MAGISTRATE'S COURTS
http://ossafrica.com/esst/index.php?title=Summary_of_the_Domestic_Violence_Act%2C_no_116_of_1998

REMOVAL OF DANGEROUS WEAPONS FROM HOUSEHOLDS BY THE POLICE
www.gov.za/documents/firearms-control-act

INFORMATION ON

THE LAW

The Domestic Violence Act (DVA) and the Firearms Control Act (FCA) allow the courts or the police to remove guns from abusive gun owners.

Any woman who lives in fear of a gun in her home can ask the magistrate's court or the police to remove the gun immediately even if she does not have a protection order against the person threatening her.

If you are in an abusive or violent domestic relationship you can apply for a protection order.



GUN FREE SOUTH AFRICA
MAKING SOUTH AFRICA SAFER

If someone you know has a gun and they are misusing it, or are a danger to themselves and others, you can ask the police to remove the gun.

Here are some examples of when a gun owner is being irresponsible:



If he **threatens** you or someone else with a gun



If he threatens to **hurt or kill himself** with the gun



If he is or has been **violent**



If he has been **convicted** of a violent or sexual offence



If he has a final **protection order** issued against him under the DVA



If he does not carry or **store the gun safely** as required by the law

DO YOU KNOW

SOMEONE WHO SHOULD NOT HAVE A GUN?

ESTABLISH THE CORRECT INFORMATION



01 Before you speak to the police **make sure that you have the correct information** about the irresponsible use of the gun. The information must be specific and accurate.

SAPS TO INVESTIGATE



03 **SAPS is required to investigate.** The FCA allows the police to immediately remove a gun in incidents of domestic violence. The gun will be stored in the SAPS 13 store at the police station.

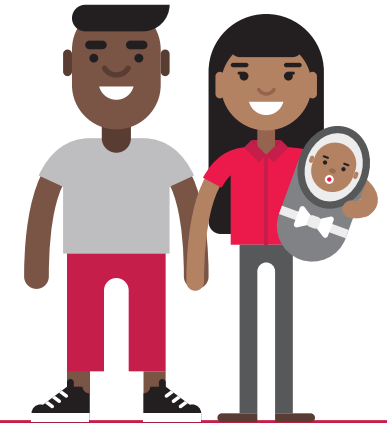
If the gun is illegal it will be removed and the owner will be charged with illegal possession of a firearm.

If it is a legal gun, the police should investigate the complaint.

GUN OWNER DECLARED UNFIT



05 If the officer finds the complaint is a true account, he can declare the gun owner **“unfit to possess a firearm”**. This means the gun owner must hand in all his guns and firearm licences and he is not allowed to apply for a gun licence for five years.



SPEAK TO THE POLICE



02 Go to your nearest police station and **speak to the Designated Firearms Officer (DFO)**, and report the irresponsible use of the gun. You must make a written statement describing how the gun is being misused. If there is no DFO report the matter to the police officer on duty.

GUN OWNER CALLED TO APPEAR



04 The gun owner is called to appear at a **section 102 hearing**. This is to decide if the gun owner is fit to own his firearm. The hearing takes place at the police station and is presided over by a senior police officer. The police may call witnesses to testify. The gun owner is also given an opportunity to explain his side of the story.

ANY THREAT WITH A GUN IS ILLEGAL WHATEVER THE REASON