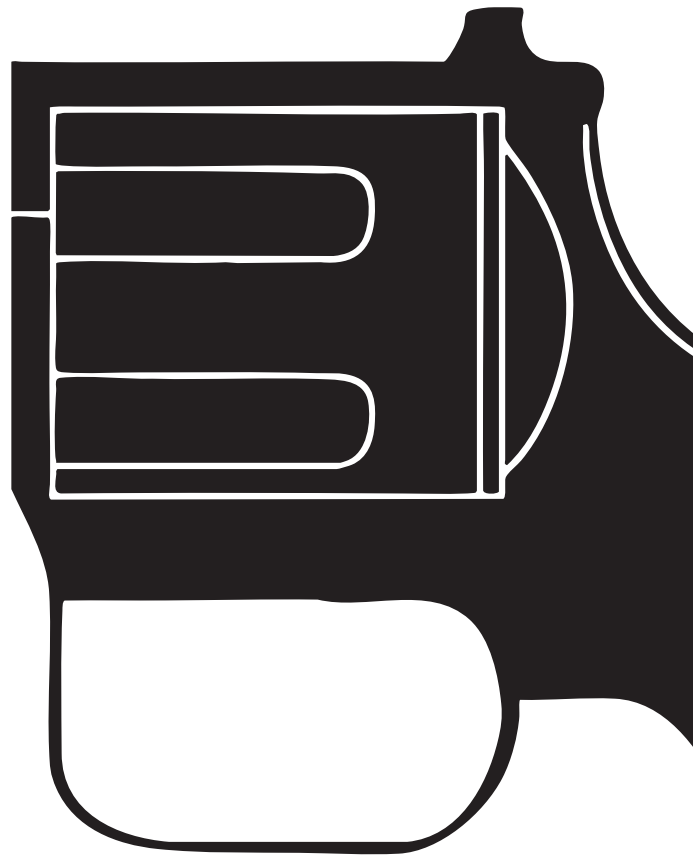


LOSING LIBERTY & LIFE:
THE IMPACT OF FIREARMS ON
DOMESTIC VIOLENCE IN
SOUTH AFRICA



**REMOVING THE TRIGGER CAMPAIGN
RESEARCH REPORT 2025**

Removing the Trigger

Strengthening the Rights And Safety of Victims from Gun-related Domestic Violence is a collaborative initiative between Gun Free South Africa (GFSa), MOSAIC, the National Shelter Movement of South Africa (NSMSA), and the Cape Town office of the Heinrich Böll Foundation (HBF). The project seeks to generate evidence on the nature and extent of gun use in domestic violence, use this data to strengthen policy and practice – particularly around the effective removal of firearms from abusive situations – and raise broader public awareness of the issue.

This report was authored by Lisa Vetten, with significant contributions from Claudia Lopes, Claire Taylor, Adèle Kirsten, Kerryh Rehse, and Hollie Bradley, who provided critical input through edits, comments and guidance as part of the Removing the Trigger campaign. Additional thanks to Bernadine Bachar, Monique Hansen, and Dr. Stanley Maphosa for their overall contribution in shaping and advancing the campaign. We also thank Mosaic for making their protection order application court data available, enabling the research to offer fresh insight into non-fatal firearm violence.

Report to be cited as

Vetten, L. (2025). Losing Liberty and Life: the Impact of Firearms on Domestic Violence in South Africa. Removing the Trigger Campaign research report. Heinrich Böll Foundation.

Introduct

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Firearms are increasingly being used to bring about women's deaths in South Africa – to the extent that they now account for the largest share of women's homicides overall.

This rise in their use, moreover, reversed an 18-year decline between 1999 and 2017 of women's gun-related killings by their intimate partners (Abrahams et al., 2024a). South Africa's National Integrated Strategy on the Prevention of Femicide has rightly prioritised gun control as a preventive strategy (Abrahams, Ramsoomar and Shai, 2021).

Firearms do not only kill; they also threaten, injure, control and coerce.

Yet far less is known about their role in non-fatal domestic violence involving intimate partners and other family members. This is an oversight. Non-fatal firearm-related domestic violence is harmful in its own right and affects a number of women. In 2024, the Human Sciences Research Council's (HSRC) baseline survey of gender-based violence reported that 4.9% of women had been threatened with a gun, knife or other weapon, or had had a weapon used against them in the course of their lifetimes.

The use of firearms in domestic violence is therefore relatively infrequent, taking into account that this percentage also reports on all weapons.

Nevertheless the absolute number of women affected is not insignificant – representing a weighted count of 1 077 969 women (Zungu et al., 2024).

Despite the scale and harm of non-fatal firearm-related domestic violence, the country's flagship policy response to all forms of gendered violence – the National Strategic Plan on Gender-based Violence and Femicide (Department of Women, Youth and People with Disabilities, 2020) – does not list firearms control among its core interventions.

This report promotes further discussion of firearms in both fatal and non-fatal domestic violence with the aim of strengthening policy and practice in this area. First, it outlines the regulatory framework governing access to, as well as possession and use of firearms in the context of domestic violence. Building on this foundation, the report then considers two decades of research on homicide, firearms control, and intimate femicide. Reading these studies together

and across time opens up new questions and points of intervention for prevention.

From there, the report shifts to original research on how firearms function in everyday strategies of coercion and control. This section opens with a descriptive snapshot of protection order applications referencing firearms, before focusing on two detailed case studies.

The conclusion draws these strands together to propose recommendations for strengthening firearms control in the context of domestic violence. While no single set of measures can resolve such a complex problem, these proposals aim to restore that most ordinary, yet elusive of rights for those threatened by domestic violence – a life of everyday freedoms and their enjoyment.

4.9%

of women have been threatened with a gun, knife or other weapon.

1.1. Method and sources of information

The report focuses on domestic violence, referring to both intimate partner violence and violence between family members.

However, as most literature focuses on intimate partner violence, far less is known about family violence and its gendered dynamics – a gap inevitably reflected by the report.

The terms ‘women’s homicides’ and ‘femicide’ are used interchangeably in the report to refer to all killings of women, regardless of the relationship between perpetrator and victim. As this relationship is very significant to understanding women’s homicides, femicides are further sub-categorised as either intimate partner femicide – referring to cases where women are killed by husbands or boyfriends (whether current or former) – or non-intimate partner femicides. The latter category includes killings perpetrated by strangers, family members and acquaintances. Two methods were used to compile the report. The first required a review and synthesis of three sets of source materials. One cluster of materials evaluated the effectiveness of firearms control measures, either by offering commentary on the administration of the Firearms

Control Act (FCA) of 2000 or by investigating the FCA’s possible impact on homicide rates in the country. A second set of studies presented some insight into how gun control measures relevant to domestic violence were being applied in practice. Four national studies of femicide conducted by the SA Medical Research Council provided the third body of literature. All four studies utilised the same design, allowing for comparability across time.

Although the findings from each study are not always reported with equal detail, they provide a rich archive that could be more deeply explored. Combining these different materials offered multi-layered insights into the role of firearms in intimate femicide, as well as the implementation of regulatory frameworks.

The report’s original research includes a descriptive quantitative analysis of applications for protection orders and two in-depth case studies. Data for the first was provided by a Removing the Trigger (RTT)

campaign partner – Mosaic Training, Service, and Healing Centre for Women. Mosaic’s support workers are based at 15 courts predominantly distributed across the Western Cape, but also including KwaZulu-Natal, and Gauteng where they provide a range of supportive services to applicants seeking protection orders.

As part of their duties, court support workers compile intake records noting applicants’ demographic data and summary facts of the abuse. All applications made between January 2022 and September 2024 that referred to a firearm were extracted from Mosaic’s database and made available for analysis. While not representative of applications for protection orders generally, these 257 records offer a snapshot of who seeks protection from firearm-related intimidation and abuse. This data is further enriched and elaborated upon by the two case studies that follow.

Case studies are not designed to be generalisable; rather, their value lies in illuminating lived experiences and capturing patterns of abuse often obscured in aggregate data. Henrietta du Preez, a coloured woman from the Western Cape and a former member of the South African Police Service (SAPS), is the focus of the first case study. Between 2008 and 2016 she experienced a range of abuses, which included the display of firearms, by her current, then former partner—a fellow officer, referred to here as David. At the time of the interview, Henrietta was 43 years old and working for a non-governmental organisation. She had previously shared elements of her experiences in a 2018 documentary on domestic violence shelters, commissioned by the Heinrich Böll Foundation (HBF). Her case study was compiled from a 90-minute, semi-structured interview.

The second case study focuses on Sasha Lee Shah, a 25-year-old accountant of Indian descent from KwaZulu-Natal. Miss Shah was fatally shot in October 2022 by security officer Kyle Inderlall with whom she had ended a relationship and who subsequently took his own life. Her case study was reconstructed through interviews with her mother, Mrs. Shah, court documents (including a protection order application), media reports, social media content, text messages, and case-related correspondence. The analysis focuses primarily on the six-month period preceding her death, for which documentation is available. After the murder, two individuals previously threatened with firearms by Inderlall contacted Mrs. Shah to share their experiences with her – so providing further insight into how firearms operate as instruments of abuse across multiple relationships. While their accounts and the materials they shared are cited, the individuals remain anonymous. Gun Free South Africa (GFSA), another partner in the RTT campaign, supported Mrs. Shah in advocating for a more thorough police investigation.

Mrs. Shah determined how she wanted both herself and Sasha Lee Shah to be identified in the report, as did Henrietta du Preez. Both women also verified the final case studies for accuracy.

Once transcribed, a narrative description of each relationship was constructed and then analysed to identify the strategies used to exert control in each relationship. Key to this approach was Evan Stark's theory of coercive control, and his conceptualisation of domestic violence as a "liberty crime" in particular (2009: 1513).

What this understanding calls attention to is the oppressive, reinforcing pattern of tactics that abusive partners employ to take control of every aspect of women's lives – effectively making the relationship a mechanism of abuse. Firearms significantly facilitate a context of coercive control, their mere presence instilling fear, suppressing resistance, and maintaining compliance (Sorenson and Schut, 2018).

The second element of the analysis concentrated on how state institutions, the SAPS specifically, responded to each woman's efforts to seek protection. Because Miss Shah's death triggered multiple investigations, the section on institutional response is necessarily more detailed than that of Henrietta's case.

To set the scene for the analyses that follow, the next section outlines the framework regulating access to firearms in the context of domestic violence.



02

Firearms and domestic violence: the legislative framework and its application

The foundations of the legal framework governing access to, possession, and use of firearms in the context of domestic violence were laid in the 1990s through the introduction of the Domestic Violence Act (DVA) in 1998 (amended in 2021) and the Firearms Control Act of 2000. While the DVA's provisions chiefly focus on the removal of firearms, the FCA treats domestic violence as a key factor determining access to and possession of firearms.

2.1. Domestic violence and the removal of firearms

In October 1995, Peter Brooks shot and killed his wife and daughter and wounded five other people, including his son. In the year prior to her husband's shooting spree, Dawn Brooks had approached the police four times seeking advice around how to deal with his threats to kill her and the children, as well as his actual attempts to shoot her. Aware of this history, one of the surviving victims held the police liable for the shootings, as they had neither removed Brooks' two firearms and multiple boxes of ammunition nor declared him unfit to own a firearm.¹ Minister of Safety and Security v Van Duivenboden² clearly illustrated why, in a context of escalating domestic violence, firearms had to be removed urgently.

Section 9 of the DVA sets out the remedy for such high-risk cases by empowering the courts to instruct the police to remove firearms and/or other dangerous weapons from a respondent who has threatened or expressed the intention to harm themselves or any other person in a domestic relationship. Removal may also be warranted by a respondent's mental state, or dependence on alcohol or drugs. National Instruction 7 of 1999 on domestic

violence (updated in 2023) gives specific guidance to the police around applying these sections. Firearms can only be returned if the court is satisfied that no person's safety will suffer as a consequence.

When Form 6 – the application for a protection order – was updated in 2023, it also sought to ensure that the presence of firearms and other weapons was brought to the court's attention. The section dealing with the urgency of applications now explicitly asks the applicant to provide details about any firearms or other weapons in the household.

The FCA cross-references and further builds on the DVA's provisions.

¹ The relevant legislation at the time was the Arms and Ammunition Acts Amendment Act 117 of 1992.

² Minister of Safety and Security v Van Duivenboden (209/2001) [2002] ZASCA 79 (22 August 2002).

2.2.

Firearm licensing and possession requirements

Restricting access to firearms through strict licensing requirements is key to the FCA's goal of reducing the number of firearms in the country.

To ensure that only 'fit and proper' persons possess a firearm, the FCA has identified a number of grounds disqualifying people from owning firearms, with one of these being a history of domestic violence. Designated Firearms Officers (DFOs), for instance, cannot issue a competency certificate to any applicant who has been convicted of a criminal offence involving either physical or sexual abuse within the context of a domestic relationship. Nor may they issue a competency certificate to anyone convicted of an offence in terms of the DVA that has resulted in a period of imprisonment without the option of a fine. No person can be issued with a firearms licence if they have been denied a competency certificate.

Both the DVA and FCA allow for someone to be declared unfit to possess a firearm. Section 124 of the FCA, read with section 14 of the 2004 Regulations, empowers the Registrar (the National Commissioner of the SAPS) to investigate any applicant's fitness to own a firearm. Among the grounds for such an inquiry are the applicant being served with a

protection order in the past five years; being visited by a police official in relation to allegations of violence in the applicant's home; and/or being reported to the police or social services for threatened or attempted violence or other conflict in their home or elsewhere. A further basis for investigation is divorce or separation within the past two years from an intimate partner with whom the applicant resided where there were written allegations of violence.

Section 102 of the FCA empowers the Registrar to declare someone unfit to possess a firearm if a final protection order has been issued against a respondent and/or they have expressed the intention to kill or injure themselves or any other person with a firearm (or any other dangerous weapon). To further reinforce this provision, the 2021 amendments to the DVA require the clerk of the court to inform both the commander of the relevant police station and the Registrar of the finalisation of any protection order. Once notified of this, the station commander must check if any respondent holds a firearm

licence, permit, or competency certificate in terms of the FCA. If a respondent is assessed as unsuited to having a firearm in their possession, the Registrar must be informed of this so that a declaration of unfitness can be made.

The courts can also make a declaration of unfitness during sentencing proceedings in terms of section 103 of the FCA. Such a finding should be made whenever an individual is convicted of an offence involving physical or sexual abuse within the context of a domestic relationship, as well as any offence in terms of the DVA that results in imprisonment without the option of a fine.



2.3. The Central Firearms Registry

The Central Firearms Registry (CFR) is housed within the SAPS and serves as the central authority responsible for firearms licensing, recordkeeping, and monitoring and enforcement of the FCA. The assumption is that maintaining records of firearms and their movement between licensed civilian firearm owners; firearms/ammunition manufacturers; dealers; gunsmiths; and firearms held by official government institutions will prevent legal firearms from being diverted into the illegal firearms sector or used illegally.

The CFR also houses a wide range of other information, including: competency certificates, licences, authorisations and permits, as well as all applications for these documents, renewals of licences and any cancellations or refusals of licences.³ It is, therefore, a tool capable of tracking the extent to which firearm licences are being denied, or declarations of unfitness made, on the basis of domestic violence.

³ Section 125

2.4. Use of firearms by the security sector

It is essential to pay attention to the security sector's access to, and use of firearms, as highlighted by research on intimate femicide (Abrahams, Jewkes and Mathews, 2010).

The 2021 amendments to section 9 of the DVA now specifically allow for the removal of a weapon even if a respondent's employment – including by the SAPS, the military, or private security industry – requires them to possess such a weapon. In recognition of this addition, the updated Form 6 also specifically asks if the respondent carries, or has access to, a firearm for work purposes or activities. But at this point, only the SAPS would appear to have issued specific guidance on how the removal of a firearm from one of their members is to be managed.

When a police member is either charged with an offence involving domestic violence or served with an interim or final protection order, National Instruction 7 of 1999 on domestic violence (updated in 2023) requires the Station Commander to consider whether the member can be issued with an official firearm or not. Both the district and Provincial Commissioners must be informed of the Station Commander's decision. Commanding officers must also remove a member's official or privately owned firearm(s) if they

are deemed 'unfit and proper to possess a firearm' or have received a sworn statement to that effect, pending an inquiry under Section 102 of the FCA. Members of the SAPS can be declared unfit to possess a firearm under either section 102 or section 103 of the FCA and cannot be issued with permits to carry firearms for five years.

How the private security industry addresses domestic violence is unknown – an oversight, given its size.⁴

At this point, only section 23 of the Private Security Industry Regulatory Act of 2001 makes explicit reference to domestic violence, stating that no individual may be registered as a security service provider if they have been convicted of an offence in terms of the DVA in the 10 years prior to their application. However, other provisions could conceivably address domestic violence. Section 3 of the Private Security Industry Regulatory Act obliges every security service provider to prevent crime, effectively protect persons and property, and refrain from conducting themselves in ways that may further or encourage the commission of an offence or which may unlawfully endanger

the safety or security of any person or property. Employers must take reasonable steps to ensure that the conduct of security officers in their employ is lawful, trustworthy, disciplined and competent and to this end, must implement appropriate systems and practices of management, control, supervision, and administration. A security officer's registration can lapse, be suspended or withdrawn if there is a prima facie case of improper conduct in terms of the Act.

⁴ In the 2023/24 financial year the industry was reported as employing over 600 000 security officers (Private Security Industry Regulatory Authority 2024: 9) in contrast to the SAPS' 150 388 commissioned and non-commissioned police officers. Adding the 33 686 administrative personnel employed brings the total SAPS staff complement to 184 106 (SAPS 2024: 26).

In sum, South Africa has crafted an **extensive and comprehensive legal framework** intended to prevent and respond to the use of firearms in the context of domestic violence.

How has it fared in practice?

The application of the Firearms Control Act

South Africa's homicide rate was especially high in the 1990s (see UNODC, 2011) and in 2000, the country's homicide rate was calculated at 64.8 per 100 000 of the population. However, by 2004 the rate had decreased to 40.3 and by 2011, to 30.9 (Prinsloo et al., 2022). Matzopoulos and colleagues (2016) argue that the FCA was central to this decline. Analysis of homicide rates in five cities showed that the proportion of deaths caused by gunshot had dropped significantly – from 37.5% of all homicides in 2001 to 22.5% in 2005 (Matzopoulos, Thompson and Myers, 2014). Key to this decrease was the police's more restrictive approach to the granting of firearm licences, which reportedly led to a 70–80% decrease in approved licences (Matzopoulos et al., 2016: 591).

While the police's administration

But this success was short-lived, as administrative inefficiencies and corruption combined to make South Africa increasingly unsafe from 2011/12 onward.

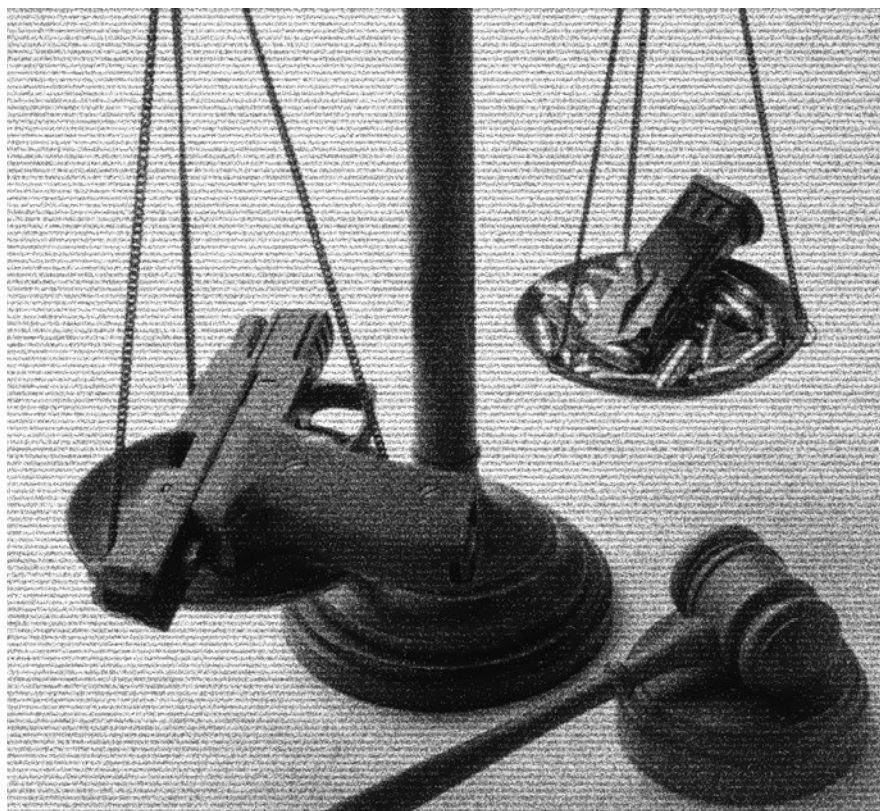
of the FCA was effective, it was not efficient, prompting the Minister of Police to intervene in 2010 and reorganise the unit responsible for granting licences. Between November 2010 and July 2011 the police fast-tracked a backlog of more than a million firearm-related applications for firearm licences, licence renewals for individuals, and competency certificates.

New processes to fast-track

firearm licence applications within 90 days (a requirement not contained in the FCA) were also introduced (Matzopoulos et al., 2016).

Speeding up processes in this way may have heightened the risk of people who were not 'fit and proper' persons being granted licences. Indeed, it has been stated that the streamlining of administrative systems coincided with a **21% annual increase in firearm homicides after 2010** (Matzopoulos et al., 2018).

This newfound efficiency also did not extend to the management of the CFR. Extensive delays in digitising the system, coupled with poor record-keeping, have made it difficult to track firearm ownership effectively, or monitor the movement of firearms between the legal and illegal sectors through loss or theft (Taylor et al., 2023). Disconcertingly, the police are themselves unable to adequately account for the whereabouts of their own firearms (Shaw, 2021). Thus, what ought to have been the nerve centre of the FCA's regulatory system – the CFR – is instead a site of disorder rather than control. Corruption has found fertile ground in this opaque



environment and allowed for a dangerous convergence of police and organised crime around firearms.

The first indication of this came in 2007, when firearms began flowing from police stores into gangs on the Cape Flats. That same year saw an increase in firearm-related homicides among Cape Town's coloured population – three years before the general rise in homicide rates (Matzopoulos et al., 2018). It has since been suggested that state firearms may also have featured in KwaZulu-Natal's taxi violence (Shaw, 2021). Corrupt practices have also emerged at local level, with police officers at a number of Gauteng stations accused of selling firearm licences, including to known gang bosses from outside the province (Shaw, 2021). Officials in the CFR have enabled these transactions through fraudulent licensing and illegal firearm transfers (Shaw, 2021; Taylor et al., 2023).

Mortuary data for the 2020/21 financial year – a period coinciding with the COVID-19 lockdown – offers a stark indictment of these institutional failures. It is possible that an even higher homicide rate would have resulted had the lockdown's restrictions on movement and the sale of alcohol not been in place (Roomaney et al., 2022). That noted, an estimated 21 480 people were murdered between 1 April 2020 and 31 March 2021, producing a national homicide rate of 37.0 per 100 000 – up from 30.9 in 2011. In the Eastern Cape, this rate peaked at 69.4 per 100 000, followed by the Western Cape at 57.2 per 100 000 (Roomaney et al., 2022). Gunshot

21 480

people were murdered between 1 April 2020 and 31 March 2021

wounds accounted for 43.2% of deaths, with the highest firearm homicide rates again recorded in the Western Cape (31.1 per 100 000) and Eastern Cape (25.4 per 100 000) (Roomaney et al., 2022). The lax enforcement of the FCA's licensing requirements and the illegal sale of firearms likely contributed to this situation by placing more guns in circulation and into the hands of those who should not have them (Matzopoulos et al., 2016; 2019).

Men's homicide rates are, however, far higher than women's.

In 2017, the age standardised homicide rate for men was 59.7 per 100 000, and 9.0 per 100 000 for women, equivalent to seven male deaths for every one female death. The difference was especially stark in the 15–29 age group: 101.2 men versus 12.1 women per 100 000 (Matzopoulos et al. 2023: 4).

While firearms are now the leading mechanism of death for both women and men, firearms are used more frequently to kill men. In 2020/21, guns accounted for 44.5% of men's deaths and 34.8% of women's (Roomaney et al., 2022).

Homicide data must therefore be examined through a gender lens to prevent obscuring both the distinctive patterning of women's homicides, as well as the effect of firearms control measures on femicide. Three differences are relevant: the relationship between perpetrator and victim, changes in femicide rates over time, as well as the use of firearms as a mechanism of death.



GUNS ACCOUNT FOR:

44.5% + 34.8%

of men's deaths

of women's deaths



04

Trends in Intimate Femicide: 1999 – 2020/21

Stricter gun controls reduced firearm-related femicides in South Africa from 7.2 to 2.4 per 100 000 women between 1999 and 2009, with this decline holding until 2017. However, by 2020/21 firearm use in femicides rose sharply to 37.3% – surpassing 1999 levels, especially in intimate partner killings.



A significant difference between men’s and women’s homicides is the relationship between victim and perpetrator.

In 2017, 63.1% of male homicide victims were killed by male acquaintances, and just 4.1% by intimate female partners (Matzopoulos et al., 2024). In contrast, over half (56.7%) of female homicide victims were killed by an intimate male partner in 2017 (Abrahams et al., 2024b). Put differently, most men are killed by their male acquaintances, while **most women are killed by their intimate partners (almost always male).**⁵

The relationship between perpetrator and victim may explain changes in women and men’s homicide rates between 1999 and 2017. In contrast to men’s homicide rates, women’s homicide rates declined significantly between 1999, and 2017 (Abrahams et al., 2024b). In 1999 the overall femicide rate was 24.2 per 100 000 women, decreasing to 12.6 in 2009, and 11.1 per 100 000 women in 2017 – the lowest rate since the advent of democracy (Abrahams et al., 2024b).

The decline continued into 2020/21 when the femicide rate was calculated as 10.6 per 100 000 (Abrahams et al., 2024a). However, to grasp changing patterns within femicide it is necessary to disaggregate this data, as Table 1 does.

When scrutinised more closely, the femicide data for 2020/21 points to different trends in intimate partner femicide and non-intimate partner femicide between 2017 and 2020/21. While a small but statistically significant increase from 4.9 to 5.5 per 100 000 women was observed in intimate partner femicide, the rate of non-intimate partner femicide remained almost unchanged. Intimate partner femicide also increased as a share of all female homicides – from 57% to 60% – with much of the climb concentrated in Gauteng and the Eastern Cape (Abrahams et al., 2024a).

MOST WOMEN ARE KILLED BY THEIR INTIMATE PARTNERS.

Table 1: Femicide rates between 1999 and 2020/21 per 100 000 of the female population				
	1999	2009	2017	2020/21
Femicide	24.2	12.6	11.1	10.6
Intimate partner femicide	9.5	6.6	4.9	5.5
Non-intimate partner femicide ⁶	11.4	5.4	4.2	4.1
Source: Abrahams et al., 2024a: 2				

The second change observed between 2017 and 2020/21 was in the mechanism of death. In keeping with the general trend described previously, firearms were decreasingly used to bring about women’s deaths between 1999 and 2009. South Africa’s new firearms control regime was thus benefitting both women and men at this point (Abrahams et al., 2013). However, the use of guns in femicide did not increase thereafter, as Table 2 demonstrates. Thus, while the rate of firearm-related deaths for men accelerated during this period, it remained constant for women between 2009 and 2017.

⁵ One case of a women killing her intimate female partner was recorded in 2009 and again in 2017 (Abrahams et al., n.d.).
⁶ The non-partner intimate femicide rate provided in Abrahams et als analysis of the 2017 study (n.d.) differs from that provided in two later analyses (Abrahams et al., 2024a; 2024b). The rate provided by the latter two studies has been relied on for this table.

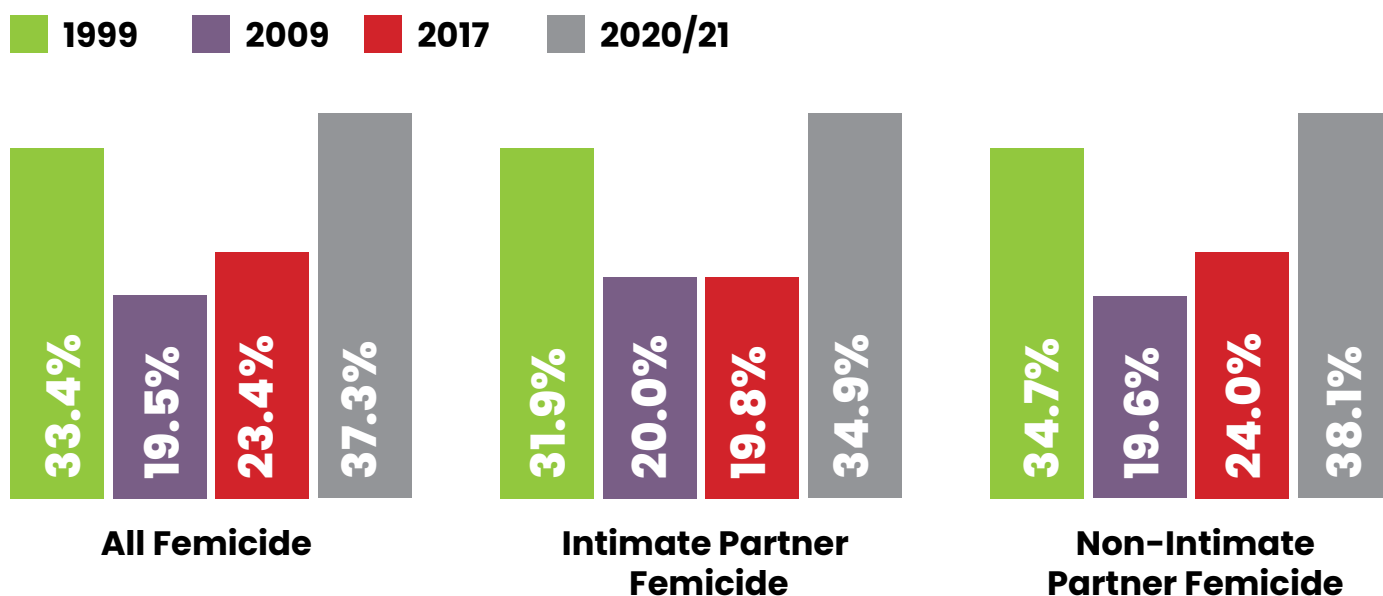
Table 2: Firearm deaths by femicide type and per 100 000 of the population between 1999 and 2017

	1999	2009	2017
All female murders	7.2	2.4	2.6
Intimate femicide	2.9	1.3	1.0
Non-intimate partner femicide	3.8	1.0	1.0

Source: Abrahams et al. 2024b: 12

Figure 1 captures the changing proportions of firearm use in intimate femicide, non-intimate partner femicide, and femicide overall between 1999 and 2020/21. The increased use of firearms between 2017 and 2020/21 is clearly evident. At 37.3%, the use of firearms in femicides now exceeds the previous high-water mark of 33.4% recorded in 1999. However, where the increase in intimate partner femicide has also coincided with an increase in the use of firearms, this is different to non-partner intimate femicide. While the use of firearms also increased, this was not accompanied by a rise in the rate of non-intimate partner femicide.

Figure 1: Firearm-related femicides 1999 – 2020/21



Source: Abrahams et al. 2024a: 3

In conclusion, while men's homicide rates increased, along with the use of firearms to bring about their deaths, femicide rates declined significantly – until 2020/21. Between 2017 and 2020/21 a small but significant increase in intimate partner femicide occurred, while **firearms became the leading mechanism of death in both intimate partner and non-intimate partner femicide**. The implementation of South Africa's firearms control measures has thus been gendered in effect.

Given this, how is the impact of firearms control measures on femicide to be assessed? Some answers emerge from revisiting the 1999 intimate partner femicide data, which highlighted the significant role played by licenced firearms in women's killings. Because investigating officers infrequently noted the legal status of firearms in subsequent years, data is only available for this year.⁷

⁷ Personal communication, N. Abrahams 23 October 2025.

4.1. Intimate **femicide** and licensed firearms

In 1999, legally owned firearms—particularly those held by security sector personnel—were the primary weapon in intimate femicides, with 74.4% of firearm-related killings involving licensed guns. Security personnel, despite comprising only 10% of perpetrators, possessed nearly half (47.4%) of all licensed firearms used in these killings. Stricter licensing requirements appear to have reduced such deaths: police officers killing intimate partners declined by 52% between 2012/13 and 2023/24. However, the post-2017 surge in firearm-related femicides raises urgent questions about whether unsuitable individuals are increasingly accessing legal firearms or whether illegal firearms are becoming more available.

In 1999, firearms were the mechanism of death in 33.4% of all femicides, with three-quarters (74.4%) of these firearms being legally possessed (Abrahams, Jewkes and Mathews, 2010). Legal firearms were far more likely to be used in intimate partner femicide than non-intimate partner femicide: one in five (20.6%) perpetrators of intimate partner femicide possessed a legal firearm versus one in 28 (3.5%) perpetrators of non-intimate femicide (Mathews et al., 2004). Security sector personnel were over-represented among the men who killed their intimate partners using legal firearms. Despite constituting 10% of all perpetrators of intimate femicide, they possessed almost half (47.4%) of all licensed firearms (Abrahams, Jewkes and Mathews, 2010).

20.6%
**of perpetrators of
intimate partner
femicide possessed
a legal firearm.**

One in five (19.4%) intimate partner femicides ended in suicide, with four out of five (82.7%) of these killings committed with a firearm. Significantly, two-thirds (66.3%) of the men who shot their intimate partners and then killed themselves did so with a legal firearm versus the 10.5% who utilised an illegal firearm (Mathews et al., 2008). This contrasted with the use of legal firearms in intimate femicides that did not end in suicide. In these cases, 9.6% of firearms were legal and 6.3% illegal. Lastly – and not unexpectedly, given that 47.4% of those with licensed firearms were employed in the security sector – more than half (58.0%) of the men who perpetrated intimate femicide-suicide were police officers, security officers or military personnel (Mathews et al., 2008).

19.4% of intimate partner femicides ended in suicide

Regression analysis of factors associated with intimate femicide-suicide added a further layer of complexity. While a legal firearm was clearly associated with these incidents, so too was being a professional and being white (Mathews et al., 2008). Mathews and colleagues (2008) calculated that 91.5% of intimate partner femicide-suicides would not have occurred in the absence of a legally owned firearm. Given this strong association between legal firearms with intimate partner femicide-suicide, how has the number of these killings altered over time?

Non-imputed data suggests that the frequency of intimate femicide-suicides declined from 19.4% in 1999 to 18.2% in 2009, and by 2017, to 12.9% (Abrahams et al., n.d) – although imputed data for the same period suggests

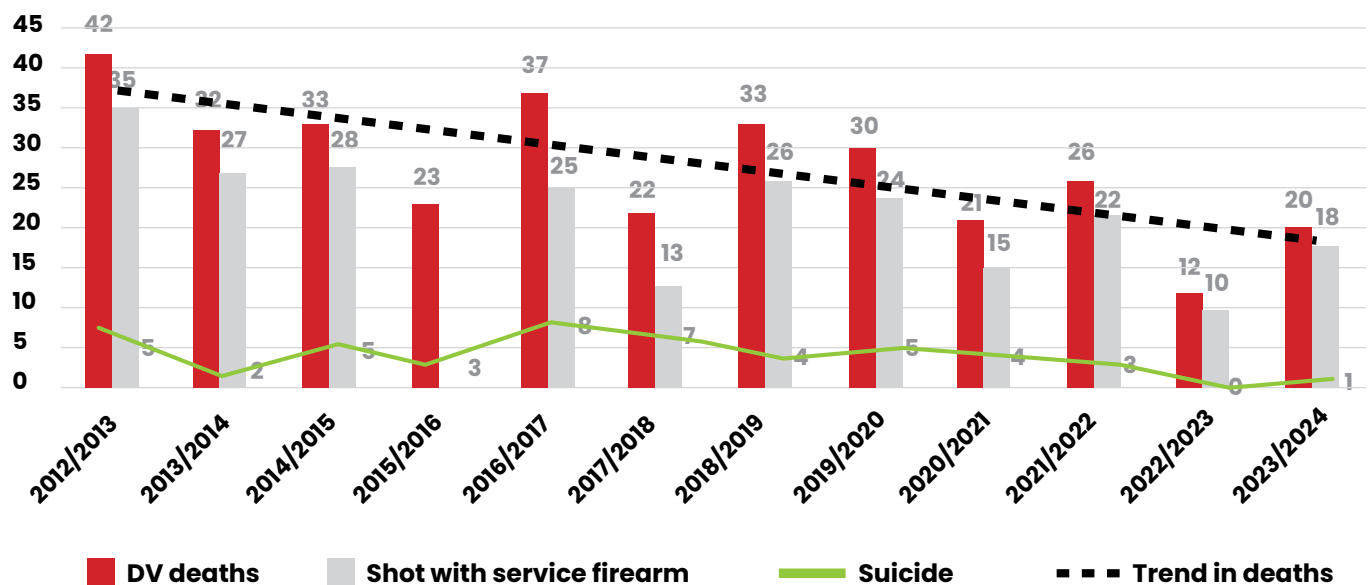
little change in the frequency of this category of killings. In 1999 they constituted 14.0% of intimate femicides and 12.9% by 2017 (Abrahams et al., 2024b). Administrative data reporting on police officers' killing of their intimate partners offers a longer view and provides insight into one category of security sector personnel.

In 2011, the Independent Police Investigative Directorate (IPID) was mandated to investigate killings by police officers within the context of domestic violence. Information about these cases is recorded in their annual reports to Parliament, with Figure 2 illustrating annual trends in domestic violence-related deaths. Between 2012/13 and 2023/24 a minimum of 331⁸ such deaths were recorded, with 47 (14.2%) also resulting in a suicide (Lopes, 2025).

The number of domestic violence-related deaths was halved from 42 to 20 during this period (a decline of 52%), while the number of suicides was reduced to one. Firearms were responsible for 88% of all suicides and homicides, with more than three-quarters (78%) of firearms being state-issued (Lopes, 2025). The use of firearms has consistently accounted for more than 80% of deaths (Lopes, 2025). **Thus, while the number of police officers killing their intimate partners has changed, the mechanism of death has not. The use of state-issued firearms also remains prominent – raising questions about the police's ability to apply policy around the removal of firearms.**

⁸ IPID counts the number of incidents rather than the number of deaths, meaning that their figures cannot account for multiple victims of a single incident.

Figure 2: Intimate femicides perpetrated by police officers between 2012/13 and 2023/24



Source: Lopes 2025:30

This turn to historical data underscores how important fine-grained temporal analysis is to understanding intimate femicide, firearm use and firearms control measures, particularly in relation to licensing requirements. One starting point for enquiry, therefore, is whether the ratio of licensed to unlicensed firearms used in intimate femicides has shifted since 1999. If so, when did this change occur, and what explains it? Conversely, if licensed firearms continue to account for the majority of gun-related intimate femicides, this may suggest that an increasing number of unsuitable men are being granted access to legal firearms.

Why, then, did the consequences of this only become apparent after 2017? Or does this post-2017 period instead reflect the increased availability and circulation of illegal firearms?

The complex associations between licensed firearms, the security sector, race, professional employment, and intimate femicide-suicide provide a second focus of enquiry. Have these associations altered in any way? How has the decline in police officers' killing of their intimate partners been brought about? Is this decrease across the security sector? What role does race play in intimate femicide-suicide, given the decline in white women's killing by their intimate partners? (Abrahams et al., 2024b).⁹

Teasing out the answers to these questions may yield fresh insights into the evolving nature of intimate femicide, the accessibility of firearms, and the effectiveness – or failure – of the FCA's provisions. A further set of insights are provided by protection orders – specifically those instructing the removal of a gun.

If licensed firearms continue to account for the majority of gun-related intimate femicides, this may suggest that an increasing number of unsuitable men are being granted access to legal firearms.

⁹ In 1999 this rate was 5.9 per 100 000, declining to 1.1 in 2017 (Abrahams et al. 2024b: 8–9).

4.2. When domestic violence becomes fatal

Approximately 30% of intimate femicides between 1999 and 2017 were preceded by known domestic violence, though the true figure is likely higher. Despite legal provisions requiring firearm removal in domestic violence cases, enforcement failures have proved fatal: very few victims (4.9% in 2009, declining to 2.2% in 2017) held protection orders at the time of their killing, and police have repeatedly failed to enforce these orders or to permanently remove firearms from abusive partners.

Between 1999 and 2017, about 30% of intimate femicides were known to have been preceded by a history of domestic violence (Abrahams et al., n.d.). This figure likely underestimates the true extent of abuse, as prosecutions typically focus narrowly on the act charged, rather than admitting similar-fact evidence of earlier assaults or ongoing threats.

Greater attention needs to be paid to this category of intimate femicides.

For while predicting violence is not an exact science, understanding how non-fatal abuse escalates – and using these insights to identify high-risk circumstances and inform protective interventions – may be critical to preventing such killings in future. To understand what contribution the FCA and DVA could make to this objective, it will first be necessary to identify what proportion of these particular killings were carried out with guns, whether legal or illegal. Deeper investigation into these cases could explore whether firearm-related violence had previously been reported and how this had affected licensing requirements, enquiries into fitness, or the removal of a firearm.

These questions have not been systematically explored but are suggested by media articles and research findings.

One such set of findings reports on the number of women killed while in possession of a protection order. Such cases rarely appear, however, and nor is it reported how many were committed with firearms. In 2009, only one in twenty (4.9%) women killed by an intimate partner had a protection order (Vetten, 2017); by 2017, this dropped to just 23 out of 1 024 women (2.2%) (Abrahams et al., n.d.). This data is open to interpretation. First, it may reflect how infrequently the police, as part of their investigation, check if a protection order was in place. Alternatively, it could be an indication of how few women possessed protection orders at the time of their killing. As a third possibility, it may indicate that protection orders can be effective in preventing this most extreme form of domestic violence.

What also needs to be considered in these intimate partner femicides is the police's disregard of their obligations, with media articles highlighting cases where the police's failure to enforce protection orders has contributed to some women's deaths (Vetten, 2014). Abusive partners have also regained access to firearms. In 2015, Constable Ronnie Masie shot and killed his wife Sowela Anna Nkuna, her uncle, her neighbour, and the station commander while Ms. Nkuna was opening a case of assault against him at Alexandra police station. Masie's firearm had been removed a few months earlier as a consequence of his violence towards Ms. Nkuna. However, no disciplinary action had been taken against him nor had any enquiry been instituted into his fitness to possess a firearm. On the night in question, and contrary to protocol, he obtained a firearm from other officers on the pretext that he had to guard a prisoner (Sowetan, 2015).¹⁰

Lax enforcement of firearm licensing requirements,

corruption, and the increasing circulation of illegal firearms were highlighted earlier as contributing to the undermining of South Africa's firearms control regime. **This smattering of cases urges attention to the police's compliance with legal duties, as disregard of these further undermines the protective potential of gun control measures. The non-fatal use of firearms in domestic violence makes these failings more apparent.**

The police's failure to enforce protection orders has contributed to some women's deaths. Abusive partners have also regained access to firearms.

¹⁰ See also the 2012 murder of Nelisiwe Nkomo. In this case, the magistrate set aside his original order instructing that the firearm be removed (Sowetan, 2012).



05

Firearms and their non-fatal use in domestic violence

There is little data on the non-fatal use of firearms.

In the late 1990s a three-province survey found that 1.5% of women in their sample had been threatened or attacked with a firearm in the preceding year (Jewkes et al., 2001). However, it took another two decades to produce national data on the non-fatal use of firearms and other weapons in intimate partner violence. This was the HSRC's baseline survey referred to earlier (Zungu et al., 2024).

In addition to being asked about lifetime experience of the use of weapons, interviewees were also asked about their intimate partner's use of firearms and weapons in the last 12 months. A total of 1.2% of women reported such an experience, representing a weighted total of over 250 000 women in 2022 (Zungu et al., 2024). This percentage is not vastly different to that at the turn of the century.

Given that the DVA empowers the courts to remove firearms and asks applicants to detail the use of firearms in their affidavit, studies examining the application of the DVA report a much higher use of firearms and other weapons than general surveys.

5.1.

Firearms and applications for protection orders

Between 2000 and 2008, firearms or weapons were mentioned in 24% to 39% of protection order applications across courts in the Western Cape, Gauteng and Mpumalanga—yet magistrates ordered weapon removal in only 2% of cases. Even when removal was ordered, police often failed to act: 12.3% of complaints to the Independent Complaints Directorate between 2002 and 2011 alleged police failure to seize dangerous weapons from abusers. This pattern extended to police officers accused of domestic violence: in 2017, only 65 of 132 officers with firearms had them seized, and fitness hearings followed in just 38 cases. Inconsistent enforcement—including failure to seize firearms when domestic violence involved “only” emotional or psychological abuse rather than physical violence—reveals how institutional inaction undermines legal protections designed to prevent firearm-related domestic violence.

A set of small-scale, localised studies undertaken between 2000 and 2008 at eight courts distributed across the Western Cape (Parenzee, Artz and Moul, 2001), Gauteng (Schneider and Vetten, 2006) and Mpumalanga (Vetten et al., 2009) reviewed protection order applications, paying specific attention to their reference to firearms and other weapons. Mention of these appeared in 24% to 39% of applications, depending on the court (Schneider and Vetten, 2006; Vetten et al., 2009). In 37.2% of applications recording use of a weapon in three Mpumalanga courts, this was typically either to threaten (63.4%) or hurt (50.2%) the applicant (Vetten et al., 2009). Instructions to remove those weapons were issued in a scant 2% of cases – but then, very few applicants (3%) actually asked that the weapon be removed (Schneider and Vetten, 2006). Research at George, Cape Town, and Mitchell's Plain courts in the Western Cape in 2001 noted a similar pattern (Smythe, 2004). No studies reported on the actual number of firearms removed, as this is not recorded by the courts – which also do not ask applicants if respondents are in legal or illegal possession of their firearms. **It is not enough for an applicant to request the removal of a firearm and the magistrate order its seizure; the police must also act on the instruction to do so** – which they have failed to do in some circumstances. A review of the 1 403 complaints of police non-compliance with the DVA made to the then-Independent Complaints Directorate (ICD) between 1 January 2002 and December 2011 reported that about one in eight complaints (12.3%) alleged that the police had either failed to assist survivors

of domestic violence to find suitable shelter or obtain medical treatment, or escort victims to collect their personal property, or seize dangerous weapons from the abuser (Vetten, 2017). This information ceased being collected in 2012 when the ICD was transformed to the Independent Police Investigative Directorate (IPID) and its mandate altered. However, not seizing firearms was reportedly common practice in at least one area of North West province (Govender, 2015). According to this study, while complainants of domestic violence made mention of firearms and other dangerous weapons to police officers in the client service centre, these were not referenced in their applications for protection orders. Firearms were also not seized even when criminal charges had been laid. Consequently, enquiries into the fitness of perpetrators to possess firearms did not take place (Govender, 2015). This erratic application of the law is also apparent in the seizure of firearms from police officers accused of domestic violence, as documented by the Civilian Secretariat for the Police Service's (CSPS) reports on the SAPS' implementation of the DVA.

As not all police members are issued with firearms, seizure of these is only relevant to members who either privately own their guns or are allocated a SAPS-issued firearm (recorded in the SAPS 108¹¹). While the CSPS reports on the seizure of firearms, it is not always clear if all firearms that could have been seized have, in fact been seized (e.g. CSPS, 2016). Furthermore, a 2021 report suggested that seizure of members' firearms was sometimes made dependent

on the nature of the abuse. When no physical violence or threats¹² to victims or others had occurred, the firearm was not seized (CSPS 2021: 14). Members were also still being permitted to book out firearms for particular operations (CSPS 2021: 21). This, it will be remembered, was exactly how Ronnie Masie (discussed in the previous section) had obtained access to a firearm. As the CSPS noted, obtaining access to firearms in this way remains unregulated (CSPS, 2021).

Furthermore, section 102 enquiries are not always being initiated when they should be (e.g. CSPS, 2019; 2024). In their report for the period 1 July to 31 December 2017, the CSPS reported that the police had seized firearms from 65 of 132 officers reported for domestic violence who had firearms listed in their SAPS 108. Even though some officers had final protection orders against them, section 102 hearings in terms of the FCA followed in only 38 cases, with nine officers declared unfit to possess a firearm (CSPS 2019: 12). According to the CSPS, the practicalities of policing were coming into conflict with the provisions of the FCA. Police officers declared unfit to possess a firearm cannot work outside the station, thus decreasing the pool of officers available to conduct policing operations (CSPS 2019: 13).

The report now shifts focus to those on the receiving end of this institutional uncertainty and unreliability, opening the discussion with a sketch of applicants who seek the courts' protection from firearm-related domestic violence.

¹¹ This refers to a member's personal inventory of all firearms and other equipment issued to them. A firearm dedicated explicitly to that officer.

¹² These cases involved forms of domestic violence categorised as emotional, verbal, or psychological abuse and trespassing incidents.

5.2. A snapshot of who seeks protection from firearm-related domestic violence

Between January 2022 and September 2024, only 1.1% (257 of 23 568) of protection order applicants assisted by Mosaic mentioned firearms, yet these cases reveal the severe nature of gun-related domestic violence. Applicants—82% of whom were women—had endured abuse for an average of five years, with 85% experiencing three or more types of abuse simultaneously. Security sector personnel comprised 14% of employed respondents, continuing the pattern identified in earlier research.

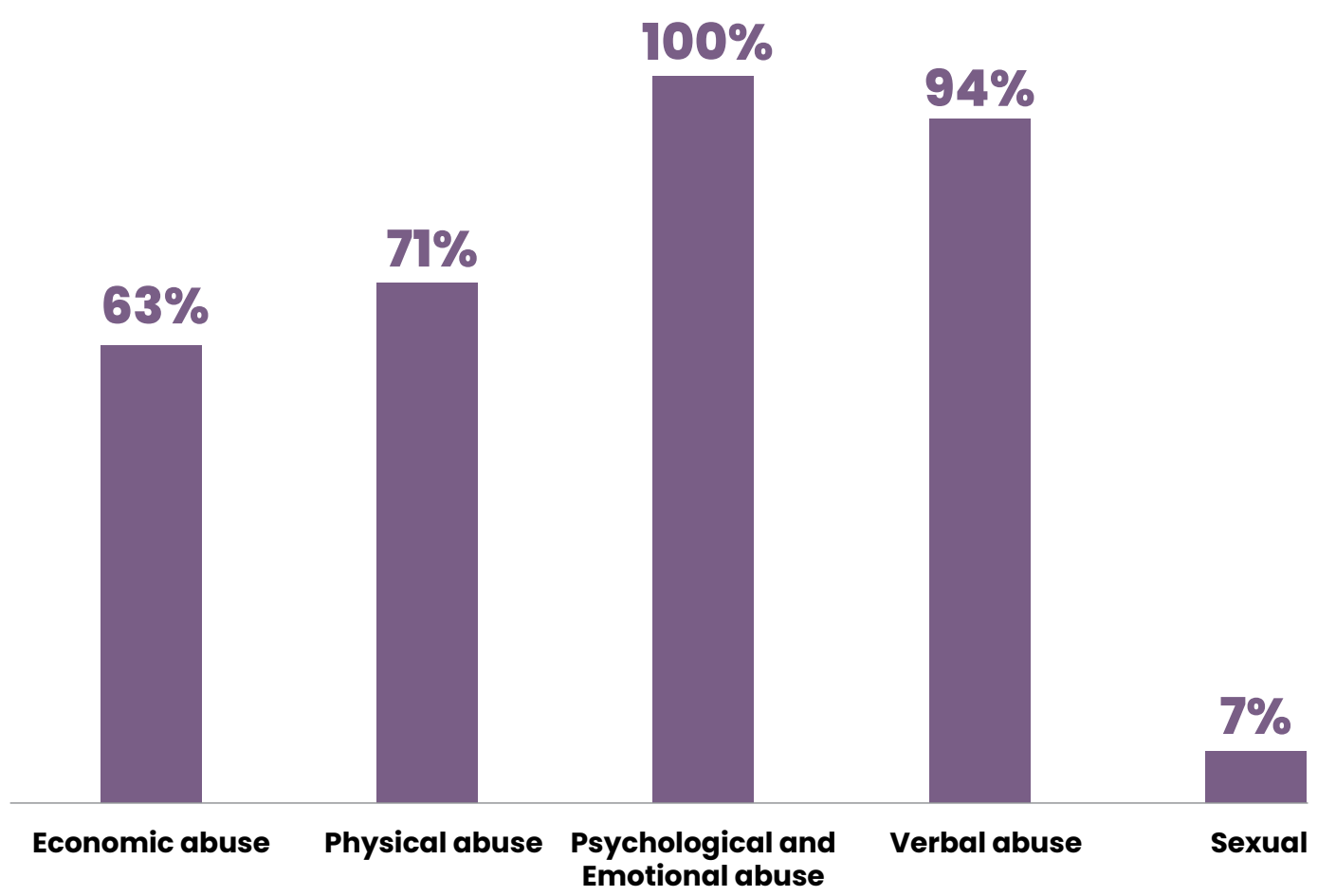
The data challenges common assumptions about firearm-related domestic violence: one in three perpetrators were family members (primarily sons and brothers) rather than intimate partners, victims ranged from 15 to 80 years old (including seven adolescents and 31 people over 60), and approximately half of cases involved children who were affected by—and may have witnessed—the abuse. **The near-universal reporting of psychological and emotional abuse (100%) alongside firearms suggests that the weapon’s mere presence serves as a powerful tool of intimidation and control,** reducing the need for physical violence.

Between January 2022 and September 2024, Mosaic court support workers assisted 23 568 applicants with protection orders, with 257 (1.1%) referring to a firearm. Women comprised the great majority of applicants (81.7% versus 18.3% by men). Almost half of applicants (49.4%) identified as black African, with a similar proportion (44.7%) of applicants identified as coloured. A small percentage identified as either Indian (3.5%) or white (2.3%). On average, applicants had been subjected to abuse for five years when they approached the courts for a protection order, with the period of abuse ranging from a matter of days to over 34 years.

Just over half of respondents were noted as unemployed (52%). The Mosaic sample is not representative of protection orders lodged nationally. Nonetheless, given how the previous section highlighted the security sector’s involvement in firearm-related domestic violence, **it is worth noting that approximately one in seven (25 or 14%) of the 177 employed respondents were based in the security sector. This category comprised police officers (including the metro police), military personnel, private security officers and correctional services’ officers.**

Mosaic categorises the abuse applicants experience as economic, psychological and emotional, verbal, physical, and sexual abuse. Figure 3 summarises the proportion of applicants reporting each kind of abuse, with four out of five applicants (219 or 85%) experiencing three or more types of abuse. All applicants reported being subjected to psychological and emotional abuse, and almost all (94%) verbal abuse. The coincidence of these forms of abuse with reference to firearms may be pointing to both high levels of verbal threat and illustrating how the presence of the firearm may be sufficient to intimidate and secure compliance. Physical violence becomes less necessary under these circumstances.

Figure 3: Percentage of applicants reporting experiencing various types of abuse



One in three (31.7%) South African households are classified as extended, meaning that they combine a nuclear core with other family members such as parents or siblings (Statistics South Africa 2025: 5). In 2017, **7.7% of femicide victims died at the hands of a family member**, increasing to 10.9% in 2020/21 (Abrahams et al, 2024a). Mosaic’s records make it clear that non-fatal firearm-related violence is also a feature of family relationships. While more than half of respondents (56.3%) were current or former partners, one in three (31%) were family members, most

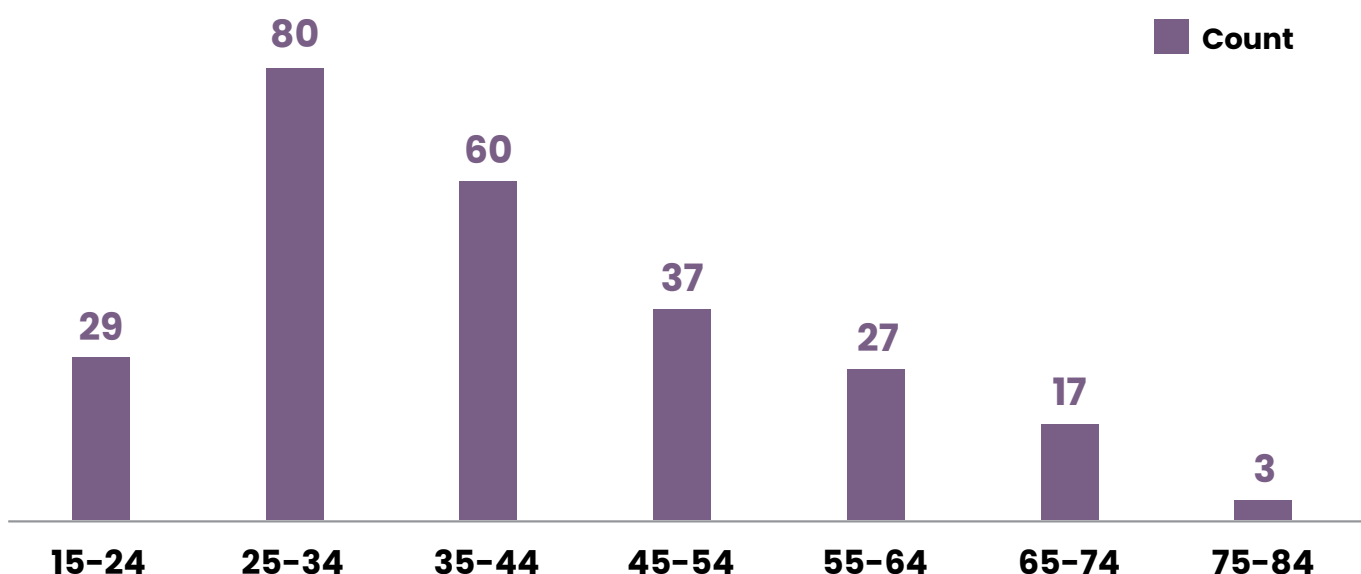
often sons and brothers. Family members’ domestic violence also calls attention to younger and older applicants’ experience of firearm-related domestic violence. Applicants ranged between 15 and 80 years of age, with most aged between 25 and 45. Notably, seven applicants were still adolescents (with two younger than 18), while 31 (12%) were 60 years and older, with nine applicants aged 70 years and more.

Children are another group who may be overlooked in discussions of firearm-related violence. Approximately half of all applicants (n = 128) reported that children were affected by the abuse, and while there is no description of how these children were affected, it is possible that some may have witnessed their mother or other family member being threatened or assaulted with a firearm.

56.3%
of domestic violence respondents were current or former partners

31%
were family members

Figure 4: Frequency and ages of applicants applying for protection orders from firearm-related domestic violence.



Statistics only hint at the experience of firearm-related violence; they cannot tell of its weight and terror. Those accounts belong to Henrietta du Preez and Sasha Lee Shah, whose case studies follow next.

5.3. Case study 1:

Henrietta du Preez – “Do it now: shoot me today, not tomorrow.”

Henrietta was working for the SAPS when she first met David around 2007 at the police station where they were based. While not attracted to David, Henrietta maintained a friendly relationship with him, admiring his dedication to his work and considering him a nice person. But when a colleague mentioned that David was interested in her, she reconsidered her position and made a pragmatic decision to give the relationship a try. They were compatible: working together and sharing an interest in the community. David was a gentleman, the kindest, most generous man she had met, as well as respectable and respectful, always opening the door to the police vehicle for her and not pushing and shoving women in and out of the police vans as other officers did. In the face of his obvious goodness, Henrietta told herself she would learn to love David with time. After some time they became engaged.

Seeing them as the station's very own Mr. and Mrs. Smith¹³, Henrietta's colleagues adjusted her and David's shifts so that they could be on duty together. But spending more and more

time in David's company only brought **growing awareness of his jealousy and attempts to control her**. Life with him became a rollercoaster as he veered between being quiet and 'crazy'. In 2010 Henrietta fell pregnant and resigned from the police. The arrival of the baby appeared to calm David and as life together became easier, they attempted to rebuild their relationship. In 2011 Henrietta became pregnant again. This time, giving birth left her with post-partum paralysis and, unable to care for herself and her children, she went to live with David's parents until she recovered.

Henrietta never did learn to love David and in 2013 she left him after discovering that he was having an affair. **“The monster returned”**, as she put it, stalking, harming, and threatening her, laying criminal charges of assault against her and withholding maintenance for the couple's children. Their contact with each other ceased almost entirely around 2016 when a court-ordered agreement was reached on maintenance amounts and payments. Despite sharing children, they have had very little contact since.

“Craziness”: the abuse of Henrietta

“As long as I behaved, as long as I stayed at home and just cleaned the house, made sure everything was where it was supposed to be, as long as he could find me in that space, it was all good. The moment I wanted to do something for myself then it became a problem.”

Henrietta's description of her daily life points to a world structured in terms of masculine domination. This was one that sought to confine her to a small domestic world where she was required to maintain order by keeping everything in its predictable, unchanging place – including herself. And within this scheme of things, that place was subordinate to David, who applied multiple forms of coercion and control to ensure her conformity with his desired model of feminine docility.

According to Henrietta, David did not physically abuse her, by which she meant that he never punched or slapped her. Instead, **he relied on emotional abuse and manipulation** centred on Henrietta's appearance, her daily activities, and who she associated with. If he could not go everywhere with her, then he would demand to know where she had been and who she had seen in his absence. Even after she ceased going out and stayed at home, he still wanted to know who had been visiting. Other members of the police were careful about the amount of time spent with her and even her friendship with another female officer provoked suspicion – to the extent that Henrietta was accused of being a lesbian. David subsequently enlisted another colleague in bullying Henrietta's friend. After Henrietta left the relationship, David added stalking to his repertoire of behaviours. Sometimes he stood outside her window, watching her. At other times he hid outside her home, to emerge and push her indoors when she arrived home. If he could not find her at her residence, then he drove around looking for her.

Others complimenting Henrietta angered him and he once poured water on her head after someone admired her hair style. On another occasion, he posted on Facebook that Henrietta didn't wear panties and dressed like a prostitute. He attacked her appearance in other ways, stealing all her clothes on two or three occasions and once setting fire to her police uniform. Damaging her clothing by using a razor to slit the seams of her trousers or make cuts into other items was another habit. Once, when her shoes fell apart as she tried putting them on her feet, she realised that he'd cut the shoes' seams, including where they were joined to the sole. Henrietta's clothing was not all that David damaged.

Henrietta described herself as ambitious and remarked that David had told her brother that she was the kind of person who would choose a career over family. Much of his destruction of her property appeared to attack her ambitions, with the choice of what to destroy or deface being very specific: bank cards, certificates and forms of identification such as her police name badge, her identity documents, and police appointment card. Cutting up her bank cards caused considerable inconvenience and left her without access to funds; destroying all her certificates not only erased the record of her accomplishments and advancement in the world but also made applying for other jobs difficult once she'd left the police.

No less important was the emotional tone to many of these acts and the state of 'craziness' they invoked in Henrietta, reflected at different points in her interview through phrases like "it was crazy", "this man was crazy", "I felt crazy", and "it didn't make sense, it didn't add up".

David was a study in extremes who Henrietta summed up in this way: "He would threaten, then speak normally. How can you flip from being this angry to calm? It messed with me in a big way." What she was referring to was his mastery of strategic irrationality, or behaviour so senseless that she was kept off-balance and unable to make sense of situations. Alternating rapidly between rage and quiet was one way this manifested. Another was to simply sit in silence and stare at her, with Henrietta recalling his ability to sit for hours watching her closely and fixedly.

Initially he had made Henrietta responsible for his well-being, threatening and even attempting suicide. Feeling manipulated by being made responsible for David's choice to live or die, Henrietta began telling him that it was his choice to make. It was **at this point, she recalled, that he began threatening her life.** One example she gave was the night he announced conversationally that he'd worked out how to kill her but was still figuring out how to dispose of her body. He then said nothing further but simply watched her. On another occasion he told Henrietta he would kill her and get away with it by defecating in his pants and then smearing his faeces on the wall – behaviour that would send him to a psychiatric facility for a few years, rather than prison.

While this particular threat illustrated David using ‘crazy’ to his advantage, he also turned ‘crazy’ against Henrietta when she applied for a domestic violence protection order. Henrietta’s father had sexually abused her at the age of nine and when David attempted to sexually humiliate and assault her, this repetition was more than Henrietta could bear, and she turned to the courts. His response was to apply for a counter-protection order against her. Henrietta, David claimed in his application, was a patient at Valkenberg Psychiatric Hospital and the claims of abuse in her protection order thus both delusional and unbelievable. Proving to the courts that she had never been a psychiatric patient at Valkenberg took some effort on Henrietta’s part.

The undermining of Henrietta’s reality took other forms. Once, encountering her walking in the street after they’d separated, David grabbed Henrietta. She was resisting him when others intervened and assaulted him. He subsequently laid a charge of assault against Henrietta at another police station, telling her that he would withdraw it if she returned to him. On another occasion when he saw her walking in the street, he stopped the vehicle and tried to force her in the back of the van. When a crowd of onlookers congregated, asking what was happening, David claimed that Henrietta was a drug mule attempting to evade arrest. Henrietta tried to enlist people’s help by saying that she was no such thing and this was her husband but: “The more I explain, the more people don’t believe me.” Passers-by helped him force her into the van and he drove away very rapidly. She subsequently managed to escape the vehicle.

While still stalking and harassing Henrietta, David entered into another relationship, a fact he used to undermine the charges she laid against him of assault, as well as frustrate her attempts to obtain maintenance for their children. Each of her complaints were dismissed by him as evidence of her jealousy and inability to let go of him.

Weapons and their use

David did not possess a personal firearm and never pointed a gun at Henrietta. He did not need to; simply displaying a weapon was warning enough. As he was stationed in an area notorious for gang violence David sometimes booked out a SAPS-issued assault rifle. On a few occasions, he returned to their home carrying the rifle and walked through the house as if looking for someone. Although he made no threats, Henrietta retreated into submission, remained quiet, and sought to placate him with food and tea. More typical were lunch-time visits to the house wearing his SAPS-issued gun in its holster. While eating his meal he would threaten to kill her and shoot himself. These threats took a toll and one day, unable to live with the tension and fear induced by his threats, she urged him to **“do it now: shoot me today, not tomorrow.”**

The firearm was only one of many other objects David used to harm Henrietta – including his police boots. One day, when Henrietta was barefoot, he stamped down hard on her toes, grinding and twisting the boot so that her toenail came out. Other weapons were more conventional: pepper spray, a taser, razor blades, and even his police vehicle, which he drove up onto the kerb where she was walking to knock her down. Passers-by, seeing what he’d done, began turning on him and he drove off. **Henrietta opened yet another criminal case, but it was to be the last.** David ceased harassing and stalking her to focus instead on frustrating her attempts to gain maintenance.

David did not possess a personal firearm and never pointed a gun at Henrietta. He did not need to; simply displaying a weapon was warning enough.

Regaining freedom

The various controlling tactics that Henrietta was subjected to can be described as processes of remaking that not only eroded her personhood but also left her estranged from herself.

As she put it: “You lose yourself, you don’t take care of yourself, you’re not the same person anymore.” Working as a police officer assisting other women was jarring and left her feeling like an imposter and a hypocrite, “playing the hero” and assisting other women when she was in the same position. She felt ashamed of herself, as if she were “damaged goods” whose worth and value was non-existent. What was especially difficult was David’s denial of the effect of his conduct: “They [abusers] just continue with their life like it’s normal, like they didn’t cause you this much devastation or hurt.” Henrietta powerfully conveyed just how small and diminished

her life had been made when, after having no contact with David for some time, she walked a regular route in her neighbourhood and noticed a tree for the first time. “Was this tree always here?” she marvelled, shocked by the way her attention had been so consumed by the abuse. But seeing the tree was also the moment Henrietta realised she’d found her freedom; she was beginning to see beyond the restrictions that David had imposed to the possibilities of life beyond him.

“You lose yourself, you don’t take care of yourself, you’re not the same person anymore.”



Henrietta du Preez

5.4. Case study 2:

Sasha Lee Shah –

“I do not know what he is capable of as he has a firearm.”

Sasha Lee Shah and Kyle Inderlall’s relationship began in their final years of school and, after some eight years together, seemed destined to end in marriage.

But around September 2021 Miss Shah discovered that Inderlall had been seeing another woman for at least 18 months – even proposing marriage to her while ostensibly engaged to Miss Shah. She terminated the relationship in January 2022, but having previously agreed to be Inderlall’s sister’s bridesmaid, found herself back in his company during the wedding preparations between May and July. As he no longer seemed to accept that the relationship had ended and harassed Miss Shah constantly, she applied for an **interim protection order on 22 September, stating that she feared for her life.** Inderlall was in possession of a firearm, she wrote, and this made him capable of anything. The order was served on him six days later

by the head of Phoenix police station’s domestic violence unit. **But for reasons never made public, the police failed to remove Inderlall’s firearm despite having been instructed to do so by the court. The consequences for Miss Shah were profound.** Thirty-two days later Inderlall murdered her with that self-same firearm.¹⁴

Just three days before her death she had posted a picture on WhatsApp of a man she had begun dating. Although she had blocked Inderlall on WhatsApp, a member of his family forwarded the picture to him. “My heart melted when she posted that pic”, he wrote in the suicide note left in his car. “I really love Sasha. I can’t live without her.” On 30 October 2022 as Miss Shah and a female friend got into her car to leave Gateway Mall where they’d been lunching, he walked up to the vehicle, said “So you’re with him now”,¹⁵ and then shot Miss Shah multiple times before killing himself. In March 2024 an inquest court found him responsible for murdering Miss Shah. The

judgment was referred to the National Prosecuting Authority in order to consider whether anyone should be prosecuted for Miss Shah’s death.¹⁶

A few days after the murder, the father of the woman Inderlall had also been engaged to appeared on Mrs. Shah’s doorstep. ‘Shahana’¹⁷, it turned out, had had a very similar experience at Inderlall’s hands. Some months later, a second woman contacted Mrs. Shah to share her experience of being threatened with a gun by Inderlall.

¹⁴ The inquest conducted after the shooting identified the two guns as one and the same ballistics testing, matched against Inderlall’s firearms licence.

¹⁵ Inquest Case No: 323/10/2022 and Inquest No: 212/2022

¹⁶ Inquest Case No: 323/10/2022 and Inquest No: 212/2022

¹⁷ Not her real name.

Weapons and their use

“My ex-boyfriend has refused to break up with me” was how Miss Shah began her application for a protection order, with the remainder of her affidavit setting out the campaign of coercion she was subjected to by Inderlall. Each of these tactics was aimed at denying her the freedom to direct her own life and to choose something as ordinary as “a normal life.”

It was Mrs. Shah’s perception that Inderlall only began treating Miss Shah abusively after the relationship was terminated. Miss Shah’s protection order, however, suggested a hidden, more-longstanding pattern of mistreatment. For instance: “He sometimes physically abused me when I was with him. His recent physical abuse was when he slapped me hard on my face and I couldn’t hear properly for three weeks.” But it was not physical abuse that had defined the relationship. Like Henrietta, Miss Shah noted that she had been emotionally abused for a very long time. This period of their relationship remains unknown. However, reading the protection order and other texts, suggests that Inderlall’s behaviour in the last months of Miss Shah’s life was aimed at possessing her, in the sense of having ownership of her, or taking into control, monopolising, and dominating her. A number of strategies were applied in pursuit of this goal. Surveillance and intrusion – even invasion – were used to disrupt Miss Shah’s days in a range of ways. Inderlall parked outside the family home and refused to leave, watching to see if Miss Shah left the house and with whom. She wrote in her application for a protection order that “[W]hen I blocked him off everything, he could still contact me from an unknown number and called almost 100 times a day. He then gets new

numbers to message me from.” In this, he may well have been enabled by the nature of his work as an ATM custodian guarding cash in transit between banks and ATMs. According to Mrs. Shah, Inderlall was required to exchange his personal cellphone every morning for an unmarked phone and a pack of burner SIM cards to prevent the vehicle from being monitored. While these precautions may have been intended to thwart robberies, they also gave Inderlall unlimited opportunity to call Miss Shah from an endless range of numbers that changed daily and could not be traced.

These were not the only tactics used to trespass daily into Miss Shah’s life. A second set focused on taking her possessions and holding them to ransom unless she spent time with him: “He stalks me and sometimes waits outside work to follow me back home so that he can take my phone and force me to come with him to get it back.” Another example cited in the protection order was “He borrowed money from me and promised to pay it back but I have to always ask for it and he says I’ll only get it if I’m with him.” On another occasion Inderlall removed one of the tyres on Miss Shah’s car, sending a photograph of his sabotage on WhatsApp and telling her that the tyre would be returned if she saw him.

Interspersed among his numerous texts repeating “Hi”, “Hello”, “Please call me” was a classic statement of ownership: “If I can’t have you no-one can.”

**“If I can’t
have you
no-one
can.”**

Inderlall also attempted to blackmail Miss Shah into continuing their relationship, threatening to distribute intimate photographs of Miss Shah if she didn’t date him. At times he literally took possession of Miss Shah, as she noted in her protection order: “Just yesterday he kidnapped me and told me that he will make a very big scene if he doesn’t get to see me or if I get a new boyfriend.” She noted how abnormal her life had become as Inderlall made himself a claustrophobic, inescapable presence in her life. But what dominated her application was intense fear: **“I do not know what he is capable of as he has a firearm.”** She wrote that he always threatened her if she did not say yes to him and made various threats every day.

She also worried about who Inderlall would hurt if he couldn't see her. There was reason for concern. In a WhatsApp text to Mrs. Shah, Inderlall threatened: "You are hurting me alot (sic) by not allowing me to see Lee [Sasha] when I really love her and I'm fixing my life with her, you will be very sad and miserable when I take her away from you" (Rall, 2022).

This threat to 'take' Miss Shah away from her mother also reduced Miss Shah to an object with no desires of her own. Indeed, the extent to which Miss Shah had become a prop in Inderlall's fantasies emerged in a media interview given by his sister very soon after the murder. She said: "They had both actually planned to move to Cape Town together but I don't know what happened. When I went through his phone, there were recent searches for apartments in Cape Town. I also saw that he was planning a trip for her birthday, which is in December." She continued: "They both did toxic things to each other but they wanted to make their relationship work" (Khanyi, 2022).

Underscored by this revision of the relationship's history, and its imagined future, are the various ways Miss Shah's separateness, her existence in her own right, independent of Inderlall, were simply denied.

In murdering Miss Shah, Inderlall not only secured absolute, permanent possession of her but maintained the fiction of an eternal togetherness that she had neither wanted nor chosen.

Use of the firearm

Unlike David, Inderlall owned both a personal firearm and a rifle, as well as having access to a firearm issued by the security company he worked for.

His first documented use of a gun to threaten others was recorded in May 2021, eighteen months before he shot Miss Shah. At the time he was putting up a carport in his yard, and demanded that his neighbours, a married couple, lend him their tools. When they refused, he began swearing at them and, at some point during the exchange, pulled out his firearm, cocked it and pointed it at the couple, threatening to "plug" them. The neighbour laid a criminal case against Inderlall at Phoenix police station.

Four months later in August when Shahana terminated her relationship with Inderlall, she stated in her application for a protection order that he had threatened to shoot any other man that he saw her with. Indeed, on the night she ended the relationship while sitting in Inderlall's car, he acted out what he was later to make real. Shahana wrote: "He pointed [the gun] at my face while sitting in his car on 21 August 2021. Aside from pointing the firearm at my face, Kyle held it to his head and in his mouth many times attempting to harm himself."

Four months later, Inderlall was still stalking and harassing Shahana telephonically. In December 2021 Shahana obtained a protection order after Inderlall assaulted her father. This incident, coupled to Inderlall's prior threats and claims that he was in possession of an unlicensed firearm and

plenty of ammunition, was the precipitant for Shahana's action. And like Miss Shah, Shahana also documented Inderlall's refusal to stay away from her, multiple visits to her house, and multiple calls and threats if she did not come out to see him.

Miss Shah's application did not record her being threatened with a firearm. It did, however, note that Inderlall had threatened to shoot himself when she terminated the relationship, warning her that she would be to blame for his suicide. Mrs. Shah also stated that Miss Shah never claimed that Inderlall had pointed the firearm at her. The firearm in this instance appeared chiefly to function as a silent, background threat, its menace implied in "I fear my life (sic) every day with his threats. I insist on an interim order so that I may be protected as soon as possible as he is very unpredictable." **Although Miss Shah did not ask for the firearm to be removed, the magistrate took her fear sufficiently seriously to add this provision to the order.**

Ultimately, Miss Shah's assessment of the danger Inderlall posed to her and others was accurate. For while she was Inderlall's primary victim, her shooting was also intended to harm Mrs. Shah. Contained in his suicide note was this spiteful and triumphalist message: Tell Jessica and C [a family member] that I always win!!!



Sasha Lee Shah



Institutional Response

Women abused by their partners are routinely advised to speak out and report the harm done to them. This advice is only meaningful when institutions can be trusted to act on women's words.

Henrietta turned to the courts for both protection and maintenance orders and also approached social work services and the police for assistance. She spoke to police chaplains, as well as managers who reportedly told her that they did not get involved in their members' private lives. The charges she attempted to lay, as well as the reports she made, frequently went unrecorded. When she was assisted – specifically in relation to a charge of assault laid against her by David – this was only because the investigating officer had personal knowledge of David's jealousy. Henrietta, however, was a former police officer and thus had some understanding of the SAPS' systems.

Tired of being ignored at station level, she approached a senior female officer in the SAPS' provincial office for assistance. A team was despatched to the station to take statements and investigate Henrietta's complaint. Following this intervention, the station commander was told to remove David's gun (which was never done) while those members who neither recorded Henrietta's reports nor opened case dockets were charged with disciplinary offences. Henrietta was offered the option of pursuing disciplinary proceedings or engaging in mediation with David. She opted for the latter, thinking that it was more important to secure maintenance for the children, than to pursue a path that may have resulted in David's dismissal – he had since remarried and was expecting another child. At the time of the interview, she was still ambivalent about the choice she had made then.

The National Instructions on Domestic Violence sets out how the police must respond to domestic violence by their members. In Henrietta's case these were subverted at local level. She was thus required to seek out an individual known for her responsiveness to domestic violence and the position of women in the police before being assisted. In the case of Miss Shah, there was no sympathetic individual to seek out. Instead, **the local police station's permissive approach to Inderlall's conduct arguably facilitated her death.**

“Why was the firearm not removed?”

By the time Sasha Lee Shah died, two criminal charges had been laid against Inderlall – one by a neighbour, the other by Shahana's father – and two separate interim protection orders obtained against him, both requesting the removal of his firearm.

Neither instruction to remove the firearm was followed and none of the criminal charges were investigated, while only one protection order was served. This shielding of Inderlall from the consequences of his conduct may have been related to his job.

Being a security officer appears to have provided Inderlall with a valued identity. He “really loved” Miss Shah, despite the “bad things” everyone had to say about her, because “She is the reason I am successful in my career”, he wrote in his suicide

note. The personal significance of his job had also been highlighted some months earlier in the threat he texted to Mrs. Shah: “You do what you have to do and I will do what I have to do but ask your daughter clearly anybody who interferes with my job won't last.” (Rall, 2022). However, it was his conduct that most placed his job at risk, beginning with the incident of May 2021. His neighbours not only laid a charge against him at Phoenix police station for pointing a firearm but also mailed his employer¹⁸ to inform them of the charge, provide its case number and ask if Inderlall had been using a company firearm at the time, given that he was in uniform. **This action alone ought to have warranted an investigation by the company – and not only in relation to his fitness to carry a firearm.** However, the matter went no further. The company did not reply to the neighbours' email while the criminal matter appears never to have been investigated.

A second criminal charge was laid against Inderlall in December 2021 after he arrived at Shahana's family home and got into an altercation with her brother. When her father attempted to intervene, Inderlall, who had gotten into his vehicle, grabbed Shahana's father's hand and drove away, dragging him a short distance. Shahana's father was injured and reported a case of attempted murder to Phoenix police station while Shahana approached the magistrates court for a protection order the following day.

¹⁸ Copy of email supplied to the report's author.

The interim protection order was granted and the police instructed to remove Inderlall's firearm.

Shahana's father delivered the interim protection order to Phoenix police station for service. However, scrutiny of the order shows that the provision instructing the police to remove the firearm was cancelled, with this alteration initialled and dated 13 December 2021.¹⁹ The order also never came into effect because it was not served by the Phoenix SAPS who claimed that it did not contain Inderlall's physical address. Reading the original application shows this to be incorrect: Inderlall's employer was named, a phone number listed, and both a home and work address also provided. But as the failure to serve the order meant that Inderlall had not been made aware that he needed to appear in court for the final hearing of the protection order application, the matter was struck from the roll.

No investigation of the attack on Shahana's father appears to have ever taken place either. In fact, Shahana's father told **Mrs. Shah that he was repeatedly called by members of Phoenix SAPS and asked to close the case.** Pressure to have the protection order withdrawn was also applied to Miss Shah's mother. According to his sister, Inderlall worried that Miss Shah's protection order would tarnish his reputation and, as Mrs. Shah confirmed, begged that it be withdrawn. Had it been finalised, he should have been declared unfit to possess a firearm. Indeed, the protection order, along with the various criminal charges laid against him ought to have resulted in workplace disciplinary proceedings.

This repeated subverting of legislative safeguards in favour of one individual hardly seems coincidental – especially in light of Inderlall's suicide note. The message to "Call Detective R [Name withheld] and please tell him thanks a million for all his help. May Allah bless him" hardly appears an innocent expression of gratitude. There was also no real sanctioning of Captain Luann Emmanuel, the head of Phoenix police station's domestic violence unit, who served the order but failed to remove the firearm. In 2023 she was charged and found guilty of misconduct detrimentally affecting the image of the police, as well as contravening the FCA.²⁰ The sanction was two months' suspension from the police, unpaid. On expiry of her sentence, she returned to work and resumed her position as head of the domestic violence unit. Both the charges and sanction missed the point: Emmanuel had ignored a court order and, in leaving Inderlall armed, created the possibility of Miss Shah's murder. Indeed, **Phoenix police station's handling of these matters arguably amounted to the institutional enablement of violence, with the harm done to Miss Shah a product of the interaction between Inderlall and the police.**

¹⁹ Interim order.

²⁰ Letter dated 5 April 2023 from Brigadier CS Nkwanyana to the KwaZulu-Natal Department of Community Safety and Liaison. Copy shared with the author by Mrs Shah.



07

Concluding Recommendations

Surveys are key to estimating the scope, magnitude, and nature of firearm-related violence. Measuring this requires gun violence to be treated as a series of discrete, countable acts – thus abstracting firearms from the broader dynamics of violence within abusive relationships. A qualitative analysis brings into focus the continuities between these acts – revealing how firearms operate within broader patterns of coercion and control. A single threat, gesture, or gunshot may not convey the full picture, but taken together these incidents create a mechanism of domination that cannot be grasped through numbers alone. Understanding how these individual strategies and tactics combine and reinforce each other so that the sum of these is greater than their parts is key to understanding the losses imposed by domestic violence. These include loss of freedom and autonomy, loss of self and even loss of life. Firearms are key to this process for the way they frighten into submission. While they may be used alone or in conjunction with other weapons, their lethality gives them a unique ability to terrorise. What compounds this terrorisation is the dereliction of institutional duties.

The recommendations that follow seek to give concrete expression to these points by strengthening systemic responses, ensuring greater accountability, and improving protections for women affected by firearm-related violence.

Recommendations

South Africa has developed a relatively well-integrated framework regulating access to firearms in the context of domestic violence. Its implementation and effectiveness in practice are, however, not well-understood. This can be addressed in different ways.

A. Improve Data Collection and Transparency

- SAPS must record and publish annually: the number of firearm competency certificate applications that are denied or opposed due to domestic violence; the number of declarations of unfitness on the grounds of domestic violence; and figures recording applications for and compliance with firearm removal orders issued under the DVA, disaggregated by police station. This data must be assessed by researchers and policymakers to assess the effects of the FCA.
- For every firearm-related homicide, SAPS must record whether the weapon was legally licensed and whether the deceased or perpetrator was previously known to police in connection with a DVA complaint or protection order.
- The Department of Justice & Constitutional Development should modify the Integrated Case Management System (ICMS) to record every court instruction to remove a firearm and track whether the firearm was seized, with reasons recorded if not.
- not seized (such as the respondent proving untraceable), the applicant must be informed of this outcome and a safety monitoring notice²¹ be issued to them on an urgent basis (if it is not already in place). Further protective measures should also be considered (such as admission to a shelter).
- Immediately suspend applications for a firearm competency certificate, licence or permit if the applicant is issued with an interim protection order under the DVA or the Protection from Harassment Act; the suspension remains in place until the interim protection order is confirmed or withdrawn.
- Immediately suspend a firearm competency certificate, licence or permit if the holder is charged with any offence that involves an “element of violence” or has been served with an interim protection order under the DVA or the Protection from Harassment Act. A person served with a notice of suspension must surrender all firearms to the nearest police station for safekeeping until the case has been finalised.

B. Reform Legal and Procedural Mechanisms

- Amend the DVA regulations to introduce a dedicated form for firearm seizure, which must be completed and returned to the court by SAPS officers, accompanied by an explanation if the firearm was not removed.
- When the courts order the removal of a firearm, the police are not permitted to disregard the instruction and disciplinary measures must be instituted accordingly should they do so. Disregarding such an instruction should be made a charge in its own right. However, should there be another reason why the firearm is
- Update the National Strategic Plan on Gender-based Violence and Femicide to address both fatal and non-fatal firearm-related violence and support the implementation of the National Integrated Strategy on the Prevention of Femicide.

²¹ A Safety Monitoring Notice, introduced through recent amendments to the DVA, allows a court to instruct SAPS to conduct regular check-ins with a complainant – either in person or by phone – to monitor their safety and wellbeing.

C. Focus on firearm-related domestic violence in the security sector

- The 2023 National Instructions on the DVA must be expanded to provide stronger guidelines on firearms seizures, as well as the management of police-perpetrated domestic violence.
- SAPS should designate specialist officers trained to handle domestic violence cases involving police as alleged perpetrators.
- The SAPS Disciplinary Regulations and Employee Health and Wellness Framework should be revised to explicitly address domestic violence by officers.
- The private security industry's responsibilities in relation to domestic violence have escaped scrutiny for too long. Section 3 of the Private Security Industry Regulatory Act of 2001 provides the basis for grounding guidelines to address domestic violence by private sector security officers – including by limiting use of their tools of trade. These regulations must be urgently strengthened and the Private Security Industry Regulatory Authority empowered and resourced to effectively monitor compliance with these. In addition, a system should be established where members of the public, including family members of private security guards, can report firearm misuse or risk as a result of a firearm being present.

D. Research

This report has pointed to a comprehensive research agenda examining the relationship between firearms and domestic violence. As a starting point, it suggests further analysis of the existing national femicide data informed by the questions highlighted in the discussion around legal firearms.

Another important area of focus is non-fatal firearm-related domestic violence that extends the case studies in multiple ways – including by focusing on family members' use of firearms. A further set of studies is required to understand the escalation of non-fatal domestic violence to femicide, with these studies needing to consider the effectiveness of firearms control measures. These measures also need to be evaluated in relation to non-fatal firearm-related domestic violence.

In concluding, this paper has argued for an understanding of firearms as instruments of power, coercion, and state neglect – and not only as tools of fatal injury. Strengthening the enforcement of existing laws, improving the collection of data – including by the state – and upholding institutional accountability hold real potential to significantly reduce the harms associated with domestic violence.

They may also save lives.

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