



5 April 2016

Rachael Dean  
Council Member  
Council of Licensed Firearm Owners Inc of New Zealand (COLFO)  
PO Box 24020  
Wellington

Dear Rachael

I am responding to your request under the Official Information Act 1982 (OIA) received on 15 September 2015 and subsequently revised on 4 November 2015.

You have requested the following:

1. Copies of papers, documents or minutes of any meetings containing information on any potential amendments to the 1983 Arms Act (since the last amendments);
2. Advice on any proposals in the above information as to which would require a change in the law and which could be made by Order in Council;
3. Information on what proposals were made and not included in the previous amendment and which ones Police would like to incorporate in the next amendment; and
4. Information on any potential amendments to align New Zealand firearms legislation, rules or regulations with those in Australia, and a list of these if any.

A response to each of these requests follows.

**1. Information held by Police**

The table below lists the documents held by Police relevant to your request and comments relating to the release of this information:

Document title	Type of document	Date	Comments
Minutes from the Firearms Community Advisory Forum meetings in 2014 and 2015	Relevant parts of Forum Minutes	Meetings in December 2014 and July and December 2015	Full minutes available on the Police website.
Relevant sections of Briefings to the Incoming Minister of Police (BIM)	Briefings to Minister of Police	2014 and 2015	Available on Police website

**Safer Communities Together**

Briefing to the Minister of Police on Arms Amendment Bill	Arms Amendment Bill 2015	Draft January 2015	Withheld in full pursuant to s9(2)(f)(iv) (still being drafted)
The National Multiagency Firearms Working Group Terms of Reference	Draft Terms of Reference under review	November 2015	Withheld in full pursuant to s9(2)(f)(iv)
New Zealand Police Firearms Licensing and Management Strategy and Action Plan Strategy 2015-2018	Draft Strategy and Action Plan 2015-2018 under review	November 2015	Withheld in full pursuant to s9(2)(f)(iv)
Quarterly Update- February 2016 – Firearms Community Advisory Forum	NZ Police – Firearms Management and Administration	February 2016	Released in full
2013 Legislative Programme: Police Bids	Briefing for Minister of Police (BR/13/02)	January 2013	Withheld in full pursuant to Section 9(2)(f)(iv)
Arms Amendment Bill (No 4): Request for Priority in 2013 Legislative Programme	Draft Cabinet Legislation Committee paper: Request for Legislative Priority	January 2013	Withheld in full pursuant to Section 9(2)(f)(iv)
2014 Legislative Programme: Police Bids	Briefing for Minister of Police BR/14/05	January 2014	Withheld in full pursuant to Section 9(2)(f)(iv)
Arms Amendment Bill (No 4): Request for Priority in 2014 Legislative Programme	Draft Cabinet Legislation Committee paper: Request for Legislative Priority	January 2014	Withheld in full pursuant to Section 9(2)(f)(iv)
2015 Legislative Programme: Police Bids	Briefing for Minister of Police BR/15/02	January 2015	Withheld in full pursuant to Section 9(2)(f)(iv)
Arms Amendment Bill: Request for Priority in 2015 Legislative Programme	Draft Cabinet Legislation Committee paper: Request for Legislative Priority	January 2015	Withheld in full pursuant to Section 9(2)(f)(iv)

2016 Legislative Programme: Police Bids	Briefing for Minister of Police BR/16/03	January 2016	Withheld in full pursuant to Section 9(2)(f)(iv)
Arms Amendment Bill: Request for Priority in 2016 Legislative Programme	Draft Cabinet Legislation Committee paper: Request for Legislative Priority	January 2016	Withheld in full pursuant to section 9(2)(f)(iv)

The information being withheld pursuant to section 9(2)(f)(iv) is to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by officials. Some of this advice concerns the possible inclusion of a Bill in the Government's Legislative Programme, and the possible contents of that Bill, in successive years which remains confidential to the Government where no final decision on those Bills has been reached. The other documents being withheld are draft internal papers that need to be worked through without the constraints of having to be publicly released before completion. I do not consider that the public interest considerations favouring release of the withheld information outweigh the reasons for withholding it.

**2. Which proposed amendments under consideration would require enactment and which could be made by Order in Council**

Since December 2012 when the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 was enacted, Police has only been discussing amendments to the Arms Act and has not been exploring any specific options in respect of the Arms Regulations or any Order that could be made pursuant to the Arms Act.

**3. What amendments were originally proposed for the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012 and not included?**

In the lead up to final decisions being made in respect of the Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Act 2012, there was a proposal that a MSSA be redefined so that the addition of a free standing pistol grip to a semi-automatic firearm would not qualify it as an MSSA, with the definition relying on other features such as a large magazine. This was not the final proposal enacted in legislation (the final Act and associated regulations) which incorporates a definition of an MSSA which does include a semi-automatic firearm with a freestanding grip.

**4. Are there any potential amendments to the Arms Act that have been or are being considered in order to align New Zealand with Australian firearms legislation?**

New Zealand is not considering introducing firearm licensing legislation that is consistent with Australia. Mandatory registration of all firearms owned by licence holders (as applies in Australia) has not been supported by successive New Zealand Governments due to the expense and limited evidence of its effectiveness in terms of improving safety. Instead, the regime in New Zealand is focused on licensing firearms owners rather than the firearms themselves (although records of pistols, military style semi-automatic firearms and restricted weapons are obtained Under the Arms

Act 1983 through the permit to procure system). Owing to this fundamental difference, many aspects of the Australian states' firearms legislation is not applicable to the New Zealand legislation and is of limited assistance to possible reforms we might want to consider.

However, Police is developing options for the possible introduction of Firearms Prohibition Orders (FPOs) as part of the Whole of Government Action Plan on Gangs. Such Orders exist in Australian states although New Zealand would not necessarily adopt exactly the same approach as Australia and there are no final proposals as to the nature of the legislation New Zealand would use if FPOs were to be introduced.

You have the right, under section 28(3) of the Official Information Act 1982, to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Catherine Petrey', with a long horizontal stroke extending to the left.

Catherine Petrey  
National Manager, Policy



## New Zealand Police - Firearms Management and Administration

### Quarterly Update – February 2016 – Firearms Community Advisory Forum

Safe People and Safe Environments

Safe Firearms and Safe Use

2. Systems – changes to ICT and other business systems, changes to technology, platform, infrastructure, methods, and procedures). *These changes will be aligned with BPS utilising existing systems and applications suitable for service delivery i.e. iGovt (Realm), LTSA Driver Licensing, query-me.*

Development of an end to end full online licensing application and processing service i.e.:

- Applications (new, dealer, import, visitor), Renewals, Change of address, Logging of personal information (email, contact information), Notification of deceased persons, Notification of proposed revocation, Management of expiration follow-up and processing;
- Integration with NIA case management processes, including review of the relationship between alerts for burglary and firearms notation;
- Aligned electronic reporting (internal and partner agencies);
  - including a national and district report for stolen firearms as a result of burglary both metropolitan and rural.
- Alignment to the national vetting and validation processes (National Communications Centres), with the ability for a service call to NIA for a Firearms Licence Query aligned to the iGovt agreement.

**Progress** – once a BA is established within the overall project their work will inform and direct those processes and systems that will be ultimately automated and potentially self validated.

The BA will engage with the Police ICT group, including the correct subject matter experts and wider stakeholders to develop a set of requirements suitable for transition to ICT and training and development documents.

3. People – (changes to capacity, role, terms and conditions, location, organisational structure, skills, knowledge, behaviour)

The organisational structure and service delivery model have not been changed for over a decade, resulting in varied supervisory guidance and monitoring across Districts. This workstream will:

- Review workload parity and distribution;
- Establish agreed, moderated national training for internal staff;
- Create national standardised induction training;
- Create a consistent standard position description(s);
- Ensure conditions and remuneration are consistent and appropriate for all functions;
- Establish quality, performance and assurance measures.

**Progress** - Basic analysis is underway looking at standardising a position description for each of the key roles. No further change will be undertaken until the introduction of a BA and mapping.

4. Environment – (changes to legislation, regulations, culture, stakeholder perception, organisational reputation, community relationships)

The Arms Act 1983 and Arms Regulations 1992 have not kept pace with technology or increased demand for services; a review is required of the current policing environment.

In particular review of;

- Use of online services, sales and uncorroborated access to firearms;
- Incorporation of import and export permit cost recovery (including importation of firearms and firearm parts);
- Review of firearms licence endorsement categories in relation to restricted firearms and air-pistols;
- Updated costing of a firearms licence application, (new, renewal, expired, visitor, dealer);
- Review of prescribed fees vs. levies within the legislation and regulations;
- Regulation of forms, online presentation of, and information data capture.

**Progress** - The last significant review of the Arms Act was in 1997. Some work around an Arms Amendment Bill is underway and this contains a significant tidy up of a number of concerns already raised. Further discussion of other key aspects of the project will require consideration as part of this process.

5. Processes – (changes to information, business processes, budgets/revenue, operating model, policies)

Current processes and operating models are paper based, duplicating effort and resulting in an inefficient long-winded service delivery. These require change to:

- Reflect technology advancements, for example use of web based forms, query-me, iGovt, (Realm) and online solutions for paper based processes currently undertaken throughout the Districts;
- Enhance statutory, performance, and assurance reporting;
- Provide statistics for use in standard OIA response processes;
- Ensure suitable training, training support and monitoring is available to staff;
- Provide financial analysis and monitoring on a monthly automated basis;
- Provide strong agreement between Police and online traders around assurance checkpoints and validation of firearms licence details.

**Progress** - One of the key deliverables of the BA will be to determine where a technology solution will operate within the process and where changes to our business and operating model are required.

Once this is complete, analysis of the time taken vs. the deliverable will be used to inform the financial modelling process and determine costs and required revenues moving forward.

The Firearms Management and Administration Project

February 2016