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Arms (Prohibition on Shortened Firearms) Amendment Bill

When National MP Alastair Scott put forward this draft private members bill, supposedly aimed at discouraging criminals from owning sawn off shotguns and rifles and impose harsher sentences for such offences, at the end of July, firearm owners were horrified. The reason for this horror was that the Bill as worded would make thousands of lawful firearm owner's criminals over night and force them to give up their much loved rifles and shotguns or face prosecution. Why, because the Bill made no mention of a minimum length by which a long gun could be shortened so even a few mm off the length became a crime.

Once alerted an e-mail campaign by SSANZ members, together with other groups and organizations, over the space of a weekend had the desired effect and resulted in the National Party agreeing to withdraw the Bill and reconsider its wording. The party further said they would work with the firearm community in developing any future firearms legislation. A good example of what can be achieved when we all play our part.

What is the Point of Tougher Maximum Sentences?

Politicians and others have called for penalties for firearm offences to be increased, however our courts seem reluctant to impose meaning full sentences. Here is a case in point.

Michael John Hayes was sentenced in July by Judge John McDonald to 12 months home detention after pleading guilty to unlawfully supplying firearms to Quinn Patterson, who subsequently shot dead two women in July last year in Whangarei.

Hayes pleaded guilty to 3 counts of unlawful possession of an MSSA, 3 counts of supplying an MSSA to an unlicensed person, each of which attract a maximum penalty of 3 years imprisonment, and 3 counts of supplying firearms to an unlicensed person which attracts a maximum penalty of 3 months imprisonment. In addition it is claimed he allowed Patterson to use his firearm licence to buy more guns through Trademe.

Hayes has shown a reckless disregard for the Arms laws of New Zealand, which in turn lead to the murder of two innocent women by Patterson. To be handed a sentence of only 12 months home detention for such serious offences sends the wrong message to others who may flaunt our arms laws.

Many Licensed firearm owners feel outraged both by Hayes actions and the court for failure to support the law by imposing a meaningful sentence.

We would hope that the Crown will appeal this sentence.

A Problem with ARs

Rifles based on the AR 15 platform have become very popular in recent years, they can come in various forms of semi automatic, both A and E Cat, as well as bolt action. Many owners now use these rifles for hunting and target shooting; they are light, compact and accurate. With their modular construction they have become ideal for custom builds and local assembly.

Since Police centralised the processing of import applications at Police National Headquarters in recent months, a number of dealers have had permits to import parts for AR 15s declined where previously there had been no problem. Police put this down to consistency of decision making, claiming that since parts for an A Cat. AR 15 can be used in an MSSA they require a special reason to be imported and that importing for resale or stock is not a special reason.

There should be no doubt those dealers who sell AR15s need to carry stocks of parts to service them, as do those who assemble custom rifles, yet to satisfy the intention of the Arms Act and Police concern their needs to be some safeguard to prevent parts imported as A cat being used to create under the radar MSSAs.

Some dealers are currently contemplating litigation against police to resolve this issue but that could go either way and could result in a precedent that would make the future importation of AR 15 parts impossible. Wouldn't it make more sense for Police and dealers to sit down and work out a solution that would allay the concerns of police and allow dealers to support their customers?

The forces of darkness are gathering

Prior to the last two years licensed firearms owners (LFO's) enjoyed about ten or so years of relative calm on the political, legal and policing fronts and for that we should be grateful. However, there are some strong indications that the situation is about change and inevitably not to our advantage. Be alert. Be aware.

Consider for a moment that we have:

- A new coalition Government with a certain member parties with known anti firearm policies
- A very forthright anti-gun attitude being publicised by the Police Association (the Police trade union). Check out some of the distorted and inaccurate rhetoric spouted by their President Chris Cahill.
- Our National media also biased against LFO's and their rights to own and use firearms. So much so that they readily publish/broadcast/screen the anti gun rhetoric from the likes of Cahill and Alpers (yes, he has resurfaced) and even when they are proven wrong will not provide corrections or retractions to readers/viewers. Consequently, we are losing the publicity battle.
- Hand in hand is a powerful anti-gun lobby who consider themselves to be above the law. For example, they were able to cause the cancellation of a popular arms and militaria auction late last year. The poor auctioneer had to cancel because Police told him they couldn't protect his audience from the protesters. So, lawful and law abiding LFO's could not be protected by our Police from the violence of an unruly protest mob. A sorry state of affairs.
- The official Police briefing to the new Minister of Police coerced out of Police by an Official Information Act request had significant sections heavily redacted (deleted) from public view. See for yourself at <http://www.police.govt.nz/sites/default/files/publications/06-signed-arms-act-administration-redacted.pdf>
- Police HQ are complaining that their administration of licensed Firearms in New Zealand is causing them a financial shortfall of \$6 million even after collecting fees from LFO's. The signals they are sending out on this are very clear. Fees for things like import permits and renewals are expected to be increased and they will be looking to see what else they can charge us for.

In his recent "meet and greet" tour of New Zealand the new Police top firearms officer, Acting Superintendent McIlraith was at pains to say that Police had been told by Government that there are no plans to change the Arms Act BUT he ignored questions about the other laws that impact on us all. Right now there is the Arms (Firearms Prohibition Orders) Amendment Bill in Parliament. There is the Search and Surveillance Act which has implications for LFO's and most importantly it is becoming clear that Police are very focused, determined actually, on changes to the Arms Regulations of 1992.

As licensed firearms owners we are too silent. We are losing the battle for public opinion.

We urge you to get you LFO friends to join SSANZ NOW. We need to be speaking to Government FOR ALL LICENSED FIREARMS OWNERS.
