		Each application may have multiple ranges. Each range receives a certification, not each complex. In Legislation, some applications while having multiple ranges, make only one range payment due to their low complexity ie Clay Target)
Current number of ranges yet to be certified	809	All have been triaged for priority and have been reviewed. These are the ranges within the 280 shooting range operator applications awaiting certification.
Total number of shooting ranges that have been subject to compliance (improvement notices or otherwise)	238	 Improvement notices are issued against individual ranges, not a complex. An Improvement Notice is a record if non-compliance, the remedy required and the date such remedy is needing to be completed. All non-compliance is recorded. Individual range certification enables other ranges within a complex to continue to operate if one range receives an improvement notice (it may need to be repaired or closed) and truly identifies the total range count, range differences, investment, certification effort and independent controls for both eh Shooting Range Operator and regulator. Given the inspections were only conducted and enforceable against certified ranges, and this existing cohort being the existing pistol ranges, the majority of these notices have been against PNZ ranges. These had been previously certified and inspected by PNZ as being compliant against their own PNZ Shooting Range Manual. The NZ Police Shooting Range manual mirrored the same ballistic standard as the PNZ manual but the inspections were undertaken by TTP independent of PNZ
Ranges under active compliance (improvement notices or otherwise)	121	 Of this current cohort, which are all pistol ranges: 46% (56) are for non-compliant Range Standing Orders (orders explain and enforce range operation, maintenance, safety rules firearm type and calibre etc) 53% (65) are for ballistic safety issues (exposed tyres, exposed steel in the Bullet Catch, bullet catch angle below minimum etc) Of interest, the number of improvement notices being issued is decreasing as the standard (detailed in the Range Standing Orders and shooting manuals) is being maintained.
REL		

s9(2)(g)(ii)

From:	Alexander, Fiona <fiona.alexander@justice.govt.nz></fiona.alexander@justice.govt.nz>		
Sent:	<u>Tuesday, 5 Mar</u> ch 2024 9:15 am		
То:	s9(2)(g)(ii) MCILRAITH, Michael (Mike)		
Cc:	Takurua, Patrick		
Subject:	[EXTERNAL] RE: Clubs and ranges background documents		
Attachments:	Shooting Clubs and Ranges summary as at 4Dec 23.docx		

Follow Up Flag:	Follow up
Flag Status:	Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning korua,

I was looking through the info you, ^{\$2(2)(0)(1)} had sent me late last year. I found this document attached.

I know you've updated on the number of clubs outstanding (11). I wonder if it's possible to get the latest version of the other data here, please?

Please let me know if you have any questions.

Ngā mihi Fiona



Fiona Alexander Principal Advisor – Harm Reduction and Public Safety Policy Group Ministry of Justice | Tāhū o te Ture Tel S.9(2)(a) OIA Ext: www.justice.govt.nz

From: <u>S9(2)(g)(ii)</u>

Sent: Friday, 8 December 2023 3:36 pm

To: Ryland, Scott <Scott.Ryland@justice.govt.nz>; Alexander, Fiona <Fiona.Alexander@justice.govt.nz>; Wheeler, Sally <Sally.Wheeler@justice.govt.nz>

Cc: WHITE, John <John.White@police.govt.nz>; WILSON, Richard (RJ) <Richard.Wilson@Police.Govt.NZ> Subject: Clubs and ranges background documents

Kia ora koutou,

Thank you all for making the time to attend the meeting yesterday!

I've forwarded you an invite to a meeting next Wednesday in case you want to attend. At that meeting I'm hoping to get more into the discussion of the risks and gaps that need to be considered if Part 6 of the Arms Act was repealed.

As requested yesterday, I've attached some key reference documents relating to clubs and ranges. I've also attached a couple of overview documents relating to the legislation. There are many background documents I could send you

about the history of the Arms Act, but I don't want to overwhelm you on a Friday afternoon. Maybe when we next catch up we can talk about what kind of background you would find most useful?

It would be great to also go over the timeline of getting the part 6 advice to Ministers and the outline of what will be covered in the advice. We have started drafting a paper which I'm happy to share with you too.

What is your availability like next week?

Attachments

Overview of legislation

- A3 overview of the legislation
- A3 key numbers
- Timeline history of arms legislation in New Zealand

Clubs and ranges

- Table setting out provisions relating to clubs and ranges
- Summary of current numbers
- Recent regulations review committee responses relating to clubs and ranges (the attachments listed for this are quite large so I will have to send separately and we also have hard copies we can provide you)
- Recent response to petitions committee on sports shooting exemption petition
- Link to an example of the PNZ 3 gun nationals. This example uses prohibited firearms with large capacity
 magazines, this is the type of activity the petition is proposing to create an exemption for:
 https://www.facebook.com/pistolnewzealand/videos/2017-pnz-three-gun-national-championships/1832205726831002/ (Rotorua is probably one of the better run complexes in the country.)

[] [] Ngā mihi,



s9(2)(g)(ii)

My normal hours of work are 8am-4pm Monday, Tuesday, Wednesday and Friday.





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s.9(2)(g)(ii)

From:S.9(2)(g)(ii)Sent:Wednesday, 20 December 2023 9:22 amTo:MCILRAITH, Michael (Mike)Cc:BAIRD, Peter; PETREY, CatherineSubject:RE: Feedback: Part 6 clubs and ranges working draft for feedback

Kia ora Mike,

Really appreciate all your feedback – I will address all these points when I'm back on deck early January. If you have any preferred way of framing these points in the paper, please feel free to make track changes directly in the document too.

INFORMATI

Hope you have a good break!

Ngā mihi,

S.9(2)(g)(ii) (she/her) Senior Advisor Firearms Policy Policy & Partnerships NZ Police National Headquarters

E s.9(2)(g)(ii)

My normal hours of work are 8am-4pm Monday, Tuesday, Wednesday and Friday.





From: MCILRAITH, Michael (Mike) <Michael.McIlraith@police.govt.nz> Sent: Wednesday, 20 December 2023 7:33 AM To: 5.9(2)(g)(ii)

Cc: BAIRD, Peter <Peter.Baird@police.govt.nz>

Subject: Feedback: Part 6 clubs and ranges working draft for feedback

Thanks, Jenna. Have read and provided some comments. While this is an early stage document:

- 1. I don't think we are strong enough on the actual general public safety risk and perception of safety for ranges, and probably clubs to a lesser degree.
- 2. I think that we need to strengthen gang, criminal, and terrorist type risks that repeal will cause.
- 3. Could we also provide commentary that while there are 238k licence holders at best 20k-40k could be connected to clubs and ranges. We want to grown club and range membership and involvement but would not be able to do this with confidence if clubs weren't administered correctly and ranges ballistically safe and run in line with range standing orders.
- 4. There is also a desire to work with clubs and ranges in the future to develop firearms safety course. Development of the course would move it from theory and assessment of firearms safe handling using deactivated firearms, to now included range shooting. Range shooting would (if all falls into place) become the final part of the safety course that new licence applicants do. We would deliver the live fire shooting with community help as we don't have the infrastructure nor man power to deliver on our

own. But, if we don't have certified ranges then this can't happen because we couldn't take new (any really) shooters onto a range that wasn't certified as ballistically safe as the risk to range users and anyone in the ballistic danger area would be too much. So if Part 6 is repealed then the future of getting new applicants into live fire is scuppered.

5. There is also the aspect of many hunters wanting to check the zero of their rifle before going hunting. Due to the lack of ranges around the zero can be undertaken in river beds or other areas that aren't necessarily safe for the shooter and just as importantly Joe Average 500 meters away getting a stray round in the back of the head. So we want more ballistically safe ranges so that hunters can get access and zero safely.

Will be interesting to see how this develops.

Kind regards,

Mike

Mike McIlraith

Kaihautū Kōtui | Director Partnerships Te Tari Pūreke | Firearms Safety Authority E michael.mcilraith@police.govt.nz





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From:

Sent: Monday, 18 December 2023 6:56 am

MCILRAITH,

SFORMATION ACT

To: S.9(2)(g)(II) Michael (Mike) <<u>Michael.Mcllraith@police.govt.nz</u>>; WILSON, Richard (RJ) <<u>Richard.Wilson@Police.Govt.NZ</u>>; TARTTELIN, Michael <<u>Michael.Tarttelin@police.govt.nz</u>>; BAIRD, Peter <<u>Peter.Baird@police.govt.nz</u>>; PETREY, Catherine <Catherine.Petrey@Police.Govt.NZ>; Alexander, Fiona <Fiona.Alexander@justice.govt.nz>; Ryland, Scott <<u>Scott.Ryland@justice.govt.nz</u>>; Takurua, Patrick <<u>Patrick.Takurua@justice.govt.nz</u>> Cc: WHITE, John <John.White@police.govt.nz>; sally.wheeler@justice.govt.nz Subject: Part 6 clubs and ranges working draft for feedback

Kia ora koutoù,

As discussed, I'm circulating a working draft about clubs and ranges for your input, ideally by mid-January.

Feel free to edit directly in track changes or make comments 🕮 20231215 clubs and ranges draft.docx, if you prefer to work offline, I've attached a word version.

Noting this is still very working draft and just aiming to collate some of the relevant background from the Police perspective. The shape of the final paper will look quite different, this is mostly about getting relevant content together in one place.

I've also attached a bullet point list of risks/gaps, some of which we have already discussed, thank you Mike T for pulling most of these together.

Thank you all for your time to discuss this work over the past couple of weeks. I hope everyone has a lovely break and look forward to catching up again in the new year!

Ngā mihi,

S.9(2)(g)(ii) (she/her) Senior Advisor Firearms Policy Policy & Partnerships NZ Police National Headquarters

E s.9(2)(g)(ii)

My normal hours of work are 8am-4pm Monday, Tuesday, Wednesday and Friday.



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From:	s9(2)(g)(ii)
То:	TARTTELIN, Michael
Cc:	CRAWFORD, Steven (Steve)
Subject:	RE: Feedback: Part 6 clubs and ranges working draft for feedback
Date:	Friday, 12 January 2024 8:27:00 am
Attachments:	image005.png
	image007.png
	image010.png
	image011.png

Thanks Mike – agree and noted

Ngā mihi,

s9(2)(g)(ii) Senior Advisor Firearms Policy Policy & Partnerships

NZ Police National Headquarters

E s9(2)(g)(ii)

My normal hours of work are 8am-4pm Monday, Tuesday, Wednesday and Friday,

From: TARTTELIN, Michael < Michael.Tarttelin@police.govt.nz> Sent: Thursday, 11 January 2024 7:13 AM

To: s9(2)(g)(ii)

Cc: CRAWFORD, Steven (Steve) <Steven.Crawford@police.govt.nz>

Subject: FW: Feedback: Part 6 clubs and ranges working draft for feedback

s9(2)(g)(ii)

I spent a bit of time earlier in the week trying to find these comments that Mike McIlraith made just before Xmas as I do agree with him. <u>s9(2)(g)(i)</u>

MATIONACT

For your consideration.



A Inspector Mike Tarttelin Manager Clubs and Ranges Deputy Manager Compliance The week cell: 5.9(2)(a) OI/

Email: michael.tarttelin@police.govt.nz

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[]	

CAL MFORMATION ACT From: BAIRD, Peter <<u>Peter.Baird@police.govt.nz</u>> Sent: Wednesday, 20 December 2023 9:09 AM To: TARTTELIN, Michael <<u>Michael.Tarttelin@police.govt.nz</u>> Subject: FW: Feedback: Part 6 clubs and ranges working draft for feedback

Ngā mihi nui

PGR

Inspector Peter (PGR) Baird Manager, Compliance Services M s.9(2)(a) OIA

E Peter.Baird@police.govt.nz

https://www.firearmssafetyauthority.govt.nz

[]

From: MCILRAITH, Michael (Mike) <<u>Michael.McIlraith@police.govt.nz</u>> Sent: Wednesday, 20 December 2023 7:33 am

To: <u>s9(2)(g)(ii)</u>

Cc: BAIRD, Peter <<u>Peter.Baird@police.govt.nz</u>>

Subject: Feedback: Part 6 clubs and ranges working draft for feedback

Thanks,

Have read and provided some comments. While this is an early stage document:

- 1. I don't think we are strong enough on the actual general public safety risk and perception of safety for ranges, and probably clubs to a lesser degree.
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standing orders.

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Will be interesting to see how this develops.

Kind regards,

Mike

Mike McIlraith

Kaihautū Kōtui | Director Partnerships Te Tari Pūreke | Firearms Safety Authority

E michael.mcilraith@police.govt.nz

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From: s9(2)(g)(ii)

Sent: Monday, 18 December 2023 6:56 am

To: <mark>\$9(2)(g)(ii)</mark>

; MCILRAITH, Michael (Mike)

<<u>Michael.McIlraith@police.govt.nz</u>>; WILSON, Richard (RJ) <<u>Richard.Wilson@Police.Govt.NZ</u>>; TARTTELIN, Michael <<u>Michael.Tarttelin@police.govt.nz</u>>; BAIRD, Peter <<u>Peter.Baird@police.govt.nz</u>>; PETREY, Catherine <<u>Catherine.Petrey@Police.Govt.NZ</u>>; Alexander, Fiona <<u>Fiona.Alexander@justice.govt.nz</u>>; Ryland, Scott <<u>Scott.Ryland@justice.govt.nz</u>>; Takurua, Patrick <<u>Patrick.Takurua@justice.govt.nz</u>> **Cc:** WHITE, John <<u>John.White@police.govt.nz</u>>; <u>sally.wheeler@justice.govt.nz</u> Subject: Part 6 clubs and ranges working draft for feedback

Kia ora koutou,

As discussed, I'm circulating a working draft about clubs and ranges for your input, ideally by mid-January.

Feel free to edit directly in track changes or make comments 20231215 clubs and ranges draft.docx, if you prefer to work offline, I've attached a word version.

Noting this is still very working draft and just aiming to collate some of the relevant background from the Police perspective. The shape of the final paper will look quite different, this is mostly about getting relevant content together in one place.

I've also attached a bullet point list of risks/gaps, some of which we have already discussed, thank you Mike T for pulling most of these together.

Thank you all for your time to discuss this work over the past couple of weeks. I hope everyone has a lovely break and look forward to catching up again in the new year!

Ngā mihi,

s9(2)(g)(ii)

Senior Advisor Firearms Policy Policy & Partnerships NZ Police National Headquarters

E s.9(2)(g)(ii)

My normal hours of work are 8am-4pm Monday, Tuesday, Wednesday and Friday.

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Part 6 changes

Consider the opportunity to make changes now, and perhaps later, as part of the review/rewrite of the Act, there will be more changes.

Objectives

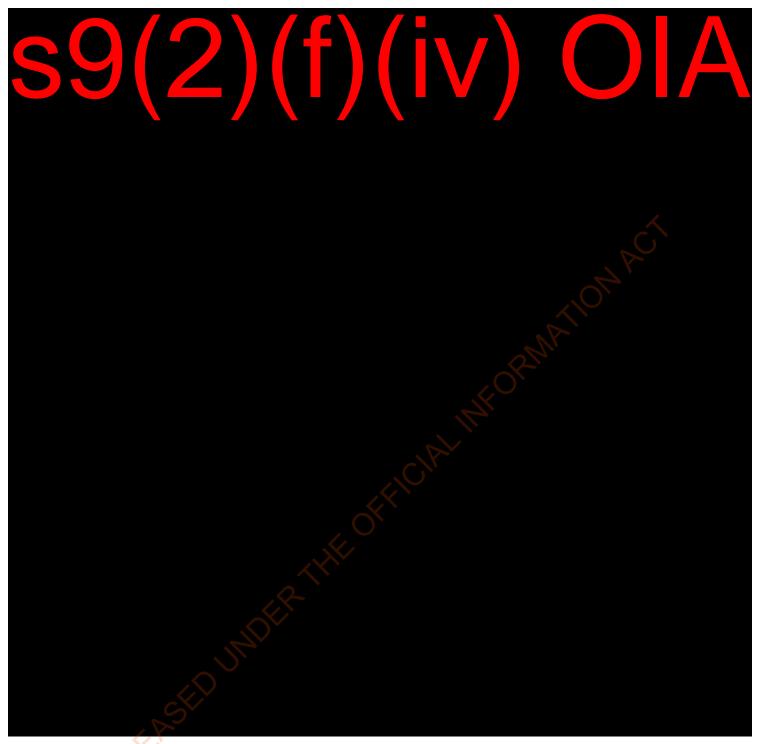
- 1. Lessen the regulatory burden on clubs and ranges
- 2. Promote individual and public safety outcomes

Criteria to determine whether the options meet the objectives

- reduce burden and impact on clubs/ranges
 - clubs and ranges are often run by volunteers, the burden should not outweigh the benefit
 - impacts on personal privacy are minimised
- support recreational and competitive activity
 - o encourages places for safe use of and practise with firearms
 - 0
- contribute to individual and public safety outcomes
 - safety of individuals shooting on ranges, those also present at the range, as well as wider members of the public in the vicinity)¹
 - o safety consequences from individual information being open/searchable minimised
 - protect Māori from disproportionate harm cased by firearms (Art 3: equity/equal outcomes)
- contribute to crime prevention and investigation
 - reducing the likelihood that firearms are used for illegal purposes
- provide an effective regulatory measure
 - Option is workable/feasible to administer, and is clear in its effects
 - Enforceability:
 - Consistency across the country:
 - Consistent with the approach of regulating pistol clubs
 - See: <u>Government Expectations for Good Regulatory Practice (treasury.govt.nz)</u>

¹ Approximately 91% of firearms licence holders are males. From a sample of data covering 2011 to 2020, for firearms-related offences where there is a recorded victim, 66% had a recorded male victim and 43% had a recorded female victim.



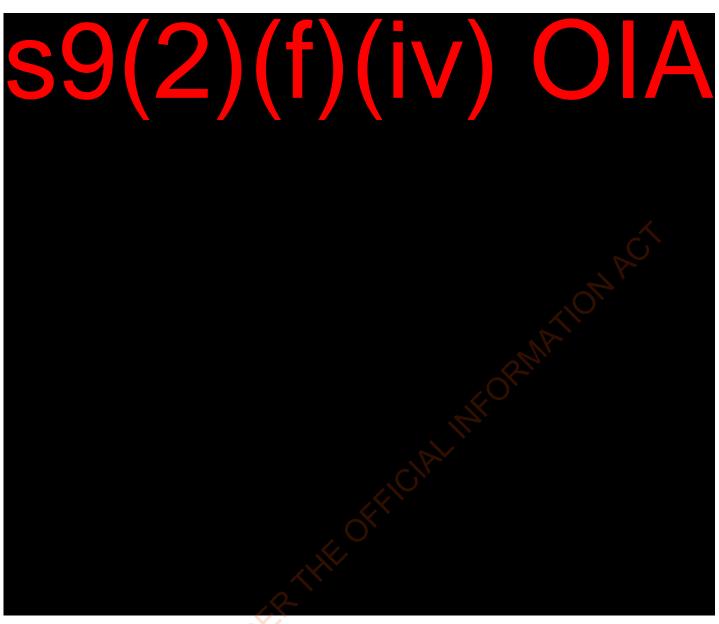






(2)(f)(iv) OIA

REFERSED WIDER THE OFFICIAL MEDIANATION ACT





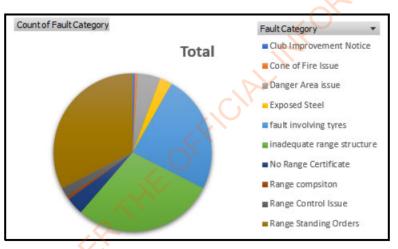
Catherine,

In response to your questions

Improvement Notices;

Since June 2022 Clubs and Ranges group have issued 238 Improvement Notices (IN) to Shooting Range operators, of those 180 have been issued since the new regulations came into effect on 15 Dec 2022. There are 121 current active IN's of these;

- 46% (56) are for non-compliant Range Standing Orders (RSO). The Shooting Range
 Operators uses this formal tool to prescribe the range safety rules for all the users of the
 range. The RSO, is the enforce tool, the foundation document and the "go to" for all the
 range operation, range maintenance, safety rules for firearm type and calibre etc. This
 document holds individuals including the SRO to account for actions or non-actions on the
 range. It is a critical document.
- 53% (65) are for ballistic safety issues (exposed tyres, exposed steel in the Bullet Catch, bullet catch angle below minimum height)
- Ballistic safety matters ie tyres, heights, distances may not be captured in the RSO but will be in the application, for which the Shooting Range Certificate is issued.
- The RSO is referenced in the Shooting Range Certificate, they are tied together.

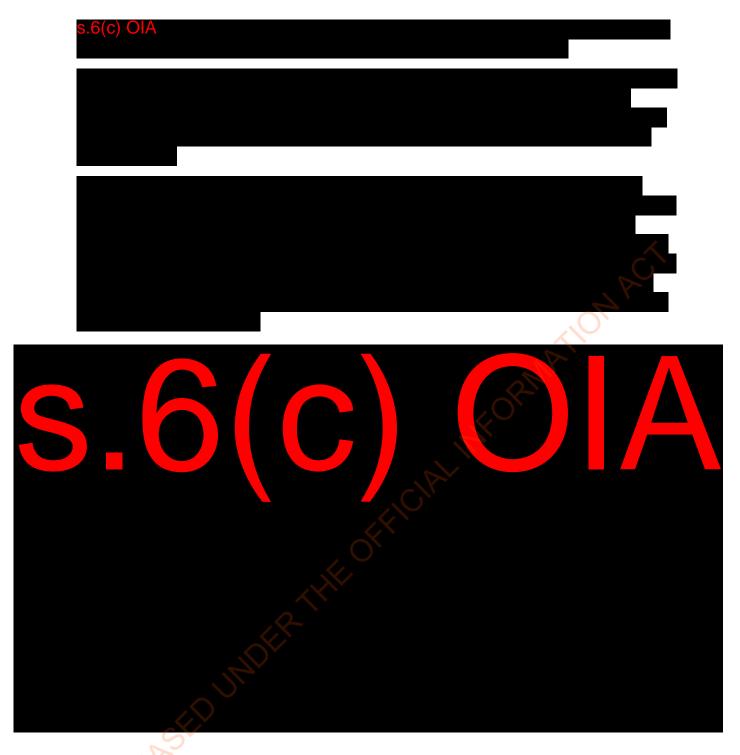


Of interest, the number of improvement notices being issued is decreasing as the standard (detailed in the Range Standing Orders and shooting manuals) is being maintained.

Hamilton Small Bore Rifle Club Burglary;

Hamilton Smallbore Rifle Club have a club premises and indoor range located at 975 Wairere Drive, Hamilton East not far from the Hamilton City centre.





Firearm and ammunition storage inspections at shooting ranges (including clubs at ranges)

The Clubs and Ranges Team have conducted secure storage inspections at 186 club and shooting range premises that applied for certification. This figure does not include the already certified Pistol Club premises already vetted. Most firearms and ammunition storage at these premises have been compliant and, in most cases, far exceeded the prescribed requirement. The most common storage seen are either repurposed vaults, retail available firearms safes or purpose-built strong rooms.

The guidance document, 'Secure Storage and transportation guide for firearms and ammunition' prescribes the requirements (available at

<u>https://www.firearmssafetyauthority.govt.nz/sites/default/files/2022-11/firearms-secure-storage-guidance.pdf</u>) Within this descriptive is the described 'stoutly constructed' cabinet's. It is recognised that where the club or ranges are situated in remote locations and/or do not have

security alarms that there are risks. The current guidance advises that endorsed firearms cannot be stored overnight without advanced Police approval.

Where storage is found to be non-compliant, the club or range operator are required to immediately remove firearms and ammunition to secure storage until the issues are rectified and the secure storage approved as compliant.

TTP do not document what firearms or ammunition the club/members store at the premises.

Matters of concern if there is no regulatory oversight of ranges;

The response to this question is multifaceted and below are the bullet points for which if required, some expansion and explanation can likewise be provided. Most of this is common sense.

Te Tari Pureke awareness for regulatory oversight risks;

- Absence of knowledge and awareness of ranges that are operating and their locations,
- Understanding of apportion of liability and responsibilities (SRO, Officer on Duty (OoD),
- No knowledge of disciplines/types of shooting ranges are used for,
- Oversight /recording of range users, this is the "who are shooting".
- No oversight, awareness of types of shooting activities conducted on the ranges (types of discipline series, target descriptives, target type use by non-affiliated disciplines (pistols, Field Shooting, Long-range, American Trap Assoc., etc).
- No knowledge of developing shooting trends and competitions and the introduction of new disciplines or shooting series (cowboy, IPSC etc.)
- Introduction of .50 calibre rifles etc, and other large calibre firearms as overseas trends are being introduced e.g., impending arrival of large calibre Pre-Charged Pneumatic (PCP)
- Maintenance of ballistic capability of range (projectile retention within the range with the risk of rounds leaving the range through higher exit, poor back stops or unregulated shooting movements)
- Approvals of ballistic capabilities of the range (appropriate firearms calibres for the range),
- General maintenance programmes, in particular post certification and its monitored sustainability,
- Firearm and ammunition security standard.
- Compliance of firearm and ammunition provision processes (incorporation, dealer, ammunition seller)
- Monitoring of firearms sales and ammunition recording, legislation compliance incorporation, dealer, ammo seller licence
- Inadequate range safety equipment (fire extinguisher, First Aid)
- Inadequate incident management processes in place. Emergency services process (location for attendance)
- No RSO's (RSO's prescribed safety rules for the range)
- Inadequate/incomplete RSO's
- SRO process to ensure compliance with RSO's.
- Uncontrolled shooting activities.
- No OoD process (training, controls recording, understanding, accountability, traceability)
- Supervision of inexperienced or unlicensed shooters
- Shooter safety (ricochet, back splash, pop-over, adjacent ranges etc,)
- Inadequate/appropriate signage (reference to relevance of flag, live firing, danger area signage to prevent unintentional entry into danger area by public, and shooters)
- Monitoring of shooter practices, behaviour, attitudes and conduct,

- Unauthorised access and/or use of the range.
- Range complex security
- Neighbouring property safety, visibility, approvals, resource management, consents
- Incident reporting/recording process, including injury and near miss. This is currently almost invisible.
- Dealers/gunsmiths use of ranges (test firing/cartridge load development testing/try before you buy)
- Developing expert knowledge based on trends seen developing on ranges ie, ATA competition (American Trap Association), also knowledge of overseas competition/discipline development.

Community knowledge;

- Community trust and confidence that ranges in their location are safe or even exist what disciplines/types the shooting ranges are used for.
- Mechanism for addressing public safety concerns (danger area's)
- No knowledge of,
- Maintenance of ballistic capability of range (projectile retention)
- Inadequate/appropriate signage (reference to relevance of flag, live firing, danger area signage to prevent unintentional egress into danger area) linking to public and shooter safety.
- Dealers/gunsmiths use of ranges (test firing/ cartridge load development testing).
- Confidence that beginners are shooting in a safe controlled environment.

Council/Regional Council visibility

- Absence of knowledge and awareness of ranges that are operating and their locations Absence of knowledge by local and regional authority and awareness of ranges that are operating and their locations,
- Appropriate consents
- Potential support for additional range establishment coordination.

Shooter safety;

- Shooter safety (ricochet, back splash, pop-over, adjacent ranges etc,)
- Maintenance programmes existence,
- Inadequate incident management processes in place.
- Emergency services process (location for attendance)
- Inadequate Range safety equipment (fire extinguisher, First Aid kits).
- Inadequate/incomplete RSO's
- Shooter safety prescriptions in RSO's (hearing and eye protection etc,)
- No OoD process (training, recording, understanding)
- Appropriate control of shooting activities
- Supervision of inexperienced or unlicensed shooters
- Unauthorised access and/or use of the range

Commercial ranges additional to the above;

- Understanding of apportion of liability and responsibilities (SRO, OoD),
- Supervision of inexperienced or unlicensed shooters
- Firearm and ammunition security standard.
- Appropriate control of shooting activities

• Business corporate venues/ events shooting experiences (targets and clay) processes, documentation, safety of participants, Pistol Gallery ranges, selling the experience! range ballistic safety.

REFERENCEMPTICALINGONALONAC



An Analysis of Literature Relating to the use of Firearms Registries by Culturally Similar Jurisdictions

Originator: Strategy Team; Strategy, Performance and Governance Branch; Business Services Directorate

Purpose

1. The purpose of this paper is to provide the Arms Leadership Team with an analysis of the available literature concerning the use of firearms registries by other, culturally similar, jurisdictions.

Key Points

- 2. The key points from this paper are summarised below under five headings:
 - Headline findings from the review of international literature
 - New Zealand in the international context
 - How would the effectiveness of a registry be evaluated?
 - Key findings from opposing group narratives
 - Next steps.

Headline findings from the review of international literature

- 3. The headline findings from our review of international literature are that:
 - there is a lack of international, publicly available, data on how firearm registries have been or could be assessed.
 - firearm registries, their use and the potential for beneficial outcomes for firearm regulation are inextricably linked to the full suite of regulatory settings and intervention tools. For this reason, it is judged as near impossible to assess the effectiveness of a firearms registry in isolation.
 - context is important. Every other firearm register is a product of the cultural, societal and historical context of the country it has been borne into. This makes it difficult to draw straightforward comparisons between jurisdictions.
 - developing a compelling narrative about the ways in which a registry supports the firearms system to mitigate firearms-related harms is critical to framing its function correctly; namely as an enabler rather than as an end in itself.



New Zealand in the international context

- 4. When compared to culturally similar jurisdictions like Australia, Canada and the UK, New Zealand's firearms control regime appears to be among the less restrictive:
 - In Australia, on 9 June 2023 the Attorney-General announced that the Police Minister's Council 'had taken an important step towards a National Firearms Register by reaching unanimous agreement on options to be put to National Cabinet'. The register will replace the Australian Firearms Information Network currently operated by the Australian Criminal Intelligence Commission, which was found to have significant operational shortcomings in the wake of the Wieambilla terrorist shooting in December 2022.
 - In **Canada**, Bill C-21 (*An Act to amend certain Acts and to make certain consequential* amendments (*firearms*)) received Royal Assent on 15 December 2023 and in doing so, brought into force a series of measures to combat gun crime, including a national handgun freeze, new 'red flag' laws (also known as emergency weapons prohibition orders), and increased penalties for firearms smuggling and trafficking. Additionally, a new 'yellow flag' licence suspension regime and enhanced licence revocation provisions will come into force at a later date through an Order in Council. These measures are designed to eliminate access to firearms for those who are involved in intimate partner violence, stalking, or who are subject to a protection order.
 - In the UK, access by the general public to firearms is already subject to some of the strictest control measures in the world: although members of the public may own rifles and shotguns, most handguns have been banned in Great Britain since the Dunblane massacre in 1996. Notwithstanding, in light of the fatal shootings at Keyham on 12 August 2021 and on the Isle of Skye on 10 August 2022, the UK government has recently consulted on changes to strengthen the legislation on firearms licensing, the system of referees, and a number of other operational licensing matters.
- 5. The current trajectory of each of these jurisdictions is *towards* an increased level of firearms control.

How would the effectiveness of a registry be evaluated?

- 6. As noted in para 3, whilst it is near impossible to assess the effectiveness of a firearms registry in isolation, our research highlights that:
 - after less than a year of operation, it is premature to attempt to prove or disprove the effectiveness of New Zealand's firearms register. Studies into the impact of firearms legislation require considerable (i.e. multiyear) time windows in which to establish whether statically significant change has occurred. It also requires years of performance monitoring.
 - making any assessment of 'effectiveness' requires clarity about the ways in which the registry supports other parts of the firearms system, and how the sum of the whole contributes to the mitigation of firearms-related risks and associated harm(s).
 - it is never too soon to start collecting the focussed data that will provide the evidence base for an objective discussion about the effectiveness of the registry. Suitable research questions might, for instance, include:
 - How many firearms related incidents have resulted in firearms being recovered from the incident scene?



- Of those recovered firearms, how many could be identified using the registry? Of note, recent OIAs and media coverage have focussed on exactly this issue.
- And of those, how many were traced back to their legal owner?
- In each case, what were the circumstances that led to the firearm being outside the direct control of the legal owner?
- What actions were taken to ensure the situation could not occur again (in line with a responsive regulation model).
- For those circumstances that resulted in enforcement action against the legal owner, how many cases were successful and resulted in licence suspensions?

Key findings from opposing group narratives

- 7. Our review of registry-related firearms literature suggests a more balanced discussion about the registry's role in the firearms system could be engendered by:
 - articulating a clear narrative that explains how a universal registry supports the firearms system to mitigate firearms-related harms, what those harms are, and the implications of doing nothing to reduce their impact on society.
 - explaining how the effectiveness of the registry's contribution to mitigating harm will be assessed over time, and how data will be gathered to support that assessment.
 - providing a transparent account of the costs of the registry and how, of the operational options considered as alternatives to it, the registry represents the best value for money. In addition to highlighting the cost effectiveness of the registry's contribution to the mitigation of harm, focus should also be given to the other system benefits it is anticipated to generate, for example the opportunities presented by system interoperability, any efficiencies accruing from increased automation and, importantly, any anticipated reduction of the burden on the licence holder over time.
 - explaining the checks and balances used to ensure that the registry's effectiveness is not compromised by inaccurate, incomplete or insufficient data.
 - anticipating and adapting to the ways the illicit sector of the firearms system will attempt to circumvent regulation.
- 8. Taking an evidence informed approach that addresses these five areas is important to ensure that public discussion about New Zealand's firearms register is both balanced and facts focussed.

Next steps

- 9. We advise there are pieces of work that could follow on from this paper by expanding on its key themes. The first is the work already commissioned on understanding the harm profile of firearms in New Zealand. In addition, we see opportunities for you to direct the appropriate work groups to:
 - consider how the registry, in its role as an enabler, does and will link in with our suite of
 intervention options in the full regulatory spectrum from compliance to enforcement across the
 system.



- clarify the ways in which the registry supports other parts of the firearms system to mitigate firearms-related harm and consider how we better represent these findings, noting the registry is one part of the jigsaw that makes up effective firearms regulation.
- establish a data collection plan (in alignment with the Monitoring and Evaluation Programme) with the long-term goal of verifying statistically significant impacts on firearms-related harm that can be attributed directly or indirectly to the existence of the firearms registry.
- consider the substance of the research questions that could shape a review of the registry.
- provide you with further information about regulatory practice and models relevant to Te Tari Pureke.

Limitations on the review of literature

- 10. Our aim when researching this paper was to focus on material relating specifically to the use of firearms registries by other jurisdictions (see **Appendix 1** for a full list of articles consulted). What has become clear, however, is the paucity of material and data that exists in this niche area. In fact, even the word 'registry' is open to wide interpretation, with considerable variance in opinion about what a registry is (its actual manifestation) and what purpose it might be designed to fulfil. To illustrate; whilst New Zealand has a quite specific definition of the functions of its registry, across the Tasman Australia uses the term to encompass a much broader swathe of activity, including licensing.
- 11. We also noted that firearms legislation, when related to the tightening of gun control, often has its origins in traumatic national events like mass shootings. New Zealand is not alone in this regard: the Dunblane massacre in Scotland on 13 March 1996, and the Port Arthur massacre in Tasmania just over a month later in the same year, both resulted in a rapid tightening of firearms controls. However, an unfortunate outcome of rapid legislation appears to be that objective, reasoned debate in the years that follow is hampered by increasingly politicised (and entrenched) views espoused by opposing factions. Evidence, even when presented by academics, is frequently slanted to serve a particular perspective.
- 12. There is also the question of the validity of comparison. New Zealand has a unique culture and our current perceptions about the role firearms play in society are, to a large extent, formed by our history. Even countries that are superficially similar to New Zealand (Australia, Canada and the UK) display differences in culture and national imperatives that would not translate here: there is simply no 'one size fits all' approach.

The narratives framing the approaches to firearms control

- 13. Two broad narratives span both research and public discussion about firearms control. The first is a public health perspective, which sets gun control in the broad context of social wellbeing. This perspective emphasises the importance of understanding the harm one is attempting to minimise, and selecting interventions that offer the biggest impact for the least cost.
- 14. The second narrative is a criminological perspective, which focusses on deterring criminal activity and punishing offenders when they transgress.
- 15. Viewed from this perspective, one must consider how a registry contributes to the deterrence of firearm-related criminal activity, and whether the impact is proportionate to the public funds invested in its maintenance.



16. To conclude then, we have noted the limitations in the literary material that directly concerns registers, and we have attempted to indicate how discussion of a register needs to be seated in a broader discussion about firearms controls. It is this, we speculate, that makes getting to grips with the subject so challenging – registries are normally part of a package of preventive measures, and on that basis are rarely studied in isolation. In the next section we consider the reasons often put forward for having one.

Why have a registry?

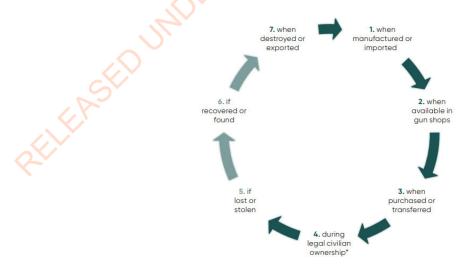
- 17. Although we did not find consensus about the effectiveness (or otherwise) of firearms registries, we did note some consistency about the reasons provided for having them. In short, these tend to focus on a registry's potential to provide information for agencies concerned with deterring, detecting,
- supporting a criminal perspective towards firearms control.
 18. One of the clearest explanations for the use of a firearms registry is provided by the European Union. Whilst the strategic and operational scale and context of the harm they are seeking to mitigate differs from New Zealand's, we found the EU's focus on firearm diversion and the illegal manufacture of firearms a relatable starting point. The extract below is taken from a report funded by the European Union's Internal Security Fund (Police) and titled 'Effective and Innovative Practices among European

resolving and prosecuting criminal activity. Viewed this way, firearms registries can be described as

Civilian Firearms Registries'.

The practical value of the life cycle firearm registries concept (Saferworld, 2012) is to provide a structure and framework for understanding where additional oversight moments may be needed to prevent or respond to firearm loss, theft, and other forms of diversion into the illicit market ... Ideally, the registry should capture data throughout all stages of the firearm life cycle and changes in the legal status of a firearm. For example, 'during legal civilian ownership', there might be instances where the modification of a firearm changes its EU Firearms Directive category'.

19. For context, the stages of the firearm life cycle referred to in the extract are:



20. The reasoning, then, is that by capturing data throughout the life cycle of the firearm it becomes more visible to national authorities, is more easily linked to an individual (or succession of individuals), and can be tracked within countries and/or across borders (within the EU), the sum of which acts as a deterrent to diversion. The same paper goes on to note that in theory, a life cycle



registry can also include ammunition, enable the centralisation of dealer records, and track the life cycle of controlled components and accessories¹.

- 21. Another reason for registration alluded to by EU member states is to increase the feeling of accountability experienced by firearms owners, who now know that their firearm is directly linked to them. This aspect of a registry is, potentially, of most use where police have suspected high levels of unreported theft: the incentive to proactively report the theft of firearms is considerably higher when the individual perceives the risk of detection has increased.
- 22. We have included a table of the information captured in EU registries in Appendix 2 and have identified that the firearm and individual categories of information are broadly comparable with the requirements in New South Wales, where all registered firearms must be listed in the firearms register compiled and maintained by the Registry. In the case of the latter, the information includes: details of the firearm (including its serial number if any); details of the licence holder to whom the firearm is registered (including name, residential/business addresses, premises where the firearm is kept); the date of acquiring the firearm and the name of the firearms supplier, and the identifying number of any spare barrel for the firearm.
- 23. Offering a narrower justification for universal registration than that put forward by the EU, the Royal Canadian Mounted Police (RCMP) noted, in their report into the [now defunct] national firearms registry (RCMP Canadian Firearms Program final report Feb 2010) that:

'The Firearms Registry is a useful tool for law enforcement, providing:

- **Officer safety**: It ensures police are better equipped to respond to, for example, a situation of domestic violence, assess potential safety risks and confirm the possible presence of firearms and their legal status.
- Investigative support: (tracing firearms, affidavits to support prosecutions) Police would otherwise have to search manually through thousands of retail records to find the source of any firearm recovered at a crime scene. Computerised and centralised registration provide for quick searches. If stolen, knowing the source of the firearm provides police with a valuable starting point for their investigation.
- **Improved public safety**: (seizure of firearms in situations of domestic or mental health breakdown) People can be negatively affected by a number of factors, including job loss, divorce or other forms of socio-economic or psychological stress, that may increase the risk of firearms misuse'.
- 24. It should be noted that the actual and perceived value of these provisions did not withstand criticism from vocal pro-firearms lobbies or, ultimately, find government favour.
- 25. To conclude this section; whilst it is possible to find common reasons given for having a firearms registry, and even agreement about the data required to populate one, there is no consensus about how effective firearms registries are, or have been. We believe there are three principal reasons for this:

¹ Drawing directly on this concept, this is exactly how Te Tari Pūreke might describe our systems approach when considering the role partners could play in the firearm life cycle. In doing so, it is worth noting the significance of wholesalers and dealers, with both groups well positioned to bring significant value to our understanding of the cycle. This notion of system partnerships, in tandem with an evolved understanding of firearms-related harm, offers the possibility of increasingly targeted interventions at points of increased risk.



- Registries are usually described as an enabling tool for other interventions. As such they are not singled out for study in isolation.
- No comparable jurisdiction has run a firearms registry study for long enough to identify statistically significant markers of effectiveness.
- The data that would support a dedicated registry study is absent.
- 26. The following sections explore the above points in turn.

The registry as an enabler for the firearms system – a strategic narrative

- 27. In the strategic context, interventions and the enablers that support them are best described as a system of complementary parts that, taken together, make the best possible use of public funds to mitigate identified harm(s).
- 28. For Te Tari Pūreke, we think there is a requirement to develop a clearer narrative that explains how the 'preventive pillars' shown in the diagram below work together to mitigate harm, and the role the registry has in supporting one or more of them. Accepting that it is impossible to prove or disprove the 'effectiveness' of the registry at this point in time, we suggest the question should in fact be: when considering how we support these pillars, where does the registry add value (or not)? In other words, a more constructive conversation could be had around the role the registry plays in keeping communities safe. This would include changing the focus from the answers lying solely in an operational registry to its place in a broader intervention suite that, together, supports regulatory behaviour in line with Te Tari Pureke's vision of safety.



An example of the way the registry could be described in its enabling role.

29. To realise its potential as an enabler, from the EU's perspective 'a modern and efficient registry must be interoperable with selected databases, adaptable to evolving threats and legislative requirements, and secure, fast, robust, and customisable to the country's needs and context'. Interoperability with other sources of information, whether international or national, is a key theme in discussions about registries, and often highlights the limitations of paper-based systems. Indeed the report goes on to assert that: Automation provides several advantages, for instance, increased productivity and efficiency, reduced human errors, and a reduction of staff costs in some cases.



- 30. **Appendix 3** provides examples of the different ways in which European member states have used the interoperability that exists between their firearms registries and other domestic databases to enable interventions at targeted points of the firearms life cycle. The reader will note that some of the data sharing referred to is not in keeping with current practices in New Zealand and is another example of contextual differences.
- 31. In addition to the requirements of interoperability and automation, maximising a registry's utility as a system enabler should require that data such as statistics, assessments and reports can be easily generated from its holdings for use by those working in the firearms system. For example in Kosovo, the country's firearms registry can be used to generate graphs and visualizations of data for almost all data fields, such as firearms, ammunition, essential components, age and gender disaggregation, firearm country of origin, and lost and stolen firearms.
- 32. In the above paragraphs we have demonstrated that, in isolation, a firearms registry is, at its most basic, a data repository; no more and no less: it is how the information is used by the wider system that matters, and this is where regulatory value is added. Recognising this, we think it is important to articulate the value of the registry in supporting the wider regulatory system.

'The program is often misperceived by the media and the public as being solely a registry. The administration of this national public safety program might better be compared with a provincial Motor Vehicles Branch, which is also involved in safety training, licensing and registration and is an important resource to law enforcement, albeit in a limited nature, through license revocations. An added difference is the concern for the misuse of firearms, which impacts on public safety and hence the requirement for regulation'.

RCMP Canadian Firearms Program - final report February 2010.

How would the effectiveness of a registry be evaluated?

- 33. In his 2003 paper 'Long Gun Registration: A Poorly Aimed Long Shot', Dr Phillip Stenning (then Professor and Director of the Institute of Criminology, Victoria University of Wellington) suggested four questions he thought anyone seeking to establish a long gun (i.e. rifles and shotguns) registry should be required to provide answers to:
 - How much per year will it cost to implement [initially] and maintain [ongoing]?
 - What evidence can be provided that it is likely to significantly reduce different kinds of firearms abuses, and how will it accomplish this [without using speculative terms]?
 - How will the effectiveness of the registry be evaluated and over what period of time?
 - What other options for spending this money to reduce or prevent firearms abuses have been seriously examined?
- 34. These questions are often chosen as lines of enquiry by critics of firearms registries, and the reason they work so effectively for the interest groups using them is that, while the questions appear simple, the answers are often not. Having a clear narrative framed by these questions does, however, present the potential for an objective, balanced and well-thought-out case that can be used by proponents of universal registration to inform public debate. Taking each in turn:
- 35. **Demonstrating value for money**. Regulators have an obligation to make best use of the money they are allocated in support of the outcomes they have been set. Transparency about costs is



fundamental to maintaining trust and confidence. The Canadian registry was persistently attacked by its critics because of cost blow-outs and the inability to reconcile the ever-increasing price-tag with hard evidence that it was having a significant impact on firearms-related harms.

'In 2002, a review by the Auditor General Canada showed that the cost of running the program was over \$1 billion. The registration fees were noted to account for only \$140 million. By 2004, the cost of running the program had doubled from \$1 billion to \$2 billion. The taxpayers were initially anticipated to pay only \$2 million to run the project while the remaining portion was supposed to be raised from the registration fees'.

Boyd, N. (2003). Gun control: Placing costs in context.

- 36. Being able to explain the cost saving benefits (in their widest sense) accruing from the registry is important: will increased automation result in a corresponding lift in efficiency? Does the platform offer options for interoperability that will bring new opportunities for system partners? Will our ability to interrogate larger data holdings result in analysis that can be used to help reduce firearms-related harm in other parts of the system? These potential, and often practical, benefits are all too often obscured by the louder philosophical discussion about whether a registry should exist at all.
- 37. **Explaining how the registry fits in**. As highlighted earlier in this paper, understanding and being able to describe the type of harm we are seeking to reduce is central to a creating a compelling narrative that sets a registry in its proper context. However, defining firearms-related harm and the social costs of firearms harm in New Zealand is beyond the scope of this paper, and we acknowledge this has been separately commissioned by the Strategy, Performance and Governance team.
- 38. Gathering evidence and conducting evaluation. As previously noted, we speculate that one of the reasons for the lack of evidence for the effectiveness of firearms registries is that no jurisdiction has run one for long enough whilst simultaneously capturing the targeted data that would prove or disprove a statistically significant impact. Anton Leenaars, in his paper *Firearms Control: What works? What Does Not? Some Lessons from Canada*, highlights the complexities of providing evidence of 'effectiveness' related to legislation as follows:

Lester and Leenaars (1993, 1994) reported the first comprehensive study on the preventive effect of the Act on suicide in Canada. They used complicated statistical techniques and showed that **one must have at least 7 years before and after the year that the law came into effect to show a significant or non-significant impact.**

- 39. Whilst the specifics of a 14-year window of study may be open to discussion, the inference seems clear: it is impossible to adequately prove or disprove the effectiveness of New Zealand's firearms registry after less than a year of operation. If one were to follow the suggestion of Leenaars and we took our mid-point of any serious study to be 2028, when the registry should be full, that study would not conclude until 2035.
- 40. If time is the first requirement for a credible study, collecting relevant data in sufficient quantities comes a close second. Doing this with focus requires clarity about the research questions one is seeking to test. This is in turn is linked to previously canvassed points on the reduction of harm, frontline officer safety and the decreased opportunity for firearm diversion etc.. We see an opportunity here to connect this requirement for hard data to the monitoring and evaluation programme: specifically to use performance metrics to help articulate the enabling role the registry plays in the firearms system.



- 41. Being clear about how information is being used is important because, as shown by the Canadian experience, if police cannot demonstrate that the information in a registry is regularly and effectively used in ways that materially add value to their business, it becomes too easy to question why the information is required at all.
- 42. If the case being advanced was, for example, that 'the registry is an effective tool in reducing the flow of legally held firearms into the illicit market', data collection should be focussed on those points in the firearms life cycle that would support (or not) that assertion. This might include questions such as:
 - How many firearms related incidents have resulted in firearms being recovered from the incident scene?
 - Of those recovered firearms, how many could be identified using the registry? Of note, recent OIAs and media coverage have focussed on exactly this issue.
 - And of those, how many were traced back to their legal owner?
 - In each case, what were the circumstances that led to the firearm being outside the direct control of the legal owner?
 - What actions were taken to ensure the situation could not occur again (in line with a responsive regulation model).
 - For those circumstances that resulted in enforcement action against the legal owner, how many cases were successful and resulted in licence suspensions?
- 43. To summarise this section, the key points for decision makers are:
 - After less than a year of operation, it is premature to attempt to prove or disprove the effectiveness of New Zealand's firearms register. Studies into the impact of firearms legislation require considerable (i.e. multiyear) time windows in which to establish whether statistically significant change has occurred. It also requires years of performance monitoring.
 - Making any assessment of 'effectiveness' requires clarity about the ways in which the registry supports other parts of the firearms system, and how the sum of the whole contributes to the mitigation of firearms-related harm(s).
 - Studies into the impact of firearms legislation require considerable (i.e. multiyear) time windows in which to establish whether statically significant change has occurred.
 - It is never too soon to start collecting the focussed data that will provide the evidence base for an objective discussion about the effectiveness of the registry.

What can we learn from the narratives of those that oppose firearms registers in other jurisdictions?

44. One of the most frequently utilised narratives of pro-firearms interest and lobby groups is the notion that firearms control represents an infringement by the state on individual rights and civil liberties. This idea played out in full during the undoing of universal registration in Canada where it gained momentum despite the absence of any constitutional right to bear arms.



45. New Zealand has also experienced this narrative at play. Writing in 2019 in the wake of the Christchurch attacks, Ian Axford Fellowship recipient Nathan Swinton (A turning point for firearms regulation: Implications of legislative and operational reforms in the wake of the Christchurch shootings) noted:

'Nevertheless, there has been a notable increase in rights-based rhetoric in discussions about firearms policy in New Zealand in recent years. Academic researchers have tracked the use of rhetoric that mirrors that of the National Rifle Association in the United States, including comments that suggest the authors believe there to be a right to possess firearms in New Zealand.'

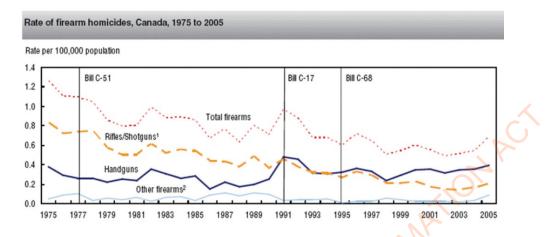
- 46. These narratives can bleed into the political arena, where they often ignite fresh rounds of debate despite being recognised as minority views. This was the case in 2014 when Canadian Public Safety Minister Steven Blaney asserted at a news conference that 'to possess a firearm is a right, and it's a right that comes with responsibilities'. And, again, New Zealand is not immune: in a report from the 2011 Law and Order Select Committee, ACT New Zealand expressed the view that, 'prima facie law abiding citizens have the right to own firearms' and 'the only basis for imposing restrictions on that right is in order to protect the safety of individual citizens'.
- 47. Our review of registry-related firearms literature suggests that a more balanced narrative can be achieved by:
 - articulating a clear narrative that explains how a universal registry supports the firearms system to mitigate firearms-related harms, what those harms are, and the implications of doing nothing to reduce their impact on society.
 - explaining how the effectiveness of the registry's contribution to mitigating harm will be assessed over time, and how data will be gathered to support that assessment.
 - providing a transparent account of the costs of the registry and how, of the operational options considered as alternatives to it, the registry represents the best value for money. In addition to highlighting the cost effectiveness of the registry's contribution to the mitigation of harm, focus should also be given to the other system benefits it is anticipated to generate, for example the opportunities presented by system interoperability, any efficiencies accruing from increased automation and, importantly, any anticipated reduction of the burden on the licence holder over time.
 - explaining the checks and balances used to ensure that the registry's effectiveness is not compromised by inaccurate, incomplete or insufficient data.
 - anticipating and adapting to the ways the illicit sector of the firearms system will attempt to circumvent regulation.
- 48. Taking an evidence informed approach that addresses these five areas is important to ensure that public discussion about New Zealand's firearms register is both balanced and facts focussed.

Areas of consensus about firearms regulations: what makes a difference?

49. In common with the challenge of finding evidence to prove or disprove the effectiveness of firearms registries, it is similarly hard to pinpoint hard evidence that directly attributes shifts in firearms-related harm to the passage of specific legislation. The graph below illustrates this complexity: was the rate of firearm homicide in Canada in any way impacted by the introduction of firearms control



legislation (Bills C-51, C-17 and C-68) or, as critics have observed, were the declines and spikes in fact driven by societal and environmental factors outside the ability of legislation to influence?



- 50. Setting aside the wider environmental discussion, North American (US and Canadian) literature does suggest a broad consensus concerning interventions that have the potential to mitigate firearms related harm, including:
 - firearms licencing (background checks)
 - safe storage
 - and safety training.

These measures are all advocated for strongly by the Centre for Gun Violence Solutions at Johns Hopkins Bloomberg School of Public Health:

Firearm licensing laws enhance universal background checks by establishing a licensing application process. The additional components required with firearm purchaser licensing laws - fingerprinting, a more thorough, and a built-in waiting period - all play a vital role in preventing people with a history of violence, those at risk for future interpersonal violence or suicide, and gun traffickers from obtaining firearms. Research shows that Permit-to-Purchase laws are one of the most effective ways to reduce many forms of gun violence including gun homicides and suicides.

Note: Permit-to-Purchase laws in the US often include the requirement for a safety training course.

Research has demonstrated decreased risk for suicide among adolescents when guns are stored safely. States with child access prevention laws that require guns to be stored in a safe manner have lower rates of adolescent suicide. Safe and secure storage practices can also help to prevent unintentional gun injuries, homicides, and mass shootings.

Safe and secure storage practices also help prevent guns from being stolen, diverted into illegal markets and used in gun crime. Hundreds of thousands of guns are stolen from homes and cars each year helping to fuel high rates of gun violence across the country, disproportionately impacting communities of colour. Gun owners have a responsibility to store their guns safely, wherever they may take them, to prevent these thefts.

51. As these preventative measures are already existing features of New Zealand's firearms programme, we do not intend to discuss these controls in any further detail.



Where are other 'culturally similar' jurisdictions heading with their regulations?

- 52. It is useful context to include short summaries of the current regulatory environment in three culturally similar jurisdictions. Our aim in doing so is to help the reader mentally position New Zealand on a scale of firearms regulation that runs from 'lightly regulated' to 'highly regulated'.
- 53. Looking first to the **United Kingdom**; in light of the fatal shootings at Keyham on 12 August 2021 and on the Isle of Skye on 10 August 2022, the UK government has recently consulted on changes to the legislation on firearms licensing, the system of referees, and a number of other operational licensing matters.
- 54. For context, the inquest into the Keyham shootings revealed significant failings in the decisionmaking processes used by Devon and Cornwall Police, as explained in the excerpt below:

Jake Davison [the perpetrator of the Keyham shootings] was issued with a shotgun certificate by Devon and Cornwall Police on 22 January 2018. He purchased a pump action shotgun on 31 March 2018, which was later identified as the weapon he used in the shootings on 12 August 2021. On 16 September 2020, Mr Davison assaulted a teenage boy and girl in a local skate park. He was not charged with any offence in connection with the assault but, after admitting the offence, Mr Davison attended a Pathfinder scheme, which was a programme intended to reduce the likelihood of reoffending. His shotgun and certificate were taken and removed by Devon and Cornwall Police on 7 December 2020, and subsequently returned to him on 9 July 2021, following a case review by the police.

55. Access by the general public to firearms in the UK is already subject to some of the strictest control measures in the world, and although members of the public may own rifles and shotguns, most handguns have been banned in Great Britain since the Dunblane massacre in 1996. Home Office Guidance encapsulates an approach to Firearms Licencing Law based on the following premise:

'GB firearms policy is based on the fact that firearms are dangerous weapons and the State has a duty to protect the public from their misuse. **Gun ownership is a privilege, not a right**'.

- 56. With a few specialised exceptions, all firearms in the United Kingdom must be licensed on either a 5year firearm or shotgun certificate issued by the police for the area in which the applicant normally resides. This means that, although the UK does not have a federal system, the administration of firearms regulation defaults, in practice, to local police forces. Firearms are individually listed on the applicant's certificate by type, calibre, and serial number, thus tying the firearms to their owner, and the penalty for possession of any type of firearm without a certificate is up to seven years in prison and/or a fine.
- 57. Closer to home, in **Australia**, on 9 June 2023 the Attorney-General announced that the Police Ministers Council *'had taken an important step towards a National Firearms Register by reaching unanimous agreement on options to be put to National Cabinet'*. The register will replace the Australian Firearms Information Network currently operated by the Australian Criminal Intelligence Commission, which was found to have significant operational shortcomings in the wake of the Wieambilla terrorist shooting in December 2022.
- 58. A media statement released on 12 December 2023 by the Attorney-General stated:

A National Firearms Register will ensure police across all Australian jurisdictions have timely and accurate information to assess any firearms risk posed, and protect the community from harm.



It will address significant gaps and inconsistencies with the way firearms are managed across states and territories, allowing the near real time information about firearms ownership to be shared across the country.

Establishment of the Register will enable the connection of firearms information with key risk information for police to act upon. This will include police intelligence, criminal records and other relevant government and court information.

I will continue to work with my state and territory counterparts and departments to get this done.

Importantly, it will mean every single state and territory will reap the benefits of this Register. As part of the agreement, all jurisdictions have agreed to extensive improvements to firearms systems, data management and changes to business practices and legislation. For states like Tasmania that currently use paper-based registry systems, this will see a replacement of these outdated systems with a digital alternative.

- 59. In keeping with a federal system, firearms regulations are predominantly within the jurisdiction of Australia's states and territories, whilst the importation of firearms is regulated centrally by the federal government. A person must have a firearm licence to possess or use a firearm, which must be renewed every 3 or 5 years (or 10 years in the Northern Territory, South Australia & Queensland), and all firearms must be registered by serial number to the owner.
- 60. Before we leave Australia, it is worth highlighting a case that, echoing the Keyham inquest in the UK, focusses on the decision-making of those responsible for firearms licencing. Last year Robert Borsak, leader of the Shooters, Fishers and Farmers Party (and the party's representative in the New South Wales Legislative Council), called for staff at the NSW Firearms Registry to be charged with manslaughter for approving a pistol licence for John Edwards, a licence subsequently used by that individual to purchase the handguns used to kill his two children in 2018. Despite Edwards having a recorded history of domestic violence, the coroner found that the 'process followed by registry staff ... led to a failure to review and take into account that information'.
- 61. The point to emphasise is that access to more information about firearms holdings will not in itself equate to improved outcomes. As ever, it is the way that information is linked together from different sources, analysed and used to inform decision making that will determine any perceived success or failure of the system. Thorough vetting is, and remains, the cornerstone of an effective firearms licensing system.
- 62. Finally, in **Canada**, Bill C-21 (*An Act to amend certain Acts and to make certain consequential* amendments (*firearms*)) received Royal Assent on 15 December 2023 and in doing so, brought into force a series of measures to combat gun crime, including a national handgun freeze, new 'red flag' laws (also known as emergency weapons prohibition orders), and increased penalties for firearms smuggling and trafficking. To consider each in turn:
 - A national freeze on the sale, purchase, and transfer of handguns now restricts the transfer and importation of handguns into Canada. The handgun freeze came into effect by regulations made on October 21, 2022.
 - The 'red flag' laws will allow any individual to apply to the court for an emergency weapons prohibition order against a person who possesses firearms and poses a danger to themselves or others. This law is specifically designed to mitigate gender-based and intimate partner violence.



- The maximum penalties for weapons smuggling and trafficking offences have been increased from 10 to 14 years to better reflect the size of the trafficking problem Canada faces: between 2021 to 2022, the Canada Border Services Agency seized more than 1,200 firearms, the largest number of seizures recorded in a single year.
- 63. Additional measures that will come into effect include the enactment of new offences related to the possession and distribution of computer data for use in illegal firearms manufacturing, for example by 3D printing 'ghost guns', and the classification of illegally made firearms as prohibited.
- 64. Finally, a new 'yellow flag' licence suspension regime and enhanced licence revocation provisions will come into force at a later date through an Order in Council. These measures are designed to eliminate access to firearms for those who are involved in intimate partner violence, stalking, or who are subject to a protection order.

Where does New Zealand fit in?

- 65. It would seem then, that all three of these culturally similar jurisdictions are, in one way or another, tightening the level of control they exert over access to firearms. Objectively, we note that even with the requirement to register long guns included in the suite of preventive interventions, it would be hard to credibly claim that New Zealand's firearms regulations are at the more restrictive end of the scale when compared to international peers.
- 66. As additional reference material for readers, a Reuters article dated 6 May 2023 '*How countries have legislated after mass shootings*' has been included as **Appendix 4** to this paper.

Next steps

- 67. We advise there are pieces of work that could follow on from this paper by expanding on its key themes. The first is the work already commissioned on understanding the harm profile of firearms in New Zealand. In addition, we see opportunities for you to direct the appropriate work groups to:
 - confirm the ways that the registry enables and supports the targeting of system interventions to mitigate firearms-related risks. Consider how we better articulate this, noting the registry is one part of the jigsaw that makes up effective firearms regulation.
 - establish a data collection plan (in alignment with the Monitoring and Evaluation Programme) with the long-term goal of verifying statistically significant impacts on firearms-related harm that can be attributed directly or indirectly to the existence of the firearms registry.
 - consider the substance of the research questions that could shape a review of the registry.
 - provide you with further information about regulatory practice and models relevant to Te Tari Pūreke.



Appendix 1: Literature Review

- Sources consulted during the research into this paper are listed below in alphabetical order by author. It should be noted that the list is neither exhaustive nor a complete record of all relevant literature. We found a number of news articles regarding firearms registries were screened behind paywalls, and there were some academic articles that could not be accessed without payment. The list below is, therefore, based on publicly available material primarily identified through a targeted search using the NZ Police Library's Knowledge & Information Services.
- 2. The following articles were reviewed in the compilation of this paper. Online news articles are not included in the list:
 - Attorney-General's Department (2023). National Firearms Register, Public Consultation Paper. Australian Government.
 - Bricknell, S. (2018). Firearm Theft in Australia 2018. Australian Institute of Criminology Statistical Report 24.
 - Boyd, N. (2003). **Gun control: Placing costs in context**. *Canadian Journal of Criminology and Criminal Justice*.
 - European Commission, Directorate-General for Enterprise and Industry (2014). Evaluation of the Firearms Directive Final Report.
 - European Multidisciplinary Platform Against Criminal Threats (EMPACT). Best Practice Guidance for the Creation of National Firearms Focal Points.
 - Forsyth, C. (2021). Firearms in the New Zealand community: a study of place, socioeconomic considerations and urban-rural contrasts. PhD thesis, University of Otago.
 - Gabor, T. (2003). Universal Firearms Registration in Canada: Three perspectives. Canadian Journal of Criminology and Criminal Justice.
 - Leenars, A.A. et al. (2018). Firearms Control: What works? What Does Not? Some Lessons from Canada.
 - Loan, J. (2019). Identifying the Value of Firearms Registration: Examining the case for registering firearms in New Zealand. *Gun Control NZ.*
 - Law and Order Select Committee (2017). Inquiry into issues relating to the illegal possession of firearms in New Zealand.
 - Parliament of Australia. The Ability of Australian Law Enforcement Authorities to Eliminate Gun-Related Violence in the Community / Report / Chapter 5: Effectiveness of registering and licensing firearms.
 - REGISYNC Consortium 2023 (funded by the European Union's Internal Security Fund Police). Effective and Innovative Practices among European Civilian Firearms Registries.
 - Royal Canadian Mounted Police (2010). Canadian Firearms Program [sic] Final Report.



- Stenning, P. (2003). Long gun registration: a poorly aimed longshot. Canadian Journal of Criminology and Criminal Justice.
- Swinton, N. (2019). A turning point for firearms regulation: Implications of legislative and operational reforms in the wake of the Christchurch shootings. *Ian Axford Fellowships in Public Policy.*
- and the second s Thurley, T. (2017). Reconsidering Registration: Homicide Reduction and the Canadian • Firearms Registry. Leiden, Netherlands: Leiden University.

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Appendix 2: Types of information held in the civilian firearms registries of EU member states

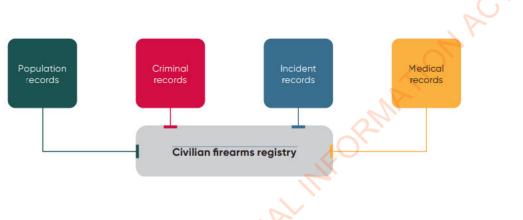
1. The span of information contained in some EU member states' registries is shown below (DMG stands for Dealers, Manufacturers and Gunsmiths):

Firearm*	Ammunition**
 Manufacturer Country of manufacture Type Make Model Calibre Serial number Unique marking Category and subcategory Date of sale, receipt, repair, transfer Method of acquisition Proof house Proof mark Additional calibre(s) 	 Manufacturer Place of manufacture Calibre Lot/batch numbers Quantity Photographs Bullet nature (e.g., FMJ) Bullet weight Propellant weight Nature of propellant Additional markings Images
Individual	Legal person or DMGs
 First name and last name National id number Date of birth Place of birth Address Citizenship Gender Names of parents Document The type, number, date of issue, and validity of the weapons document, The name of the issuing authority. Information relating 	 Uniform identification number Company name Registered address Business activity Date of commencement of activity or date of issuance of authorisation First name and surname of the representative or responsible person Data relating to changes (type of change, date) Data on entry (authority, date, reference number)



Appendix 3: European examples of firearms registry interoperability

- This appendix is drawn from the following paper: *REGISYNC Consortium 2023 (funded by the European Union's Internal Security Fund Police). Effective and Innovative Practices among European Civilian Firearms Registries.* It is being provided to illustrate the different ways in which EU member states are utilising the interoperability built into their firearms registries.
- 2. Most member states utilise the following types of public records to enhance the functional effectiveness of the holdings in their national firearms registries:



Case Studies

- 3. In Lithuania, the police information system and the criminal records system can send alerts to the registry as necessary. These alerts allow licensing officers to understand the suitability of licence applicants while processing applications in the registry, in addition to revoking licences should an individual's suitability change, such as if an individual commits domestic abuse or other violent crimes. The registry in Lithuania also allows patrol officers to access registry information via search engines by using mobile devices. This access allows police officers to establish an individual's licence conditions without requesting information from control rooms, saving significant time. In most jurisdictions surveyed, police patrols need to call their headquarters to check the registry data, for example, when they find a gun in a car.
- 4. In Kosovo, an API (Application Programming Interface) link between the police event and case management system and the registry allows the system to notify users if a person— whether listed in the database as a natural person or officer of a legal entity— is flagged as a suspect in a criminal procedure. Individuals in Kosovo can be tagged as suspects in the system without a prosecutor declaring them as such. The notification flags the suspect's status but not the case details, as there is no need to keep these in the registry, and is triggered when a case is open and under investigation. Ministry staff can then act on the notification and take any preventative action, such as directing the police to conduct a pre-emptive seizure of firearms and ammunition.
- 5. In Romania, both the criminal records and the incident databases are linked to the central registry. While the former requires a criminal offence to take place for a notification to show on the registry, the latter would send a notification in the registry once a firearm holder or applicant is involved in an incident that is incompatible with the legal conditions to carry or use a firearm (violent incidents, threats etc..). When there is a report of this type of incident, a call to the police is made to seize the weapons and investigate the situation.
- 6. In Lithuania, the registry system is also linked to the electronic health records system. This linkage means that the applicant obtains a medical suitability certificate to enter into the registry, which is



also placed into the health services system by the applicant's doctor, and can act as a notification to medical professionals indicating that the individual may have immediate access to firearms and ammunition. This approach enables a doctor to send an alert message to the police if the situation requires, for instance, if the applicant suffers from severe mental health issues or substance abuse.

7. In Cyprus, the health department shares the names and public ID numbers of citizens admitted to a psychiatric ward with the firearm registry office at police headquarters on a weekly basis. The firearm registry office at police headquarters cross-checks the names to see if these citizens are in possession of a firearm. If this is the case, the firearm registry office will notify the respective district police, who will prepare the paper for the revocation of the firearm(s). Then, the police will inform the family members that they will confiscate the individual's firearm. Moreover, the firearm registry office will update the individual's account and revoke the eligibility for a firearm licence until further notice. The individual's account will also be updated if the individual does not have a firearm licence as to not alt ettersenumber issue a firearm licence unless the individual presents a new medical health certificate issued by a medical board.



Appendix 4: How countries have legislated after mass shootings (Reuters – 6 May 2023)

May 5 2023 (Reuters) - Serbian President Aleksandar Vucic has proposed new gun control measures after two mass shootings in which 17 people were killed, including at least eight children.

Here is a summary detailing how Serbia and other countries have responded to such mass shootings.

SERBIA

Vucic proposed a moratorium on gun permits regardless of weapon type, and more frequent medical and psychological checks on gun owners. He also said Serbia would hire 1,200 new police officers to improve security in schools.

Serbia has an entrenched gun culture, especially in rural areas, but its gun control laws were fairly strict even before the latest shootings. Automatic weapons are illegal and the authorities previously offered amnesties for surrendering them.

UNITED STATES

Mass shootings have become commonplace in the United States, where repeated attempts to tighten gun laws have run into strong opposition in the U.S. Congress, especially from Republicans.

The Second Amendment of the U.S. Constitution enshrines the right to bear arms and the Supreme Court has taken an increasingly broad view of that right in recent years, overruling laws meant to limit the carrying of guns in public.

Last year, the United States passed the first major federal gun legislation in 30 years, putting limits on gun sales to those convicted of domestic violence.

There have been nearly 200 verified mass shootings in the United States this year [2023] as of May 5, while 650 people were killed in U.S. mass shootings in 2022, according to the Gun Violence Archive, a non-profit group. It defines a mass shooting as any in which four or more people are wounded or killed, excluding the shooter.

FRANCE

France has strict gun ownership laws but the arsenal of weapons used by Islamist militants in synchronised attacks on Paris venues in November 2015 demonstrated how difficult it is tackle the flow of illegal arms across Europe's porous borders.

Ownership of military-grade guns is banned in France. Individuals who want to own a weapon with a removable magazine with a capacity larger than three rounds must undergo annual mental, physical and health checks. Hunting weapons must be registered and owners must undertake a full day of theory exams.

GERMANY

Germany's government has faced pressure to tighten gun ownership rules following attacks in recent years and after the authorities uncovered an extremist network plotting an armed coup last year.

Germany outlawed certain large magazines in 2020. It also introduced five-yearly checks on gun owners to ascertain whether their possession of a weapon is justified.

About 1 million private citizens, in a population of about 83 million, own about 5 million guns, government data shows.



NORWAY

Norway in 2021 made it illegal to acquire high-powered semi-automatic rifles, responding to the 2011 massacre of 77 people by far-right extremist Anders Behring Breivik.

From 2024 it will be illegal to possess any such rifles even if they were bought before the new legislation took effect.

CANADA

After 14 students were killed in their Montreal classroom in 1989, new legislation required safety courses, background checks and increased penalties for some gun crimes.

In 2020, after a gunman killed 13 people in Nova Scotia, Canada banned more than 1,500 models of "assault-style" firearms and components, and set limits on how destructive bullets could be.

Canada's rate of firearm homicides is 0.5 per 100,000 people versus a U.S. rate of 4.12, the University of Washington's Institute for Health Metrics and Evaluation (IHME) said in a 2021 analysis.

UNITED KINGDOM

After a gunman killed 16 children and their teacher in Scotland in 1996, a public campaign led to Britain adopting some of the strictest gun controls in the world. Within two years, new laws effectively banned civilians from owning handguns.

The United Kingdom's rate of gun homicides is 0.04 per 100,000 people, the IHME calculates.

AUSTRALIA

After a gunman killed 35 people at a cafe and tourist site in 1996, Australia banned all semi-automatic rifles and all semi-automatic and pump-action shotguns. Thousands of unlicensed firearms were surrendered under a gun amnesty programme, and licensed gun owners required to take a safety course.

The chances of being murdered by a gun in Australia fell 72% to 0.15 per 100,000 people in 2014 from 0.54 per 100,000 people in 1996, a Reuters analysis of Australian Bureau of Statistics figures showed.

NEW ZEALAND

After shootings at two Christchurch mosques that killed 50 people in March 2019, New Zealand banned the sale of assault weapons within days. Parliament voted to bar the circulation and use of most semiautomatic firearms, parts that convert firearms into semi-automatic firearms, magazines over a certain capacity, and some shotguns.

Firearm-related murders were rare in New Zealand and remain so. The country had 11 in 2021.



ARMS LEADERSHIP TEAM

Paper Title: An Analysis of Literature Relating to the use of Firearms Registries by Culturally Similar Jurisdictions

Sponsor: Director, Business Services

Originator: Strategy Team

Meeting Date: 26 February 2024

Purpose

1. The purpose of this paper is to provide the Arms Leadership Team with an analysis of the available literature concerning the use of firearms registries by other, culturally similar, jurisdictions.

Recommendations

2. The ALT is requested to **note** the key findings of the paper, summarised below in five sections.

Headline findings from the review of international literature

- 3. The headline findings from the review of international literature are that:
 - there is a lack of international, publicly available, data on how firearm registries have been or could be assessed.
 - firearm registries, their use and the potential for beneficial outcomes for firearm regulation are inextricably linked to the full suite of regulatory settings and intervention tools. For this reason, it is judged as near impossible to assess the effectiveness of a firearms registry in isolation.
 - context is important. Every other firearm register is a product of the cultural, societal and historical context of the country it has been borne into. This makes it difficult to draw straightforward comparisons between jurisdictions.
 - developing a compelling narrative about the ways in which a registry supports the firearms system to mitigate firearms-related harms is critical to framing its function correctly; namely as an enabler rather than as an end in itself.

New Zealand in the international context

- 4. When compared to culturally similar jurisdictions like Australia, Canada and the UK, New Zealand's firearms control regime appears to be among the less restrictive:
 - In **Australia**, on 9 June 2023 the Attorney-General announced that the Police Minister's Council *'had taken an important step towards a National Firearms Register by reaching unanimous agreement on options to be put to National Cabinet'*. The register will replace the Australian Firearms Information Network currently operated by the Australian Criminal Intelligence



Commission, which was found to have significant operational shortcomings in the wake of the Wieambilla terrorist shooting in December 2022.

- In **Canada**, Bill C-21 (*An Act to amend certain Acts and to make certain consequential* amendments (*firearms*)) received Royal Assent on 15 December 2023 and in doing so, brought into force a series of measures to combat gun crime, including a national handgun freeze, new 'red flag' laws (also known as emergency weapons prohibition orders), and increased penalties for firearms smuggling and trafficking. Additionally, a new 'yellow flag' licence suspension regime and enhanced licence revocation provisions will come into force at a later date through an Order in Council. These measures are designed to eliminate access to firearms for those who are involved in intimate partner violence, stalking, or who are subject to a protection order.
- In the UK, access by the general public to firearms is already subject to some of the strictest control measures in the world: although members of the public may own rifles and shotguns, most handguns have been banned in Great Britain since the Dunblane massacre in 1996. Notwithstanding, in light of the fatal shootings at Keyham on 12 August 2021 and on the Isle of Skye on 10 August 2022, the UK government has recently consulted on changes to strengthen the legislation on firearms licensing, the system of referees, and a number of other operational licensing matters.
- 5. The current trajectory of each of these jurisdictions is *towards* an increased level of firearms control.

How would the effectiveness of a registry be evaluated?

- 6. As noted above, whilst it is near impossible to assess the effectiveness of a firearms registry in isolation, our research highlights that:
 - after less than a year of operation, it is premature to attempt to prove or disprove the
 effectiveness of New Zealand's firearms register. Studies into the impact of firearms legislation
 require considerable (i.e. multiyear) time windows in which to establish whether statically
 significant change has occurred. It also requires years of performance monitoring.
 - making any assessment of 'effectiveness' requires clarity about the ways in which the registry supports other parts of the firearms system, and how the sum of the whole contributes to the mitigation of firearms-related risks and associated harm(s).
 - it is never too soon to start collecting the focussed data that will provide the evidence base for an objective discussion about the effectiveness of the registry. Suitable research questions might, for instance, include:
 - $\circ\,$ How many firearms related incidents have resulted in firearms being recovered from the incident scene?
 - Of those recovered firearms, how many could be identified using the registry? Of note, recent OIAs and media coverage have focussed on exactly this issue.
 - o And of those, how many were traced back to their legal owner?
 - In each case, what were the circumstances that led to the firearm being outside the direct control of the legal owner?



- $\circ\,$ What actions were taken to ensure the situation could not occur again (in line with a responsive regulation model).
- For those circumstances that resulted in enforcement action against the legal owner, how many cases were successful and resulted in licence suspensions?

Key findings from opposing group narratives

- 7. Our review of registry-related firearms literature suggests a more balanced discussion about the registry's role in the firearms system could be engendered by:
 - articulating a clear narrative that explains how a universal registry supports the firearms system to mitigate firearms-related harms, what those harms are, and the implications of doing nothing to reduce their impact on society.
 - explaining how the effectiveness of the registry's contribution to mitigating harm will be assessed over time, and how data will be gathered to support that assessment.
 - providing a transparent account of the costs of the registry and how, of the operational options considered as alternatives to it, the registry represents the best value for money. In addition to highlighting the cost effectiveness of the registry's contribution to the mitigation of harm, focus should also be given to the other system benefits it is anticipated to generate, for example the opportunities presented by system interoperability, any efficiencies accruing from increased automation and, importantly, any anticipated reduction of the burden on the licence holder over time.
 - explaining the checks and balances used to ensure that the registry's effectiveness is not compromised by inaccurate, incomplete or insufficient data.
 - anticipating and adapting to the ways the illicit sector of the firearms system will attempt to circumvent regulation.
- 8. Taking an evidence informed approach that addresses these five areas is important to ensure that public discussion about New Zealand's firearms register is both balanced and facts focussed.

Next steps

- 9. We advise there are pieces of work that could follow on from this paper by expanding on its key themes. The first is the work already commissioned on understanding the harm profile of firearms in New Zealand. In addition, we see opportunities for you to direct the appropriate work groups to:
 - confirm the ways that the registry enables and supports the targeting of system interventions to mitigate firearms-related risks. Consider how we better articulate this, noting the registry is one part of the jigsaw that makes up effective firearms regulation.
 - establish a data collection plan (in alignment with the Monitoring and Evaluation Programme) with the long-term goal of verifying statistically significant impacts on firearms-related harm that can be attributed directly or indirectly to the existence of the firearms registry.
 - consider the substance of the research questions that could shape a review of the registry.



provide you with further information about regulatory practice and models relevant to Te Tari • Pūreke.

REFERSED UNDER THE OFFICIAL INFORMATION ACT ll ansell

From:	s. 9(2)(g)(ii)
To:	DONALDSON, Bronwyn
Cc:	s. 9(2)(g)(ii) PETREY, Catherine
Subject:	FW: [EXTERNAL] RE: Updating the agency that administers the Arms Act
Date:	Friday, 7 June 2024 8:01:41 am
Attachments:	image001.png

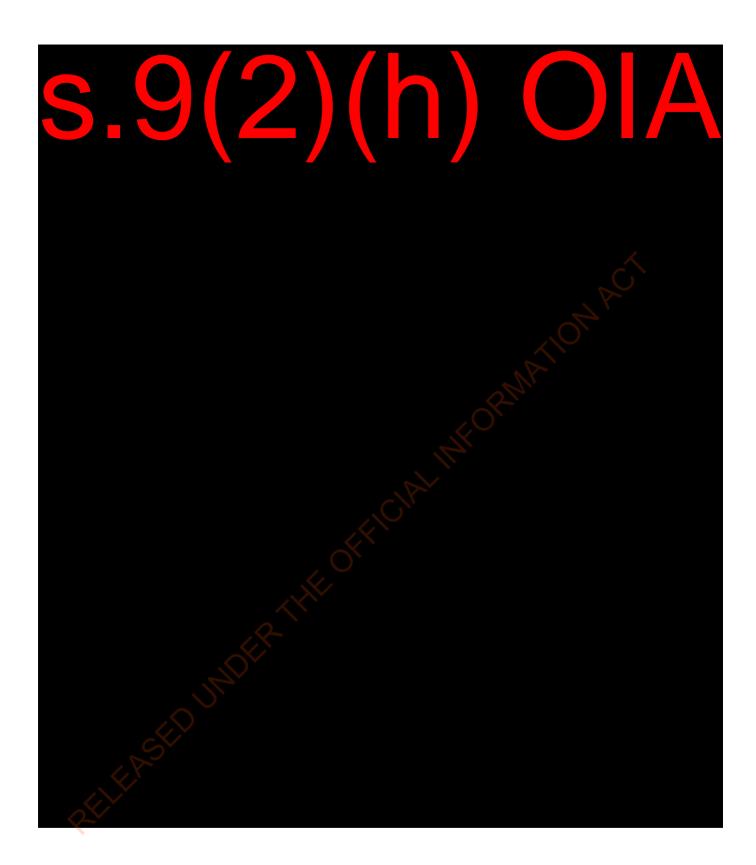
Hi Bronwyn

I gather your team carries the arms portfolio now.

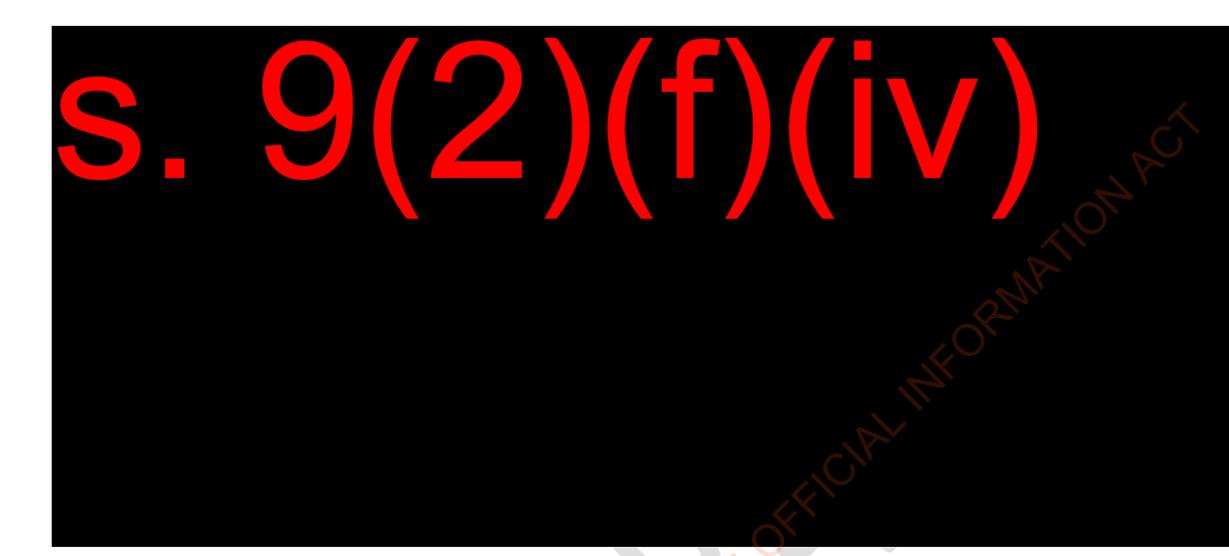
PCO have now updated the legislation website to reflect the Ministry of Justice administers the Arms Act (see below), but someone in the team may want to point out to Justice that the DPMC register of assigned legislation hasn't yet been updated to reflect this:

https://www.dpmc.govt.nz/our-business-units/cabinet-office/ministers-and-their-portfolios/register-assigned-legislation

Thanks s. 9(2)(g)(ii)







RELEASED

