



MINUTES : Firearms Community Advisory Forum

SUBJECT	Firearms Community Advisory Forum
DATE	Thursday 12 May 2016
TIME	0930 – 1230
VENUE	Level 15 Conference Room 3 & 4
ATTENDEES	Catherine Petrey, Chris Scahill, Julia Penney, Geoff Dunn, Sandra Keenan, Nicole McKee, Paul Clarke, Alastair Williams, Rob Ngamoki, Paul Gatland, John Herbert, Kirsty Marshall, Andrew Edgcombe, Debbie Wakker, Ray Vine, Matthew Gibson, Trevor Dyke, John Howat, John Fleming, Peter Noble, Richard Smith, Poh Boey, Helen Morgan, Mike Rusbatch
APOLOGIES	

MINUTES: confirmed

The Chair welcomed members, followed by evacuation and personal conveniences re-cap and round table introduction. Request made to see if there were any agenda items for “other business”. At request of one member an item concerning policy and communications was added.

MINISTRY OF FOREIGN AFFAIRS AND TRADE

A representative from the Ministry of Foreign Affairs and Trade (MFAT) advised that any firearm that is being exported from New Zealand requires an export permit from MFAT (MFAT is mandated to do this under the Customs and Excise Act). There are exemptions from this requirement, including sporting firearms (not semi-automatics). If NZers take up to 5 sporting firearms to use overseas for hunting or competitions and bring them back, they are exempted from permitting requirements. This also applies to international shooters who have been in NZ and are leaving with their firearms. However, all such exempted exports are still to be notified to MFAT. In early 2016 a new form: Notification of exempted sporting firearms export was added to the MFAT website for this purpose. NZ as a signatory to the Arms Trade Treaty NZ has reporting responsibilities, one of which is the number of exemptions from export permits. Once completed by the person with an exemption the form is to be emailed to exportcontrols@mfat.govt.nz. MFAT noted that the resulting compliance has been exceptionally good.

Questions to MFAT included:

Q: There is no date of return on the form, should this be added?

A: MFAT has no requirement to know about imports so did not require this; however, it may look at adding a box/space to indicate when the person is returning

Q: We put 27 exempt firearms on one form, is this acceptable?

A: Yes, this is good as it is more efficient.

Q: Is there a ‘Team’ form, rather than individual forms for each team member?

A: Not at present but this is a good idea that MFAT will look at.

Semi-automatics were discussed and it was said that MFAT can look at ‘special exemptions’ in certain cases. There was further discussion regarding the need for a permit for firearms ‘in transit’. It was advised that when firearms ‘touch the ground’ (ie they are on a plane that has landed in NZ), permits are required.

CROSS AGENCY FIREARMS WORKING GROUP:

Police provided an update on the firearms administration and management project and the National Multi-agency Firearms Working Group (NMFWG) and introduced two new project members.

The five workstreams are: People; Processes; Systems; Environment; and Alignment. It is a large undertaking and is still in the planning stages. Stakeholder input will be a required part of the work going forward, which will include the Firearms Community Advisory Forum. A further quarterly update will be sent out and put on the Police website by end of July 2016.

Comment was made regarding the importance of ensuring that the wider firearms community was kept informed throughout the change process to ensure people feel they are being kept informed. Further comment pointed out that of the 242,000 licence holders only 40,000 were represented by clubs or Associations and as such Police would inform many more of the firearms community if they also placed articles in Firearms and Farmers Magazines and posted information in firearms retail stores.

An email has been set up specifically for information around the firearms change project. The address is:

project.firearms@police.govt.nz

SELECT COMMITTEE INQUIRY

The Law and Order Committee conducting the Inquiry into the Illegal Possession of Firearms visited three Police sites on Wednesday 11th May. They went to Wellington Central and were showed the process of licensing and on to the Upper Hutt Armoury for a demonstration of different types of firearms. They then went to National Headquarters where they were shown processes and there was a question and answer discussion to finish with. It is thought to have been a valuable visit that went well.

Police has provided an initial briefing on the illegal possession of firearms to the Select Committee and a further additional briefing responding to questions and requests for statistics around firearms. The Forum members requested they be provided with the available firearms statistics.

A question was asked as to the relevance of the Thorp Report. Police considers that the methodology used in the report is useful and that the report still has some relevant information and comments.

FIREARMS PROHIBITION ORDERS

Police has been asked to provide advice to the Minister of Police on options around firearm prohibition orders, which could prohibit serious offenders from acquiring, possessing or using firearms. The purpose is to keep firearms out of the hands of those people who should not have them. The detailed policy work is underway.

CONSIDERATION OF DISCUSSION DOCUMENT ON FIREARMS ISSUES TABLED AT LAST MEETING

The issue was raised whether it time to re-consider the registration of all firearms. Technology has changed significantly and keeping more accurate and detailed records is easier with new computer databases (as opposed to index cards). Additionally, society's views toward firearms have changed. There were other arguments made as to why this was still an impracticality with the number of firearms currently unregistered and the cost of setting up and maintaining registration.

There was further discussion regarding firepower being the main issue and this has a direct correlation with magazine size. Whether a firearm has a pistol grip or thumbhole makes no difference. This led to a question of why not restrict the purchase/possession of larger magazine sizes to those with endorsements, countered by someone saying there are thousands of magazines out there and this would make possession of such magazines suddenly illegal for some who had them legally. A view was expressed that consideration of doing this as a 'buy-back' would be required with fair compensation given. A further comment was that this would

lead to many large magazines going 'underground'. [However, if a person owns an A category semi-automatic firearm and has a magazine able to hold more than 7 cartridges, then they already should have an E endorsement because of the ability to convert that A category into a MSSA.]

FIREARMS LEGISLATION

Police advised that penalties in the Arms Act, permits for the manufacture of, and conversion of A category firearms to, MSSAs, clarification of procedures over the purchase of firearms over the Internet, and permits for the import of any firearm parts and ammunition are all matters under consideration for reform. Proposals on these matters will be put before the Minister to decide what process will be undertaken; in particular, whether there needs to be a public discussion document. It is now intended this paper will be submitted by the end of June 2016 to the Minister of Police to consider. As stated earlier, Firearm Prohibition Orders may be progressed as a separate Bill.

The need for permits to import ammunition was raised and it was suggested that this would lead to people manufacturing their own ammunition. However, this it was pointed out that there is legislation that covers this and importing powder etc is covered under the Hazardous Goods legislation (HASNO). It was also advised that many countries where ammunition was imported from required permits from the importing country prior to shipping the goods (which is also the case with all parts). This was confirmed by some members who said that the resulting delays had financial implications, especially for businesses who might have reasonably significant amounts of money involved in such importing. Also, it could be useful for Police to be aware of when large quantities of ammunition are being imported into New Zealand.

It was asked if an option that might be considered as a legislative amendment is making it a requirement to have an E endorsement for the possession of all semi-automatic firearms. Police advised that this was an option that was likely to be considered during the policy development process – treating MSSAs and sporterised MSSAs the same has been raised before – but this did not necessarily mean that it would end up being the preferred option.

As with any legislative process there are many stages at which particular options are not proceeded with, particularly during the policy development stage. There is also always an opportunity for public submissions to be made when a Bill is being considered by a select committee.

OFFICIAL INFORMATION ACT REQUESTS

Police is being overwhelmed with the number of OIA requests, including many seeking statistical and historical information concerning firearms, and is finding it hard to continue BAU due to time being taken to complete the process required to respond. This is by no means indicating that Police does not want individuals or organisations requesting information; however, sometimes by emailing Police directly (rather than through a OIA request) we are able to respond faster and clarify immediately anything not understood. Police treats any request for information as if it is an OIA and will often be able to respond sooner if the request does not have to go through the formality of being registered and assigned as an OIA request.

One response to this from a member of the Forum was that in some areas trust of Police being transparent about what they are planning to change is not high and that those thinking this way prefer to seek information using the statutory process for formally requesting information.

Someone suggested a specific area in the firearms section of the police website where all OIA's relating to firearms were available for everyone to view.

A discussion was initiated regarding 'cost recovery' regulations. Police firearms revenue figures were requested. It was noted these were requested at the last Forum meeting in December 2015 and provided in the minutes to that meeting. It was agreed to repeat this information in the minutes to this meeting as follows:

The question was asked regarding the revenue collected by Police from fees for firearm licences and endorsements and how this relates to Police's costs in administering the Arms Act. The revenue

collected in 2013/14 was \$3,103,723 and in 2014/15 it was \$4,226,946. The NMFVG is, within its workstreams, in the process of analysing costs and will be in a position to share this information in 2016. Police advised that some analysis of costs was completed in two of the larger Districts, with results showing that firearms users' contribution through fees was approximately 50% of Police's costs with Police making up the other 50%.

THE WILDLIFE (POWERS) AMENDMENT BILL

The Wildlife (Powers) Amendment Bill was introduced on 2 December 2015 and it was mentioned at the December 2015 meeting that if, under the new provisions, a Department of Conservation ranger seized firearms as evidence of offending under the Wildlife Act and did not have a firearms licence they could be acting unlawfully. Police has subsequently identified with Police Legal that a consequential change to the Arms Act 1983 (section 3) would be required. This advice has been forwarded on to DOC for consideration. There was some discussion about the risk to rangers of putting them in this situation and the need for training. The example of Customs Officers was used as a similar situation where this occurs. Customs has developed specific training for this situation which may be of interest / or use for DOC, to assist in the development of DOC-specific training.

OTHER BUSINESS:

NZ SPORTING GOODS ASSOCIATION

John Howat advised the Forum that the NZ Sporting Goods Association had written to him asking about becoming a member of the Forum. The Association represents over 260 suppliers and retailers of sporting goods, including sporting and hunting firearm retailers. The letter the Association wrote was read to the meeting and there was discussion about their request for membership. The Forum agreed to their request and Police will advise the Association accordingly.

PERMITS

Some confusion had come about due to people having import permits issued with the date they put their application in, sometimes six months earlier and it was asked if this was a requirement of regulations. Police advised that the date of issue should be on the permit and that this will be followed up and rectified.

Some further discussion was undertaken regarding the speed with which permits were being issued. Police stated that this has reduced and will continue to do so from here out.

There was discussion about import permits for AR15 receivers not being issued. Police advised that they had set aside a number of applications, and would be making some decisions on these soon.

Chair covered Chatham House Rules applying.

Meeting closed 12.10

AGREED ACTIONS:

ACTION	ASSIGNED TO	COMPLETED DATE
EMAIL POLICE FIREARMS STATISTICS PROVIDED TO SELECT COMMITTEE	SANDRA KEENAN	COMPLETED
ADD GENERIC EMAIL IN MINUTES FOR SUGGESTIONS AND	SANDRA KEENAN	COMPLETED

COMMENTS ON FIREARM ISSUES		
PROVIDE FORUM WITH FIGURE ON POLICE REVENUE FROM FEES FOR FIREARMS LICENCES AND ENDORSEMENTS	JULIA PENNEY	COMPLETED
ADD WILDLIFE (POWERS) AMENDMENT BILL AS STANDING AGENDA ITEM	SANDRA KEENAN	COMPLETED
ADD MSC AS STANDING AGENDA ITEM	SANDRA KEENAN	COMPLETED
INVITE SPORTING GOODS ASSOCIATION TO BECOME MEMBERS OF FORUM	SANDRA KEENAN	IN PROGRESS
PERMIT DATE RECORDED ON IMPORT PERMITS AS DATE OF ISSUE	PAUL GATLAND	
OIA DATABASE – RECORD ALL OIAs ON WEBSITE	ALASTAIR WILLIAMS	