

19 November 2018

Our Reference: IR-01-18-11326

[REDACTED]
[REDACTED]

Dear [REDACTED]

I am writing to you in response to your request dated 7 September 2018. My response follows each question below. You said:

In light of recent reporting that wealthy individuals are installing survival bunkers in various locations around New Zealand, we would like to know:

- 1) *How many inspections per Police region have taken place of firearm storage arrangements for licence holders with B, C, E or F endorsements (ie pistols, MSSAs and restricted weapons) in the last ten years?*

In the police computer system, we do not record number of security checks for each licence holder; rather we record the date when the last security check took place. Dealer licences and B endorsements require a security check every year and C and E endorsements require a security check every three years. Between 30 Oct 2013 and 29 Oct 2018, 11,651 licences had such a security check.

Current Firearm Case Assignment District	Licences with B, C, and E endorsements which had a security check between 30 Oct 2013 and 29 Oct 2018
NORTHLAND	583
WAITEMATA	1,099
AUCKLAND CITY	564
COUNTIES/MANUKAU	824
WAIKATO	956
BAY OF PLENTY	1,025
EASTERN	585
CENTRAL	1,152
WELLINGTON	1,097
TASMAN	817
CANTERBURY	1,483

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SOUTHERN	1,192
OTHER	274
Total	11,651

- 2) *Whether, in the last five years, Police storage inspections for any firearm licence category (ie without endorsements), have revealed that firearms are being stored in a "survival type" bunkers, panic rooms, or other facilities which are clearly designed to house people and supplies during emergencies?*

Using a word search of comments on firearms licences for 'bunker', 'survival', or 'panic' has revealed no hits relating to survival rooms. There has been one mention of a panic room and 30 licences that had a mention of the word bunker relating to storage arrangements.

These storage arrangements are consistent with the Regulation 19(2)(a)(ii) of the Arms Regulations 1992 and are considered adequate security for storing firearms.

- 3) *Whether, even if these facilities meet the storage regulations, the Police would consider the storage of firearms in survival bunkers or panic rooms appropriate, given that "self-defense" [sic] is not considered a legitimate reason to own a firearm in New Zealand?*
- 4) *Whether the Police consider whether a firearm's licence holder or applicant has a survival bunker, panic room or similar facility on their property where the guns are normally stored indicates they intend to use a firearm for the purposes of self-defense [sic]?*

In response to questions 3 and 4, storage arrangements are considered on a case by case basis and they should be sufficient to manage the risks should the items stored be stolen or able to be accessed by an unlicensed person. Police Firearms Secure Storage Guidance¹ includes guidance on strong rooms.

When assessing whether a firearms licence applicant is a fit and proper person to possess firearms, it is appropriate to understand why the applicant wants a firearms licence and what they intend to use firearms for, and also to consider the applicant's attitude towards firearms. As part of this line of enquiry, the Police vetting guide contains this prompt: "Tell me your responsibilities when using firearms: such as on private land, in self-defence?"

In New Zealand, a generalised fear is not a justification for keeping a firearm readily available for self-defence, so this will be a relevant consideration if the applicant's reason for wanting to have a firearms licence and possess firearms is *in order to routinely carry a firearm for self-defence*. Police recognise that citizens are justified in using force in self-defence in certain situations. The force that is justified will depend on the circumstances of the particular case. Every person is criminally responsible for any excessive use of force against another person.

- 5) *Whether in the last ten years, any licence application has been denied, or licence has been revoked on the grounds that the Police believed the individual was intending to possess firearms for the purposes of self-defence?*

¹ <http://www.police.govt.nz/sites/default/files/publications/firearms-secure-storage-guidance.pdf>



Each person who holds a firearms licence or seeks endorsement to possess MSSAs, pistols, or restricted weapons must be found fit and proper to possess firearms, and each application is considered individually. If an application for a firearms licence is refused, the reasons may be varied and not one specific reason could be the specific cause, but overall the person would not be considered fit and proper. This question is refused in accordance with section 18(g) of the Official Information Act 1982 as the information is not held.

- 6) *Whether, as indicated in the reporting, it concerns the Police that these facilities might be being built in secret, and therefore could be used to store unlicensed firearms, or other restricted items such as explosives in a way which cannot be inspected.*
- 7) *Do Police, or emergency services in general, need to be made aware of any form of bunker or emergency shelters installed on a property?*

The Ombudsman's guidelines state: "If a requester seeks information by asking a question, there is a distinction between: questions which can be answered by providing information already known to and held by the agency (official information); and questions which require the agency to form an opinion or provide an explanation and so create new information to answer the request (not official information)."

Your questions 6 and 7 require us to form an opinion and is not a request for information that exists. As mentioned above, each application is assessed on a case by case basis. Questions 6 and 7 are refused in accordance with section 18(e) of the Official Information Act 1982 as the information does not exist.

You have the right to seek an investigation and review by the Ombudsman of this decision.

For your information, Police has developed a process for proactive release of information, so the response to your request may be publicly released on the New Zealand Police website.

Yours sincerely



Mike McIlraith
Acting Superintendent
Arms Act Service Delivery Group

