

BRIEFING FOR THE MINISTER OF POLICE			
Priority	<input type="checkbox"/> Urgent <input type="checkbox"/> Time-Sensitive <input checked="" type="checkbox"/> Routine		
Title	Supplementary Briefing – Arms, Safety & Control Update		
Date	13 July 2022	Ref	BR/22/18CH

Executive summary

1. Progress towards transforming the wider firearms regulatory system has been steady and sustained, with a notably enhanced legislative environment and significant effort being applied by Police's dedicated firearms unit to improve the licensing system and improve community safety.
2. The recent significant investment by Government to enable this transformation is driving significant change and improvements.
3. Creation of the Firearms Branded Business Unit (the Unit) s. 9(2)(f)(iv) OIA and will provide the "public face" for Police's strengthened firearms regulatory authority and capability.
4. Police is making good progress towards meeting Royal Commission of Inquiry and Office of the Auditor-General recommendations.
5. Notable challenges still remain – some we are already experiencing, and others will be upon us soon – which will test the transformative effort made to date. These challenges are complex and constantly evolving.
6. The unsustainable demand driven by the ten year licensing regime is a real and present challenge for Police. These combined challenges have resulted in a significant licensing backlog. This has impacted on trust and confidence in the firearms licensing system.
7. Over the past three years Police has implemented various measures to address these issues. Police has substantially increased firearms licensing capability, created a dedicated Historic File Support Team to reduce the backlog of new and renewal licence applications, and will pilot an initiative aimed at streamlining renewal applications which are low risk. The workforce has grown by 120 FTE's since December 2021.
8. The introduction of the Firearms Registry (the Registry) in June 2023 will be transformative in how we manage, and have oversight of, the firearms regulatory system. A key benefit of the Registry is that it will be more difficult for firearms and ammunition to flow into the criminal environment. The development of the Registry is moving at pace.
9. The Unit will implement an intelligence-led, risk-based approach, supported by an automated workflow over the next two years. This will ensure the future firearms regulatory environment in New Zealand is greatly enhanced,

modernised, robust, and fit for purpose. Our vision is that the possession and use of firearms in Aotearoa is the safest in the world.

10. This paper outlines interventions for discussion which could further improve our service delivery to the firearms community, and reduce potential compliance risks within the firearms regime for all communities.

11. s. 9(2)(f)(iv) OIA

12. Discussion points are listed throughout the paper, as a prompt for further conversation when you meet with officials.

Recommendations

13. Police recommends that the Minister of Police:

- a) **Note** the opportunities and challenges outlined in this paper;
- b) **Note** the minor legislative opportunities outlined s. 9(2)(g)(i) OIA
- c) **Note** the briefing on the topic of firearms cost recovery you've received [BR/22/13/CH]; and
- d) **Note** the Firearms Business Unit has requested a meeting with your office to discuss the topics in this paper.

Minister's comments and signature

..... / / 2022

Hon Chris Hipkins
Minister of Police

Arms, Safety & Control Update

Purpose

14. This paper provides a supplementary briefing on progress to date of the firearms transformation programme, which is a key priority for both the Government and Police.
15. The briefing highlights interventions that could be progressed both at a legislative level and operational level. It supplements the information provided in the initial Briefing to the Incoming Minister.

Key messages

- Progress towards transforming the wider firearms regulatory system has been steady and sustained, with a notably enhanced legislative environment and significant effort being applied by Police's dedicated firearms unit to improve the licensing system.
- The recent significant investment by Government to enable this transformation is driving significant change and improvements.
- Notable challenges still remain, however, and others are looming fast – which will test the transformative effort made to date, and in the future.
- These challenges are complex – a mix of rapidly transforming an outdated firearms regulatory system, implementing new legislation that addresses firearms risk, the stabilisation of our workforce and employment model ahead of a significant uplift in capability, unsustainable demand driven by the historical ten-year licensing regime, outdated cost recovery, challenging employment market, and challenges brought on by Covid impacting our service delivery and staffing levels.
- This paper outlines the various interventions Police is implementing to address these challenges, and has discussion points as a prompt for further conversation when you meet with officials.

Background

The Firearms Regulatory System is primarily concerned with public safety

16. The Arms Act provides a regulatory framework which seeks to protect the public from the harm that may be caused by the misuse of firearms. It confirms that owning a firearm is a privilege, not a right, and allows fit and proper people to possess firearms for legal purposes (such as for business, food gathering, and recreational or sporting purposes). The Arms Act also mitigates the risk of misuse by placing limitations at critical control points in the system: licensing, import, sale, transfer and storage.

Weaknesses in the Firearms Regulatory System are being addressed

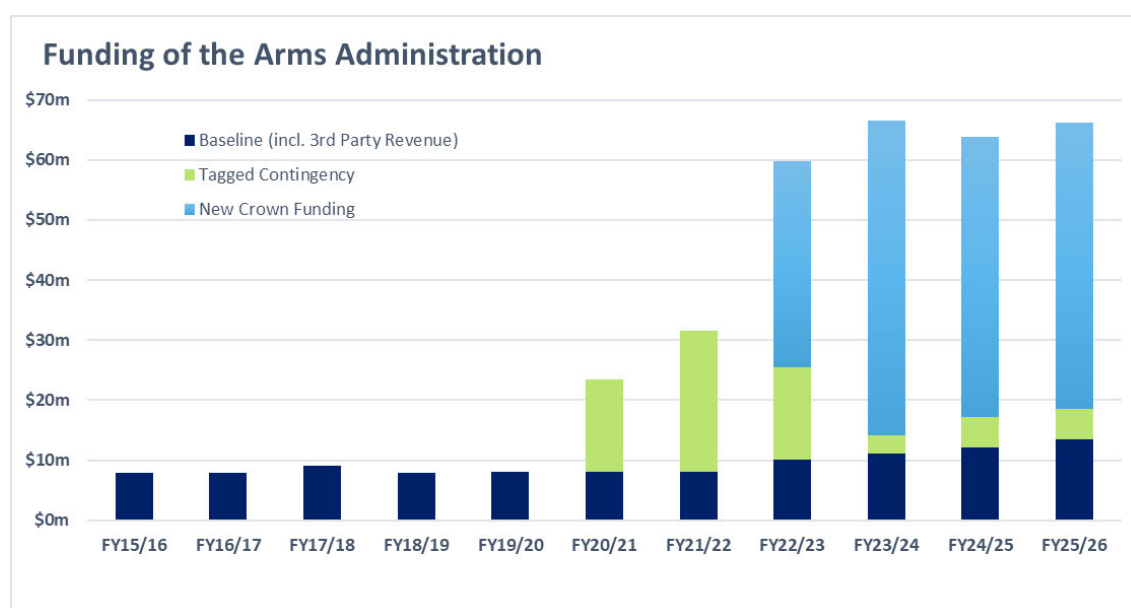
17. The tragic events of 15 March 2019 brought into stark relief weaknesses in both the administration of the firearms regulatory system and the relevant legislation. The Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019 was critical of New Zealand Police's (Police) administration of the Arms Act, particularly its assessment of the terrorist as a fit and proper person to possess firearms.
18. Prior to the terrorist attack, Police had already recognised that it needed to significantly improve its administration of the Arms Act and an improvement programme was already underway.
19. Historically, Police's administration of the Arms Act and the firearms licensing system was hampered by a fragmented national and district approach, and legislation that wasn't able to keep pace with a rapidly changing firearms environment. Strong opposition to change from firearm interest groups meant any change by successive Governments was slow or non-existent.
20. A lack of dedicated Vote Police funding for firearms safety was a key factor in preventing proper transformation of the firearms regulatory system, which also meant that resources were at times re-directed to pressing operational demands elsewhere in Police.
21. The Christchurch terrorist attack highlighted that funding levels were insufficient for a modern, fully functional firearms regulatory system, and that the Arms Act was not fit for purpose.

The Good News – significant legislative change and investment by Government is supporting a strong transformation programme

22. A multitude of legislative changes to the Arms Act have significantly strengthened its effectiveness, and the ability of Police as the firearms regulator to ensure the licensing regime is fit for purpose to ensure a modern, world class, firearms regulatory system.
23. Key legislative improvements have included tighter specification of the types of firearms permitted; defining fit and proper considerations for those seeking firearms licences for the first time, or those renewing; and increased firearms storage and security requirements. For the first time there will also be regulation of all shooting clubs and certification of shooting ranges.
24. Significant investment by Government in Budget 2022 granted funding of \$208 million operating funding over four years, as well as the endorsement of the whole of life cost over eleven years (as outlined in the detailed business case) to enable our transformation to a world-class firearms regulatory system. s. 9(2)(f)(iv) OIA

25. This investment seeks to maintain the balance of keeping communities safe while enabling the safe use of firearms in communities for legitimate purposes. The investment will support the establishment of the Unit, deliver the Registry, improve the firearms licensing system and contribute to safer lawful firearms use in New Zealand. This was the investment requested in the detailed business case approved by Cabinet in March 2022.
26. The diagram below shows the funding levels over the financial years of FY 2015/16 to FY 2025/26. This illustrates the prior underinvestment in the firearms regime.

Figure 1: Government Investment



Progress on the establishment of the Branded Business Unit

27. The Unit will be a fully functional firearms regulatory entity hosted by Police. The Unit is responsible for overseeing lawful firearms possession in New Zealand, to ensure firearms possession is limited to those who are fit and proper to possess firearms, and who comply with their legal obligations. This will increase public safety by reducing the flow of firearms and ammunition from legal to unlawful possession.
28. The Unit will have responsibility for implementing the significant Arms Act legislative changes which began in 2019 and delivering operational improvements in response to the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019. Office of the Auditor General recommendations are also being addressed.
29. The Unit will implement an intelligence-led risk based, and automated approach to the firearms ecosystem – as we do with other areas of Police, to ensure the future state will be a greatly enhanced, robust, modernised, and world-class firearms regulatory environment in New Zealand.

30. s. 9(2)(f)(iv) OIA

Discussion Point:

1) s. 9(2)(f)(iv) OIA

Regulatory stewardship, governance and performance monitoring of the firearms eco-system

31. A cross-agency governance board chaired by the Commissioner of Police will be established by November 2022 to oversee the full firearms system, of which the Unit will be part. To support this governance board, Police is developing a firearms eco-system model and performance framework for the new regulator to use to understand the impact of legislative interventions and overall firearms system performance.
32. The firearms eco-system model will help Police better understand the interrelated components of a complex system, by mapping system flows and how they relate to the presence of firearms and firearms-related harm.
33. The objective is to build more comprehensive and robust data sets that yields insight into how the system operates so that, over time, confidence in cause-and-effect assessments will be more reliable.
34. This framework will include assessment of firearm safety and the impact of all regulatory interventions. Assessment will continue over a long time period and involve multiple agencies and firearm stakeholders.
35. It must be remembered that ascertaining causality between safety outcomes and legislative change and other Police interventions, with a high degree of confidence, is challenging in the context of a complex system. Not all parts of the system are visible or able to be accurately quantified, and there are multiple interconnected forces affecting the presence of firearms and firearms-related harm. The development of this model also addresses the outstanding Office of the Auditor General recommendation, see paragraph 46 below.
36. The Unit is in the process of recruiting the ongoing capability to support the implementation of this model. The implementation of this model will go alongside the implementation of the AIS as it will be relying on information flows from the new AIS.

The Firearms Registry

37. The introduction of the Registry in June 2023 will be transformational in how we manage, and have oversight of, the firearms regulatory system. The development of the Registry is moving at pace.
38. Commencing in June 2023 licence holders will have five years to input details of firearms in their possession into the Registry. The Registry will be fully populated by June 2028. The Registry will link firearms to licence holders, so Police will have a clear picture of the legally held firearms stock in New Zealand and will be better able to trace firearms. If firearms are listed in the Registry and then stolen, it will enable Police to trace the origin of firearms recovered from crime scenes and offenders. It will also assist licence holders to meet their obligation to ensure they sell or loan their firearms to only those holding a current firearms licence.

Operational Progress

39. Operationally, arms staff vetting, training and licence application processes have been considerably improved over the past three years, and this work continues at pace. Police has led a significant national recruitment process for additional staff, which has been challenging in a tight labour market.
40. Police District resources have now been consolidated under the Unit, with the creation of 15 new leadership roles, one in each District, and 3 Regional Managers to drive performance and consistency of practice. License applications have been strengthened to assess how fit and proper each applicant is, and digital modernisation of the application process will provide greater oversight, speed and rigour to the system. Paper based forms will also remain, and will integrate with the Arms information System (AIS).

Good progress is being made towards the RCOI and OAG recommendations

Royal Commission of Inquiry (RCOI) Recommendations:

41. Police is the lead agency for eight of the 44 RCOI recommendations. As the firearms regulator, our work on this includes:
42. Updating processes for firearms licensing (including applications, vetting of applicants, and inspecting applicants' security arrangements for their firearms); endorsements for pest control where prohibited firearms and magazines are appropriate; checking compliance with licence conditions (including the use of improvement notices); developing a firearms system performance model; and introducing an electronic system for processing firearms licence applications. Work on this system is already well advanced.
43. The new technology solution AIS is currently scheduled to be delivered in 2023. Additionally, a Firearms Online Licence Checker for dealers and sellers to confirm that the licence is current, went live in December 2021. This addresses the gap where individuals may retain their licence card, despite the licence being revoked. This new system verifies these licences.

44. Police is also leading work on improved information sharing across government agencies, to identify any red flags or issues with members of the public. It is also establishing Te Raranga, which will be responsible for improving the knowledge and skills of Police staff to identify and record hate crime. This will be in conjunction with He Aranga Ake, a multi-agency preventative approach to identifying persons of concern, and to reduce the likelihood of them causing harm associated with violent extremism. Information sharing from these Police initiatives will also support our Unit's staff with firearms vetting assessments.
45. Possible further changes to medical practitioner requirements, including reporting firearms injuries to Police, are being assessed. Police is working with the Ministry of Health to progress this work over 2022. s. 9(2)(f)(iv) OIA

Progress being made on Office of Auditor General (OAG) Recommendations:

46. In February 2022, OAG formally requested Police to submit a report back on action taken to address the recommendations and improvement opportunities highlighted in its 2020 audit report on the buy-back scheme. In line with OAG's request, Police undertook assurance work in March and April, and a written response was compiled and consulted with subject matter experts. It draws on a range of documentary material and data, as well as prior Ministerial aide memoirs and briefing reports. A copy of the June 2022 Report Back is listed at Appendix 1.

Strengthening our focus on partnerships & engagement:

47. Police have several community groups that we engage with:
48. The Firearms Community Advisory Forum (FCAF) was established in 2014. FCAF is made up of a cross section of firearms user groups such as retailers, importers, hunters, pistol shooters, collectors, target shooters, rural representatives, Department of Conservation, Customs and Ministry of Foreign Affairs and Trade. The purpose of this group is to provide two-way communication and engagement opportunities between the regulator and user community.
49. The Arms Engagement Group (AEG) was established in 2020. AEG consists of representatives from a number of groups including community law, Muslim community, medical professionals, academia, Gun Control NZ and family harm representatives. The purpose of this group is to provide two-way communication and engagement opportunities between the regulator and non-firearms user community.
50. The Recreational Firearms User Safety Working Group was established in 2021. This group consists of representatives from the Game Animal Council, Deerstalkers, Mountain Safety Council, Fish and Game, Department of Conservation and Police. The purpose of this group is to work collaboratively on individual and join firearms safety initiatives and activity to contribute to improved safety outcomes by firearms users.

51. The Whakatupato course is a firearms safety course designed by Police and community members in 2010. Course delivery focuses on rural and isolated communities, particularly Māori. The course provides firearms handling safety knowledge and couples in the theory test that contributes to first time firearms licence application requirements. Course delivery paused after March 2019 but regularly delivered since March 2021 and is over-subscribed. This is the Unit's primary vehicle for Māori engagement and service delivery.
52. The Muslim Reference Group was established as a reference group as part of Police's response to the Royal Commission of Inquiry recommendations. Unit representatives engage with the Muslim Reference Group on all matters relating to the activity responding to recommendations.
53. The Firearms User Group (FUG) has a mix of FCAF members and other firearms community members. This group is assisting with the user experience development of AIS with online forms, the Registry and other processes and systems.

s. 9(2)(g)(i) OIA



Capability Uplift

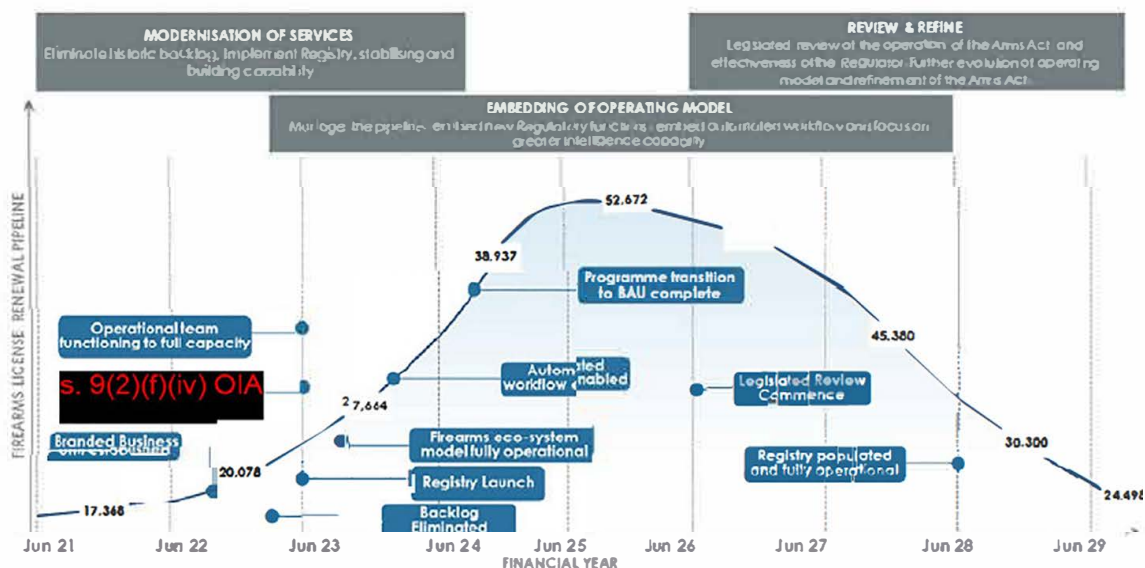
55. Given one of the key risks in our transformation is our ability to significantly increase the Unit's capacity and capability in the required timelines, and deliver on investment outcomes, Police has requested independent Market Insights on potential market constraints and challenges, developed a Talent Sourcing Strategy, and established a dedicated recruitment hub and attraction specialist (8 FTE's) within the Unit to support the recruitment drive. This team has been in place since the start of March 2022.
56. The Market Insights work provided confidence that whilst unemployment is at a low level, the data also indicates that the amount of candidate movement is high and that there is still a high level of roles being filled across multiple regions, providing confidence that candidates are active and open to new opportunities and have confidence in the employment market.
57. The recruitment hub has been actively implementing the talent sourcing strategy and we've been able to successfully recruit. To date the Unit has grown from 260 FTE's in December 2021 to 381 FTE's as at the end of June 2022. The market will become more contracted as the border opens up further and therefore it is vital that we have a strong Employee Value Proposition (EVP) to attract and retain staff.
58. To accommodate the increase in workforce we have secured premises in the Wellington CBD to accommodate the growing Wellington footprint and we will move into this building by September 2022. We have also secured part

of a floor in one of our existing offices in Auckland to house the growing operational resources in that part of the country, as well as office space in Palmerston North.

Notable challenges still remain, however, and others are looming fast – which will test the transformative effort made to date, and in the future.

59. Figure 2 provides a simplistic view of the compounding change landscape over the coming years as we work to modernise our service delivery, in parallel to scaling up our capability to deal with the firearms renewal pipeline.

Figure 2: Compounding change landscape



60. These challenges are complex – a mix of rapidly transforming an outdated firearms regulatory system, the stabilisation of our workforce and employment model ahead of a significant uplift in capability, unsustainable demand driven by the historical ten-year licensing regime, employment market, lowered risk tolerance and immense challenges brought on by Covid impacting service delivery and staffing levels.

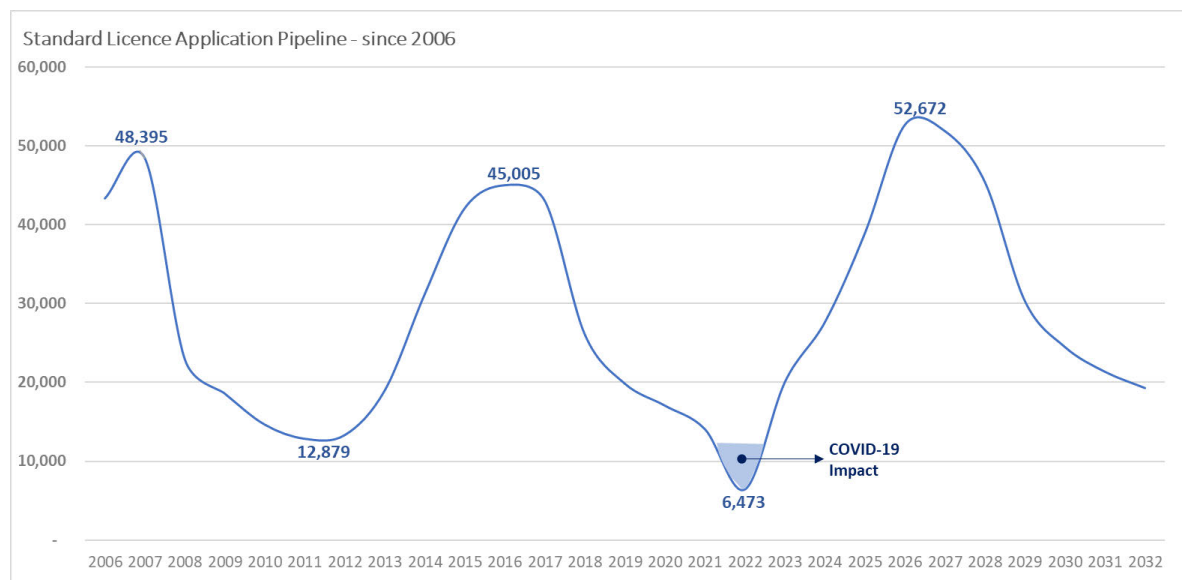
61. These combined challenges have resulted in a significant licensing backlog. This has impacted on trust and confidence in the Firearms licensing system.

62. While progress is being made on addressing these challenges, the unsustainable demand driven by the historical ten-year licensing regime is proving challenging.

63. The surge in demand for licence renewals, due to the ten-year licence period implemented in the 1990s, places great pressure on Police's ability to scale up and down in a timely manner as shown below in figure 3

s. 9(2)(g)(i) OIA

Figure 3: Licence application demand pressure historically and projected demand over the course of the next decade.



How is Police responding to these challenges, and what initiatives are needed?

64. In recent years, with the support of Government, Police has implemented various measures to address these issues. Significant challenges still remain, however, and others are looming fast – which will test the transformative effort made to date and in the future.

Operational Response:

65. Police has substantially increased our specialist arms staff numbers (onboarded 120 additional staff since December 2021), created a dedicated Pipeline Reduction Project as part of the Historic File Support Team to reduce the backlog of new and renewal licence applications, introduced new technology solutions, and will pilot an initiative aimed at streamlining renewal applications which are low risk.
66. The Pipeline Reduction Project is focusing on eliminating the backlog of applications of both new and renewal applications over 90 days. As at 27 June 2022, standard licence applications sit at 10,575, of which 5,461 applications are over the 90-day processing period.
67. The Pipeline Reduction Project is prioritising firearms renewals, especially historic or expired applications. Throughout 2022, Police has been advising applicants to apply for their licences early to avoid processing delays. Police is continuing to look at other opportunities to improve the effectiveness of the service delivered to licence holders, whilst ensuring communities are kept safe.
68. Police will continue to further target and reduce the pipeline and reduce licensing delays. However, the current backlog of licence renewals, and unsustainable demand driven by the ten-year licensing regime is a real

challenge for Police. s. 9(2)(f)(iv) OIA

Discussion Point:

- 2) *Initiatives to address the current licensing backlog, and future state of the licensing pipeline.*

Firearms Registry will be the Jewel in the Crown:

69. The introduction of the Registry in June 2023 will be transformational in how we can manage, and have oversight of, the firearms regulatory system. The development of the Registry is moving at pace, and is now in the service design phase. Technology provider *Objective* s. 9(2)(f)(iv) OIA
- Comparable jurisdictions – Australia, Canada and the United Kingdom – have been consulted on design aspects of the Registry’s development.
70. This will be closely followed by the launch of the Registry in June 2023, and then the automated workflow.
71. Implementation of the Registry by June 2023 is on a critical pathway as funding was only confirmed in Budget 2022 in May, and regulations for the Registry need to be enacted by December to enable the build to be finalised well in advance of the go live date.

Discussion Points:

s. 9(2)(f)(iv) OIA

s. 9(2)(g)(i) OIA [Redacted]

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¹ [Thorpe Report \(police.govt.nz\)](https://www.police.govt.nz)

Proposed Intervention:

77. You have recently asked for advice on different options to manage licence renewals, whilst mitigating the impact of possible fee increases and aiming to flatten the demand curve.
78. Police has provided you with a separate, more detailed, briefing on this topic [BR/22/13/CH].

Discussion Points:

- 8) *How would this legislative amendment flatten the demand curve for licence renewals?*
- 9) *What impact would this have on the Registry when it becomes operational?*
- 10) *What will the impacts be of a more modest licensing fee increase?*
- 11) *More significant cost recovery could well impose more operational service requirements on Police, and most importantly impact on public trust and confidence and compliance with new firearms regime.*

s. 9(2)(f)(iv) OIA

Opportunity to consider additional minor amendments to the Arms Act

79. s. 9(2)(f)(iv) OIA

80. These proposed amendments to the Act could include:

- s. 9(2)(f)(iv) OIA
-
-
-

81. Police will do further analysis on the viability of these options and will provide advice to you in due course.

Discussion Point:

13) *Is there ministerial appetite to make further amendments to the Act in advance of the formal review of the Act starting in 2026?*

Next Steps

- 82. The Firearms Business Unit requested a meeting with your office to discuss this paper in the coming weeks.
- 83. Your office will also be separately briefed by Police on cost recovery proposals ahead of this meeting.



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Angela Brazier
Executive Director Arms, Safety and Control

Reviewed by	Martin Smit, Director Business Services	s 9(2)(a) [REDACTED]
Approved by	Angela Brazier, Executive Director Firearms	s 9(2)(a) [REDACTED]

Progress in addressing audit findings from the 2019 firearms buy-back and amnesty

In 2020, following implementation of the nationwide Firearms Amnesty and Buy-back Scheme (the Scheme), the Office of the Auditor-General (OAG) conducted a performance audit to understand how well New Zealand Police (Police) had managed and operated the Scheme.

OAG concluded Police managed the scheme well, although noted more work needed be done to improve firearms information and understand the extent to which it had made New Zealand safer. Two years on, OAG requested that Police report back about how OAG's recommendations and improvement opportunities are being addressed.

The specific recommendations and improvement opportunities highlighted in OAG's performance audit report, *Implementing the firearms buy-back and amnesty scheme* (May 2020), were:

Recommendation 1: Engagement

Build on engagement with firearms owners and licensed firearms dealers gained during the firearms buy-back and amnesty scheme to further strengthen relationships and build trust and confidence in how the current and further firearms regulatory framework is implemented.

Recommendation 2: Information

Improve the information used to support regulatory responsibilities for firearms and firearms owners, and management of that information.

Recommendation 3: Impact

Design and implement a framework to evaluate the extent to which changes to firearms regulations have made New Zealand safer, including taking steps to find out what level of compliance with the scheme has been achieved, and publicly report the findings of future evaluations to ensure that Parliament, and the public have trust and confidence in their administration of firearms legislation.

Improvement opportunities: Close out

Continue to report publicly on the performance of the scheme until completed processing of the applications for endorsements to use newly prohibited firearms for a limited range of purposes. Then report to Parliament about the final outcomes of the scheme.

This document outlines actions taken by Police related to the recommendations and improvement opportunities, and the impact those actions have had on the firearms community and the safety of New Zealand.

OAG's audit related to the first Amnesty and Buy-back Scheme, responding to arms legislation passed in 2019. A broader package of reforms was passed in 2020, and a second Amnesty and Buy-back, run between February 2021 and May 2021. The new legislation provided additional powers for Police regarding firearms management, including establishment of a Firearms Registry. These changes collectively, coupled with ongoing policing activity, work together to provide greater visibility of firearms within the community and reduce the availability of firearms to non-licence holders, therefore reducing the risk of harm from misuse and criminal use of firearms.

How has Police used the results from the performance audit?

OAG's performance audit supported Police's continuous improvement approach to delivering and closing out the Scheme, while also informing the approach to the second Amnesty and Buy-back, and ongoing firearms regulatory activities.

In response to the performance audit, as well as findings from the Royal Commission of Inquiry (RCOI) and additional legislative changes coming into effect, Police has made significant progress towards improving engagement with the firearms community, enhancing the quality of information to support regulatory activities and establishing a framework to better understand the impact of firearms regulatory activities over the long term.

The subsequent sections of this report describe both tangible improvements already made in each of these areas, as well as plans for further improvements relating to the implementation of a Firearms Registry, establishment of an independently-branded firearms business unit with dedicated national and District-based resource, and operationalising other legislative changes. Collectively these changes will enable greater focus, visibility and quality controls to improve public confidence and contribute to safety outcomes for New Zealand.

Improvement Opportunities: Close out

Continue to report publicly on the performance of the scheme until completed processing of the applications for endorsements to use newly prohibited firearms for a limited range of purposes. Then report to Parliament about the final outcomes of the Scheme.

Context

When OAG's report was finalised in early 2020, applications for an endorsement to retain prohibited firearms and magazines were still under consideration. Policies and processes were still being developed to guide information applicants needed to provide to support Police decisions on legitimate use of prohibited firearms. In some cases thorough investigation was required to ensure approvals aligned with the intent of the legislation. Police was also aware that decisions taken in the initial endorsement cycle would be precedent-setting for an enduring process.

Endorsements, and all other processing relating to the Scheme, have since been completed. The endorsement processing team are now entering the first endorsement renewal cycle, while continuing to process new endorsement applications as part of their day-to-day operations.

Summary of key actions

- Processing of all applications relating to newly prohibited firearms, including endorsements, dealer stock and unique prohibited items has been completed for the first and second Amnesty and Buy-Backs.
- Detailed national and District collection information is publicly available on Police's website as at February 2020 (more recent collection information for the second Amnesty and Buy-Back is also available).
- The Minister of Police was briefed on the Scheme in June, September and December 2020; and in May 2021.

*One endorsement application from the first Amnesty and Buy-back remains under litigation with the Courts.

Impact

Proactive public reporting throughout the Scheme reduced the number of Official Information Act (OIA) requests responses required in relation to the Scheme, and the transparency likely provided confidence in the way the Scheme was managed.

Recommendation 1: Engagement

Build on engagement with firearms owners and licensed firearms dealers gained during the firearms buy-back and amnesty scheme to further strengthen relationships and build trust and confidence in how the current and further firearms regulatory framework is implemented.

Context

The way in which the Scheme was implemented reflected an empathetic and collaborative approach with firearms owners, licensed dealers, and the wider community, while recognising the need for independent and objective decision-making when it comes to enforcing firearms legislation.

Police have maintained and continued to strengthen these relationships through their approach to the second Amnesty and Buy-back; use of reference groups to inform and co-design changes to firearms regulation; partnering with dealers on communication and safety improvement initiatives; proactive engagement with dealers in relation to import permits; and development of a survey to track public trust and confidence in Police's regulation of firearms across different stakeholder cohorts.

Summary of key actions

- **Second Amnesty and Buy-back** – Police proactively engaged with dealers and the firearms community to ensure awareness and encourage participation in the second Amnesty and Buy-back, and took a case management approach which improved the experience for firearms owners.
- **Firearms reference groups** – Police have worked closely with groups that represent different cohorts of the firearms community, including the Recreation Firearms User Working Group, Firearms Community Advisory Forum (FCAF) and the Range Coordination Group. These groups have been used as a sounding board for new initiatives, have provided input into firearms manuals and guidebooks - including the *Range Manual*, *Secure Storage Guide for Firearms and Ammunition* and the *Firearms Safety Code*. Police is also engaging both FCAF and non-FCAF members to co-design and test the new firearms website to optimise the user experience.
- **Partnering with dealers** – Police have partnered with dealers on key safety improvement initiatives, including implementation of an online licence checker for dealers to quickly validate licence status before selling a firearm. Police has also collaborated with dealers to distribute communications to their customer databases to support broad awareness of upcoming legislative change.
- **Proactive engagement with dealers** – Police is in regular and active communication with the major firearms importers in relation to permitting decisions. Communication is proactive when import permits are refused, outlining the rationale for refusal which can result in the permit request being withdrawn, avoiding a lengthy dispute process.
- **Public trust and confidence survey** – A trust and confidence survey has been conducted, gathering perspectives from both the general public and the firearms community on confidence in Police's management of firearms licensing in the community. The survey will provide a baseline measure of public trust and confidence and, over time, enable tracking of trust and confidence trends.
- **Firearms stakeholder management** – Police's new firearms business unit includes Director level responsibility for partnerships and engagement with a dedicated team. A comprehensive stakeholder assessment has been conducted and identified explicit relationship owners, who will play a critical role in maintaining stakeholder confidence as significant policy changes and service improvements are rolled out in the coming years.

Impact

Police's ongoing engagement with representative groups and dealers continues to inform the way firearms services are delivered and legislation changes are operationalised, both in terms of optimising user experience and providing an effective channel for communicating changes that impact the broader firearms community. The trust and confidence survey will soon provide a quantitative measure to ascertain whether Police's actions are translating into increased trust and confidence, over time, within the firearms community and the general public.

Recommendation 2: Information

Improve the information used to support regulatory responsibilities for firearms and firearms owners, and management of that information.

Context

Prior to the implementation of the Scheme, Police was not required to hold information about most firearms held by licensed users. Of the information that was held (in relation to those firearms formerly defined as E-category), the Scheme surfaced some underlying information and data quality issues – some due to limitations in the legislation's construct, others indicating opportunities to improve user training.

Recent law changes now provide the mandate for a Firearms Registry, which will be implemented in mid-2023, then populated over the course of five years as licences and endorsements are due for renewal and licence holders undertake firearms-related activities. This will significantly enhance the quantity and quality of firearms information available. The establishment of the registry will enable Police to track the transfer of ownership of firearms. Both the seller and buyer of firearms will be required to inform Police when a change in possession has occurred. This was a key limitation relating to the tracking of MSSAs which had been declared as converted to A

category firearms then on-sold in that configuration; or, in the case of items transferred through the permit-to-possess process, the item being endorsed against the buyer's licence but not removed from the seller's licence.

In the short-term, Police has continued to improve its processes through updating existing firearms records, investing in staff training, quality assurance checks, developing more comprehensive application forms, and implementing new system functionality to enable more comprehensive and structured collection of firearms related information.

Summary of key actions

- **Updates to existing firearms records** – An extensive reconciliation exercise was undertaken to account for all E-category firearms previously recorded by Police, and those handed in as part of the Scheme, including following all investigative leads for firearms that did not correspond to those handed in as part of the Scheme. Police's core system was updated to reflect the findings from this investigative work.
- **Training to improve information quality** – Police has delivered training on video interviewing for independent referees (that is, those not directly related to or living with the applicant) and released self-guided training for recording firearms information. Effective interview training has also been scheduled for all Arms Officers and Vettors, to be delivered in May 2022 as part of a wider learning and development programme.
- **Quality assurance and improvement framework (QAIF)** – A comprehensive QAIF process has been implemented, which involves all firearms licence applications being peer reviewed by an Arms Officer, with any contentious files (e.g. those with possible mental health concerns) being considered by a District Review Panel before a firearms licence is issued. Additionally, District Managers conduct random spot checks to ensure compliance and actively follow-up where additional training is required.
- **More comprehensive licence application** – The firearms licence application form has been updated to record more information on a firearms licence applicant, including mental health checks and ex-partner interviews.
- **Information collection interface** – A new firearms system interface has been implemented to support more comprehensive and structured collection of firearms related data, creating a more user-friendly and intuitive process for arms staff.
- **Lessons learned informing design of the Firearms Registry** – Key lessons learned from the Scheme and other operational activity are being considered and incorporated in the design of the Firearms Registry, including a detailed firearms taxonomy (building on the Scheme's pricelist), extensive data cleansing and controls to ensure that each registered firearm is unique, linked to a single possessor.

Impact

Once fully implemented in 2028, the Firearms Registry will provide a significant uplift in data quantity, quality and Police's ability to track legally held firearms within the community - a key aspect of better understanding the landscape as a basis for informing future policy decisions. In the interim interventions have improved the quality of data held within existing systems by improving inputs and reducing user error.

Recommendation 3: Impact

Design and implement a framework to evaluate the extent to which changes to firearms regulations have made New Zealander safer, including taking steps to find out what level of compliance with the scheme has been achieved, and publicly report the findings of future evaluations to ensure that Parliament, and the public have trust and confidence in their administration of firearms legislation.

Context

The intent behind prohibiting military style semi-automatics (MSSAs), high-capacity magazines, and certain types of ammunition, was to make New Zealand safer. The Scheme administered by Police provided the opportunity for people in possession of those firearms at the time the law changed, to hand them in without fear of judgement or prosecution, while being compensated where possession was legal. Following the Scheme and subsequent legislation changes, Police then had greater ability to prevent these types of firearms, parts, and ammunition coming across the border, and seize them when they are encountered through day-to-day policing activities.

Police has established a dedicated task force focussed on firearms harm prevention and enforcement, primarily seeking to reduce the number of prohibited firearms in the community held by non-law-abiding citizens.

Prior the law change, Police was not required to maintain records of this cohort of firearms, parts and ammunition, so does not have a baseline figure against which to definitively assess compliance with the Scheme. In December 2019 the New Zealand Institute of Economic Research (NZIER) was engaged to provide advice as to whether an accurate baseline could be achieved. NZIER concluded: *“even with significant investment ... confidence in the estimated prohibited stock is likely to remain low because, the ease of using parts to modify weapons make the boundaries between prohibited and non-prohibited highly permeable and import tariff categories don’t map readily onto what is and isn’t prohibited.”* Given this, Police has advanced no further work to refine the baseline figure, in order to ascertain compliance with the Scheme. Effort has focussed instead on designing a framework to understand of the current state of prohibited firearms, to the extent possible, and designing a Firearms Registry and supporting operating model to ensure a robust record of all legally-held firearms in the future.

To ascertain the extent to which firearms regulations have made New Zealand safer, Police engaged a consulting firm to develop a Firearms Systems Model. The Model has been designed to help Police better understand the interrelated components of a complex system, by mapping system flows and how they relate to the presence of firearms and firearms-related harm. In time, Police should be able to identify signals of positive change, indicating the effectiveness of interventions on the presence of firearms and firearms-related harm, and establish more robust hypotheses about how the system will behave in response to proposed future interventions.

Ascertaining causality between safety outcomes and legislation change and other Police interventions with a high degree of confidence is challenging in the context of a complex system, whereby not all parts are visible or able to be accurately quantified, and where there are multiple interconnected forces affecting the presence of firearms and firearms-related harm. Nonetheless, the objective is to build a more comprehensive and robust data set that yields insight into how the system operates, meaning over time confidence in cause-and-effect assessments will be more reliable, albeit never definitive due to the inherent nature of systems.

Summary of key actions

- **Firearms seizures and import prevention** – By prohibiting MSSAs and their associated parts and ammunition, police now have the power to seize and prevent imports, reducing the potential number of high-risk firearms in the community.
- **Firearms Systems Model** – The conceptual Model has been designed identifying the key flows impacting the presence of firearms and firearms-related harm, which will provide deeper understanding of the system over time.
- **Information capture** – Information continues to be captured on firearms that are encountered through day-to-day policing activity, which coupled with information on contextual factors identified in the Model, will enable greater insight into the causal factors contributing to a safer New Zealand over time.

Impact

Prevented imports and the number of seizures provide positive indicators that the legislation has been effective. Had the legislation not been changed, those firearms could now exist in the community. Measuring Scheme compliance and the overall safety of New Zealand will always be fraught with imperfect information, but the Firearms Systems Model, once implemented, will provide an evidence-based foundation upon which future legislation, policy decisions and other interventions can be made and measured.

Firearms Amnesty and Buy-back: OAG performance audit recommendation progress update

CONTEXT



Purpose

In 2020, following the Firearms Amnesty and Buy-back Scheme (the Scheme), the Office of the Auditor-General (OAG) conducted a performance audit to understand how well New Zealand Police (Police) had managed and operated the Scheme. OAG concluded Police managed the scheme well, but more work needed be done to improve firearms information and understand the extent to which it had made New Zealand safer. OAG has now requested a written response from Police about how the recommendations and improvement opportunities included in its May 2020 audit report are being addressed.



Key facts

- Arms Amendment Act 2019 was implemented on 11 April 2019
- Amnesty and Buy-back 1 (ABB1) ran from 20 June 2019 to 20 December 2019
- In May 2020, the OAG released its report based on Police's implementation of the Scheme
- Police provided Ministerial briefings in June 2020 and September 2020
- Royal Commission of Inquiry (RCOI) released its recommendations on 8 December 2020
- Broader package of legislative reforms were passed in 2019 and 2020
- Amnesty and Buy-back 2 (ABB2) ran from 1 February 2021 to 1 May 2021.

OAG RECOMMENDATIONS AND PROGRESS UPDATE

Engagement



OAG recommendations

Build on engagement with firearms owners and licensed firearms dealers gained during the firearms buy-back and amnesty scheme to further strengthen relationships and build trust and confidence in how the current and further firearms regulatory framework is implemented.

Police key actions

- ✓ Case management approach and improved owner experience for ABB2
- ✓ Ongoing engagement and co-design with firearms reference groups
- ✓ Proactive engagement with dealers regarding permitting
- ✓ Partnering with dealers on safety improvement initiatives
- ✓ Public trust and confidence survey
- ✓ Increased focus and responsibility for firearms partnerships and engagement

Information



Improve the information used to support regulatory responsibilities for firearms and firearms owners, and management of that information.

- ✓ Updates to existing firearms records in the National Intelligence Application (NIA)
- ✓ Training to improve information quality
- ✓ Quality assurance and improvement framework (QAIF)
- ✓ More comprehensive licence application
- ✓ Improved information collection interface
- ✓ Lessons learned informing design of Firearms Registry including taxonomy and data cleansing

Impact



Design and implement a framework to evaluate the extent to which changes to firearms regulations have made New Zealand safer, including taking steps to find out what level of compliance with the scheme has been achieved, and publicly report the findings of future evaluations to ensure that Parliament, and the public have trust and confidence in their administration of firearms legislation.

- ✓ Firearms seizures and import prevention, including parts and ammunition, has reduced the potential number of firearms in the community
- ✓ A new Firearms System Model has been designed to provide deeper understanding of the system over time
- ✓ Ongoing information capture relating to firearms encountered through day-to-day policing activity

Close out



Continue to report publicly on the performance of the scheme until completed processing of the applications for endorsements to use newly prohibited firearms for a limited range of purposes. Then report to Parliament about the final outcomes of the scheme.

- ✓ Processing of all newly prohibited firearms, including endorsements, dealer stock and unique prohibited items has been completed for both ABB1 and ABB2
- ✓ Briefings provided to the Minister of Police in June, September and December 2020, and in May 2021.
- ✓ Detailed collection information from ABB1 is publicly available on the Police website as at February 2020 (more recent ABB2 collection information is also available).

ATTACHMENT: Text for the Office of the Auditor-General's website about the Police's progress report

[title] Responses to our recommendations about implementing the firearms buy-back and amnesty scheme

[intro] [Date]: *We asked New Zealand Police for an update on their response to recommendations we made in 2020 about implementing the firearms buy-back and amnesty scheme.*

We requested an update because we want to provide public transparency on agencies' responses to our reports.

In our 2020 report, *Implementing the firearms buy-back and amnesty scheme*, we looked at how well the Police had managed and operated that scheme.

The Police managed the scheme well, but more work needed be done to find out what level of compliance with the scheme had been achieved and the extent to which it had made New Zealanders safer.

We recommended that the New Zealand Police:

- Build on their engagement with firearms owners and licensed firearms dealers gained during the firearms buy-back and amnesty scheme to further strengthen relationships and build trust and confidence in how the current and further firearms regulatory framework is implemented.
- Improve the information they use to support their regulatory responsibilities for firearms and firearms owners, and their management of that information.
- Design and implement a framework to evaluate the extent to which changes to firearms regulations have made New Zealander safer, including taking steps to find out what level of compliance with the scheme has been achieved, and publicly report the findings of future evaluations to ensure that Parliament, and the public have trust and confidence in their administration of firearms legislation.

We also identified other improvement opportunities that we wanted the Police to consider. We commented that:

- The Police should continue to report publicly on the performance of the scheme until they have completed processing of the applications for endorsements to use newly prohibited firearms for a limited range of purposes.
- The Police should report to Parliament about the final outcomes of the scheme.

The Police told us they have made progress against all of our recommendations. Read what the Police have said about their progress:

- [HTML and PDF links to the Police's progress report]

We note that the Police have not yet designed and implemented a framework to evaluate the extent to which changes to firearms regulations have made New Zealander safer. This means that they have not been able to report publicly, or to Parliament, on this.

Instead, the Police have indicated that they are developing a Firearms Systems Model to assist them to better understand and provide better advice about the relationship between, and impact of, various firearms safety interventions and safety.

We have suggested that as the Police further develop this model, they consider what information about it and from it they could provide to Parliament, that describes whether improvements to the safety of New Zealanders are being achieved.

We have not audited the information in the Police's progress report. However, as with all our work, we might choose to carry out a formal follow-up audit on our recommendations, or any aspect of the 2019 audit, in the future.

We will also seek further updates from the Police where we consider it relevant to do so.