

General Arming and NZ Police

New Zealand Police Position Statement

December 2021



Purpose

The purpose of this position statement is to outline the key questions, relevant factors and current position of New Zealand Police regarding the general arming of frontline officers. It draws on recent research, information and discussions related to the evidence for and against general arming.

Definition

The terms *general arming* and *routine arming* are used interchangeably to refer to the practice of firearms being carried on the person as a matter of general practice, as officers undertake their day-to-day duties.

This differs from the current practice in New Zealand where officers are generally unarmed, but have ready access to firearms when required, in response to a specific threat, and following a risk assessment.

Priority outcomes

Policy considerations occur within a wide context, acknowledging the breadth of Police's role and responsibilities as a service organisation and Instrument of the Crown, alongside our [strategic goals and values](#). Within this context, key priorities in considering Police's position on general arming include:

- ✦ Ensuring the safety and wellbeing of Police employees, as our first priority
- ✦ Upholding our duty to keep the public safe
- ✦ Understanding the current benefits and implications of any change to our style of policing, which directly impacts on our ability to achieve the first two priorities.

Relevant legislation and policy

The powers, functions, duties and responsibilities of Police are primarily derived from the [Policing Act 2008](#).

Duties to employees and others for Police as a Person Conducting and Business or Undertaking (PCBU) are found in the [Health and Safety at Work Act 2015](#) and related regulations.

The provision for Police to carry and possess firearms is found in Section 3 of the [Arms Act 1983](#).

Police use of firearms is governed by the [Crimes Act 1961](#), and detailed in Police Instructions, which states: *"The NZ Police are not routinely armed. As such, it is recognised that firearms need to be made available for deployment in such a way that they are accessible, depending on the situation."*

Current context

The service that frontline police provide is critical to the community. Officers put themselves in harm's way every day to protect the public, and staff safety is an absolute priority for the Commissioner and Police Executive.

Alongside increases in demand on frontline Police - including from family harm and mental health incidents - staff face threats to their safety from organised crime, drug-related violence, firearms, and a willingness of individuals to use violence against Police. Following the murder of Constable Matthew Hunt in 2020, and an acknowledgment of the general threat-scape within which Police now operate, the Executive initiated a programme of work (Frontline Safety Improvement Programme) to consider and propose further opportunities to enhance officer safety.

It is critical that frontline staff are trained and have the capability, equipment, technology and support to assess and manage high-risk incidents safely. But it is also important that they *feel* confident to manage themselves, support their colleagues, and undertake their duties safely to prevent crime and harm.

Within this context, there have been recent calls to adopt general arming as a way to keep officers safe. A [2021 Police Association survey](#) of 6000 staff found 73% of officers surveyed were in support of general arming.

While the Frontline Safety Improvement Programme engaged with frontline staff to take a broad view in considering potential safety enhancements, the Police Executive undertook to consider the specific question of general arming. This included commissioning a review of general arming, and the potential impacts of any change, to ensure advice and decision-making was evidence-based.




Review findings: Appropriate Tactical Settings report

The [Appropriate Tactical Settings](#) report was developed in 2020 by the Evidence-based Policing Centre, and reviewed in 2021 to ensure any new international research was considered and the findings updated accordingly. It was independently reviewed by Justice Sector Chief Science Advisor Professor Ian Lambie, who advised it provided an accurate account of the data and literature available.

Report insights and findings related to the key priority considerations are highlighted in the sections below:

I. Ensuring the safety and wellbeing of Police employees, as our first priority.

Summary findings:

-  *the evidence is inconclusive about whether routine arming increases staff safety*
-  *the impacts of routine arming on Police wellbeing are not clear*
-  *there is also no evidence that arming Police increases the use of firearms by offenders.*

Key insights from the ATS report

1. Since 2015, Policy, Practice and Procedure reviews of critical incidents have not identified any events in which they assess carrying a firearm would have saved the lives of Police or members of the public.
2. Following a review of Gun Safe incidents where a firearm was presented at unarmed Police, and considering how these incidents might have differed if Police were routinely armed, it is possible to conclude that more people (Police and non-Police) would have been shot.
3. Between 1 March 2019 and 29 July 2021, there were 25 recorded events on Gun Safe involving firearms being presented at Police but not subsequently discharged. In 11 of these events, Police were unarmed. However, in all 11 events, Police successfully retreated or used other tactics/equipment to resolve the event.
4. In six of these 11 events, it was later revealed that the subject's firearm was not loaded. In the other cases, subjects had both the opportunity and capability to shoot but did not do so.
5. It is difficult—if not impossible—for Police Officers to determine if a subject has the intent to discharge a firearm, especially during a quickly unfolding event. It is not known what Police would have done in these 11 events had they been armed, or the consequences for their safety.
6. While there is some evidence that routine arming of Police may be associated with increased wellbeing and feelings of self-efficacy, there is also international evidence that routine arming might be associated with Police engaging in high risk situations that could be potentially harmful.
7. There is evidence indicating that discharging a weapon and using deadly force are connected to adverse consequences for staff, including Post-Traumatic Stress Disorder (PTSD).
8. Police wellbeing is reliant on a range of skills and tactical options that will allow officers to address the full range of risks they face on a daily basis with confidence, irrespective of whether firearms are involved.
9. The presence of armed Police is not a reliable indicator of increased firearms use by offenders. Evidence suggests that increased gun ownership is the best indicator of increased gun

violence, and shootings by police and of police.

10. There is no evidence to indicate that the arming decisions of those within the gang and/or organised crime environment is influenced by, or in response to, the tactical settings adopted by Police.
11. However, it is important to note that the propensity of individuals in gangs or organised crime groups to arm themselves is increasing the likelihood of Police encountering firearms in their day-to-day duty – particularly during traffic stops.

II. Upholding our duty to keep the public safe

Summary finding:


 *General arming would likely result in greater risks to the public.*

Key insights from the ATS report

12. Following a review of Gun Safe incidents where a firearm was presented at unarmed Police, and considering how these incidents might have differed if Police were routinely armed, it is possible to conclude that more people (police and non-police) would have been shot.
13. There is also strong evidence to suggest that the risks to those with mental health-related issues, or people experiencing mental distress are much higher.
14. The evidence indicates that routine arming of Police would likely increase the number of subjects shot (including fatally). Estimates indicate that if Police firearms had been used in the 3,457 tactical option/use of force events that reached the threshold for firearm use (grievous bodily harm/death) over the last 11 years, it could have resulted in an additional 92 events involving Police shooting a subject (roughly 8 per year), resulting in 43 deaths.
15. Again, evidence suggests that using deadly force is connected to adverse consequences for officers involved, including Post-Traumatic Stress Disorder (PTSD).

III. Understanding the current benefits and implications of any change to our style of policing, which directly impacts on our ability to achieve the first two priorities.

Summary finding:

-  *General arming has the potential to negatively impact the relationship between Police and communities.*

Key insights from the ATS report

16. New Zealand Police aspires to a model of policing that means working alongside, and with the broad support of, the community. Public perceptions of whether Police's use of force is fair, reasonable, and proportionate impact the public's willingness to engage and work with Police.
17. Both international and New Zealand studies suggest that the routine arming of Police, and visibility of firearms, might negatively impact the relationship between Police and some members of the community (especially Māori, and other minority groups), affecting how these groups perceive and interact with Police.
18. Vulnerable communities, such as those with special needs, and those suffering a mental health crisis and their family/whānau, could be similarly impacted. However, there is limited evidence about the long-term impacts of routine arming on public perception.

Discussion

Overall, the review into general arming found inconclusive evidence as to any safety benefits to staff if Police was to adopt general arming. It also suggests that more people – including those with mental health issues - are likely to be shot and killed, and that this may have an impact on the mental wellbeing of any staff involved. There could also be negative implications for New Zealand's style and model of community policing.

It is always possible that in a particular scenario, having a firearm could provide a safety benefit. However, it is noteworthy that a review of critical incidents was unable to identify any events in which carrying a firearm would have saved the lives of Police or members of the public. Furthermore, as a policy question this needs to be considered at a system level, acknowledging there are also situations where having a firearm may escalate an event and have negative safety outcomes for staff, and potentially more officers being shot.

It is important to recognise the safety and efficacy benefits that exist from our current policy settings. It is Police's view that without clear evidence that general arming would provide an overall increase to safety outcomes across our collective frontline, we should not be quick to alter such a fundamental setting. The reality is that the opportunity to reverse course is unlikely to be feasible, should a move to general arming be made, regardless of the outcomes that later emerge.

The Executive notes that 'policing by consent', which underpins the modern policing model, will always be impacted (positively or negatively) by public perceptions on the use of force, and whether tactical options are considered fair, proportionate, and necessary. This directly impacts on the level of legitimacy policing has in the eyes of communities, which again impacts public levels of cooperation, support, and the willingness to come to Police's aid - or alternatively to work against Police. The [fourth Peelian principle](#) recognises that '*the extent to which the co-operation of the public can be secured, diminishes proportionately with the necessity of the use of physical force and compulsion for achieving police objectives.*'

The review noted that in the six OECD countries where Police are not routinely armed, training and tactical options vary. However, common elements include normalisation of specialist armed response units. These units have been trained in, and have access to, lethal and non-lethal tactical options.

This gap in the New Zealand context was identified through the Frontline Safety Improvement Programme, which resulted in approval for a new [Tactical Response Model](#). While retaining our generally unarmed service, and noting the model does not include any routinely armed teams, it does establish specialist units with advanced tactical training and equipment, to undertake targeted and high risk incident management. It also includes additional specialist

staff, enhanced tactical training for all frontline responders, and a new intelligence-based deployment model and technology.

The Tactical Response Model is designed to enhance the safety of frontline officers and communities, recognising that the use of tactical options and safety is not determined by an 'all or nothing' binary choice on arming. New Zealand Police is already one of the best equipped policing services, in terms of frontline officers having ready access to appropriate tactical options. These include TASER, Glock and Bushmaster Rifles in patrol vehicles if and when required, using the Threat, Exposure, Necessity, Response (TENR) risk assessment. Ultimately, the new Model is designed to enhance the overall capability of the frontline, and provide the specialist support needed to keep officers safe. This model will be evaluated as implementation begins across Proof of Concept areas, ahead of a planned national rollout in 2022/23.

Conclusion

In this context, and with reference to the findings of the *Appropriate Tactical Settings* report, it is the view of the Commissioner and Police Executive that ultimately, the case for general arming has yet to be made. The advice available suggests there is no clear evidence that general arming would increase staff safety and may increase the numbers of police officers and others being shot.

In coming to this position, and with the planned implementation of the Tactical Response Model over the next two years, it is noted that Police will continue to review this position as Police's operating environment evolves to ensure our staff, and our communities, are safe and feel safe