

5 July 2018

Dear [REDACTED]

I am writing to you in response to your request dated 22 May 2018. Your request was made pursuant to the Official Information Act 1982 and requested:

1. *How many licensed firearm owners were convicted of breaches of the Arms Amendment Bill in the last year of record?*
2. *How many licensed firearm owners in [each of the twelve Police districts] were convicted of a breach of the Arms Amendment Bill discovered during a random check in the last year of record?*
3. *How many licensed firearm owners in the [each of the twelve Police districts] were convicted of a breach of the Arms Amendment Bill discovered during their ten yearly renewal in the last year of record?*

You have asked about convictions for breaches of a *Bill*. While there is a private member's Bill known as the Arms (Firearms Prohibition Orders) Amendment Bill that has been introduced into the House, it is yet to have its first reading and until that Bill or any other becomes law, no one can be convicted for breaching it. I have therefore assumed that you intended to ask about *convictions* for breaches of Arms Act 1983.

For the purposes of responding to your request, I have interpreted "firearm owners" to mean "firearms licence holders".

With regard to question 1, below is the number of people who were convicted of any Arms Act 1983 offences in the last 12 months (12 June 2017 to 11 June 2018), while they had held a current firearms licence. I have broken the numbers down by the district where the offence had taken place because (as I will explain later) I am unable to provide any further information in response to your remaining questions. The district order below follows the order of the questions in your request.

Scene District	Firearms licence holders convicted of Arms Act offences in the last 12 months
Northland	3
Wellington	5
Southern	2
Waitemata	0
Tasman	2
Central	3
Eastern	2
Auckland City	0
Waikato	4
Bay of Plenty	8
Counties/Manukau	1
Canterbury	8
Total	38

With regard to your question 2, you referred to breaches discovered "during a random check". I have assumed (in light of your previous requests) that you meant random firearms security checks. Police does not conduct random security checks of those firearms licence holders who are licensed to possess A-category firearms. This is the majority of licence holders. However, in accordance with regulation 29 of the Arms Regulations 1992, Police is able to ask dealers and those who possess pistols, MSSAs, and restricted weapons to permit the Police to inspect those weapons in the place where they are kept. As you are already aware from previous correspondence with Police and an Ombudsman complaint (ref [REDACTED]), in the unlikely event an offence was to be discovered by Police during such an inspection, appropriate action would be taken but the number of cases where this might have occurred is not held (section 18(g) of the Official Information Act 1982).

Licence holders' conviction history is reviewed at time of application for a licence. Additionally, should a licence holder be charged with any offence, and depending on the nature of the offence, consideration is given to whether or not that person remains fit and proper to retain a licence. Each person holding a firearms licence must be fit and proper to continue holding that licence.

I trust you are satisfied with my response to your request. If not, you have the right, under section 28(3) of the Official Information Act 1982, to ask the Ombudsman to review my 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