

8 Apr 2019

Our Reference: IR-01-19-5842

[REDACTED]
[REDACTED]

Dear [REDACTED]

I am writing to you in response to your request dated 27 February 2019. You asked:

- *How many call-outs have police been to in the past year where firearms have been located?*
- *How many call-outs have police been to in the past year where firearms have been used by an alleged offender?*
- *How many call-outs have police been to in the past year where firearms had to be used by police officers for either protection or against an armed offender?*

Can EACH call-out be categorised under the appropriate category: ie. burglaries, robberies, property search, pursuit, failure to stop for officers, etc

Between 13 March 2018 and 12 March 2019, there have been 124 instances where Police seized firearms under section 6 or 18 of the Search and Surveillance Act 2012. These were not necessarily call-outs as in some instances, the Police were following up on a previous incident with an execution of a warrant. It would require a review of each individual file to summarise the circumstances leading to each event. However, the table below shows these by powers used which provide the general reason why the firearms were seized.

For reference, these are the powers Police can exercise when seizing firearms:

1. Section 18(1) and (2) warrantless search of person and/or any thing in the person's possession or under their control (including a vehicle) and seizure of arms found, because that person is in breach of the Arms Act 1983;
2. Section 18(1) and (2) warrantless search of person and/or any thing in the person's possession or under their control (including a vehicle) and seizure of arms found, because as a result of that person's physical or mental condition they may kill or cause bodily injury;
3. Section 18(1) and (2) warrantless search of person and/or any thing in the person's possession or under their control (including a vehicle) and seizure of arms found, because under the Domestic Violence Act 1995 there is a protection

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order in force or there are grounds to make an application against the person for a protection order;

4. Section 18 (3) warrantless entry and search of any place or vehicle, and seizure of any arms found, because there are reasonable grounds to suspect there are arms in that place or vehicle:
 - in respect of which a category 3 or 4 offence, or offence against the Arms Act 1983 has been committed, or is being committed, or is about to be committed; or
 - that may be evidential material in relation to a category 3 or 4 offence or an offence against the Arms Act 1983
5. Section 6 entry, search and seizure powers for arms authorised by search warrant.

Power Used	Number of events where firearms were seized
1	33
2	12
3	6
4	37
5	36
Total	124

Between 13 March 2018 and 12 March 2019, there have been 3,043 instances where Police recorded an offence of someone using a firearm unlawfully. Police record firearms-related offences (such as homicide with a firearm, robbery with a firearm) but this does not necessarily mean the firearm is discharged during each incident. In addition to these offences where a firearm was used, Police also record Arms Act 1983 offences, such as unlawful possession of a firearm or sale of a firearm without a licence – these offences are unlikely to involve a 'shooting' but they are incidents in which someone other than police has used a gun.

The count provided below is of occurrences, which means some of them may have multiple offences – for example a robbery with a firearm and unlawful possession of a firearm could be recorded on the same occurrence, this would provide you a count of two below even though one occurrence took place. The total below the table is of unique occurrences.

Class Description	Occurrences with firearms-related offences
Homicide	11
Robbery	172
Grievous Assaults	142
Serious Assaults	14
Minor Assaults	22
Intimidation and Threats	418
Family Offences*	82
Burglary	41
Arms Act Offences	2,365
Unique Total:	3,043

*For clarity, family offences here are those that specifically relate to the Domestic Violence Act 1995, specifically breaches of protection order with a firearm.

In the past year, Police attended five events where police officers had to use firearms. The term 'firearms used by police' is interpreted as those incidents when police have discharged a firearm at an offender. These are described below.

1. Suspicious vehicle, pursuit, failure to stop, approached police with a weapon.
2. Pursuit, failure to stop, passenger presented firearm at police.
3. Assault member of the public, pursuit, failure to stop, escapes police, warning shot fired into the ground.
4. Escapes court custody, pursuit, failure to stop, discharged firearm at police.
5. Family harm where firearm was discharged, assaulted police with a vehicle.

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



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