



Security and Storage of Firearms Public Submissions

**REPORT FOR THE SECURE STORAGE FCAF SUB-
COMMITTEE**

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SECTION A: INTRODUCTION AND SUMMARY OF SUBMISSIONS

Background

1. New Zealand Police established a Firearms Community Advisory Forum to act in a consultative and advisory capacity to Police.
2. The purpose of the Forum is to:
 - Provide a formal mechanism for representatives from the firearms community to input to the Police on policy relating to the Arms Act 1983 and the Arms Regulations 1992; and
 - Review and make recommendations for consideration by Police on firearms related matters.
3. In November 2016 a member of the FCAF raised concerns about the inconsistent methods used to secure firearms. In response police and FCAF members agreed to set up a sub-committee to review the future standards for the practical storage of firearms and ammunition. The sub committee's objectives are:
 - a) Review and develop policy to guide security requirements with particular reference to ensuring standards are 'fit for purpose'.
 - b) Maintain visibility over any future requirements and changes to ensure the standards and policy retain 'fit for purpose' status.
 - c) Actively communicate with the firearms community to ensure comprehension and compliance with the agreed standards.
 - d) Provide expertise, support and information in the relevant areas to ensure delivery of changes and enhancements that are sustainable.
 - e) Monitor and escalate any issues or risks that are relevant to the intent of the sub committee.

The Process Undertaken

4. The security sub-committee comprised members of the Firearms Community Advisory Forum (FCAF) and Police representatives or observers. FCAF representatives were Mr Michael Dowling, Ms Rachael Dean, Mr Jarrod Wright and Mr Trent Smith. Police representatives and observers were Mr Merv Beach, Mr Greg Nyhan, Mr Richard Smith, Senior Sergeant Paddy Hannon, Inspector Roly Williams, Inspector Dr Garth Den Heyer and Acting Superintendent Mike McIlraith.
5. The sub-committee met four times during 2017 to refine the initial drafts of the proposed policy. Three of the meetings were before the release of the consultation document and one after the release of the document. Not all listed representatives or observers were present at all meetings. Two consultation documents (an April version and a November version) were released on the Police website on the 16th of November 2017 with public submissions due on 1 December 2017.
6. The sub-committee did not meet to consider the submissions or the re-drafted policy but available sub-committee members were emailed drafts to comment on.

Submissions analysis

7. Police received a total of 113 submissions on the secure storage proposal documents, including four late submissions.
8. In addition a pre-formatted submission form developed by Firearms Owners United New Zealand (FOUNZ) was submitted 691 times. Of this, 295 included their name while the remaining 396 were signed off as FOUNZ member with no further identification. The FOUNZ submissions are discussed on page 20, paragraph 126 of this document.
9. The Police reviewed the 113 submissions and provided the draft submission report and updated policy to available FCAF sub-committee members. During February and March 2018, available sub-committee members provided feedback via email. Other than minor wording amendments, the sub-committee did not have any disagreement with the Police comments on the submissions and updated policy.
10. A table of the submissions received covering the issues raised is attached, see Appendix One.

SUMMARY OF SUBMISSIONS

11. Of the 113 submissions, six were received from professional organisations or clubs, with a further two submissions from people affiliated with organisations. Of the remaining 105, all were from individual submitters.

SECTION B: THE MAIN ISSUES WITH TEN OR MORE SUBMITTERS

12. This section discusses the main issues that received comment from ten or more submitters.

B.1 Creation of a new sub category of Category A Semi-Automatics

13. 61 of the 113 submitters suggested that the Police were attempting to re-write Regulations by proposing separate storage requirements for A Category semi-automatic firearms. This was seen as creating a subcategory of A Category firearms.
14. Some representative comments from submissions are provided below:

"Under proposed storage policy the 'A' category arms are now split into types. This is NOT in accordance with law. Why are you separating semi-auto .22s from other sporting arms?".¹

"Police are attempting to re-classify (by their own internal policy) A Cat semi-automatics into their own security requirements separate from other A Cat firearms. Police cannot change the classification of firearms by making an Order-in-Council".²

Sub-Committee Comments

15. The sub-committee's view is that there was no intention to create a subcategory of A category firearms. The section on security for A category firearms has been reworded to remove this impression.

¹ Submission #11, Mike Loader.

² Submission #73, William Ormsby.

B.2 Affixing safes to two surfaces, eliminating wooden racks, creating the need for strong-rooms and the definition of “stout”

16. 52 of the 113 submitters outlined their opposition to the need to fix safes to two surfaces and that this would not reduce theft and burglary. In addition they stated that wooden racks have been satisfactory in reducing accidental deaths in conjunction with other current safety measures and the strong-room suggestion is not practical. Further comment discussed the unclear definition of “stout” and the inconsistency in its application and that nothing in the proposal document would clarify this.
17. Some representative comments from submissions are provided below:

“I would like to make a point that the attempt to phase out racks and wooden cabinets for A Cat firearms by this method is unlawful because both are expressly allowed by Regulations”.³

“The definition of stout is very poor. The only way this can possibly be assessed is by the destruction of the cabinet (I’m sure not many owners would be happy with that!)”.⁴

“I further disagree with the requirement for all restricted firearms to be kept in a strong room OR a room of stout construction AND a steel/box/safe/cabinet. This would require renovations to houses and if renting would be unrealistic”.⁵

“Your guideline that cabinets of stout construction be affixed to the building on two surfaces in which they are housed is not a requirement of either the Arms Act or the Arms Regulations”.⁶

Sub-Committee Comment

18. The sub-committee view is that wooden racks are not an appropriate form of security and can be easily broken. Secondly, wooden racks are usually used for display purposes rather than security. The need to fix a safe to two solid surfaces has been Police’s standard practice for a number of years and has been complied with previously by firearms owners.

B.3 Police are creating law and changing legislation outside their authority

19. 50 of the 113 submitters commented that Police has overstepped their authority and is attempting to turn policy into legal requirements. Further comments stated that if Police wants law change they should go through the correct process.
20. A representative sample of comments from submissions is provided below:

“I am concerned police is looking to impose restrictions that are not written into legislation”.⁷

“There are issues with both proposals because any police policies and practices must be consistent with the law; and neither is”.⁸

³ Submission #20, Jacques Olivier.

⁴ Submission #21, Alec Whatmough.

⁵ Submission #77, Kent Wheeler.

⁶ Submission #97, Mike Sheppard.

⁷ Submission #61, Jason Harris

“The rules and regulations should be written clearly, objectively and concisely and set by statute so that the Police can feel no need to create their own set”.⁹

“This is frankly offensive, New Zealand licensed firearms owners are by definition a law abiding group of people yet here is a body whose responsibility it is to uphold the law, trying to introduce through a back door some form of contract that binds a firearms owner to Police policy”.¹⁰

Sub-Committee Comment

21. The sub-committee’s view is that there was no intention to rewrite the Arms Act or Regulations. The document has been re-written to remove the impression that the recommended best practices constitute legal requirements.

B.4 Minimal Time to allow Responses

22. 32 of the 113 submitters commented that the timeframe given was in bad faith and showed that Police was not serious in its consultation. There was also strong opposition towards the process undertaken and the lack of information given to the firearms community.

23. A representative sample of comments from submissions is provided below:

“I note however that there has been little publicity regarding this consultation and I have only become aware of this through social media. I also note I am disappointed in the significant lack of notice before the consultation closes”.¹¹

“Meeting the timing of the Security Sub Committee and the draft release has given the impression that no serious consultation has taken place”.¹²

“I write with serious concerns about the proposed changes to firearms storage regulations. These concerns are two fold, the manner and time frame in which submissions were called for and the proposed changes themselves”.¹³

Sub-Committee Comment

24. The sub-committee notes that Police accept that while it had placed the consultation documents on its website and notified members of FCAF, some members of the firearms community were not aware of the documents and the consultation process.

25. Police accepts that the time allocated for consultation was too short.

B.5 There has been no evidence provided that the current laws around security are not working

26. 31 submitters stated that the current laws are sufficient and no contrary evidence has been supplied, including break-in statistics, to justify the proposed changes.

27. A representative sample of comments from submissions is provided below:

“I believe the current system where cabinets are checked by an arms officer allows sufficient flexibility to capture the range of solutions far better than a blanket ban on anything other than standard XYZ”.¹⁴

⁸ Submission #9, Richard Lincoln

⁹ Submission #21, Alec Whatmough

¹⁰ Submission #69, Ian MacAulay

¹¹ Submission #69, Ian MacAulay.

¹² Submission #14, Paul Clark

¹³ Submission #83, Craig Benbow

“The outline of the security requirements state: “prevent access by children, prevent access by unlicensed persons, and prevent theft”. The current requirements are perfectly sufficient for this”.¹⁵

“The majority of law abiding firearms owners are compliant with the laws and understand and are willing to comply with current laws. We see this compliance in the large number of firearms licences held and the very low rate firearms crime and firearms accidents in New Zealand”.¹⁶

Sub-committee comment

28. The sub-committee reiterates that the document is not intended to constitute any departure from existing legislation, but is a guide to best practice for firearms licence holders to follow.

B.6 These changes are aimed at lawful firearms owners

29. 18 submitters suggested that these proposals would only impact on lawful firearms users, who are already compliant and that they would do nothing to affect the rate of burglary or improve safety.

30. A representative sample of comments from submissions is provided below:

“Please note that we are not opposed to firearms being secured against theft or unsuitable persons. Firearm security is taken seriously by most licenced shooters. However, we feel that we are constantly being targeted for problems that don’t stem from our sports and hobbies.”¹⁷

“With regard to the proposals themselves I have serious concerns that yet again law abiding citizens are being required to institute security measures that should not be required if the rate of burglary was addressed by agencies responsible”.¹⁸

“Why do NZ Police so stubbornly attack licenced firearm owners?”.¹⁹

Sub-committee comment

31. The sub-committee reiterates that the document is not intended to constitute any departure from existing legislative requirements on firearm licence holders, but is a guide to best practice for them to follow.

B.7 Receipt Portion should be removed

32. 22 submitters specified opposition to having to sign a ‘contract’. This was a draft document attached to the consultation document constituting a receipt to be signed by applicants for licences or endorsements acknowledging receipt of the Police’s Security Conditions and Requirements.

33. A representative sample of submission comments is provided below:

“This is absolutely outrageous when you consider that the highlighted part of the quoted text (on the contract) is Police policy not law”.²⁰

¹⁴ Submission #8, Andrew Jefferies

¹⁵ Submission #12, Joshua Papworth

¹⁶ Submission #101, Tony Bruce

¹⁷ Submission #100, Brad McAloon.

¹⁸ Submission #83, Craig Benbow.

¹⁹ Submission #66, Jeremy Hansen.

²⁰ Submission #23, Kevin G Fewtrell.

"Also, I will not be signing anything that circumvents the arms act!"²¹

"The guidelines given in this document do NOT have any lawful basis and it is unreasonable to demand, upon pain of loss of licence that such guidelines be adhered to".²²

Sub-committee comment

34. The sub-committee decided that this receipt should not be proceeded with.

B.8 Unfair and Impractical for those renting

35. 18 submitters stated that being in a rental property would prevent someone from complying with some of the Police policy proposals.

36. A representative sample of comments from submissions is provided below:

"Having to increase ones security simply because they own a semi-automatic weapon for legitimate sporting use, will cause significant problems for those of us renting, also way out of line with the Arms Act 1983".²³

"People who live in rental properties will find it exceedingly difficult to comply with this, as the landlord will not allow the conversion of a room into one of stout construction"²⁴.

"Furthermore I disagree with the requirement for all restricted firearms to be kept in a strong room or a room of stout construction AND a steel box... This would require people to make renovations to their houses costing significant amounts and may not be possible if rentin"²⁵

37. Two submitters stated it would not be a major issue as long as tenants converted any changes back once their tenancy ended.

38. Comments from those two submissions are provided below:

"I have put a gun safe in a rental house and it was wasy to install and correct once you leave"²⁶

"Most Landlords do however have a clause that any changes made to the property must be 'put right' on leaving the property"²⁷

Sub-committee comment

39. The sub-committee view is that the document presents existing policy with regard to compliance required by those residing in rental properties. This has been previously complied with.

B.9 Harsher penalties for those who commit crime and contraven firearms law

40. 19 Submitters stated that the penalties for theft/burglary and other firearms crime needs to be higher and the Courts need to hand these down.

41. A representative sample of comments from submissions is provided below:

²¹ Submission #27, Stephen Howe.

²² Submission #78, Gerard Sharp.

²³ Submission #12, Joshua Papworth.

²⁴ Submission #24, Ivo Dimitrov.

²⁵ Submission #77, Kent Wheeler.

²⁶ Submission #1, Jan Hains

²⁷ Submission #64, Property Investor Forum.

*"The biggest issues is the lack of punishment from the Courts for repeat offenders"*²⁸

*"Any consideration of security MUST come with a demand from police for a ten year mandatory minimum non-parole sentence for anyone who steals a gun. Or it is all a joke."*²⁹

*"Maybe we do need to bring back the death penalty. Executed criminals never reoffend, and also stop causing a financial problem for society."*³⁰

Sub-committee comment

42. The sub-committee's view is that a review of penalties for offences in the Arms Act 1983 or for burglary of firearms is not within scope of the review of secure storage.

B.10 Opposition to using British Standards

43. 15 Submitters opposed the use of British standards in New Zealand guidelines stating that Britain has very different firearms laws to those in New Zealand.

44. A representative sample of comments from submissions is set out below:

*The November draft eventually demands containers be made to British Standards (BS 7558). No one will know for sure that the safe is 'certified' and will need to get it checked. To get certified will cost firearms owners."*³¹

*"It is patently unfair to adopt the British Standard 7558 as our standard for security. The British for all intents and purposes have a ban on firearms for civilians. This ban does not stop criminals getting hold of firearms, it just makes the prospect of owning a firearm for law-abiding sports shooters financially unviable. Once again, the law targets the wrong people."*³²

*"Meeting the British standard. This is very objectionable. The BS (British Standard) 7558 requires almost \$200 NZD to view. Any and all requirements referred to by New Zealand Police must be available free of charge up on the New Zealand Police website."*³³

Sub-committee comment

45. The sub-committee view is that this standard has been used as a guideline for a number of years to assist in the design of secure storage. The standard is only a guideline to attempt to gain consistency while each storage system will continue to be assessed on a case by case basis.

B.11 No cost/benefit analysis completed, and no hard evidence for change

46. 13 Submitters commented that no cost benefit analysis had been provided in order to support why change is required, and what benefits Police, society and firearms owners would get from any compliance costs.

47. A representative sample of comments from submissions is provided below:

²⁸ Submission #5, Chris Wharepapa.

²⁹ Submission #11, Mike Loder.

³⁰ Submission #14, Paul Clark.

³¹ Submission #3, David Buck.

³² Submission #12, Joshua Papworth.

³³ Submission #78, Gerard Sharp.

“How can an individual or group sensibly comment on proposals without an estimation of costs and benefits? No data on cost/benefits means that the proposal contains insufficient information upon which to base decisions for licence holders to submit on. Whats more licence holders are in effect being asked to take on an unknown cost for an unknown benefit. This is both unfair and unreasonable and is a total frustration of process.”³⁴

“Has anyone in the NZ Police done a cost/benefit analysis on the proposed changes, bearing in mind that you are dealing with over a quarter of a million licenced firearms holders, and growing?”.³⁵

“This is a nonsense and an unnecessary inconvenience of cost and replacement of storage devices for those who are currently within the law in using any of the current methods of storage for their centrefire A Cat semi-automatic rifles”.³⁶

Sub-committee comment

48. The sub-committee view is that the document was developed on the basis of existing legislation and practice and did not include any proposals to change legislation.

B.12 The document format and presentation was poor

49. 15 Submitters commented on the style and format of the documents. Comments ranged from the poor grammar and lack of proof reading, its incomplete structure, that it was unclear and confusing, through to lack of clarity as to which version was being proposed.

50. A representative sample of comments from submissions is set out below:

“Not very well proof read and confused legal requirements with police policy guidance.”³⁷

“Which draft is actually being proposed? The differences are often subtle, although some not so subtle, and therefore providing two drafts could be easily interpreted as disingenuous in intent.”³⁸

“Poor grammar and other basic errors make it look like Police have rushed this.”³⁹

Sub-committee comment

51. The sub-committee notes that Police accepts that some confusion was created by the release of two documents. It is keen to ensure that presentation of subsequent drafts of the document meet accepted standards.

B.13 Theft and burglary cannot be prevented regardless of measures

52. 11 submitters commented on theft and burglary. Some suggested that harder security measures will create harder criminals i.e. criminals will lay in wait for firearms owners and force them to give entry. Other comments stated that no matter what measures are put in place theft will never be eliminated.

53. A representative sample of comments from submissions is provided below:

³⁴ Submission #39, Ian Welsh

³⁵ Submission #87, Brian Farrell.

³⁶ Submission #19, Craig Carey.

³⁷ Submission #78, Gerard Sharp

³⁸ Submission #28, Raymond O'Brian.

³⁹ Submission #7, Mark Wheeler.

“With regard to unlawful acquisition of firearms, no regulations will provide any significant impact. No matter how good a security system is, it can and may be defeated.”⁴⁰

“If thieves are motivated to take something they will find a way, that is why I suggest the better deterrent is increasing the risk to thieves by increasing the punishment.”⁴¹

“These changes are especially ludicrous given that police, never mind the media, don’t know where criminals are actually sourcing their firearms from, a fact which has been admitted by the police force themselves. Their response is to make it harder for law abiding firearms owners rather than identifying the sources and stopping them.”⁴²

Sub-committee comment

54. The sub-committee view is that that guidelines will assist with informing firearms owners as to recommended best practice to minimise the opportunity for firearms to be stolen during a burglary.

SECTION C: THE MAIN ISSUES WITH LESS THAN TEN SUBMITTERS

55. This section discusses the main issues that emerged from the submissions with less than ten submitters.

B.14 Concentrate on the criminals

56. Nine submitters were specific that police should concentrate their resources on criminals.
57. A representative sample of comments from submissions is provided below:

“My issue is that if the problem is theft of firearms, the proposal only aims its requirements at the legitimate owners.”⁴³

“The under resourcing of our Police Force should not be further stretched by any more regulation with dubious benefits. They should be able to target the REAL CRIMINALS, which the best will and security in the world will not prevent the latter from stealing and dealing in stolen firearms.”⁴⁴

“Of the 537 firearms stolen in the fiscal year 2016 – 2017 only 24 were recovered, this is a poor recovery rate.”⁴⁵

Sub-committee comment

58. The sub-committee view is that the guidelines will assist with informing firearms owners as to recommended practices in minimising the opportunity for firearms to be stolen during a burglary.

B.15 Agree with specified safes and improved security if done correctly

⁴⁰ Submission #21, Alec Whatmough.

⁴¹ Submission #31, Chris Gee

⁴² Submission #90, Campbell Doak.

⁴³ Submission #18, Chris Sloper.

⁴⁴ Submission #29, Bruce Y Walker.

⁴⁵ Submission #37, Peter Keyzers.

59. Eight submitters commented they are supportive of good security, with some saying that the problem is the process police has undertaken, while others said that current security is good enough.

60. A representative sample of comments from submissions is provided below:

"I support more secure storage of firearms, I support a consistent policy re-storage for the whole country; there is currently no evidence of the targeted firearms being the choice by criminals".⁴⁶

"In general the thrust and detail of the document is supported where it applies to Not endorsed firearms."⁴⁷

"I have no objection to the general principal of increased security requirements for firearms license holders, but police is trying to implement their policy as law."⁴⁸

Sub-committee comment

61. The sub-committee's view is that the guidelines will assist with informing firearms owners as to the recommended best practice to minimise the opportunity for firearms to be stolen.

B.16 Non-compliance from lawful owners

62. Six submitters noted that increases in security requirements that are not based on evidence and are costly will encourage some currently law abiding firearms owners to become non-compliant.

63. A representative sample of comments from submissions is set out below:

"Such a change would place a burden on legitimate firearms users that would outweigh any perceived benefit, and likely incur higher compliance/auditing costs for the Police; furthermore, as with many changes to firearms legislation regarding licencing and legitimate users, this would likely have no significant effect on illegal users."⁴⁹

"This would require firearms owners who own the said firearms to require expensive new storage – it may mean also that instead they choose to hide the firearms rather than pay that extra cost, an action that would negate the very purpose of good storage."⁵⁰

"Let's say someone has collected every .22 because they have been reasonably cheap to buy and they have 80 firearms, so instead of buying 8 to 10 gunsafes to house 10 guns each they just buy 2 and hide the rest instead of having to fork out a large amount of money that this would require."⁵¹

Sub-committee comment

64. The sub-committee view is that the guidelines are based on existing legislation and practices and do not impose any additional legal requirements on firearms owners.

B.17 Earlier April draft preferable

⁴⁶ Submission #50, Alec Gale.

⁴⁷ Submission #49, NZ Deerstalkers Associated In.

⁴⁸ Submission #92, Guy Brown.

⁴⁹ Submission #43, Anthony Blythen.

⁵⁰ Submission #50, Alec Gale.

⁵¹ Submission #91, Murray Barkman.

65. Five submitters specified they preferred the April draft to the November draft.
66. A representative sample of comments from submissions is provided below:

*"The earlier April 2017 is preferable."*⁵²

*"The April 2017 proposal is preferable and defines the storage requirements suitably."*⁵³

*This is what was contained in your April 2017 draft and I would submit that you should revert to that draft."*⁵⁴

Sub-committee comment

67. The sub-committee notes that Police acknowledges that the release of two different versions of the document was confusing. Both drafts have been merged into a final draft.

B.18 Vetting staff

68. Four submitters mentioned that there was no reference to consistency in the application of proposals by vetting staff.
69. A representative comment from submissions is provided below:

*"A well written set of rules will make assessment simple and consistent by the vetters; the current draft does not provide this. There is known to be considerable differences of opinion between vettors now, and that needs to be rectified".*⁵⁵

Sub-committee comment

70. The sub-committee view is that the guidelines will provide Police firearms vettors with the basis for national consistency.

B.19 No compensation offered

71. Four submitters mentioned that there was no mention of compensation for the draft proposals.
72. A representative comment from submissions is set out below:

*"Unjustified extra expenses being applied onto new and existing sport shooters once again, with no justification or compensation offered."*⁵⁶

Sub-committee comment

73. The sub-committee view is that the document is based on current legislation and practice and there are no additional requirements in relation to secure storage.

B.20 Inconsistent application of the separation of ammunition and firearm

74. Four submitters mentioned that there was inconsistency in Police's separation of ammunition from firearms in the draft document.
75. A representative comment from submissions is set out below:

⁵² Submission #3, David Buck.

⁵³ Submission #4, Brigitte Grabowski.

⁵⁴ Submission #8, Andrew Jefferies.

⁵⁵ Submission #21, Alec Whatmough.

⁵⁶ Submission #96, Wairarapa Pistol and Shooting Club.

“One step is distance. This can be included simply by NZ Police interpreting the “SEPARATE” storage of parts and ammunition, magazines, and bolts to mean “in a separate room” in addition to usual storage requirements.”⁵⁷

Sub-committee comment

76. The sub-committee notes that the final draft of the document has been amended to clearly identify that ammunition should be stored separately from a firearm.

B.21 Wrong email address given

77. Eight submitters specifically mentioned that there was an incorrect email address provided.

78. A representative sample of comments from submissions is set out below:

“Resent due to incorrect email address being given by Police.”⁵⁸

“The provision of an incorrect email address for responders also suggests a deliberate desire to stymie fair interaction with all groups who will be potentially affected.”⁵⁹

“Due to negligent behaviour, the police have effectively given license holders about a week to make a submission due to only alerting us of this policy a few weeks prior and then initially providing the wrong email address.”⁶⁰

Sub-committee comment

79. The sub-committee advises that Police acknowledges this error and apologises for any confusion this may have caused.

B.22 Erosion of trust in Police

80. Three submitters specifically mentioned that the process undertaken by Police has further eroded the trust in Police from the firearms community.

81. A representative sample of comments from submissions is set out below:

“If the NZ Police are hoping to increase standing amongst the NZ firearms fraternity this has to be an object lesson in how to fail miserably.”⁶¹

“trust in the Police has been eroded.”⁶²

Sub-committee comment

82. The sub-committee advises that its membership comprised both representatives of firearms owners and the Police. The representatives were extensively involved with the drafting of the document and the final document represents the views of the full sub-Committee.

B.23 The document was not given to FCAF prior to public release

⁵⁷ Submission #56, Peter Ripley

⁵⁸ Submission #19, Craig Carey.

⁵⁹ Submission #62, Murray Sulzberger.

⁶⁰ Submission #95, Dieuwe De Boer.

⁶¹ Submission #62, Murray Sulzberger.

⁶² Submission #28, Raymond O'Brian.

83. Three submitters questioned the reason the full Firearms Forum members were not consulted prior to releasing the draft proposals publicly.

84. A representative sample of comments from submissions is set out below:

*"My other concern is that the Police has gone public with the combined Police/advisory subcommittee draft without first giving the full FCAF time to consider and comment."*⁶³

*"Do not support the changes. No consultation with FCAF before circulated to public".*⁶⁴

Sub-committee comment

85. The sub-committee view is that this statement is incorrect. The document was developed by the FCAF Security Sub-Committee in accordance with the Sub-committee's Terms of Reference (ToR), which included reviewing and developing policy to guide firearms security requirements. The ToR were consulted with the full FCAF.

B.24 Need more images of 'correct' safes

86. Three submitters stated that there needed to be more images of suitable safes so people could view these.

87. A representative comment from submissions is set out below:

*"The images shown of acceptable steel cabinets are probably E Cat safes and images of acceptable A Cat safes should also be shown that would carry 2/3/4/5 guns."*⁶⁵

Sub-committee comment

88. The sub-committee notes that photos in the document now include images of specific storage devices.

B.26 Remove the word 'intent' from proposal

89. Two submitters stated that the word 'intent', in the 'background' section of the document (November version), should be removed. This refers to the sentence "The New Zealand Police administers the provisions of the Act and delivers services and enforcement to meet the intent of the Act."

90. A representative comment from submissions is set out below:

*"Remove 'intent' wording and adhere to the police mandate of enforcing law as a police function under the Police Act 2008."*⁶⁶

Sub-committee comment

91. The sub-committee notes that the amended document does not include the sentence referred to above.

B.27 Final date for document release

⁶³ Submission #15, Joe Green.

⁶⁴ Submission #52, Neil Hayes.

⁶⁵ Submission #2, National Rifle Association.

⁶⁶ Submission #62, Murray Sulzberger.

92. Two submitters stated that the final document proposal date was unreasonable.

93. A representative comment from submissions is set out below:

*"In summary, both the consideration time available to the public and the proposed finalisation date of this policy are unreasonable if genuine consultation and a quality, equitable policy is to be formulated."*⁶⁷

Sub-committee comment

94. The sub-committee notes that Police acknowledges that the time allocated to consultation was too short.

B.28 Security of firearms needs to be reasonable and consistent

95. Two submitters stated that any security 'rules' need to be consistent and reasonable.

96. A representative comment from submissions is provided below:

*"But I must firstly express there is a clear need for firearms security to be both consistent and reasonable, with guidance documents such as this remaining within the definition of the Arms Act. Unfortunately, both of these documents have failed on all counts and in my opinion, require a drastic rewrite."*⁶⁸

Sub-committee comment

97. The sub-committee view is that the policy in the document is consistent and reasonable and is based on existing legislation and practice.

B.29 Legislation not cited

98. Two submitters were of the view that legislation needed to be cited to 'legitimise' the guidelines.

99. A representative comment from submissions is set out below:

*"If these guidelines are to be legally binding for a licensee, the governing legislation should be cited in order to legitimise the policy, otherwise the policy will remain a collection of security "options"."*⁶⁹

Sub-committee comment

100. The sub-committee notes that the document has been amended to include references to appropriate legislation and also quotes in full relevant sections of that legislation.

B.30 Police under resourced

101. Two submitters were of the view that Police are underresourced in the firearms area.

102. A representative comment from submissions is set out below:

*"The under resourcing of our Police Force should not be further stretched by any more regulation with dubious benefits."*⁷⁰

⁶⁷ Submission 38, Shane Borrell.

⁶⁸ Submission #2, Mark Fleet.

⁶⁹ Submission #46, Patrick Turner.

⁷⁰ Submission 29, Bruce Y Walker.

Sub-committee comment

103. The sub-committee notes that consideration of Police resourcing was not within the scope of the review on secure storage guidelines.

B.31 Illegal importation ignored

104. Two submitters commented that illegal importation of firearms should be viewed as a source of illegal supply.
105. . A representative comment from submissions is set out below:

*"Of course, the majority of criminally held firearms are bought into the country illegally from overseas. Think a criminal gang bringing in a metric ton of meth isn't bringing in a few rifles too?."*⁷¹

Sub-committee comment

106. The sub-committee notes that consideration of the illegal importation of firearms was not within the scope of the review on secure storage guidelines.

B.32 Regulation 29 should be expanded to all firearms

107. Two submitters mentioned extension of Regulation 29 to all firearms.
108. A representative comment from submissions is set out below:

*"My notes for suggested changes to the regulations include regulation 29. I think that this power of inspection needs to be extended to all firearms. In the draft I question the ability of a contractor to exercise this power of entry and inspection. The power is specific to a member of Police."*⁷²

Sub-committee comment

109. The sub-committee notes that reviewing the current Arms Regulations, including Regulation 29, was not within the scope of the review on secure storage guidelines. The guidelines are intended to be consistent with current legislation and practice.

SECTION D: ONE SUBMITTER ISSUES

B.33 Retail security

110. One submitter commented as below on retail security:

*"Taken literally the proposed recommendations would put very severe conditions on the storage and display of firearms and ammunition in retail shops."*⁷³

Sub-committee comment

111. The sub-committee view is that there are no changes to the security requirements for dealers in respect of the sale and display of firearms.

B.34 There should be a summary for ease of comparison

⁷¹ Submission #78, Gerard Sharp.

⁷² Submission #51, Chaz Forsyth.

⁷³ Submission #14, Paul Clark.

112. One submitter expressed the view there should be a summary attached for clarity, as follows:

*"The suggested requirements are very complicated and my experience suggests there should be a separate short summary page that refers to those requirements."*⁷⁴

Sub-committee comment

113. The sub-committee's view is that the document has been extensively re-drafted to aid in understanding and to clearly present the security guidelines.

B.35 Agreed with increased security

114. One submitter agreed that security needed to be increased, as follows:

*"I agree with the intent that a standard should be specified for safes; this should give assurance to owners that if a safe is built (and certified by the manufacturer) to the standard, it will meet storage requirements if it is installed in the appropriate manner."*⁷⁵

Sub-committee comment

115. The sub-committee accepts this comment and is confident that the document will aid in ensuring consistent and reasonable storage of firearms.

B.36 Improve things under current system

116. One submitter specifically stated they wish to see Police improve things under the current system, as follows:

*"The current regulations are very good and are sensible I don't support any of the changes proposed in the November draft document. I feel the police do not enforce the current rules adequately in relation to criminals and their offending."*⁷⁶

Sub-committee comment

117. The sub-committee view is that the intention of the document is to improve the provision of secure storage guidance to firearms owners, consistent with the current regulations.

B.37 Need an implementation date

118. One submitter stated that dates would be helpful, as follows:

*"What are the approximate dates for proposed implementation too, so that changes, if any, can be made (and saved for!) in a timely manner. If the changes proposed are as suggested, a timely release of implementation dates would be of great help."*⁷⁷

Sub-committee comment

119. The sub-committee view is that implementation dates are not included as the document is based on existing legislative requirements and does not constitute new legal or policy requirements.

⁷⁴ Submission #16, John Howat.

⁷⁵ Submission #58, Albronni.

⁷⁶ Submission #55, Blair Hamilton.

⁷⁷ Submission #53, Kathryn Truscott.

B.38 Police could offer higher security

120. One submitter stated

*"If you want to improve security and have less firearms getting into the hands of criminals I suggest you consider having a secure storage option at police stations."*⁷⁸

Sub-committee comment

121. The sub-committee notes that consideration of the specifications for armories at police stations was not within the scope of the development of the secure storage policy.

B.39 Document does not address Ranges

122. One submitter specifically mentioned security on Ranges, as follows:

*"I am writing to you to apprise you regarding a serious issue "Safekeeping Of Guns In Shooting Ranges/ Clubs."*⁷⁹

Sub-committee comment

123. The sub-committee view is that the consideration of the security at ranges was not within the scope of the development of the secure storage policy.

B.40 Steel cable or chain not mentioned – leaves open to interpretation

124. One submitter stated

*"Pleased that the steel cable or Chain and lock are not mentioned, maybe should comment that they are now unacceptable".*⁸⁰

Sub-committee comment

125. The sub-committee notes that the redraft of the document includes reference to the use of chains and steel cables.

SECTION E: SUGGESTED CHANGES BY SUBMITTERS

B.41 Numerous Submitters Suggested changes

126. Numerous submitters put forward suggested changes, many were not within the scope of the review, three are bulleted pointed as follows:

- *High capacity magazines be restricted.*
- *Practical experience and test for new licence applicants.*
- *Cheaper in the long run to have security cameras fitted.*

Sub-committee comment

127. The sub-committee notes that the consideration of the availability of high capacity magazines and testing of new licence applicants was not within the scope of the

⁷⁸ Submission #27, Stephen Howe.

⁷⁹ Submission #71, Kanwarjit Hanspal.

⁸⁰ Submission #2, National Rifle Association NZ.

review on secure storage guidelines. The submission pertaining to the use of security cameras has been included in the “General Security of Building” section which comprises of other suggested security measures.

SECTION F: FIREARMS OWNERS UNITED NEW ZEALAND PRE-FORMATTED SUBMISSIONS

128. As outlined in the summary of submission section, a pre-formatted submission form developed by Firearms Owners United New Zealand (FOUNZ) was submitted 691 times. Of these, 295 included their name while the remaining 396 were signed off as a FOUNZ member with no further identification.
129. Each of these submissions covered the following six issues:
1. They have effectively given licence holders 1 week to make a submission.
 2. Police are attempting to reclassify A Cat semiautomatics into their own security requirements.
 3. Police will force you to agree to the requirements of their policy (and possibly all future illegal and ultra vires policies) by signing a contract.
 4. Police have mixed policy with law giving the impression to licence holders that this document is the law. Policy and legal requirement should be separated clearly and concisely to avoid confusion
 5. These policies directly affect those who do not own their own home by forcing onerous security requirements that may not be possible for those renting a house
 6. A situation now exists where police believe they have authority to implement their policy as law which they do not

Sub-committee comment

130. The sub-committee notes that these views are already covered in the above list of issues raised by submitters which the sub-committee has already responded to.