

## Submission on Review of the Arms Act 28 February 2025

The Social Hazards Committee of the Justice & Peace Commission of the Catholic Diocese of Auckland undertakes advocacy and education for social justice on behalf of the Diocese.

Our submission is based on the recognition of the human dignity and right to protection of all members of society particularly the most vulnerable.

We believe that it is important that appropriate controls are in place to protect members of the public from the misuse of firearms.

In particular, we are supportive of

1. Keeping in place the ban on prohibited **semi-automatic firearms** – this was the main aim of the legislation introduced after the Christchurch attacks. We have a moral duty as a nation not to water down this social commitment to protect the lives of people in this land.
2. A complete ban on **pistol carbine conversion kits (PCCKs)** whose main function is to simulate the experience of shooting prohibited military-style assault rifles. These are currently being advertised in New Zealand as turning a ‘standard handgun into a rock solid personal defense and special operations weapon system’.<sup>1</sup> The use of guns for self-defence is not a permitted reason to become a licenced firearms owner and all pistols in New Zealand that are owned by civilians are solely for sporting purposes. The legal use of PCCKs undermines this requirement.
3. Shortening the **licence period** from 10 to 5 years, as in UK, Canada and Australia. People’s circumstances such as relationship breakdowns leading to insecure housing, address changes, loss of employment and online radicalisation can change significantly over 10 years. Some of these changes may have impacted on their fit and proper status to hold a firearms licence. The case for a 5 year period was outlined very clearly in the Regulatory Impact Assessment attached to the 2019 Arms Legislation which concluded ‘the public safety benefits outweigh the additional costs.’<sup>2</sup>
4. Establishing a **new licence renewal period** of three years for those under 30. 50% percent of first time licence applicants are aged between 16 and 30 years of age. Of those aged 16-19 when first issued a firearms licence, 31% had been convicted of an offence by the time they reach 20 and 45% by the time they reach the age of 30.<sup>3</sup> These disturbing risk factors for young people with gun licences strengthen the need for a **three year** renewal period for those under 30.

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<sup>1</sup> Jeremy Wilkinson ‘Kits to convert pistols into weapons similar to military style semi-automatic firearms still legally being sold’ RNZ 30 August 2019 <https://www.rnz.co.nz/news/national/397773/kits-to-convert-pistols-into-weapons-similar-to-military-style-semi-automatic-firearms-still-legally-being-sold>

<sup>2</sup> <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/regulatory-impact-assessment-regulatory-impact-analysis-arms-legislation-bill/> p.33

<sup>3</sup>ibid p.31

5. Increasing the **minimum age** for holding a firearms licence to 18, as it is in Australia. This would substantially reduce the risk factors outlined above associated with young people and guns.
6. Establishing a minimum age of 10 years of age be introduced, as it is in Australia, for **children using firearms** under the supervision of someone who holds a firearms licence. Young children are particularly affected when exposed to lead. The lack of regulation in this area can cause lead poisoning leading to reduced intelligence and behaviour problems.<sup>4</sup>
7. Requiring collectors and theatrical and film-set armourers to **permanently disable** their prohibited semi-automatic firearms, as in Australia. This is sensible provision given the number of cases involving gun collectors such as the 1994 double murder of the Thomases in Wellington<sup>5</sup>, the 2009 Napier siege resulting in the murder of a police officer<sup>6</sup>, and the 2022 attempted murder of his landlord by Christchurch eye surgeon Dr Ian Dallison who used guns from his 200 gun collection.<sup>7</sup>
8. Requiring a firearms licence to purchase **lethal airguns** given their rapid increase in the firepower in recent years.<sup>8</sup>
9. Requiring the notification of the **private sale of all firearms** in New Zealand. Failure to require this is a major source of the transfer of guns from a registered gun owner to criminals. In particular it resulted in the acquisition of the firearm that killed Constable Matthew Hunt.<sup>9 10</sup>
10. Expanding the provisions in section 24A(1) that someone may not be a **fit and proper person** to include offences such as drunk or dangerous driving or offences under the Health and Safety at Work Act 2015. A US longitudinal study showed that gun owners with prior convictions for drunk driving were more than four times as likely to be arrested for murder, rape, robbery or aggravated assault as those with no prior convictions.<sup>11</sup> Also, applicants who have lived for more than 6 months in another country should be required to produce a police certificate from that country.
11. Continuing to have the Firearms Safety Authority as an **integral part of the Police** so they work together seamlessly enhancing public safety rather than as separate entities.
12. Introducing restrictions on the **number of firearms** owned by an individual and restricting **advertising of firearms** particularly signage near schools which will improve public safety.

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<sup>4</sup>Christine Willmsen et al 'Loaded with Lead' Seattle Times 17 October 2014

<https://projects.seattletimes.com/2014/loaded-with-lead/1/>

<sup>5</sup>Carolyn Meng-Yee "Barlow: 'I am innocent' " NZ Herald 22 August 2010

<https://www.stuff.co.nz/national/2520753/Behind-the-Napier-siege>

<sup>6</sup>Tony Wall 'Behind the Napier Siege' Stuff 24 June 2009 <https://www.stuff.co.nz/national/2520753/Behind-the-Napier-siege>

<sup>7</sup>Sherwood, Sam NZ Herald 27 April 2024 [https://www.nzherald.co.nz/nz/the-eye-surgeon-the-red-porsche-and-the-200-guns/5M5PYHIW7ZFJZCEJVN55L3JFIU/#google\\_vignette](https://www.nzherald.co.nz/nz/the-eye-surgeon-the-red-porsche-and-the-200-guns/5M5PYHIW7ZFJZCEJVN55L3JFIU/#google_vignette)

<sup>8</sup>K. Peek & B. Black NZMJ 8 March 2024 <https://nzmj.org.nz/journal/vol-137-no-1591/children-s-toys-no-longer-a-porcine-model-study-of-the-lethality-of-modern-air-rifles>

<sup>9</sup>Jared Savage 'Cop killer Eli Epiha: How police tracked the illegal gun he used to murder Constable Matthew Hunt' NZ Herald 22 March 2022 <https://www.nzherald.co.nz/nz/cop-killer-eli-epiha-how-police-tracked-the-illegal-gun-he-used-to-murder-constable-matthew-hunt/5Y5263BAV6J7M4MB2RSF2CC7QE/>

<sup>10</sup>Benn Bathgate 'How Crims get their guns.' Waikato Times 22 March 2022 <https://www.pressreader.com/new-zealand/waikato-times/20210722/281487869370536?srsId=AfmBOoqE-q3BhusQFZbEhEFNHteXdio6M-eyvoE6JgVOCZGCzKVU8GWp>

<sup>11</sup>Rose Kagawa et al 'Association of Prior Convictions for Driving Under the Influence With Risk of Subsequent Arrest for Violent Crimes Among Handgun Purchasers' JAMA Intern Med 1 Jan 2020 <https://pubmed.ncbi.nlm.nih.gov/31566654/>

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