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<p>Corporate Plan Output: Policy Advice</p>	

The Director of Policy reported as follows to the March meeting of the Committee:

The purpose of this report is to inform the Committee about a request from the Coalition for Gun Control seeking a letter of support from the Council, endorsing the aims of the Coalition.

A supporting report from the Coalition (tabled) outlines the current position with regard to Gun Control legislation. In summary, the Government has not acted on the majority of the recommendations made by Sir Thomas Thorp’s Review of Firearms Control in New Zealand (1997). The only recommendation taken up by the Government is the registration of all firearms, which **may** take place in the year 2000.

The aims of the Coalition for Gun Control, as stated in their letter, are as follows:

- “(to) reduce gun related violence and curb the proliferation of firearms in New Zealand;”
- “(to) promote the recommendations of the Thorp report;”
- “recognising that appropriate firearms have an established place in sport, on the farm and in pest control, the Coalition does not seek to ban guns. Instead we promote modest, well-proven public health measures to bring New Zealand’s gun control measures closer to those in similar countries.”

These aims are consistent with the submission made by the Council to the Thorp Review in October 1996. The main points of the Council’s submission were as follows:

- That the Government adopt in firearms control the same precautionary principle that operates in environmental health legislation.
- That arms control legislation recognise the lethal quality of firearms in contrast to other weapons used in assaults, and provide for strict control and management.
- That the sale, ownership and possession of automatics and semi-automatics be banned, and that there be an amnesty and buy back scheme for all such firearms.
- That the ownership and possession of pistols be banned except for legitimate target shooting pistols.

- That firearms control legislation give effect to the principle that the rights of individual firearm owners must be restricted to minimise the risk to the rights of others from the misuse of firearms, and provide for strict control and management.
- That penalty for breaches of the Arms Act 1982 be reviewed and greatly increased to ensure that they become a real deterrent to the irresponsible, careless or illegal possession, use or storage of firearms.
- That the Police establish secure facilities in urban areas where firearm owners who choose to do so would be able to store their firearms when they are not required.
- That owners who choose this option should be given a discount on their annual owners and firearms licence fees.
- That a firearm buy back scheme be established in New Zealand.
- That firearms control legislation require the annual re-licensing of both all firearms and all firearm owners.
- That the minimum age for possession of a licence be 18 years.
- That at the time of licensing and re-licensing the licensees be required to show that they are fit and proper persons to hold a licence and that they have good reason for owning the firearms registered in their name.
- That consideration be given to adopting measures for arms control similar to those being considered in Britain and Australia.
- That the full costs of managing firearm ownership including: operating firearms and firearm owner licensing scheme, a firearm transfer registration scheme, provision of Police-managed secure storage facilities, and the annual inspection of private firearm storage facilities be met by registration fees, these fees to include a discount for those who choose to use the secure facilities.
- That licenses be issued only to ‘fit and proper persons’ and this term be clearly defined to exclude: persons convicted of violent crimes, or criminal offences involving firearms; and persons where there is reasonable cause to believe that having a firearm poses a threat to themselves or others.
- That Police be given the power when attending domestic violence incidents to remove any firearms from the house immediately.

None of these points appear to be taken up by the Government.”

At the March meeting of the Committee, Mr Wilson Penman made representations on behalf of the Sporting Shooters Association of New Zealand and sought a review of the Council’s present stance on gun control legislation on the grounds that stronger gun controls were ineffective and expensive to implement.

Note: Since the meeting the Sporting Shooters' Association of New Zealand has forwarded further information on this issue which has been separately circulated to members of the Committee with this agenda.

In light of the issues raised by the deputation the Committee **decided** that the above report lie on the table until the present meeting to enable:

- Additional information to be obtained on the current situation, in terms of gun control, in Australia, the United Kingdom and Canada.
- The attitude of the New Zealand Police to more stringent gun controls, including the registration of all firearms.

The Director of Policy reports, as follows, in response to the Committee's request for evidence of the effects of firearm registration in other countries:

“In Australia, national gun registration and a buy-back of certain firearms were put in place in 1996 (after the Port Arthur massacre). The buy-back ended in 1997. As yet the crime statistics for 1998 are not available. A recent study presented at the Australian Institute of Criminology conference in Canberra reported, however, as follows:

“A declining firearm suicide rate, a declining firearm assault rate, a stable firearm robbery rate with a declining proportion of robberies committed with a firearm and a declining proportion of damage to property offences committed with a firearm suggest that firearm regulation has been successful in Tasmania”¹

A United Kingdom perspective was given by the Secretary of the Association of Chief Police Officers, as an affidavit to a Canadian Appeal Court Hearing:

¹ Warner, K. *Firearm Death and Firearm Crime After Gun Licensing in Tasmania*. Third National Outlook Symposium on Crime in Australia. Australian Institute of Criminology. Canberra, 22-23 March 1999

“It is my opinion that this detailed registration of firearms and shotguns is directly responsible for the low level of homicides and use of firearms etc. in crime. The fact that the weapon is recorded and its ownership can be traced back deters many of them being used in crime...” and “The licensing and registration of firearms and shotguns is core to policing in Great Britain and the information held on this system about who owns these firearms and shotguns assists the British Police service in promoting safer communities”²

The report from the Coalition for Gun Control, tabled at the last Strategy and Resources meeting, notes that

“Registration is a long-proven public health measure in mainland Britain, where the gun death rate per capita remains at one-fifth the rate in New Zealand. In West Australia, police say their state’s gun death rate, the lowest in the nation, can be credited to 67 years of gun registration. Victoria and South Australia both report lower rates of gun crime following registration. In the light of this track record, Australia recently extended the system to all states.”³

The same report quotes a United Nations survey of 70 countries which found that gun registration was the “accepted norm”.

On the issue of the characteristics of gun killers, the Mental Health Commission of New Zealand reports that:

“Though a small proportion of gun killers do have a previous history of mental illness, its significance is sometimes exaggerated to divert attention from more common factors...

“A typical gun homicide is committed by a licensed male gun owner with no record of violent crime or mental illness, using a legal firearm to kill someone he knows well...

“Police homicide figures show that:

- Alcohol is four times more likely to be a precipitating factor than mental illness;
- A shooting victim is ten times more likely to be killed by a family member, partner or ex-partner than by a person with a history of mental illness;
- Previously law abiding, licensed gun owners shoot between four and ten times as many victims as do people with a history of mental illness;
- Only four to twelve percent of victims are shot by a killer with a psychiatric history”⁴

² Thomas, Insp. Gwyn. Secretary, Association of Chief Police Officers, UK. Affidavit to the Alberta Court of Appeal. Edmonton, 25 February 1997.

³ Coalition for Gun Control. *What’s Happening With Our Gun Laws?* Whangaparaoa, February 1999

⁴ New Zealand Mental Health Commission: *The People Most Likely to Kill With a Gun*, and: *Would a Prohibited Persons Register Reduce Gun Death and Injury?* Wellington, June 1997

The available evidence indicates that the gun control measures proposed by the Thorp Report and supported by the Coalition for Gun Control would have a beneficial effect on public safety in New Zealand (and Christchurch). The Christchurch City Council, having an interest in issues of public safety, now has an opportunity to support the Coalition for Gun Control by endorsing its aims.

It is recommended that the Council write a letter of support endorsing the Coalition for Gun Control and its aims.”

The Chairman commented:

Some of the comments and submissions made on this issue have implied that the City Council has adopted a view on gun control without considering the issue in a balanced manner. The facts are that the Council made a thorough investigation of gun control, including hearing submissions for interested groups, before making a detailed submission to the Thorp enquiry. In March and April the Strategy and Resources Committee has received further verbal and written submissions. In my opinion, no new evidence has been put forward by either side to justify a change in the Council’s support for registration of all firearms. The Council has vast experience in licensing activities in order to promote and protect public health and welfare. It is not claimed that registration of firearms will be a total answer but a basic common-sense tool for better management of lethal weapons.

Recommendation: That the Council write to the Prime Minister and leaders of other political parties urging the implementation of the following recommendations of the Thorp Report:

- (i) All firearms to be individually registered to their owners, in addition to owner licensing.
- (ii) All restricted weapons (privately held machine guns, etc) to be permanently disabled.
- (iii) The law to make clear that “self defence” is not a legitimate purpose for acquiring a gun.
- (iv) Tightened provisions for vetting and licensing, with more stringent rules for secure storage.
- (v) A three year licensing period to replace the current 10 year vetting cycle for gun owners.
- (vi) Firearm-specific licences to prevent sales of ammunition for concealed, unregistered guns.
- (vii) An independent firearms authority to monitor enforcement and compliance with gun laws.