

### 3. GUN CONTROL LEGISLATION

RR 9505

<b>Officer responsible</b> Director of Policy	<b>Author</b> Margaret Macadam
Corporate Plan Output: Policy Advice	

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

A supporting report from the Coalition (attached) 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 firearms 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.

**Recommendation:** That the Council write a letter of support endorsing the Coalition for Gun Control and its aims.

**Chairman's**

- Recommendation:**
1. That the above recommendation be adopted.
  2. That the Council write to the Prime Minister and express its disappointment and concern that our gun laws will continue to provide inadequate protection for the community at large.