

18 September 2019

Henry Broughton
Sector Manager for the New Zealand Police
Office of the Auditor-General
PO Box 3928
Wellington 6140

By email: henry.broughton@oag.govt.nz

Dear Mr Broughton,

Firearm 'Buy-back' Scheme: Effectiveness and Efficiency of the Scheme

As the Council of Licensed Firearm Owners, we welcome the decision by the Auditor-General to audit the firearms' buy-back' scheme and offer our support to the audit.

Background

The New Zealand Council of Licensed Firearms Owners Incorporated (COLFO) is the overarching organisation for firearms users in New Zealand. It is an association of organisations governing the various types of shooting sports. Many of the 250,000 New Zealanders who have firearms do not belong to organisations, but our membership represents the views of those who organise to hunt, target shoot, collect firearms and who work in the industry, including professional guides. From experience we are confident that we represent the predominant views of firearms owners in this country.

Our board is made up of representatives of the major member organisations including Pistol NZ, the NZ Deerstalkers Association, the National Rifle Association of NZ, NZ Antique and Historical Arms Association, the International Military Arms Society, NZ Service Rifle Association Sporting Shooters NZ and NZ Black Powder Shooters Federation. It includes world renowned and published authors on the subject of firearms. We have ready access to technical experts.

We are a UN Accredited organisation and have represented New Zealand internationally at the UN Arms Trade Treaty and the UN Programme of Action. We are a member of the World Forum on Shooting Activities (WFSA).

'Buyback'

We have worked extensively with Police to try and facilitate the provision of efficient and effective information to licensed firearm owners on the scheme. This has included meeting with Police to provide technical advice on the scheme, distributing Police information through our member channels, and attending numerous collection events.

Despite this, we remain seriously concerned that the design and implementation of the scheme does not meet Parliament's stated intention of making New Zealand a safer place. We would welcome the opportunity to meet with you to discuss our concerns in more detail, and provide our technical insights.

We are concerned that the Police's role in this scheme has left it with:

- a) inequities as a result of loose definitions extending prohibitions to classes of firearms that were beyond the policy intent of the Government of the day;
- b) inequities in compensating firearms owners for the loss of their assets;
- c) policy failure in that international experience in designing compulsory acquisition programmes for firearms appears not to have been taken account of;
- d) policy failure through targeting law-abiding New Zealanders rather than addressing the known criminal risk;
- e) policy failure in that trust and confidence in the NZ Police's use of the powers of the State to compel behaviour has been undermined;
- f) poor documentation and management of the existing firearms management regime;
- g) fiscal failure in that the costing of the scheme was rushed, was let down through a weak procurement process, and is unlikely to reveal the true cost to Ministers of the policy choices they have adopted;
- h) the improper use of ACC funding to provide financial support for the scheme;
- i) policy failure, as the likely consequences of poorly designed and implemented policy will contribute to an underground market for firearms, and will increase costs for, and reduce the safety of, the population at large; and
- j) a possible breach of the Public Finance Act in that the likely cost of the 'buy-back' scheme should have been recorded as a quantified fiscal risk, given that it is material, and will come to charge during 2019/20.

Our view is that this set of issues represents an example of extremely poor policy analysis processes, poor costings, and an incomplete understanding of the incentive effects of declaring privately owned assets to be prohibited, and then subject to confiscation without thorough consultation, or an appreciation of the cost, complexity, administration or effectiveness of the course of action proposed to Government.

Overall, we remain significantly concerned that as a result of this poorly designed and implemented scheme, that there will be more firearms placed in the hands of criminals,

and this will be detrimental to the Government's intention of making New Zealand safer.

We reiterate our offer of technical advice to the Audit, and provide our reassurances that we will do so in the manner required by the Auditor-General.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Michael Dowling', written in a cursive style.

Michael Dowling
Chairman
Council of Licenced Firearms Owners Inc