



13 October 2023

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Tēnā koe George

***Request for information***

Thank you for your Official Information Act 1982 (OIA) request dated 26 September 2023. You wrote:

*This NZ Herald article refers: <https://www.nzherald.co.nz/nz/crime/gun-trafficker-craig-holtom-pleads-guilty-to-underground-sales-after-rifle-recovered-at-police-shooting/AEOGWXDGRFFJNMMJNPHP57N37I/>*

*'Since 2021, authorities have been given data from 240,000 gun sales at commercial retailers dating back to 2019'.*

Your questions are listed below, followed by an answer for each:

*I request the number of firearms used in criminal activities that have been recovered that Police have linked to a commercial sale since 2021, by month and Police district.*

This request is refused under section 18(g) of the OIA as the information is not held.

There has not been a centralised system of traceback of firearms used in a firearms-related offence. There has not been a requirement for firearms owners to register their firearms with New Zealand Police, unless the firearms are held on an endorsement (ie, pistols, prohibited firearms, and restricted weapons).

This changed just recently on 24 June 2023 when the firearms registry provided for in the Arms Legislation Act 2020 was established and specified arms items are now required to be registered. Firearms licence holders have five years to populate the registry unless they have an activating circumstance sooner<sup>1</sup>.

Police Retail Firearms Diversion group, which deals with the centralisation of retail firearms sales records, investigates instances of firearms diversion (whereby a licence holder buys arms and then gives or sells these arms to people who do not have a firearms licence). Police continues to work to uncover diversion, and the registry will support this work.

As at 3 October 2023, Police seized 57 firearms as a result of Retail Firearms Diversion leads referrals.

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<sup>1</sup> <https://www.firearmssafetyauthority.govt.nz/firearms-registry/when-register-your-arms-items>

*I request the number of licensed firearms owners charged in relation to the diversion of commercially purchased firearms, by month and Police district.*

There is no specific offence of 'diversion of commercially purchased firearms'. There are three offences that relate to supplying firearms to unlicensed people. These are:

- 6846 - Sell/Supply Firearm/Airgun to Non-Licence Holder - Arms Act 1983 Section 43(1)(a) and (b)
- 6848 - Sell/Supply Pistol/Restricted Weapon to Unauthorised Person - Arms Act 1983 Section 44(1)
- 6953 - Sell/Supply Prohibited Firearm/Prohibited Magazine to Unauthorised Person - Arms Act 1983 Section 44A (came into effect in 2019)

There are 35 people who were charged with such offences between 1 January 2021 and 31 August 2023. The table below shows this information by charge month and Police District where the charged person resides.

It is important to note that this is not a count of convictions – some people may have been charged with multiple offences, proceedings may still be before the courts, or they were charged and subsequently acquitted, or the charges may have been dismissed or withdrawn.

*Table 1. Active firearms licence holders charged with supplying firearms to unlicensed people, between 1 Jan 2021 and 31 Aug 2023, by charge month and their current primary address District.*

Charge Month \ Address District	Northland	Waitemata	Auckland City	Counties Manukau	Waikato	Bay of Plenty	Eastern	Central	Wellington	Tasman	Canterbury	Southern	Total
January 2021	0	0	0	1	0	0	0	0	0	0	0	0	1
February 2021	0	0	0	0	0	1	0	0	0	0	0	0	1
March 2021	1	0	0	0	0	1	0	0	0	0	0	0	2
April 2021	0	1	0	0	0	0	0	0	0	0	0	0	1
May 2021	0	0	0	0	0	0	0	0	0	0	0	1	1
June 2021	0	0	0	0	0	1	0	0	0	0	0	0	1
July 2021	0	0	0	0	0	0	0	0	0	0	0	1	1
August 2021	0	0	0	0	0	0	1	1	0	0	0	0	2
September 2021	0	0	0	0	0	0	0	0	0	0	0	0	0
October 2021	1	0	0	0	0	0	0	0	0	1	0	1	3
November 2021	0	0	1	1	0	0	0	0	0	1	0	0	3
December 2021	0	0	0	0	0	0	0	0	0	0	0	0	0
January 2022	0	0	0	0	0	0	0	0	0	0	0	2	2
February 2022	0	0	0	0	0	0	0	0	0	0	0	0	0
March 2022	0	0	0	0	0	0	0	0	0	0	0	0	0
April 2022	0	0	0	0	0	0	0	0	0	0	0	0	0
May 2022	0	0	0	0	1	0	0	1	0	0	0	0	2
June 2022	0	0	0	0	0	0	0	1	0	0	0	0	1
July 2022	0	0	1	1	0	1	0	0	0	0	0	0	3

August 2022	0	0	0	0	0	0	1	0	0	0	0	0	1
September 2022	0	1	0	0	0	0	0	1	0	1	1	0	4
October 2022	0	0	0	0	0	0	0	0	0	0	0	0	0
November 2022	0	0	0	0	0	1	0	0	0	0	0	0	1
December 2022	0	0	0	0	0	0	0	0	0	0	0	0	0
January 2023	0	0	0	0	0	0	0	0	0	0	0	0	0
February 2023	0	0	0	0	0	0	1	0	0	0	0	1	2
March 2023	0	0	0	0	0	0	0	0	0	0	0	0	0
April 2023	0	0	0	0	0	0	0	0	0	0	0	0	0
May 2023	0	0	0	0	0	0	0	0	0	0	1	1	2
June 2023	0	0	0	0	0	0	0	0	0	0	0	0	0
July 2023	0	0	0	0	0	1	0	0	0	0	0	0	1
August 2023	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2	2	2	3	1	6	3	4	0	3	2	7	35

Data in this response is drawn from a dynamic operational database and is subject to change as new information is recorded or updated.

The Police National Organised Crime Group Firearms Investigation Team conducts investigations into people who they believe are committing those offences. In addition to the offence codes listed above, there are other offences that may not specifically relate to selling firearms to an unlicensed person, but could still be used to charge someone in a similar situation. For example, an offence of unlawful possession of firearm (s45(1) of the Arms Act 1983) could be used. The decision about which offence code to use in a given case is made based on known evidence and circumstances of each case, with the consideration of the Solicitor-General guidelines. However, in those situations it is not possible to provide data distinguishing unlawful possession that further resulted in diversion of firearms from unlawful possession of a firearm in other cases.

The data is for the above-specified offence codes only, and, therefore, may not be representative of all diversion-related charges.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that as part of its commitment to openness and transparency, Police proactively releases some information and documents that may be of interest to the public. An anonymised version of this response may be publicly released on the New Zealand Police website.

Ngā mihi



**Richard Wilson**  
 Director Operations  
 Te Tari Pūreke | Firearms Safety Authority