

**OUTDOOR SAFETY**

**NEW ZEALAND MOUNTAIN  
SAFETY COUNCIL**

**Submission to the Law and Order Select Committee on the  
ARMS (MILITARY STYLE SEMI-AUTOMATIC FIREARMS AND IMPORT  
CONTROLS) AMENDMENT BILL**

**May 2011**

---

## Contents

I	Executive summary .....
II	About the New Zealand Mountain Safety Council.....
III	The Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Bill.....

## Contacting the submitter

This submission was prepared by Mike Spray (Programme Manager, Firearms & HUNTS) on behalf of the New Zealand Mountain Safety Council. Mike Spray can be contacted at:

- Mobile: 021 241 9693
- Phone: 06 837 5564
- C/o Post Office, Mahia Beach Store, Mahia Beach, Hawkes Bay, 4138
- Email: [mike.spray@mountainsafety.org.nz](mailto:mike.spray@mountainsafety.org.nz)

## Contacting the New Zealand Mountain Safety Council

- Phone: 04 385 7162
- Address: 19 Tory Street, PO Box 6027, Wellington, 6141
- Website: [www.mountainsafety.org.nz](http://www.mountainsafety.org.nz)
- Facebook: [www.facebook.com/NZMSC](http://www.facebook.com/NZMSC)

## I Executive summary

The New Zealand Mountain Safety Council (MSC) is a national organisation and incorporated society with a mandate from our member organisations to encourage safe participation in land based outdoor activities. The organisation's remit spans from the high tide mark to the peak of Aoraki/Mount Cook and is principally focused on firearms safety, bushcraft (walking, camping, tramping and survival), avalanche awareness, alpine skills, abseil techniques, river safety, outdoor safety and risk management plus outdoor and workplace first aid.

The New Zealand Mountain Safety Council has extensive experience and expertise in promoting firearms safety and is the largest provider of firearms safety training in New Zealand, including training and administering the firearms safety test to new firearms license applicants on behalf of the Police under Regulation 14 of the Arms Regulation 1992.

The New Zealand Mountain Safety Council's submission relates to the proposed import controls on airguns. The New Zealand Mountain Safety Council is not making a submission on other aspects of the Bill.

The low price and cheap plastic construction of soft airguns gives them the illusion of a safe toy version of a real firearm. However, they are dangerous and can cause serious injuries if handled unsafely.

Customs and Accident Compensation Corporation statistics show:

- Over 98,000 soft airguns have been imported into New Zealand from 2002-2010.
- From 2002-2009 there were 605 Accident Compensation Corporation claims for injuries caused by soft airguns.
- 43% of claims related to an eye injury.
- 98% of claims related to an intentional shooting by themselves or someone else.
- 43% of claimants were 15 or younger (too young to have a firearms license and legally own or use a soft airgun).
- 61% of injuries occurred in the home.

Import controls are likely to reduce soft airgun-related injuries over time for three reasons:

1. Import controls are likely to reduce the number of soft airguns in circulation over time if, as expected by the Arms (Military Style Semi-Automatic Firearms And Import Controls) Amendment Bill's drafters, existing airguns will be lost, broken or discarded.
2. Import controls will reduce the number of soft airguns being brought into the country.
3. Requiring the importer to have a special reason will give Police the ability to ensure soft airguns are imported by or for responsible users.

### **Recommendations:**

The New Zealand Mountain Safety Council:

1. Supports the proposed import controls on soft airguns as they are likely to reduce the number of soft airgun-related injuries over time
2. Recommends that the Police work with the Council on initiatives to educate airgun users and their families about safe use of airguns.

## II About the New Zealand Mountain Safety Council

### 1 Who we are

The New Zealand Mountain Safety Council (MSC) is a national organisation and incorporated society with a mandate from our member organisations to encourage safe participation in land based outdoor activities.

Our mission is to:

- encourage people to participate safely in land based outdoor activity.
- foster positive support for outdoor safety in the community.
- promote the development and maintenance of national outdoor safety standards for land based outdoor activities.

The organisation's remit spans from the high tide mark to the peak of Aoraki/Mount Cook and is principally focused on firearms safety, bushcraft (walking, camping, tramping and survival), avalanche awareness, alpine skills, abseil techniques, river safety, outdoor safety and risk management plus outdoor and workplace first aid.

We achieve this by:

- undertaking research and evaluation to support the setting of safety standards for individuals and organisations active in the land based outdoor recreation sector.
- producing multi-media resources containing practical information which promotes self reliance in outdoor safety.
- leading public awareness campaigns.
- training and developing instructors and ensuring they are skilled and available to provide education and training to the public and our member agencies via a nationwide network of MSC branches and other clubs and associations.
- working collaboratively with other organisations who are also pursuing outdoor safety outcomes.

The Council has 25 members encompassing government agencies and sporting and recreation organisations with a shared interest in outdoor safety:

- Accident Compensation Corporation
- The Boys Brigade in New Zealand
- Department of Conservation
- Department of Labour – Workplace
- Duke of Edinburgh's Hillary Award
- Education Outdoors New Zealand
- Federated Mountain Clubs
- Girls Brigade New Zealand
- Girl Guiding New Zealand
- Land Search and Rescue New Zealand
- New Zealand Alpine Club
- New Zealand Cadet Forces
- New Zealand Deerstalkers Association
- New Zealand Defence Force
- New Zealand Mountain Guides Association
- New Zealand Mountain Radio Service
- New Zealand Land Search and Rescue
- New Zealand Outdoor Instructors Association

- New Zealand Police
- New Zealand Shooting Federation
- New Zealand Snowsports Council
- New Zealand Sports Industry Association
- Scouting New Zealand
- Search and Rescue Institute New Zealand
- Tourism Industry Association New Zealand.

## **2 Our firearms safety experience and expertise**

The New Zealand Mountain Safety Council has extensive experience and expertise in promoting firearms safety and is the largest provider of firearms safety training in New Zealand.

Our network of 500 experienced Police-approved firearms safety instructors:

- provide firearms safety training and administer the firearms safety test to all new firearm license applicants under Regulation 14 of the Arms Regulation 1992
- promote firearm safety, provide specific instruction, and distribute technical information to the general public and to special interest groups as required
- continually promote the safety aspects of the responsible ownership of firearms, including the selection, storage, and use of each type of firearm
- provide firearms safety advice to their local community and through the Firearms Advisory Committee (see below).

The New Zealand Mountain Safety Council consulted with its Firearm Advisory Committee in the preparation of this submission.

The Firearm Advisory Committee provides expert and unbiased advice on firearms safety and comprises representatives from seven New Zealand Mountain Safety Council member organisations with an interest in firearm safety (Police, Department of Conservation, New Zealand Defence Force, New Zealand Shooting Federation, New Zealand Deerstalkers Association, New Zealand Sports Goods Association) supplemented by the non-member organisation Fish and Game New Zealand.

### III The Arms (Military Style Semi-automatic Firearms and Import Controls) Amendment Bill

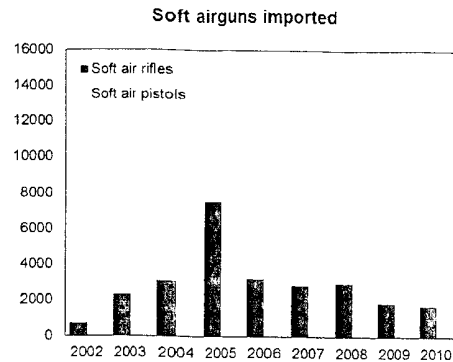
The New Zealand Mountain Safety Council's submission relates to the proposed import controls on airguns. The New Zealand Mountain Safety Council is not making a submission on other aspects of the Bill.

The New Zealand Mountain Safety Council supports the proposed import controls on airguns as they are likely to reduce the number of airgun-related injuries.

#### 1 Number of airguns

Large numbers of airguns have been imported in recent years. Although the Bill's provisions would apply to all airguns, most of those affected would be 'soft airguns' that are popular with youth. These soft airguns are cheap plastic replicas of real firearms and fire small plastic pellets.

The chart to the right shows the numbers of soft air rifles and pistols imported in recent years.<sup>1</sup> Although fewer in recent years, the number being imported is still significant.



#### 2 Injuries from airguns

Their low price and cheap plastic construction gives soft airguns the illusion of a safe toy version of a real firearm. However, they are dangerous and can cause serious injuries if handled unsafely. Anecdotal and circumstantial evidence suggests that, in the main, soft airguns are bought for and used by youth as toys.

Soft airguns should be handled with the same safety precautions as firearms because of their capacity to cause serious injuries. All firearms licence applicants must familiarise themselves with the Arms Code in particular the seven basic rules of firearms safety.<sup>2</sup>

Unfortunately, the lack of any licensing or safety training requirements for purchasers and users of soft airguns means that they are unlikely to be familiar with firearms laws and with basic firearms safety rules.

Statistics from Accident Compensation Corporation<sup>3</sup> give an indication of the use and misuse of soft airguns. However these statistics represent only those injuries serious enough to warrant medical attention and an Accident Compensation Corporation claim and many injuries would go unreported.

##### Firearms safety code

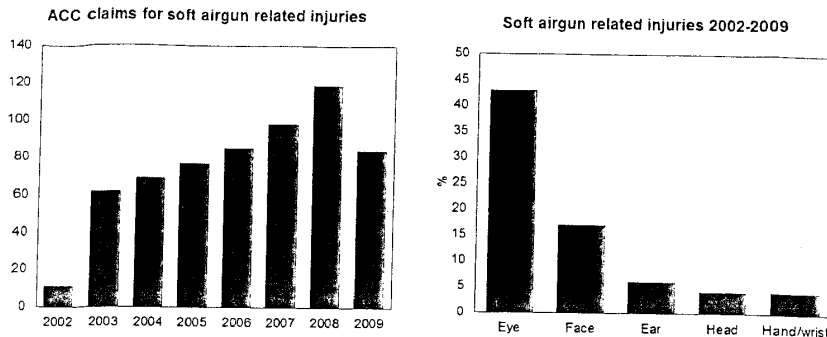
1. Treat every firearm as loaded
2. Always point firearms in a safe direction
3. Load a firearm only when ready to fire
4. Identify your target beyond all doubt
5. Check your firing zone
6. Store firearms and ammunition safely
7. Avoid alcohol or drugs when handling firearms

<sup>1</sup> Data sourced from Statistics New Zealand.

<sup>2</sup> For more information on the firearms safety code see: <http://www.mountainsafety.org.nz/Safety-Tips/Firearms-Safety.asp>

<sup>3</sup> All Accident Compensation Corporation claims statistics were sourced directly from Accident Compensation Corporation.

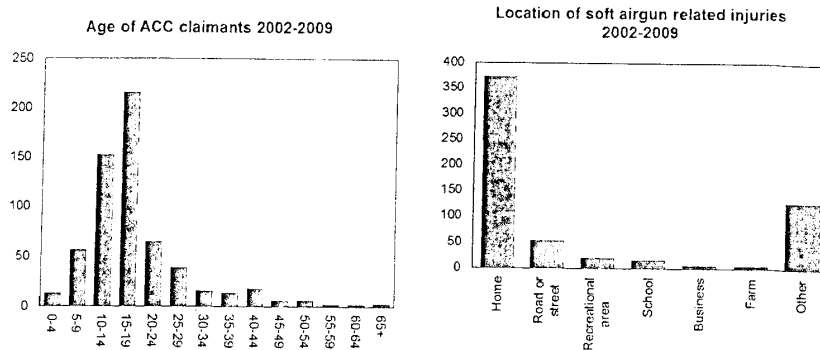
From 2002 to 2009 (the most recent statistics available) there have been 605 Accident Compensation Corporation claims for injuries caused by soft airguns. The following charts show the number of claims year on year and the nature of the injuries.



According to Accident Compensation Corporation, 96% of injuries were the result of the claimant being deliberately shot at, either by themselves or someone else. The overwhelming majority of claimants are young and over half of accidents occurred in the home, indicating high usage for 'play'.

Alarming, 43% of claimants were 15 years old or under. Given that it is more likely for victims to be shot by peers than by adults, this indicates a high level of use by children under the minimum age of 16 for a firearms licence and therefore too young to legally possess or use soft airguns.

The following charts show the number of claimants by age (in five year age bands) and by location of accident.



### 3 Likely effect of import controls

Import controls could reduce soft airgun-related injuries over time for three reasons:

1. Import controls are likely to reduce the number of soft airguns in circulation over time if, as expected by the Bill's drafters, existing airguns will be lost, broken or discarded.
2. Import controls will reduce the number of soft airguns being brought into the country.
3. Requiring the importer to have a special reason will give Police the ability to ensure soft airguns are imported by or for responsible users.

However, these provisions are unlikely to affect existing airgun users in the short term. Educating airgun users and their families in firearms safety and legal requirements for possession and use of airguns is likely to have a significant impact. The New Zealand Mountain Safety Council recommends that the Police work with the Council on initiatives to educate airgun users and their families about safe use and legal requirements of airguns.