

DRAFT

Arms Bill Submission 2026

February 2026

Introduction

The National Collective of Independent Women's Refuges (NCIWR) is a non-governmental organisation delivering services to women and children affected by domestic violence in New Zealand. NCIWR receives over 50,000 crisis calls per year (nearly 140 per day), and provides support, advocacy, legal, and health services to over 26,000 clients annually. Forty-seven percent of these are women, and 53 percent are children.

We would like to thank the Select Committee for the opportunity to submit on this Bill. We are broadly in support of many of the changes this bill would introduce which have the potential to increase safety for victims of family violence. However, we believe there are important missed opportunities to expand on some points in the bill to more effectively achieve this aim. And we have concerns about establishing an independent licence review committee unless there is additional specific representation required for people representing the interests of victims and potential victims of gun violence, in particular women victims of intimate partner violence and other communities that are more likely to be targeted by this type of violence.

Intersection of family violence and firearms

New Zealand has an extraordinarily high rate of intimate partner violence against women, with one in three women being subjected to physical or sexual violence by an intimate partner during their lifetime¹.

In New Zealand, almost one fifth of homicide cases in which a man killed a woman involved a firearm.² Importantly, most perpetrators had little or no criminal history.³

Although use of firearms in family violence deaths is relatively rare, the threat of firearm use is widespread and usually sufficient to coercively control victims by instilling fear. Following is a quote from a survey of 1707 women and non-binary victims of intimate partner violence conducted by Women's Refuge in December 2024 that illustrates this point:

“With the stalking, the police told me that there is nothing they can do about it unless I have evidence, so I asked them not to talk to him so that I could install security cameras in the hopes of catching him, and the cop went straight around to his house told him to stay away from me and made things so much worse! I feared for our lives for years after that because he's really not stable in the head. He harms animals, shot a gun outside our house at night and likes to set things on fire. I worry about that a lot which really messes with my ability to heal, go anywhere, have friends etc.”

¹ Fanslow, J., & Robinson, E. (2004). Violence against women in New Zealand: prevalence and health consequences. *New Zealand Medical Journal*, 117 (1206), 1-12.

² Zeoli, A., Malinski, R. & Brenner, H. (2017). The intersection of firearms and intimate partner homicide in 15 nations. *Trauma, Violence & Abuse*. (Advance online publication).

³ Family Violence Death Review Committee (2015). Health Quality and Safety Commission New Zealand, Retrieved from Health Quality and Safety Commission New Zealand. Retried from: <https://www.hqsc.govt.nz/assets/Uploads/FVDRC-5th-report-Feb-2016.pdf>

One Women's Refuge client reported to us that she had been trapped in a relationship with an abuser in a relatively isolated community for over eight years. If she ever acted in a way that suggested she was considering or preparing to leave or asserting more independence (such as visiting neighbours or trying to use the abuser's phone) he would take out his collection of firearms and clean them in front of her, while explicitly detailing how they killed animals instantly. This deterred her from leaving her partner for many years, and kept her and her children captive in a situation of fear and control for the duration of this relationship.

This anecdote is similar to other stories commonly heard by our advocates. While these behaviours may not be a technical breach of law, this kind of use of weapons is certainly not in the interests of personal, community, and public safety, as in the proposed new aim of the bill.

While it is uncommon for victims to be shot by their partners, their awareness of their abusers' access to firearms is a barrier for their safety, freedom and escape. In our research, we have seen numerous examples of the potential use of firearms alluded to in threats by abusers, commonly as an implicit or symbolic threat – the ostentatious cleaning of a firearm after an argument, the unlocking of the safe where it is kept during violence, or the keeping it close to the bedroom. In more extreme cases, victims are hit with guns, have them pushed into their bodies or pointed at their faces, or have their pets shot in front of them and their children, sometimes as part of an increasingly dangerous sequence of violence. Victims had kittens, puppies, a pet lamb, and a pony shot in front of them after refusing to comply with an abuser's instructions.

Further stories from Women's Refuge research that relate to threats of gun violence used to control victims are included in the appendix.

Women's Refuge client risk information for 5000 clients shows that:

- **29.1% of victims' perpetrators have access to firearms**
- 45.2% of victims' perpetrators have breached protection orders, police safety orders or bail conditions
- 52.9% of victims' perpetrators have threatened to kill her
- 60.6% believe their perpetrator could kill her
- 54.2% of victims' perpetrators have threatened to hurt or kill themselves to make her do what they want
- 62.3% have threatened to physically hurt her or get someone else to
- 47.1% have threatened to harm somebody else that she cares about
- 23.8% have harmed or threatened to harm animals

Many Women's Refuge advocates feel a lack of mental health services and the rise of methamphetamine are further increasing firearm-related coercive control and family violence.

Access to firearms is associated with increased lethality of family violence perpetrators and is commonly implicated as a risk factor in murder-suicides⁴. Women are 20 times more likely to be killed if the perpetrator has threatened them with, or used, a weapon.⁵

Gun violence also needs to be understood as part of wider pattern of violence in our communities. There is growing research linking mass shootings (more than four people, not including the shooter killed in one event) to domestic and intimate partner violence in a variety of jurisdictions including Australia and the USA.⁶ In more than half of all mass shootings in the United States from 2009 to 2017, an intimate partner or family member

⁴ sCheung, G., Hatters Friedman, S., & Sundram, F. (2016). Late-life homicide-suicide: a national case series in New Zealand. *Psychogeriatrics*, 16 (1), 76-81.

⁵ Parliament of Victoria, Legal and Social Issues Committee. (2016). Inquiry into firearms legislation. 9-10

⁶ <https://everytownresearch.org/reports/mass-shootings-analysis/>

of the perpetrator was among the victims. We note that the Australian Royal Commission on Family Violence found that there seemed to be little difference between legal and illegal guns in respect of the use of them in family violence.

Feedback on the Arms Legislation Bill

We support many of the sections of this bill that have potential to increase safety for victims of family violence, but have concerns or recommended improvements to some in feedback following each point:

- Broadening the principles of the Arms Act 1983 to ensure that any person or organisation undertaking activities covered by the Bill acts in the interests of personal, community, and public safety.
 - **Feedback:** We support this.
- Adding a list of circumstances detrimental to a firearms license application that the Police may take into account, including whether the applicant has been charged with or convicted of an offence punishable by imprisonment, has had a protection order made against them or has exhibited significant mental health issues or issues with drugs or alcohol that adversely affects their ability to safely possess firearms.
 - **Feedback:** This list of circumstances is a good starting point, however, implicit threats to use firearms as a tactic of coercive control is far more common than actual use of the firearm. Further, a significant proportion of family violence is not reported to police and many victims choose not to apply for a protection order for a variety of reasons, including fear of retaliation especially when the perpetrator already has a criminal history. **We strongly recommend that this list of circumstances be expanded to also include situations where the police are aware that the applicant has a history of perpetrating family violence** (without requiring that a charge or conviction resulted or a protection order is in existence). Police are involved in local multi-agency responses to family violence in many communities across the country and should be using information shared by other agencies in these forums to proactively address the threat of gun violence as part of a pattern of coercive control and family violence.
- A person who has had a conviction for serious offending, or a final protection order made against them, would not be able to apply for or hold a licence for 10 years.
 - **Feedback:** We applaud raising the period of time someone cannot hold a license from 5 to 10 years if they have a conviction for serious offending or a final protection order, but similar to our feedback on the previous point, we believe **this Police should have discretion to ban someone from holding a license for up to 10 years in situations where they have information of firearms being used to coercively control someone within a 'family relationship' as defined by the Family Violence Act.** This and the previous feedback is consistent with the proposed new aim of the bill to ensure that any person or organisation undertaking activities covered by the Bill acts in the interests of personal, community, and public safety.
- Individual firearms licences will be issued for 5 years (previously 10 years) to enable a more regular reassessment of a licence holder's patterns of behaviour, living and security arrangements, and whether there are any circumstances that may mean they are not a fit and proper person to hold a licence.
 - **Feedback:** We strongly support the increased frequency from 10 to 5 years of assessing

licence holder's patterns of behaviour, because it is common for family violence to be perpetrated for years before it is reported to police or the victim applies for a protection order.

- Health practitioners will have a responsibility to consider notifying Police if, after seeing or being consulted about a patient, they consider the person should not be permitted to use or possess firearms or should only do so subject to limitations that may be warranted by their mental or physical condition. Part of this notification will include an assessment of whether they believe the person poses a risk of harm to themselves or to others. Licence holders may then be required to undergo a further medical assessment or surrender their licence. Applicants for firearms licences must provide contact details for their health practitioner to Police. The period for which a licence may be suspended if a licence holder is considered unfit to be in possession of a firearm on the basis of a notice given by their health practitioner is extended from 90 days to 12 months:
 - **Feedback:** We strongly support this, as poor mental health rarely causes people to perpetrate family violence, but it is a risk factor for more serious violence, and this is a measure that could help to mitigate that risk.
- A licence may be suspended if the licence holder has been issued with an infringement notice
 - **Feedback:** We support this.
- The bill broadens the activities covered by a dealer's licence to be in the business of selling, possessing, supplying, hiring, manufacturing (for which approval is required), repairing, modifying, displaying, or otherwise carrying out commercial transactions involving a class of arms items. It expands the criteria for being a fit and proper person to hold a dealer's licence (who must first have a firearms licence and therefore meet those criteria) These matters include whether the applicant has the competencies and resources to carry on the dealer activities for which the licence is sought, has any convictions, and has an understanding of the legal obligations of a licensed dealer.
- Part 6 new offences are included; in particular, it is an offence for—
 - a person to purchase or acquire an arms item intending to sell or otherwise supply the item to another person who is not entitled to lawfully possess the item:
 - a person who is not entitled to lawfully possess an arms item to enter into an arrangement with the holder of a firearms licence or business licence to purchase or acquire an arms item on their behalf:
 - a person to possess a digital blueprint for the manufacture of an arms item in circumstances that indicate an intention to manufacture the arms item despite the person not being a licence holder and lawfully entitled to possess the arms item:
 - a person to possess any component of ammunition in circumstances that indicate an intention to use the component to manufacture ammunition and to have the machinery to do so despite the person not being a firearms licence holder:
 - **Feedback:** We support this.
- The Bill establishes a new firearms regulatory agency, the regulator. This agency will operate independently from the New Zealand Police, to enhance transparency and improve trust and confidence in the system
 - **Feedback:** We support this, as we believe that independence from Police is critical to enabling

impartial review of Police decisions.

We have mixed feedback about the proposal to establish a Firearms Licensing Review Committee composed of independent members to review licensing decisions – (replacing the current review process that is undertaken by the Commissioner of Police):

- Membership of the Review Committee comprises lawyers appointed by the responsible Minister, persons appointed by the responsible Minister to represent the interests of licence holders, and persons appointed by the chief executive:
- The Review Committee is to sit in panels of 3 members, with 1 member appointed from each class of membership:
- Provides for a review of a decision to be conducted on the papers, with a panel being able to require the provision of such further information as it considers necessary to enable the conduct of a review:
 - **Feedback:** We support having an independent licensing review committee that operates independently from police, as this is important for accountability, but we are concerned that the stated aim of establishing this committee is to ‘increase transparency and improve the firearms community’s trust and confidence,’ as it is far more important for this committee to have the trust and confidence of victims/potential victims of gun violence and those that support and advocate for victims. **We strongly recommend that the review panel include representation for the interests of victims / potential victims of gun violence, in particular representing groups/communities more impacted by the threat of gun violence, including women who overwhelmingly experience family violence, as well as migrant communities, religious and ethnic minorities.**

Please contact us at Research@refuge.org.nz for clarification about any of the points in our feedback.

Appendix: Further stories relating to gun violence from Women’s Refuge Research

Threats to use a gun

(not their real names)* Jayde* had been in a relationship with Tony* for over two years. His violence had escalated to strangulation, he had isolated her from her family and persuaded her to leave her job. Jayde eventually reported her fear of being hurt by Tony to Police. They asked her if he had ever threatened her with a firearm. She said no, because he had never explicitly told her he would use his gun. He had sat her down at the kitchen table, and placed his gun next to him while gently asking her questions about her intentions to stay. She promised she would never leave, and reassured him that she loved him and wanted to have a family with him. Two weeks later, he discovered that she had withdrawn money from the bank and he confronted her again, this time holding the gun by his side. He said to her “I just want you to know that I’ll always love you, even if you leave”. The proximity of the gun at times when he was attempting to secure her obedience acted as a compelling deterrent to her making any concrete plans to leave, and just knowing that he had the gun in the house left her reluctant to risk his anger. Because he was never convicted, he retained his firearms license. She lives in a different town, but has never stopped feeling unsafe.

Threats and the use of the gun as a physical club

The following quote is from a victim of intimate partner violence: “We got engaged after 5 months and pregnant 3 months after that (planned)... He started scaring me. Pinning me down and choking me against the wall. Then he started to hold me down until I would pass out (5 months pregnant at this point). I tried mouthing off to stop the blacking out stage out of fear for my baby so he started pinning me down and biting me, inside my arms at first so long tops would hide it but he lost control and left half my face and eye swollen shut at one stage. I got louder during fights (more scared) so he learnt to just king hit me and put me to sleep. Then he got scared of me leaving I guess, so he started with the guns. At first it was a pistol to the face, or he would hold one while we argued. Then he started pointing them at me and looking down the scope of his rifles. Then the shotgun became his favourite. The side by side double barrel shoved down my throat until I would vomit blood – [that] became his most effective way to silence me for days at a time.”

Examples of guns used to kill animals and frighten children

This is illustrated through the following quotes, which are taken from Women’s Refuge research into New Zealand victims of pet abuse:

“When the puppies were born, he took my two sons (aged 5 and 8) out to the shed and shot the pups dead while the boys watched.”

“He after we separated (with a protection order covering myself and the children) he threatened to kill and shoot a ram I purchased for my sheep. The ram was indeed dead in the paddock a few later.”

“[The relationship] was loveydovey until I started ignoring him, then it turned violent, [with him] saying in front of my children he will not hesitate to put a gun to my head.”

Brandishing and threats

These quotes are taken from 2018 Women’s Refuge research into victims’ experiences of violence, and highlight the power of threats with firearms, and the use of them to demonstrate lethality.

“[I was] followed around with [his] sawn off .22 rifle with silencer in one belt, and axe in the other.”

“When angry he would either go out and have a debauched night or smash things. He threatened to kill me once with a gun.”