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UPDATED

# South Island officer bought firearms under fake names and misused police systems, IPCA finds



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Multimedia Journalist - Dunedin, NZ Herald · NZ Herald · 29 Nov, 2024 12:18 PM ⌚ 4 mins to read

The police watchdog has criticised officers for deciding not to lay charges against an officer who used other people's names to buy firearms so he could hide the purchases from his wife.

A firearms industry spokesman says the incident shows how the firearms registry is vulnerable to misuse.

The South Island police officer was investigated after allegations surfaced that he illegally acquired firearms and [concealed the purchases by registering them under false names](#).

He registered firearms under the names of innocent licensed firearm owners, intending to deceive the gun sellers and Te Tari Pūreke – Firearms Safety Authority.

Council of Licensed Firearms Owners (Colfo) spokesman Hugh Devereux-Mack slammed the incident as evidence that New Zealand's expensive firearm register is vulnerable to misuse.

"The firearm register is the bureaucratic equivalent of a \$10 million road cone," he said.

"Fancy IT systems look great for photo ops and press conferences, but do not stop crimes from happening in the real world."

"This is not an impenetrable fortress of information that keeps firearm owners and New Zealanders safe – it is a depository of info people can steal and use nefariously," he said.

The allegations were initially investigated by the police, who concluded the officer had not committed any criminal offences.

Police accepted the officer's explanation that he used third-party names to acquire firearms to avoid conflict with his wife.

As a result, they found no grounds to proceed with either criminal charges or disciplinary action.

However, the Independent Police Conduct Authority (IPCA) took a different stance after conducting its investigation.

In a summary released today, the authority concluded there was sufficient evidence for police to consider charging the officer in relation to both the firearms acquisition and the misuse of the police computer system.

The IPCA also emphasised the public interest favoured prosecution and that disciplinary proceedings should be initiated.

The key point of disagreement between the police and IPCA centred on the officer's intent.

The IPCA argued the officer's actions demonstrated a clear intention to deceive regardless of his personal reasons.

The authority further criticised the police for their failure to properly interpret the law in relation to firearms offences and misuse of the police computer system.

Regarding the firearms acquisition, the IPCA concluded the officer had the necessary criminal intent, contradicting police's acceptance of his explanation.

On the matter of the police computer system, police had argued no offence had been committed because the officer did not financially benefit from accessing the system.

The IPCA, however, pointed out that under the law, financial gain is not required for an offence to occur because non-financial benefits are sufficient grounds for criminal liability.

Devereux-Mack expressed frustration with the internal police investigation, which initially cleared the officer of any wrongdoing before the IPCA intervened.

He said the lack of accountability on the part of the police was fostering an "us versus them" mentality between firearms owners and law enforcement.

"Repairing that relationship should be the utmost priority of police and the Firearms Safety Authority," Devereux-Mack said.

In response to the findings, Colfo called on police Minister Mark Mitchell and Prime Minister Chris Luxon to take the review of the firearms registry seriously and heed the concerns of

firearms owners.

A police spokesperson said a “robust investigation” took place regarding the matter, which involved a legal opinion, and consideration was given to the factors raised by the IPCA.

“[Police] acknowledge their view,” the spokesperson said.

The available evidence was assessed against the evidential test in the Solicitor-General’s guidelines and police are satisfied with the decision not to prosecute, the spokesperson said.

An employment investigation was also undertaken.

Police had “taken some learnings from the matters raised by the IPCA” and continued to work towards improving processes.

“Separately, as when any firearms licence holder comes to the attention of police, the officer’s suitability to hold a firearms licence was reviewed by Te Tari Pūreke – Firearms Safety Authority.”

The officer in question was subsequently deemed suitable to continue holding a firearms licence.

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