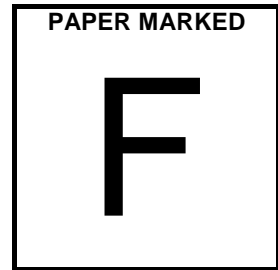


LEICESTERSHIRE POLICE AUTHORITY



Meeting **POLICE AUTHORITY**

Date **MONDAY 28th JUNE 2010**

Report of **CHIEF CONSTABLE**

Subject **PROVISION OF FIREARMS LICENSING**

Purpose of Report

1. This report provides members with information about the current procedures in place for firearms licensing within Leicestershire Constabulary. The report also outlines options for the Authority members to consider in order to ensure our systems are adequate to meet the requirements of legislation.

Background

2. The current process adopted by the Leicestershire Constabulary for the vetting of all applicants, for both the grant and renewal of either a Firearm Certificate or a Shotgun Certificate, conforms precisely to the requirements of the Home Office Firearms Law (Guidance to the Police) 2002. Exceptions to adherence only occur where subsequent case law or good practice guidance has been issued by FELWG (Firearms and Licensing Working Group). This group is chaired by the ACPO lead for Firearms.
3. The 2002 guidance is now dated and all forces are awaiting completion of new guidelines which are in the consultation stage. It is hoped this revised guidance will be received in the near future.
4. The current procedure upon the receipt of an application involves conducting criminal records and intelligence checks. All applicants are subject of a home visit by a Firearms Enquiry Officer who will interview the applicant and assess their suitability. The Force complies with the guidance given by FELWG whereby a home visit is always undertaken at Grant and Renewal. Due to the cyclical nature of this work and the recent fiscal pressures, some forces have adopted a policy of not conducting home visits under certain circumstances. After consultation between the Firearms Licensing Manager, the Firearms Supervisor and the Criminal Justice Senior Management Team, the view was taken that this was a high risk strategy and would not be followed by the Force. The Firearms Licensing Manager then considers the application and makes the final decision. This decision is recorded on the Core-DMS Firearms database thus providing an audit trail.

5. Section 12 of the guidance deals with the fitness of an individual to possess a firearm and stresses that every case should be treated on its own merits. Clearly, certain categories of criminal offender are prohibited persons in law. However, in cases of persons suspected of criminal involvement and not actually convicted, account can be taken of all available information from any source before making a decision as to whether to grant a certificate or not. This information is recorded on an action sheet which is then scanned onto the Core-DMS Firearms database thus providing an audit trail. Frequently, consideration is required regarding whether the person is of intemperate habits or unsound mind. In all such cases an informed assessment is made, taking into account the views of any professional who has experience of the individual or any intelligence from any source which may be helpful in reaching a decision as to the fitness or otherwise of the applicant.

6. In 2009 the number of firearms covered by certificates in Leicestershire was 6,109. The number of certificates was less, as the average certificate covered 3 firearms. 1 application had been refused and there had been 2 revocations. In relation to shotguns 26,882 guns were covered by certificates with the average certificate covering 2.5 guns. There were no refusals of applications however 23 certificates were subject of a revocation. A number of applications were mutually withdrawn and are therefore not recorded as a refusal. Equally a number of certificates were given up voluntarily and are therefore not recorded as revocations.

Future Steps

7. Following recent incidents in the country Mr Eyre had arranged for both an internal review and a peer review to be conducted of our systems.

8. Nationally, ACPO will be conducting a review of Firearms legislation and guidance and this will be led by Chief Constable Adrian Whiting.

Recommendation

9. The Authority is recommended:
 - i. To support both the internal review and the Peer review of Firearms licensing
 - ii. To note the national review that will be taking place and the Authority will be updated on the learning from this process.

Implications

Financial: none

Legal: none

Diversity: none

Risk Management: none

Background Papers

None

Officers to Contact

Inspector Pete Wells- Firearms Licensing Manager
Inspector Sarah Cox- Chief Constable's Staff Officer
0116 2222222 Ext. 2027