

Freedom of Information Publication Scheme



KEYWORDS:	Review, Firearms License, Holders, Policies, Procedures
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FOI REFERENCE NUMBER(S):	14052

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REQUEST TITLE:	Review of Firearms License Holders
DATE RANGE:	N/A
INFORMATION REQUESTED:	<p>1. What policies, provisions, legislation and procedures are used by your force for guidance and adherence when deciding to approve an application for any form of Firearms License, including where minors will gain access to Firearms?</p> <p>2. When deciding to approve an application for any form of Firearms License, is there a legislative, procedural or policy requirement that the applicant's employment must require use of a Firearm in order to obtain a license or are licenses available to all meeting the stipulations of Firearms legislation regardless of the purpose to which they would put a Firearm, e.g. sport shooting?</p> <p>3. When persons are convicted of crimes of violence such as assault or unlawful killing of wildlife or any animal, what cross-checks/policies, provisions, legislation and procedures does your force have in place for guidance and adherence when deciding to withdraw any form of Firearms License issued to said person(s)?</p>
DISCLOSURE WITH EXEMPTIONS:	Full Disclosure
INFORMATION CORRECT AS AT:	13.01.20

DATE OF DISCLOSURE:	06.02.20
RELATED DOCUMENTS:	N/A

FOI 14052 RESPONSE

Having completed enquiries within Essex Police in respect of Section 1(1)(a), Essex Police does hold information relating to your request, Essex Police can confirm in respect of Section 1(1)(b) the following data:

1. Essex Police has its own force policy which is designed to give clear and consistent guidance when accessing the suitability of all applicants. It is reviewed by, or on behalf of, Supt Operational Policing Command every 12 months to ensure that it remains compliant with current legislation and guidance and fit for purpose. The policy has been written based on Home Office guide on Firearms Licensing 2016 and the College of Policing [Authorised Professional Practice \(APP\) – Firearms Licensing](#).

2. There is no legislative, procedural or policy requirement that the applicant's employment must require use of a Firearm in order to obtain a license unless this is their only good reason for applying for the certificate. Firearms certificates not required for work purposes are granted to those who meet the stipulations of Firearms legislation requiring them to demonstrate a proven good reason. A risk assessment is carried out using the Police National Decision Making Model in conjunction with Home Office guide on Firearms Licensing 2016 and College of Policing APP:

12.5 Section 27(1) of the 1968 Act (as amended) states that:

“A firearm certificate shall be granted where the chief officer of police is satisfied that:

- (a) the applicant is fit to be entrusted with a firearm to which section 1 of this Act applies and is not a person prohibited by this Act from possessing such as firearm;
- (b) that he has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition in respect of which the application is made; and
- (c) that in all the circumstances the applicant can be permitted to have the firearm or ammunition in his possession without danger to the public safety or to the peace”.

The test for shotguns against section 28 of the 1968 Act

12.7 Section 28(1) of the 1968 Act states that “subject to subsection (1A) below, a shotgun certificate shall be granted or, as the case may be, renewed by the chief officer of police if he is satisfied that the applicant can be permitted to possess a shotgun without danger to the public safety or to the peace”.

3. Each case is decided on an individual basis. A full Threat/Harm/ Risk assessment is completed to evaluate the potential of foreseeable future harm. Again, this is primarily based around the Home Office guide on Firearms Licensing 2016, however also includes, Human Rights Act, Common Law and the Statement of Mission and Values for the Police Service and the National Decision Making Model.

12.6 Section 30A(2) of the 1968 Act (as amended) states that:

“The [firearm] certificate may be revoked if the chief officer of police has reason to believe:

- (a) that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm; or
- (b) that the holder can no longer be permitted to have a firearm or ammunition to which the certificate relates in his possession without danger to the public safety or to the peace”.

12.8 Section 30C(1) of the 1968 Act (as amended) states that the shotgun certificate may be revoked on the grounds that the chief officer of police is satisfied that the holder is prohibited from possessing a shotgun, or that they can't be permitted to possess one without danger to the public safety or to the peace.

You may also find the below links of interest:

<https://www.gov.uk/shotgun-and-firearm-certificates>

<https://www.gov.uk/guidance/firearms-licensing-police-guidance>

<https://www.gov.uk/government/publications/firearms-law-guidance-to-the-police-2012>