

## Performance and Resources Scrutiny Programme 2023

Report to: the Office of the Police, Fire and Crime Commissioner for Essex

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| <b>Title of Report:</b>  | <b>FSEL response to Rt Hon Philip letter to PFCC</b> |
| <b>Classification of Paper:</b>  | <b>Official</b>                                      |
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| <b>Chief Officer:</b>  | <b>T/ACC Pavelin</b>                                 |
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| <b>Report from:</b>  | <b>Essex Police</b>                                  |
| <b>Date of Meeting:</b>  | <b>30<sup>th</sup> January 2023</b>                  |
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### 1.0 Purpose of Report

The purpose of this report is to provide an overview of the current performance and processes within Essex FSEL. This is in response to a letter from the RT Hon Chris Philip, Minister for Policing and Fire to the PFCC.

### 2.0 Recommendations

The Minister asks that PFCCs undertake a review, every six months, starting in January 2023, of their force's firearms licensing performance, to be satisfied that caseloads are being well managed and that we are minimising the possible risk to public safety. This information should include, as it did in the summer, the following:

1. *How many people with expired certificates are still in possession of their firearms?*

**8 Firearms certificate holders**  
**27 Shotgun certificate holders**

For context, there are 4,843 firearms and 18,748 shotgun certificate holders in Essex currently.

2. *How many of these have applied for renewal whose cases have yet to be decided?*

**35.**

This is a combination of:

- Renewal applicants who have submitted their renewal application very close to expiry and require a home visit before a new certificate can be issued,
- Renewal applicant in a geographical area where there has been a FEO vacancy and require a home visit.

3. *How many of those who have applied for renewal have been issued with a temporary permit and continue to have firearms in their possession?*

**35**, all of which have been risk assessed and are suitable to be issued with a temporary permit.

**Note-** this information changes daily.

### **3.0 Executive Summary**

The Minister wrote to all PCCs nationally on the 25<sup>th</sup> November 2022, to highlight the continuing importance of ensuring that there are efficient and effective firearms licensing arrangements in police forces. This follows a review by the NPCC and focused work with forces conducted over the summer where it was identified that there were significant numbers of firearms licensing applications awaiting a decision. The Minister shared in his letter that concerns were raised about significant licensing backlogs that had built up in a small number of forces, which meant that some people could have had continuing access to firearms following expiry of their firearms certificate, with no legal basis for possessing them, creating an unacceptable risk to public safety. There was also a backlog of checks to ensure firearms were in a safe place in those cases where a person had not renewed their certificate.

**Note-** There are no expired certificate holders, who are still in possession of firearms that have not submitted a renewal application and are without a temporary permit, i.e. there are no expired certificate holders in illegal possession of guns.

### **4.0 Introduction/Background**

This report informs of the current processes followed in Essex FSEL to ensure a timely and efficient service to the shooting community who rely on obtaining a valid shotgun, firearms, or explosive certificate to legally possess such items. This report does not necessarily follow on from the June 2022 Performance and Resource report as the Minister requires specific details not previously covered.

## 5.0 Current Work and Performance

Essex FSEL is performance reviewed annually through the Performance and Resources Board. The next review is in June 2023.

FSEL runs a daily report that informs of all certificates expiring in the next 16 weeks. FSEL writes to all applicants due for renewal 16 weeks before expiry. If no application is received, over the following 10 weeks, FSEL colleagues will telephone or email the certificate holder. If no contact has been made or response received, then a second letter is sent at 6 weeks before expiry. If no complete application has been submitted 10 days before expiry, FSEL will send the certificate holder a letter and inform them they must lodge their guns to avoid going into illegal possession of firearms. This is followed by further phone calls at 5 days prior to expiry until either an application is received or FSEL has obtained confirmation that guns have been lodged and their location verified.

Where a current certificate holder has applied to renew and a home visit is required, if FSEL has not conducted the home visit before the current certified expires, a temporary permit is issued.

Performance analysis is run each day that provides the manager and supervisors oversight of the volume of applications received, the number of applications processed and the number of applications pending. This information is extracted from the business insights area of the National Firearms Licensing Management System (NFLMS).

There is no national guidance for tracking performance. However, the British Association for Shooting and Conservation (BASC), annually publish their own league tables from data obtained through a freedom of information request to the Home Office. BASC's August 2022 report is attached at **Appendix A**.

CC Tedds, chair of the National Firearms Licensing Working Group (FELWG), wrote to Chief Constables on the 29<sup>th</sup> November 2022, informing them that performance data from each force submitted in October 2022, had already been reviewed in order to understand current demands and pressures within the respective units, with a view to share good practice and provide any appropriate support. This is the first data set collected which FELWG intends to request quarterly to understand the national position or any potential trends. Table at **Appendix B**

Since 2018, Essex FSEL has publicised on its website and more recently via the Single Online Home (SOH) portal, a 90 day (18 weeks) SLA. The SLA states that we will turn around applications for new grants and renewals within this time frame. Each period, FSEL submits this performance data to the Strategic Change, Performance and Analysis Team for review by the OPC Command Team. The table illustrating current performance is at **Appendix C**.

## 6.0 Implications (Issues)

Shotgun and Firearms certificates are valid for 5 years, Register Firearms Dealers are valid for 3 years. As reported in the June 2021 Performance and Resource report, 2022 is a peak demand year for renewals where demand outstrips FSEL resource.

In preparation for this demand, DCC Prophet authorised that FSEL, throughout 2021, would write to all certificate holders renewing in 2022, requesting that they renew early. This approach was received positively with circa 1500 certificate holder bringing their renewal forward. This, alongside the adoption of risk based renewals, lessons learnt from Covid lockdowns, and restructuring the team in August 2021, enabled FSEL to maintain the publicised SLA turnaround timescales (90 days) throughout 2022.

The department was unfortunate in that two FEOs left the team in 2022. The process to replace them has taken almost ten months. Two candidates were successful at interview, however, both failed vetting. Both candidates appealed, both appeals were dismissed, which added to the delay in filling the vacancies. The existing FEOs were incredibly flexible covering the vacant geographically areas, however FSEL did rely on issuing Temporary Permits, where a home visit could not be completed before the existing certificate expired (agreed by Supt N. Morris).

The Statutory Guidelines for Chief Officers issued by the Home Office in November 2021 is currently under review with a revised version due in April 2023. As part of this work there will be a new requirement to only use temporary permits in exceptional circumstances.

## **6.1 Links to Police and Crime Plan Priorities**

The Police and Crime Plan 2021 – 2024 specifies 12 policing priorities. The work of the FSEL supports a number of these priorities including:

- Further investment in crime prevention
- Protecting vulnerable people and breaking the cycle of domestic abuse
- Reducing violence against women and girls
- Reducing drug driven violence

## **6.2 Demand**

There are three significant events in 2023 that will impact FSEL. In January 2023 the coroner's inquest into the 2021 shootings in Keysham, Plymouth begins. Further amendments are expected within the reviewed Statutory Guidelines (subject to ministerial approval) this will include a requirement to conduct open source and social media checks across a wide range of platforms with greater emphasis being placed on Chief Officers to weigh-up risks in this area. The current guidance for Chief Officers only suggests that Social Media checks be conducted where intelligence suggest that further information could be obtained.

As previously reported at COG in July 2022, as part of the Home Office review into firearms licensing fees, data gathering activity over the summer period was conducted to provide an evidence base around the issuing and management of a firearm or shotgun certificate and the costs involved. Unfortunately, it became apparent that this method was unreliable and inconsistent, and a decision was made to disregard it. FELWG has since developed a more simplified data requirement. Essex FSEL will be involved in the new data gathering methodology which starts on 9<sup>th</sup> January and will run for 2 weeks.

A revised version of the Firearms Licensing (APP) is currently being quality assured by the College of Policing. The new APP is a complete rewrite to reflect the new Statutory Guidance with greater focus on the identification of risk and effective decision making.

### **6.3 Risks/Mitigation**

An increase in detailed suitability checks such as open source may require a minor restructure of the Research and Development Officer role within FSEL. Currently, Essex FSEL conduct open source checks across Facebook, Twitter, and Instagram only.

### **6.4 Equality and/or Human Rights Implications**

No equality, diversity or human rights implications have been identified at this time.

### **6.5 Health and Safety Implications**

There have been no new Health and Safety implication identified.

### **7.0 Consultation/Engagement**

Relevant command team members within OPC have been consulted and contributed to this paper.

### **8.0 Actions for Improvement**

1. Maintain current processes until revised Statutory Guidance is issued in spring 2023,
2. Adopt the Minister's proposal where FSEL will submit bi-annual performance information via the Performance and Resource Board,
3. Adopt and implement new Firearms Licensing APP when issued.

### **9.0 Future Work/Development and Expected Outcome**

FSEL has effective and efficient processes in place to manage the licensing system. Currently there are sufficient resources, balancing the need to ensure the suitability of each applicant is properly assessed whilst delivering a timely turnaround service. Essex FSEL understands that most certificate holders are law abiding citizens who are police friendly. Every effort is made to maintain these positive relationships when engaging with certificate holders and those who seek to apply for gun ownership. Throughout 2022, FSEL conducted various public engagement events such as Young Shots days (under 16s) and attendance at local and national game fairs. Following the lifting of Covid restrictions, FSEL has reintroduced its quarterly Firearms Licensing Working Group (FLAG), where members of the shooting community are invited to participate with FSEL highlighting areas of concern.



Firearms licensing  
report - FINAL.pdf  
Appendix A



UK Firearms  
Licensing Performan  
Appendix B



Copy of OPC Data  
Nov 2022 including  
Appendix C