

## Performance and Resources Scrutiny Programme 2024

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

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### **1.0 Purpose of Report**

The purpose of this report is to provide Chief Officers with an overview of the current performance and processes within Essex FSEL. This interim report provides an update on the force response to the 2022 letter from RT Hon Chris Philip, minister for policing.

### **2.0 Recommendations**

The PFCC is asked to note the contents of this 6 month update. No decisions are required.

### 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 where it was identified that there were significant numbers of firearm’s 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.

Essex Police is in a good position, with only 3 temporary licenses currently granted, out of circa 24,000 licences in the county. The current average waiting time for a new grant or renewal application to be processed is on average 30 days.

### 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 also includes an update to items reported in the July 2023 P&RS report.

### 5.0 Current Work and Performance

The Minister asked that PFCCs undertake a review, every six months, starting in January 2023, of their force’s firearms licensing performance, to be satisfied that caseload are being well managed and that we are minimising the possible risk to public safety. This information sets out Essex FSEL 2023/24 position. (**figures correct at 07/01/2024**):

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

**1 Firearms certificate holder**  
**1 Shotgun certificate holders**

For context, in Essex there are

Description	Amount (11/12/2023)
Firearms certificates	4,813
Shotgun certificates	18,440
Firearms possessed	22,705
Firearms authorised to purchase	3,835
Shotguns possessed	50,383
Registered Firearms Dealers	93

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

1.

For context,

1 x applicant has transferred into Essex from Cambridge on the 19/12/2023. Applicant is both an SGC & FAC holder. His certificates expired whilst still a Cambridge cert holder. His guns are currently lodged with Cambridge Pistol and Rifle shooting club (verified by FSEL), so he has no access to them. New grant application paperwork received by FSEL from applicant on the 02/01/2024.

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?*

We currently have 3 people with 3 temporary certificates which have been risk assessed and are suitable to be issued with a temporary permit and are awaiting a FEO visit.

4. *What is the age of those cases at Question 3, above:*

- a. • *how many are <90 days – 3*
- b. • *how many 90-180 days- 0*
- c. • *how many 180-365 days- 0*
- d. • *how many over 1 year - 0*

TEMPORARY PERMITS	NUMBER	REASON FOR ISSUE
FAC	0	2 x with FEO for enquiry, home visit required. 1 x Under investigation out of force.
SGC	3	
PEOPLE	3	Shotgun only

**Note-** this information changes daily.

Essex FSEL is performance reviewed annually through the Performance and Resources Board. There is no national guidance for tracking performance. However, the National Firearms Licensing working group (FELWG) gather quarterly data from NFLMS. The most recent performance data (Oct 2032) is illustrating in the reports at **Appendix A & B.**

**FSEL renewal Process**

FSEL write 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 have obtained confirmation that guns have been

lodged and their location verified. If no response has been received by the time the certificate has expired and the holder is still in possession of guns a task is raised with FCR requesting officer attend and remove the guns from the premises. Depending on circumstances, the holder may be prosecuted for being in illegal possession of firearms.

Where a current certificate holder has applied to renew and a home visit is required, if FSEL have not conducted the home visit before the current certificate expires, a short term (2/3 week) temporary permit is issued, unless they have been issued with a 10 day letter and then the temporary permit is unlikely to be issued and guns will need to be lodged. All temporary permits are approved and authorised by the Firearms Licensing Manager only.

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) and allows resource to be directed to where it can be utilised most effectively.

## **6.0 Implications (Issues)**

It was previously reported in the July 2023 P&S report that the Home Office were conducting a review into firearms licensing fees. The national lead for firearms licensing, CC Tedds (Warwickshire), wrote to all Chief Constable informing that the final stages of the review were expected to take place at the end of this 2023 with a public consultation prior to legislation change. Unfortunately, there have been some last minute delays and opposition from a number of MPs and DEFRA which have sought to block progress and seek a move to a 10 year licensing regime and greater certainty over service delivery. CC Tedds has raised this with Minister Philips highlighting her concerns with the delay. Full letter to Minister Philips at **Appendix C**.

In his prevent future death report, the coroner for the Keyham (Plymouth) shooting recommended that all 43 Chief Constables in England & Wales should carry out an urgent review of cases where a person currently holds a gun which has been returned to them after an earlier refusal or seizure by the police. There was a concern that in many cases, individuals who pose a danger to the public may be in possession of firearms which have been returned to them following a risk assessment made prior to the issuing of Statutory Guidance. Essex FSEL conduct such a review in 2023 that was overseen by Supt Richard Melton. In total, six certificates were revoked where it was deemed that the incident that led to the seizure of guns, when reviewed against new statutory guidance, the guns and certificate would not have been returned. Three of the six revoked certificate holders have appealed the decision through the courts and are pending a hearing date.

The coroner additionally raised the concern that despite numerous recommendations arising from previous inquests, the lack of effective national training for some 20+ years for staff involved in firearms licensing has still not been addressed. The Colleague of Policing (CoP) was awarded £500K in 2023 to progress a national accredited training solution. The CoP have recruited, on secondment, experienced firearm licensing colleagues to work on the production of the training materials. No

date as to when the product will be ready has been given. Essex FSEL colleagues continue to be trained, coached and further mentored in line with the Firearms Act, Statutory Guidance and the APP.

Contained in the revised version of the Feb 2023 Firearms Licensing Statutory Guidance, chief officers are guided to consider conducting an open-source check of an applicant's social media presence and activity. During 2023, FSEL performed a trial using the software (NetWatch) utilised by the Triple I Team, the results were inconclusive. Presently, the Home Office are sourcing a national solution to address this. Essex FSEL staff currently conduct an open-source check on a targeted basis where there is information that suggests further intelligence may be gained by doing so.

The document management system (Cyclops) currently being used by FSEL, has been assigned with an end-of-life warning from its manufacturer, Geoff Smith Associates (GSA). GSA have designed a newer cloud-based version of its software to fall in line with the modern, agile way of working. Although, an ideas validation was submitted to assess this system, at present the new cloud-based iteration of Cyclops is being reviewed alongside other alternatives as a replacement. No time frame for replacement has been given. Currently, both Essex and Kent use the same version of Cyclops.

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

Whilst the Police and Crime Plan does not make specific reference to Firearms, Shotgun and Explosives Licensing, the work of the department touches upon several priorities:

### **Anti-Social Behaviour**

The government has made tackling anti-social behaviour a key focus, with both the Prime Minister and the Home Secretary singling out ASB as a particular priority. Statutory Guidance for Chief Officers now makes it clearer that where there is evidence of anti-social behaviour, this may be suggestive of the existence of a danger to the public safety or the peace. Essex FSEL have updated their risk decision matrix to include ASB as a risk factor.

### **Organised Crime**

Statutory Guidance informs that there are some factors where the chief officer reasonably believes to be present in an application, pose such a serious risk that the possession of firearms should only be allowed in exceptional circumstances. Evidence (on balance of probabilities) of behaviour or offences in any of the following categories, will usually mean that the certificate is refused or revoked unless exceptional circumstances can be demonstrated:

- affiliation or involvement in terrorism or proscribed groups or organisations; or aggressive, abusive, or anti-social behaviour or incitement to hatred against particular groups categorised by, for example, race, gender, disability, sexual orientation, age or religion;
- affiliation with a serious organised crime group, or other involvement in serious organised crime

### **Domestic Abuse**

Evidence of domestic abuse is one of the most serious factors that should be taken into consideration in assessing an application.

Where there is information indicating the possibility of domestic abuse, FSEL conduct a separate interview with the applicant's current partner or family member of the applicant. Violent or abusing behaviour that has not resulted in a conviction is a key factor in any consideration about suitability working to the lower standard i.e., balance of probability, as the guiding principle.

### **Protecting vulnerable people from harm**

Essex FSEL have since 2022, conducted suicide prevention workshops with GPs and Adult safeguarding hubs. The presentation centred around the work that FSEL conducts and the need for greater exchange of information between NHS colleagues and police. This workshop has now been extended to include Social Care colleagues who attend the homes of vulnerable adults and children. The connections forged through these workshops have seen a significant rise in the number of referrals made to FSEL by NHS providers where the health of a certificate holder as caused an increase in risk.

## **6.2 Demand**

The year 2022, was high demand year for FSEL where the number of renewal applicant outstripped the resource to meet the demand. FSEL put in place strategies to cope with the demand including calling forward 1500 applications early. 2023, saw a return to renewal levels in line with staffing resource. The data extracted from the National Firearms Licensing System (NFLMS) indicates that Essex FSEL currently has sufficient resource to deal with the 2024 volumes and provide service deliver in line with the publicised 90 day SLA on Essex Police website. This data alongside other performance factors are collated and discussed periodically with the OPC Supt using the Strategic Demand Assessment (SDA) as set out in the new 2023 APP for firearms Licensing (previously reported at COG).

Essex & Kent IT colleagues have successfully created a search formula that produces a list of Storm and Athena incidents, intelligence cases or investigations involving a certificate holder. This new trawl of data from Athena and Storm allows FSEL colleague the ability to view all incidents involving a certificate holder or a certificate holders address, removing the reliance on other force colleagues to manually update this information into the team. This new system is currently working well, however still needs some refinement to reduce the number of irrelevant 'hits'. When this has been achieved the system and processes adopted in Essex will be shared with FSEL colleagues in Kent.

A business case for change paper has been submitted proposing that FSEL restructure the current staffing model. The new staffing model will ensure that FSEL resource is positioned to make the additional checks that are required as part of the Statutory Guidance.

## **6.3 Risks/Mitigation**

FSEL is an income stream for Essex Police, albeit the fees charged do not cover the running costs of the department. Nationally, firearms licensing is experiencing a downturn in the number of people taking up shooting as a sport. Over the last 3 years Essex FSEL has experienced a drop of circa 2000 certificate holders. With the challenge to delay the increase in fees coupled with the Oct 2023 pay award, the gap between income from fees and the running costs of FSEL will widen further.

No other new risks have been identified at this time.

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

No equality, diversity or human rights implications 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. Work is underway to restructure FSEL within the financial boundaries of the current establishment.
2. Continue to abide by the Ministers proposal where FSEL will submit bi-annual performance information via the Performance and Resource Board
3. Adopt and implement new Firearms Licensing APP following guidance from the National Firearms Licensing Group (FELWG).

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

FSEL has effective and efficient processes in place to manage the licensing system. Currently there is sufficient resource in place balancing the need to ensure the suitability of each applicant is thoroughly risk assessed whilst delivering a timely turnaround service. Essex FSEL understand 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 2024, Essex FSEL will be present at various public engagement events such as National Shooting Show at the Birmingham NEC, the National Stalking Show at the Staffordshire Showground, and the National Game Fair at Blenheim Palace throughout 2024.

FSEL continue to conduct a quarterly Firearms Licensing Working Group (FLAG), where members of the shooting community, including Home Office approved clubs and Registered Firearms Dealers are invited to participate and discuss with FSEL colleagues' areas of concern or suggest improvements.

Appendix A



UK Firearms  
Licensing Performanc

Appendix B



UK Firearms  
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Appendix C



ChiefsNet - Letter to  
Policing Minister re Fi