

Firearms licensing

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The chief officer of police for the area grants and authorises firearm and/or shotgun certificates to applicants who have a valid reason for possessing a firearm and/or shotgun and who are assessed to pose no threat to public safety. This process includes explosives certificates and registering firearms certificates. See the [Firearms Act 1968](#).

These certificates allow the holder to acquire, possess and lawfully use the firearm/shotgun to which they refer. An applicant who deals in firearms/shotguns by way of business (for example, manufacture, sale, repair, testing) may be registered as a firearms dealer.

It is imperative that the governance, processes and systems associated with firearms licensing are robust and rigorous, while being cost effective, efficient and fair.

Firearms licensing departments must provide a service which is consistent nationally. Forces should, therefore:

- align their licensing activities with this APP and the [Home Office Guide on Firearms Licensing Law](#)
- work together through the regional leads and stakeholder engagement to meet firearms licensing priorities
- implement policy issued by the national policing lead

This APP provides direction which supports effective and consistent firearms licensing.

Priorities

The following points underpin all aspects of firearms licensing:

- protecting public safety by preventing foreseeable or avoidable harm

- delivering an efficient licensing process that is proportionate, rigorous, cost effective, fair and timely
- providing a fair and transparent service to the public

The majority of certificate holders and registered firearms dealers are law-abiding and fully support the requirements for firearms licensing. Forces should, therefore, consider adopting a risk-based approach to aspects of the licensing process to maximise efficiency and effectiveness. Forces must also deliver a quality service through [public engagement](#), and comply with the [Human Rights Act 1998](#) and the [Equality Act 2010](#).

The [Home Office Guide on Firearms Licensing Law 2014](#) provides guidance and a single recommended interpretation of the complex legal issues associated with firearms licensing.

Forces that choose not to align their activities with the Home Office Guide are required to notify the national policing lead of the Firearms and Explosives Licensing Working Group (FELWG) and provide a rationale for their decision.

Governance

Effective and appropriate governance is a critical element of firearms licensing.

A chief officer is ultimately responsible and accountable to the public for decisions made concerning firearms licensing. They must audit and justify decisions concerning refusals, revocations and grants. They must also ensure that the highest level of scrutiny and investigation is applied should any risks to public safety and/or any breaches of the [Firearms Act 1968](#) be identified, especially those that are avoidable or foreseeable.

In order to fulfil their responsibilities, a chief officer should consider appointing a senior officer or senior member of staff to oversee the management of a firearms licensing department. This appointment should be based on seniority, experience, capacity and capability. It should help forces to adopt and correctly implement this APP, the [Home Office Guide](#) and nationally agreed policies and procedures. The role may also include assigning and managing appropriate resources for the department, monitoring performance, financial responsibility, and public engagement.

This appointment does not remove or reduce the chief officer's ultimate responsibility and accountability for firearms licensing.

The chief officer, or a member of their chief officer team with delegated authority, should hold regular governance meetings to discuss and/or assess the overall performance of their licensing department. These meetings should include the following areas:

- performance monitoring regarding the granting of certificates, renewals, refusals and revocations
- the outcome of appeals and any relevant good practice
- timeliness of the department's processes, for example, in relation to applications for granting certificates and renewals
- finance and resourcing
- cases of note which may require further investigation and/or review
- implications of new developments and/or national good practice associated with firearms licensing
- dip sampling of granted/renewed certificates
- monitoring of the force risk matrix
- public engagement strategies/stakeholder meetings
- complaints – their investigation, resolution and any learning from experience

Delegated authorities

A chief officer may delegate some or all of their powers to other staff in accordance with their role and responsibilities. Staff should be carefully selected and powers delegated only to those whose role requires them and where it is necessary for efficient and effective compliance with the administration of the [Firearms Act 1968](#).

Staff with delegated authorities should have the experience and capability to ensure that they can audit and account for their decision making.

The chief officer has full authorities. If these are delegated, it should be to a senior officer and the firearms licensing manager only. Other selected staff members may have restricted authorities such as the power to grant, renew or vary a certificate.

Although a chief officer may delegate some of their responsibilities to selected staff members (for example, the firearms licensing manager), they retain oversight, governance and accountability for all firearms licensing decisions made on their behalf.

Decision making

All staff involved in firearms licensing must be trained to understand and apply the **National Decision Model (NDM)**. The NDM can be applied to all aspects of firearms licensing, for example, granting, refusing or revoking a certificate.

All decisions are underpinned by the priorities and are, therefore, primarily based on reducing the risk to public safety through preventing foreseeable or avoidable harm.

Decisions on refusals or revocations should not be influenced by the potential cost of a possible appeal. Decision makers must always put public safety first.

Note:

- Legal advice may help decision making but should not dictate how a decision is made, for example, when considering refusals, revocations and possible appeals. When dealing with criminal offences, however, the **Director of Public Prosecution's guidance for charging** should be followed and the advice of the Crown Prosecution Service sought and followed where appropriate.
- Forces should provide and deliver training on the use of the NDM to firearms licensing staff.

Risk monitoring and assessment

The requirement to monitor and assess risk is a continuous and ongoing process (that is, 24 hours a day, 365 days a year).

Where it is assessed that there is a risk to public safety, immediate consideration must be given to seizing the firearms (including shotguns), certificates and ammunition. Although there is no specific legal power to seize firearms prior to revocation, if there is an immediate risk to public safety appropriate action must be taken. The response must be proportionate to the risk identified. Certificate holders should be given the opportunity to surrender their firearm, ammunition and certificate, unless this is impracticable.

When firearms are seized or surrendered from certificate holders, receipts must be issued in accordance with the **Home Office Guide on Firearms Licensing Law 2014**. Chief officers should be aware that they are liable for any loss or damage resulting from any such action. See the Home Office Guide on Firearms Licensing Law 2014, 10.69.

Forces should monitor certificate holders to ensure that all relevant incidents, information and intelligence are available for continuous assessment of a person's suitability to possess firearms. Where possible, automated IT systems should be used.

Forces should also consider dip sampling records held on current certificate holders.

Dip sampling should cover:

- decisions made to grant/renew certificates
- checking a certificate holder against the Police National Database (PND)
- checking local systems, for example, intelligence and incidents

Currently, certificate holders are marked on the Police National Computer (PNC), which automatically notifies all forces of changes to a certificate holder's personal record on the PNC. This includes arrests and convictions. ACPO is currently working with the Home Office to develop a solution to mark certificate holders on the PND, that is, to automate notices to forces if a certificate holder should come to attention regarding any relevant incident or intelligence anywhere in the country.

When information or intelligence is gathered on certificate holders, forces should manage and grade the level of the risk and any subsequent review. Forces should develop and adopt a risk matrix to prioritise workloads according to the level of risk. There is no standardised risk matrix, but the following factors should be considered:

- accessibility to firearms
- information/intelligence assessment
- domestic incident
- violence
- medical/mental health
- individual/associates or address
- previous history (for example, information, intelligence, medical)
- requirement for immediate action

A set of risk matrix templates used by forces is available from the FELWG for information.

Vetting

Every application received should be vetted. The vetting enquiries must be sufficiently rigorous to enable forces to accurately assess the suitability of an applicant.

Vetting checks should be made against the following systems:

- PNC
- counter terrorism
- local intelligence
- incident recording (including crime and custody systems)

Consideration should be given to checking applicants on the PND and, for applications from foreign nationals, the ACRO Criminal Records Office.

Investigations and reviews

When information or intelligence of note is received regarding certificate holders, it must be assessed and prioritised (in accordance with the force risk matrix). This process may trigger a review and subsequent investigation.

Forces need to consider the most appropriate resource(s) based on, for example, training, experience and capability to support and/or undertake the investigation. The progress, quality and outcome of any investigation should be monitored by processes agreed at the governance meetings.

Every investigation should be able to withstand the scrutiny of an independent review if required, with clear lines of auditable enquiries completed to the point of outcome. There is no exhaustive list of enquiries that should be undertaken. Each investigation should be treated individually taking account of proportionality and necessity.

The police have a responsibility to safeguard the public, especially those persons closest to certificate holders and applicants, after a refusal or revocation. Licensing departments should, therefore, liaise with relevant departments in their force to provide protection, support and reassurance to anyone who has been identified as at risk, for example, a partner or friend who has provided evidence against a certificate holder or in connection with an applicant's suitability to possess firearms.

Note: The [Home Office Guide on Firearms Licensing Law 2014](#) provides potential lines of enquiry and includes new content specific to domestic violence and abuse.

Accredited staff training

ACPO is seeking to develop appropriate accredited training for firearms licensing staff.

While this work is being undertaken, forces should consider any training courses currently available (accredited or local) that are suitable for firearms licensing staff and their role, and begin a delivery programme. Examples of courses that may assist staff include domestic abuse (good practices and guides), safeguarding and risk identification, the NDM, professionalising investigation programme (PIP level 1 – for investigators).

Further information

The following reference material is currently being developed by the FELWG to support firearms licensing and links will be added when published:

- Risk Based Home Visits on Renewal
- Information Sharing Agreement with Medical Profession
- National Performance Framework
- eCommerce
- Use of Conditions on Firearms Certificates

Linked reference material

Linked reference material for APP on firearms licensing.

- [CPS \(2013\) The Director's Guidance on Charging – fifth edition](#)
- [Equality Act 2010](#)
- [Firearms Act 1968](#)
- [Home Office \(2014\) Guide on Firearms Licensing Law](#)

Tags

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