

UKPSA Response to Home Office Consultation

# Quick Fire answers to Consultation questions.

**Q1:** No.

**Q2:** No.

**Q3:** Yes – more than five years.

**Q4:** No.

**Q5:** No.

**Q6:** Yes.

**Q7:** Leave Blank.

**Q8:** No.

**Q9:** No.

**Q10:** No.

**Q11:** No.

**Q12:** Yes.

**Q13:** No.

**Q14:** Yes.

**Q15:** No.

**Q16:** Yes.

**Q17:** Yes.

**Q18.** No.

**Q19:** Leave Blank.

**Q20:** Leave Blank.

**Q21:** *See below for some ideas on important areas of firearms licensing that require addressing but are currently not included within this consultation.*

**Independent Regulator for Firearms Licensing**

An independent regulator for firearms licensing here in Great Britain is necessary to strike the right balance between public safety, efficient use of taxpayer money, and fair treatment of the shooting community. Such a regulator should be entirely separate from the police force, ensuring an unbiased and objective approach to overseeing the firearms licensing system.

The establishment of such an entity would provide the following benefits.

1. Enhanced Public Safety: An independent regulator can prioritize public safety by maintaining strict and consistent standards of performance and training and best practice across the 44 separate police constabularies and their Firearms Licensing Departments (FLDs) to ensure the application of legislation and Home Office guidance is applied consistently and equitably.

2. Professional Expertise: An independent regulator can ensure appropriately trained, skilled and competent personnel are employed to carry out the role of Firearm Licensing Managers and Firearm Enquiry Officers. An independent body that can hold both the Chief Constable but also the Police & Crime Commissioner to account to ensure their staff have the expertise to enable them to make informed decisions, to follow appropriate licensing criteria and statutory guidance, and conduct effective background checks to assess the suitability of applicants and existing certificate holders.

3. Reduced Bias and Conflicts of Interest: Police officers and civilian staff tasked with firearms licensing may face potential conflicts of interest, particularly where individuals act on personal bias that negatively affects the legal and legitimate pursuit of shooting sports. An independent regulator can alleviate this issue by ensuring impartiality and preventing any undue influence from internal or external bodies. This would boost public trust in the licensing process.

4. Accountability and Transparency: An independent regulator will allow Chief Constables and their FLDs to be held accountable to the public and stakeholders who currently have no form of redress outside of going to court. An independent regulator can gather specific data and publish reports on the activities, decisions, and performance of FLDs across the Great Britain in order to fostering transparency and demonstrating value for both the taxpayer and private induvial who pays additional money to the government for a firearm and/or shotgun certificate.

5. Efficiency and Consistency: The Licensing process in Great Britain is archaic, poorly managed and hugely inefficient. An independent regulator would be a vital tool for streamlining the licensing process, promoting consistency in decisions and reduce administrative inefficiencies. This will help eliminate regional variations and ensure fairness for the licenced shooting community whilst ensuring the licensing regime is applied robustly to ensure the public safety.

6. Cost-Effectiveness: An independent regulator can evaluate the effectiveness and efficiency of FLDs, identifying areas for improvement and cost-saving measures. By optimizing the process, they can ensure value for taxpayer money while maintaining public safety standards.

7. Stakeholder Representation: An independent regulator can provide a platform for engaging with stakeholders such as individual members of the licenced shooting community. This will enable them to understand the needs and concerns of the community better, ensuring a balanced approach to future policymaking.

8. Long-term Planning and Adaptability: An independent regulator can focus on long-term planning and strategies to adapt to emerging challenges or changing societal needs. They can take a proactive approach to address potential issues before they become significant problems.

Establishing an independent regulator for firearms licensing in Great Britain is a vital component to ensuring a more effective, accountable, and fair system. By prioritising public safety, ensuring transparency, and engaging with stakeholders, a regulator can build trust with both the public and the shooting community, while also optimising the use of taxpayer money.

**Defined levels of service and financial penalties for police constabularies which fail to meet requirements.**

Due to the current poor level of performance of Firearms Licensing Departments across Great Britain, and the confirmation by the Minister of State for Crime, Policing and Fire that fees for firearms licensing will be raised later this year. It is important that any increase in fees is met with a guarantee of service, backed up by appropriate compensation scheme that does not require an individual to take an FLD or Chief Constable to court.

Public safety is a fundamental aspect of government, the provision of which is considered to be a core function that should be funded via the public purse.

It is crucial for governments to strike a balance between ensuring public safety, promoting compliance, and being sensitive to the financial impact on individuals to ensure that the financial burden of a government scheme does not disproportionately affect individuals.

Until the firearms licensing regime in Great Britain is modernised and delivered in an efficient and equitable manner, it cannot be justifiable that private individuals are left to bare the cost of poorly performing FLDs. Defined levels of service i.e. 8 weeks for applications, 4 weeks for renewals and 1 weeks for variations, backed up by financial penalties for Chief Constables would go a long way to ensure FLDs are appropriately resourced with their funding ring fenced leading to a greater level of efficiency and performance benefitting both the individual certificate applicant/holder and the public safety.

**Specific responsibilities for PCCs to engage with Firearms Licensing**

In line with defined levels of service for FLDs, there should be a specific statutory requirement for Police & Crime Commissioners, as the elected representative of police constabularies within their respective areas, to ensure firearms licensing is being carried out appropriately and forms part of their Police and Crime Plan. This requirement should ensure the PCC assures that the Chief Constable has resourced the department appropriately, that funds raised by licensing are ring fenced for firearms licensing activities, FLD personnel are trained appropriately, and any backlog of applications, renewals or variations are prevented from occurring.

**Codifying firearms legislation**

The Law Commission of England and Wales, together with the Scottish Law Commission, published a joint report in September 2015 recommending the codification of firearms legislation in the UK. The purpose of this recommendation was to simplify and consolidate the existing complex and fragmented firearm laws into a single, coherent piece of legislation.

The main elements of the Law Commission's recommendation for codifying firearm legislation included:

Consolidation: The report proposed bringing together various firearm laws, regulations, and related provisions, which were previously scattered across different statutes, into a single comprehensive Firearms Act.

Clarity and Accessibility: The codification aimed to make the law more accessible and understandable for firearms owners, law enforcement, and the public. It sought to clarify legal obligations and restrictions regarding firearm possession, use, and licensing.

Modernization: The proposed Firearms Act would have taken into account the developments in firearms technology, modern practices, and international standards. It aimed to provide a more up-to-date legal framework for regulating firearms.

Public Safety and Security: The Law Commission's proposal aimed to strike an appropriate balance between respecting the rights of law-abiding firearm owners and ensuring public safety and security. It intended to enhance the effectiveness of firearm regulation in preventing misuse and criminal activities.

Streamlining Licensing Process: The codification would have sought to simplify the licensing process for acquiring and possessing firearms while maintaining robust background checks and suitability assessments.

Harmonization: The Law Commission's recommendation aimed to harmonize firearm laws across the different parts of the UK, promoting consistency and uniformity in firearm regulation.

Both our legislation and licensing system is archaic, inefficient, and poorly understood by both those who enforce it, but crucially by those who must follow it. Codification would go a long way to solving many of these issues.

**Digital Licensing**

Digitizing the current analogue licensing system that relies on paper based registers and certificates offers numerous benefits for all stakeholders in the licensing process, and will ultimately enhance public safety by delivering a system that is fit for purpose in the 21st Century.

Some of the key advantages of digitization include:

Improved Efficiency: A digital licensing systems will streamline processes, making them faster and more efficient. Digital data can be easily accessed, searched, and manipulated, reducing the time and effort required for tasks.

Enhanced Accessibility: Digitized data can be accessed remotely from multiple devices and locations. This accessibility allows for more flexible working arrangements and improves collaboration among teams.

Cost Savings: Digitization can lead to cost savings in various ways, such as reducing the need for physical storage space, minimizing paperwork, and optimizing workflows.

Data Preservation: Digital formats are more resilient and durable than analogue systems, leading to better data preservation and protection against degradation or loss.

Search and Retrieval: Digital systems enable quick and efficient searching and retrieval of information, making it easier to find specific data when needed.

Data Analysis: Digital data can be easily analysed and processed using software tools, allowing for data-driven decision-making and insights.

Flexibility and Scalability: Digital systems can be easily scaled up or down to accommodate changing needs and requirements.

Integration and Interoperability: Digital systems can be integrated with other digital platforms, enabling seamless data exchange and interoperability.

Remote Monitoring and Control: In many industries, digitization allows for remote monitoring and control of systems, leading to increased safety and efficiency.

Real-time Communication: Digitized systems facilitate real-time communication and collaboration, enhancing productivity and reducing delays.

Automation: Digital systems can automate repetitive tasks, freeing up human resources for more complex and strategic work.

Environmental Impact: Digitizing analogue processes often reduces the need for paper and physical resources, contributing to environmental sustainability.

Improved User Experience: Digitization often leads to more user-friendly interfaces and experiences, enhancing user satisfaction and adoption.

Data Sharing and Collaboration: Digital data can be easily shared and collaborated on, fostering teamwork and knowledge sharing.

Overall, the digitization of the current analogue licensing regime would lead to significant improvements in the productivity of FLDs through efficiencies that digitisation provides. The enhanced data management would ensure better communication and visibility of risks for those administering the licensing system. A fully digitised licensing system that removed the currently reliance on paper certificates and registers would transform the end user experience, whilst ensuring the appropriate custody of firearms, component parts and ammunition.

**Lending of Long Barrelled Pistols, Long Barrelled Revolvers and Multi-shot shotguns**

Currently there exists confusion regarding the legality of allowing the legitimate supervised use of a long-barrelled pistol (LBP) or revolver (LBR), or a multi-shot shotgun by a person who does not hold a firearms certificate, or a person who does hold a firearms certificate with a permission to acquire that type of firearm.

LBPs, LBR’s and multi-shot shotguns are Section 1 firearms by definition, therefore it is illogical that they should be treated any differently that other section 1 firearms i.e. muzzleloading pistols or rifles.

It is an important component of all shooting sports that individuals be allowed to obtain training and guidance in the safe use of firearms, and this anomaly which is the result of loose definitions within the Firearms Act 1968 (as amended) and conflicting Home Office guidance, as well as inconsistent interpretations by FLDs is preventing the appropriate education and safety training for members of the licensed shooting community and general public.

The Home Office should confirm that LBPs. LBRs and Multi-shot shotguns may be used by those without a firearms certificate under the direct supervision of a person who holds a valid firearms certificate, and the lending of the firearm is for a lawful purpose, such as shooting sports.

**Taking sound moderators/suppressors out of Section 1 of Firearms Act 1968 (as amended)**

Sound moderators, also known as suppressors, were classified as firearms under the Firearms Act 1968 (as amended), largely due to the unfounded perception that they could be mis-used for illicit activities by making a firearm so quiet as not to be noticeable.

Whilst sound moderators do reduce the noise of a firearms discharge, generally by around 20 to 35 decibels (dB), the average firearm discharge being in the region of 140 to 190 dB, there is no evidence, nor has there ever been, to suggest they are a viable risk to the public safety such they should be treated as firearms.

Sound moderators are in fact a tool for promoting the health and wellbeing of both the individual using a firearm, and those who may be considered receptors of the associated noise generated by the firearms discharge.

By classifying what is essential a piece of protective equipment as a firearm, the government is allowing harm to be caused to both firearm user, and potential 3rd party noise receptors. In addition to restricting and in some cases deigning access to a piece of protective equipment, by continuing to classify sound moderators as firearms increases the administrative burden on Firearms Licensing Departments unnecessarily.

In the complete absence of evidence that moderators are used illicitly, and the increased administrative burned it places on FLDs, there is no justifiable reason to continue to classify sound moderators as firearms, and they should be removed from Section 1 of the Act.