



# An inspection of Border Force practice and procedures in relation to firearms

September – October 2023

**David Neal**

Independent Chief Inspector of  
Borders and Immigration



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## **Our purpose**

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# Foreword

From the evidence of this inspection there is nothing fundamentally broken in this area and the recommendations I have made relate to tightening of procedures and carrying out the basics well, rather than a need for fundamental review or change.

A quick win for Border Force would be the appointment of a senior responsible officer (SRO) to give some focus and grip to what is one of the more risk-filled areas of activity at the border. The appointment of an effective SRO, aligning responsibility, accountability, and authority will go a long way to tightening matters up and improve training, provision of equipment, and operational guidance for frontline staff. Risk registers, risk assessments, and safe systems of work, are all areas which need to be reviewed, standardised, and consistently applied across the business.

Interception of illegal firearms, along with illegal drugs and human trafficking are fundamentals of a secure functioning border, building blocks which all Border Force officers should be trained in identifying and be comfortable interdicting. It is surprising therefore, that not all recruits are trained in firearms awareness and staff who only work within immigration functions did not always receive the training but were involved in searches.

Beyond basic training given to all officers, Make Safe Officers and 'Firearms and Explosives Awareness and Recognition' trainers are the second line of response. This inspection found these individuals to be enthusiastic, professional, and motivated by this secondary specialism. This goodwill needs to be nurtured with broader opportunities for continuous professional development to enthuse and encourage the spread of best practice within the community of interest.

This report makes eight recommendations and was sent to the Home Secretary on 7 November 2023.

A handwritten signature in black ink, appearing to read 'David Neal', with a horizontal line underneath it.

David Neal  
Independent Chief Inspector of Borders and Immigration



# 1. Key findings

## Governance

- 1.1** The Border Force Firearms Border Steering Group (BSG) provides a forum to discuss the emerging issues and operational challenges to Border Force's response to firearms. The meeting encourages interaction with law enforcement partners and other government departments with an interest in firearms activity. This engagement is particularly important given the 13% increase in the number of recorded firearms offences in the UK between the year ending March 2022 and that ending March 2023.
- 1.2** The BSG requires support from Border Force senior leaders to affect change and drive improvements. There is no effective process in place to escalate and resolve issues, or to obtain clear and unambiguous direction.
- 1.3** There is no clear overarching governance structure or strategic oversight in place. Border Force requires a Senior Responsible Owner (SRO) for firearms to ensure that key stakeholders working within training, policy, assurance, and across operational roles, are supported, properly directed, and work effectively together.

## Risk management and assurance

- 1.4** Border Force acknowledges that managing risk, and health and safety, are priorities for its staff. However, inspectors found firearms risks were not managed effectively, with out-of-date and unreviewed risk assessments, and an absence of any firearms risks on regional risk registers. Border Force managers were unable to confirm who held responsibility on a national level for risk assessments and safe systems of work (SSoW).
- 1.5** The quality of the tools used to manage firearms risks (risk assessments, risk registers and SSoW) varied across Heathrow Airport, the Port of Plymouth, the Port of Liverpool, and Manchester Airport. There was no national standard across these three risk management tools to reflect the considerations and mitigations in place for firearms risks. Border Force was aware of the need for consistency and assured inspectors that standardisation of risk assessments was being taken forward, but no timescale was provided for the expected completion of this work.
- 1.6** The recording of firearms mishandling incidents plays a critical part in capturing information, which can be fed into lessons learned, to help drive improvements. While Border Force formally reported five incidents in 14 months nationally, inspectors were made aware of two incidents within two days at one port during the onsite phase of this inspection.<sup>1</sup> This led inspectors to question whether all firearms mishandling incidents are being recorded correctly.

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<sup>1</sup> Data provided by Border Force regarding firearms incidents covered the period 1 July 2022 to 11 September 2023.

- 1.7** First-line assurance is conducted by managers at ports, who complete monthly assurance expectations returns for the Operational Assurance Directorate (OAD).<sup>2</sup> There are three expectations which directly relate to firearms: a sufficient number of staff have received Make Safe Officer (MSO) training; at least one MSO is available when needed at every Border Force location; and any firearms are handled by Border Force staff in line with guidance. Returns on these expectations were completed on an ad hoc basis, which makes it harder for OAD to track and resolve issues.
- 1.8** Inspectors found evidence of second line assurance. OAD contacts ports to obtain further information about the expectations returns where insufficient information has been provided, or to monitor higher-risk issues more closely. Systemic or significant issues are escalated to relevant senior leadership teams and boards, and are used to update the Border Force Priority Matrix. Strategic issues are considered alongside other organisational priorities and are used to identify potential training requirements.
- 1.9** Inspectors also found evidence of assurance being conducted in other areas such as record keeping, although these checks were not done consistently across all ports.
- 1.10** There is no clear process to record the issue and expiry date of body armour or to ensure that it is fit for purpose. Assurance of body armour could potentially be undertaken during an officer's annual Personal Safety Training refresher.
- 1.11** The Border Force 'Firearms Review' conducted in July 2023 by the Health and Safety Projects Team, proposed the appointment of a Grade 7 Firearms Lead.<sup>3</sup> This position has now been filled, which should assist Border Force in developing and implementing assurance recommendations.

## Firearms policy and guidance

- 1.12** The management of firearms at the border is a complex matter, with the overarching legislation of the Firearms Act 1968 managed by a Home Office unit outside of Border Force. Policy managers responsible for the development of Border Force policy and guidance engage and work collaboratively with a range of internal and external stakeholders, including other government departments, in the development of operational firearms policy.
- 1.13** Several Border Force guidance and policy documents require review, with many of these documents published prior to 2019. While a programme is already ongoing to update these documents, progress has been slow.
- 1.14** While Border Force staff were aware of the availability of policy and guidance on the 'Migration and Borders guidance' SharePoint platform, several told inspectors that they accessed these documents via paper copies or copies saved on shared drives. This carried an inherent risk of officers accessing guidance which was out of date or had been superseded.
- 1.15** At some ports, officers relied on local guidance which was a distilled version of the national guidance and produced to aid the accessibility of information for frontline staff. There was a risk of inconsistency of approach between different ports without a mechanism to assure that local guidance was consistent across the UK.

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<sup>2</sup> OAD defines its role as "to promote an organisational culture of integrity and professionalism in Border Force where standards, ethics and a customer focus are central to delivery and are underpinned by effective risk management and effective assurance".

<sup>3</sup> For an explanation of the Civil Service grade structure, see: <https://www.instituteforgovernment.org.uk/explainer/grade-structures-civil-service>

- 1.16** Border Force staff have access to a guidance platform known as Ocelot which they found useful in providing real-time access to guidance and policy. The platform is an excellent tool to 'operationalise' policy documents and deliver operational guidance to frontline staff in a way that is conducive to operational delivery.
- 1.17** Inspectors found that ownership of Border Force firearms policies was unclear and, while the process of modernising and updating these firearms policies was ongoing, little progress had been made with only three policies published or updated since 2019.

## Training

### Firearms and Explosives Awareness and Recognition

- 1.18** The central Border Force Training Team co-ordinates Firearms and Explosives Awareness and Recognition (FXAR) training but is reliant on information from Training Liaison Officers (TLOs) to update its records. The availability of training courses across different regions is inconsistent, with little evidence of consideration of the skills requirements in particular ports. There was a lack of future-proofing and succession planning, with training courses allocated on a 'first come, first served' basis, rather than business need. Inspectors were informed of the development of a new technical tool which should provide better oversight and assist the Training Team in planning future training, though no timescale was provided for the planned introduction of this tool.
- 1.19** The FXAR training package contains outdated content and needs to be updated and professionalised. Inspectors heard that some equipment used in practical demonstrations was old and in poor condition. There is currently no oversight to ensure that equipment is suitable, of good quality, consistently provided across different Border Force ports, and sourced according to Border Force policy. There needs to be improved oversight of FXAR training and maintenance of training kits. Additionally, Border Force should consider making further firearms available to FXAR trainers for use in training kits and their own familiarisation.
- 1.20** FXAR delegates do not receive any training on controlling passengers in the presence of firearms. FXAR training would benefit from the inclusion of scenario-based training on firearms handling etiquette and situational control.
- 1.21** Inspectors found that many individuals across different grades had not received FXAR refresher training within the required four-year period. There should be tighter control of the training and refresher training process, with a clear policy and directive to identify which members of Border Force staff are mandated to attend the FXAR course.

### Firearms and Explosives Awareness and Recognition trainers

- 1.22** There is an absence of oversight on a national level to ensure that the FXAR trainer course is offered to officers based on the demands of the region. This was a particular concern in the North region, due to the limited number of lead trainers available.
- 1.23** The shortfall of FXAR trainers in some areas has led to increased resourcing pressure on the existing cadre.
- 1.24** The FXAR trainer course is limited to the technical content of the course and does not cover the delivery or presentation skills needed to ensure a course is delivered as effectively as possible.

There was a lack of networking between FXAR trainers across regions, which inspectors thought was a missed opportunity for sharing expertise and ensuring consistent training delivery. Tighter control of the delivery of the FXAR trainer course, including an updated training presentation and detailed training plan, would also assist trainers.

## **Make Safe Officer**

- 1.25** The MSO training course is of a good standard and provides delegates with an interactive learning environment, delivered by a knowledgeable and skilled training team.
- 1.26** The National Firearms Centre provides sufficient training courses to meet Border Force business needs. However, Border Force could do more to ensure the allocation of places is demand led and that each course is fully subscribed.
- 1.27** The selection process for the MSO role is inconsistent across the country and the implementation of a pre-course assessment would standardise the recruitment process. However, an Equality Impact Assessment should be conducted, particularly in relation to the protected characteristics of disability, age, and sex, as inspectors could not be satisfied that any indirect discrimination was objectively justified, nor that Border Force was compliant with its obligations under the public sector equality duty.
- 1.28** A post-course continuous professional development plan (CPD) needs to be designed and implemented to include local mentoring and orientation, and regular CPD sessions to maintain skills.

## 2. Recommendations

### Recommendation 1

Appoint a Border Force Senior Responsible Owner to provide clear strategic direction and ownership of firearms-related activity.

### Recommendation 2

Review existing risk management practice to ensure a consistent national standard is maintained for the production, review, oversight, and audit of risk assessments, risk registers, and safe systems of work.

### Recommendation 3

Address the firearms risk of Border Force staff conducting searches under immigration or customs powers without completing the Firearms and Explosives Awareness and Recognition training course.

### Recommendation 4

Introduce a process to record the issue and expiry date of body armour and ensure that body armour is fit for purpose.

### Recommendation 5

Review the current Border Force Assurance Expectations, to ensure that all risks in relation to firearms identification, handling, storage, and transport are subject to adequate first and second-line assurance.

### Recommendation 6

Ensure that all national Border Force firearms policy and guidance documents have a clearly defined owner, are subject to regular time-bound reviews, and are readily available to operational frontline staff.

### Recommendation 7

Conduct a firearms training needs analysis and review of existing national training provision to define the mandatory attendance requirements and to ensure that the quality and availability of training delivery meets the demand.

## **Recommendation 8**

Develop and implement a continuous professional development plan for all Make Safe Officers, ensuring that there is a mechanism in place to access technical support.

## 3. Background

### The importance of firearms controls

- 3.1** Firearms present a serious threat to the safety and security of the public. This commodity has the potential to kill, and it is imperative, as a matter of public safety, that proper and effective import and export controls are in place at the UK border to regulate the movement of firearms into and out of the country.

### Definition of a firearm

- 3.2** A firearm is defined as a lethal barrelled weapon capable of firing a bullet or other projectile, including certain types of prohibited weapon such as incapacitant sprays or electric stun guns.<sup>4</sup> The legal definition of a firearm also includes certain component parts of lethal or prohibited weapons. Further detail on the legal framework defining a firearm is provided in annex A.
- 3.3** As a matter of policy, Border Force draws a distinction between ‘lethal’ and ‘non-lethal’ firearms. The classification of different types of commodities as ‘lethal’ or ‘non-lethal’ is summarised in Figure 1:

**Figure 1: Lethal and non-lethal firearms as defined in Border Force’s transparency data<sup>5</sup>**

Lethal firearms	Non-lethal firearms
Air/Gas guns	Electric stun guns
Derringers	Firearms component parts
Machine guns	Incapacitant sprays
Other explosive materials	Realistic imitation firearms
Pistols	Silencers
Readily convertible firearms	Stun batons
Revolvers	
Rifles	
Rocket launchers	
Shotguns	
Shotgun cartridges	
Sub-machine guns	

<sup>4</sup> <https://www.nationalcrimeagency.gov.uk/who-we-are/publications/487-key-aspects-of-uk-firearms-legislation/file>

<sup>5</sup> Table contains a summary of firearms categories as defined on the ‘Notes’ tab of the Border Force transparency data releases. Ammunition is excluded from the definitions. A derringer is a type of small handgun.

## The role of Border Force in firearms border controls

- 3.4** Border Force is a law enforcement command within the Home Office. It secures the UK border and promotes national prosperity by facilitating the legitimate movement of individuals and goods, while preventing those that would cause harm from entering the UK. This is achieved through immigration and customs checks carried out at ports, airports, and in postal hubs.<sup>6</sup>
- 3.5** Border Force holds primary responsibility for the detection and seizure of improperly imported, and exported, firearms at the border. It also has a responsibility to ensure that legitimate movement of firearms complies with the law.
- 3.6** Border Force is an organisation which has evolved through the merger of several legacy organisations. As such, there are three different cohorts of staff, with differing capabilities:
- staff trained only in immigration functions
  - staff trained only in customs functions
  - ‘multi-functional’ staff trained in both immigration and customs functions
- 3.7** While it is a prerequisite for Border Force staff to be customs trained to seize or detain firearms at the border, non-customs trained staff conduct searches at the border under immigration powers. There is the potential for firearms to be encountered by any member of frontline Border Force staff working at any port of entry.

## Relevant legislation

- 3.8** The powers of Border Force officers to undertake customs controls at the border can be found principally in the Customs and Excise Management Act 1979 (CEMA). This legislation also defines many customs offences at the border, such as the improper importation of firearms.
- 3.9** His Majesty’s Revenue and Customs (HMRC) is the government department with responsibility for CEMA. The Home Office works in close partnership with HMRC given that the responsibility for many border matters is shared between the two departments.
- 3.10** While CEMA provides a framework for the prohibition or restriction of certain items from entering the UK, the definition of what amounts to prohibited or restricted goods is directed by other legislation. The principal piece of legislation defining prohibitions and restrictions on firearms is the Firearms Act 1968, which is ‘owned’ by the Home Office’s Firearms Policy Unit. A summary of this and other firearms legislation is provided in annex A.

## Border Force firearms strategy

- 3.11** The Border Force ‘Strategic Threat Assessment’ identifies the known and suspected methods used to illegally import firearms into the UK. Illegal in this context means firearms improperly imported contrary to a prohibition or restriction in force. The key arrival modes identified for illegal imports of firearms include ‘fast parcels’, postal, roll-on roll-off (RoRo) freight, air freight, and air passenger.<sup>7</sup>

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<sup>6</sup> <https://www.gov.uk/government/organisations/border-force/about>

<sup>7</sup> ‘Roll-on roll-off’ or ‘RoRo’ freight refers to wheeled cargo, such as trucks or trailers, which are driven on and off a ship, either on their own wheels or using a platform vehicle.



- 3.12** The Border Force Control Strategy (BFCS) is a prioritisation matrix for border risks controlled by Border Force. The BFCS has four priority levels, classified from A to D, with A being the highest priority. The importation and exportation of lethal firearms has the highest level of prioritisation A, along with other threats such as ‘national security’, ‘human trafficking’, and ‘clandestine entry’. Non-lethal firearms are priority B, alongside the importation and exportation of ‘knives’ and ‘offensive weapons’.

## Border Force’s firearms stakeholders

- 3.13** Because Border Force does not own the principal firearms legislation, the regulatory framework for firearms at the border is a complex matter, involving multiple government departments. To enforce firearms controls at the border it is necessary for Border Force to engage with the following internal and external stakeholders.

### National Crime Agency

- 3.14** The National Crime Agency’s (NCA) role is to protect the public from serious and organised crime. The NCA also has primary responsibility for the adoption and investigation of firearms offences at the border, as Border Force has a limited investigation capability and no prosecution capability. According to the Home Office’s ‘National Crime Agency border detection referral criteria’ all detections of smuggled firearms and their component parts must be referred to the NCA.
- 3.15** The NCA produces an annual ‘National Strategic Assessment of Serious and Organised Crime’, which sets out how the threat has changed over the past year.<sup>8</sup> This is drawn from a wide range of intelligence sources, including law enforcement, the government, the intelligence community, and public, private, and third sector organisations.
- 3.16** The current NCA threat assessment identifies that:
- “pistols, revolvers and shotguns are the firearms most frequently used illegally in the UK. Whilst fully automatic weapon seizures are very rare, we have seen a gradual increase and are working to prevent the supply into the UK. A substantial number of shootings involve firearms that have been illegally converted, modified, or reactivated. This includes blank firearms that have been modified to fire.”
- 3.17** NCA data shows that most firearms involved in criminal activity have not been used before, potentially indicating an ongoing supply from within the UK and overseas. NCA data shows that illegal ammunition is also increasingly available in the UK.<sup>9</sup>

### NCA Firearms and Explosives Officer network

- 3.18** The NCA Firearms and Explosives Officer (FXO) network is a nationally dispersed team of specialist firearms practitioners within the NCA Firearms Threat Leadership Command. FXOs are specially trained in firearms classification, triage, and applied firearms law and licensing. The FXO network of officers provides firearms technical support and niche capabilities for a range of demand-led and routine frontier firearms activity, including Border Force operations.

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<sup>8</sup> <https://www.nationalcrimeagency.gov.uk/nsa>

<sup>9</sup> <https://nationalcrimeagency.gov.uk/what-we-do/crime-threats/firearms>

## National Ballistics Intelligence Service

**3.19** The National Ballistics Intelligence Service (NABIS) forms a key component in the UK's strategy to reduce firearms criminality. It provides a national centre of excellence for forensic science, intelligence, and knowledge around the use, supply, distribution, and manufacture of illegal firearms and ammunition.<sup>10</sup>

## National Firearms Centre

**3.20** The National Firearms Centre in Leeds hosts the UK's national collection of firearms.<sup>11</sup> The centre provides Border Force staff with training to render firearms safe, as well as providing technical assistance to Border Force in response to complex firearms-related queries.

## Aviation policing

**3.21** Responsibility for the protective security of the airport environment, including the secure transit of firearms to and from aircraft and the terminal, sits with the relevant aviation policing team in each regional police force across the UK. Border Force notifies aviation policing where it identifies that there has been a breakdown in firearms handling processes in the airside environment (for example, firearms have not been escorted to or from an aircraft by a representative of the handling agent).<sup>12</sup>

## Homeland Security Group

**3.22** Homeland Security Group (HSG) is a Home Office directorate whose mission is to reduce security risks to the UK's people, prosperity, and freedoms. HSG works with law enforcement partners, including Border Force, and international partners to prevent and reduce the illegal importation and exportation of firearms.

## Firearms statistics

**3.23** There was a 13% increase in firearms offences in the year ending March 2023 (6,365 offences), compared with the previous year ending March 2022 (5,639 offences).<sup>13</sup> Conversely, there has been a gradual reduction in the seizures of lethal firearms for the past decade. The seizures of non-lethal firearms have also generally decreased since 2018. This is illustrated in Figure 2.<sup>14</sup>

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<sup>10</sup> <https://www.nabis.police.uk/>

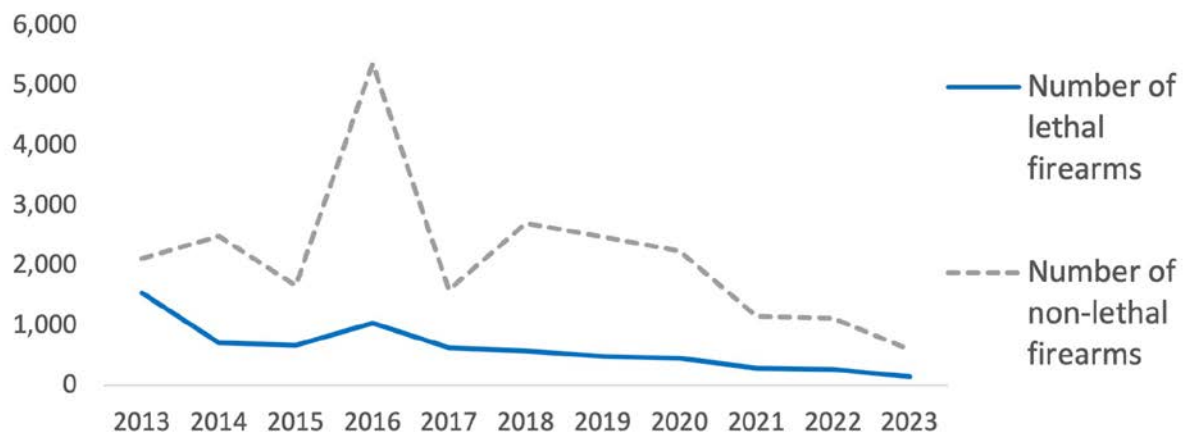
<sup>11</sup> <https://royalarmouries.org/about-us/research/national-firearms-centre>

<sup>12</sup> An airline handling agent is employed by an airline to perform functions on behalf of the airline such as the loading and unloading of aircraft, handling of cargo, and processing of passengers on arrival and departure.

<sup>13</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmarch2023#offences-involving-firearms>

<sup>14</sup> Data on the number of firearms seized by Border Force is published quarterly in the Home Office transparency data on GOV.UK, <https://www.gov.uk/government/publications/border-force-transparency-data-q2-2023>

**Figure 2: Volume of lethal and non-lethal firearms seized at the border (2013 to August 2023)**



## 4. Scope and methodology

- 4.1** This inspection examined the availability and quality of the training, equipment, and guidance provided to Border Force officers in relation to the identification, handling, and storage of firearms.
- 4.2** The inspection was informed by the ICIBI expectations (see annex C).
- 4.3** Inspectors undertook the following activities:
- reviewed publicly available information and internal Border Force guidance regarding firearms at the border
  - visited the National Firearms Centre on 21 August 2023
  - on 24 August 2023, participated in a familiarisation session with the Border Force Operational Assurance Directorate and senior managers from across Border Force, including Learning and Development, Operational Logistics, Operational Planning, Operational Tasking and Co-ordination, and Heathrow Airport
  - formally notified Border Force of the inspection on 4 September 2023 and submitted a request for evidence
  - visited Heathrow Airport on 18 (accompanied by the Independent Chief Inspector) and 19 September 2023, Port of Plymouth from 19 to 21 September 2023, the Port of Liverpool from 20 to 21 September 2023, and Manchester Airport on 22 September 2023
  - between 14 September and 2 October 2023, conducted 29 interviews and focus groups with Border Force staff involved in firearms processes and procedures
  - reviewed and analysed the evidence provided by Border Force
  - observed the Border Force Firearms Border Steering Group meeting held on 20 September 2023
  - spoke with Border Force stakeholders, including the National Ballistics Intelligence Service, Home Office Homeland Security, Home Office Firearms Policy Unit, the Department for Business and Trade, the Metropolitan Police Aviation Security Team at Heathrow Airport, the National Firearms Centre, and the Foreign, Commonwealth & Development Office
  - on 4 October 2023, provided a debrief to senior Border Force managers on observations from the onsite phase of the inspection

## 5. Inspection findings: Governance

### ICIBI expectations

- 5.1 Inspectors considered the ICIBI expectation that each immigration or customs function has an 'owner' who is accountable for the implementation of relevant policies and processes, performance, resourcing, managing risks, communications, and stakeholder engagement.

### Operational Assurance Directorate review, April 2018

- 5.2 In April 2018, the Border Force Operational Assurance Directorate (OAD) conducted a review of the 'firearms and explosives training and knowledge' available to Border Force staff. The review was instigated because "The [Border Force] Health and Safety team were made aware of incidents in recent years whereby firearms were mishandled by BF staff and guidance was not being correctly followed." Details of these mishandling incidents and the timescales of the incidents were not provided in the report.
- 5.3 The review concluded that: "The governance of firearms policy, training, and oversight within Border Force was inadequate, illogical, and confusing." It recommended that Border Force review the current governance arrangements to provide clarity over who is responsible for firearms training, capability, guidance, risk management, and oversight.
- 5.4 The review also made recommendations relating to the quality and accessibility of policy and guidance. A further recommendation related to clarifying which Border Force staff should receive Firearms and Explosives Awareness and Recognition (FXAR) training.
- 5.5 During this inspection, inspectors found that some of the issues identified in the 2018 review by OAD remain unresolved, with no clear overarching governance structure or strategic oversight in place.

### Firearms Review, July 2023

- 5.6 In July 2023, a review of firearms processes and procedures was commissioned by the Border Force Chief Operating Officer following the inclusion of risks relating to firearms training and assurance on the Border Force national risk register. The Operational Logistics Health and Safety Projects Team was tasked to undertake a review to identify any gaps in Border Force operational activity and knowledge in relation to current firearms procedures, handling, and the training of officers.
- 5.7 The Border Force 'Firearms Review', July 2023, concluded that there is no single point of contact responsible for all firearms policy and guidance documents, with responsibility for the various documents split across several Border Force teams.

**5.8** The review also made a series of recommendations relating to firearms risk assessments, assurance, training, and skills to improve consistency in the management of firearms.

## Border Steering Group and Senior Responsible Owner

**5.9** The Border Force Firearms Border Steering Group (BSG) meets bi-monthly to “develop understanding of current issues and practice around firearms detection capability.”<sup>15</sup>

**5.10** The group’s terms of reference state: “The identification of a Firearms Senior Responsible Owner (SRO) provides clear ownership and strategic direction around this key issue and provides a mechanism to consider current practice and where capability can be enhanced.”

**5.11** The terms of reference defined the group’s objectives as:

- “To support the firearms SRO in understanding the national firearms threat picture, the activity taking place to address it and where further action is needed
- To identify and consider appropriate action in response to emerging trends that may impact on firearms detection capability on the frontline
- To facilitate the identification of good practice of activity related to firearms across region to support frontline delivery
- To provide an update on strategic and operational progress to address the firearms threat
- To provide support, guidance and clear policy position on any issues referred to the Firearms BSG”<sup>16</sup>

**5.12** Border Force managers told inspectors that there was no single firearms SRO.

**5.13** The lack of a senior leader to provide ‘clear ownership and strategic direction’ was a concern to individuals who worked across different functions involved in firearms. A senior manager told inspectors that: “many people are involved across different sections of Border Force without anyone having overall command and control over firearms.” Another manager told inspectors that Border Force “recognise that firearms are a varied and complex commodity, and it needs an owner”, adding “I am not aware of a single SPOC [single point of contact].”

**5.14** In contrast, one senior manager told inspectors that: “Given the complexity of the space we operate in relation to firearms ... having one person to reach across all, that won’t work.”

**5.15** A consequence of not having an SRO in place was that the BSG was seen as the national lead function for all firearms queries. The Home Office provided inspectors with the minutes of the BSG for the previous 12-month period and an inspector also observed the BSG meeting held on 20 September 2023.

**5.16** The meeting was well attended with representatives from intelligence, assurance, and policy functions, regional Border Force managers, and external law enforcement partners. Inspectors observed that the meeting provided a platform to share intelligence, discuss operational and logistical challenges, and identify issues relating to training, policy, and assurance. The chair of the meeting ensured that every attendee had the opportunity to contribute and created an inclusive environment for discussion. Because of the complexity of firearms as a commodity, with several different government departments involved in the ownership and development of

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<sup>15</sup> Border Steering Group terms of reference.

<sup>16</sup> Border Steering Group terms of reference.

policy and the legislative framework, the contribution of external partners was considered by inspectors to be an asset to the meeting.

- 5.17** Although issues were raised during the meetings, very few action points were assigned to specific individuals or teams to progress. This led to a lack of ownership of the issues identified and hindered the monitoring of any progress made in resolving the issues.
- 5.18** For example, in November 2022, a query was raised relating to whether FXAR training was mandatory for all frontline Border Force staff, including those only trained in immigration functions. This reflected inspectors' findings relating to training (covered in chapter 8), where Border Force managers across different regions were confused about which staff were required to attend this training.
- 5.19** In this scenario, inspectors would expect to see that a senior leader within Border Force had defined the attendance requirements for mandatory training and ensured that colleagues working in other functions, for example, training, policy, and assurance, were able to deliver against this requirement. However, the BSG does not have a clear mechanism to record and escalate cross-cutting issues between different business functions.
- 5.20** During the onsite phase of the inspection, and when reviewing evidence provided by Border Force, inspectors found limited first and second-line assurance and inconsistencies in local firearm procedures, risk assessments, and safe systems of work between different ports.
- 5.21** It was unclear to inspectors who sets the strategic requirements and holds individuals and business areas accountable for delivery. The appointment of an SRO would provide the direction and oversight required to support the BSG and affect change when and where it is needed.

## 6. Inspection findings: Risk management and assurance

### ICIBI expectations

- 6.1 Inspectors considered the ICIBI expectation that risks are managed, including the maintenance of a risk register.
- 6.2 Inspectors also considered the ICIBI expectation that safeguards, management oversight, and quality assurance measures are in place; they should be tested and seen to be effective; lessons should be learned and shared, and there should be a commitment to continuous improvement, including prompt implementation of recommendations from reviews, inspections, and audits.

### Risk

- 6.3 The identification and management of firearms risks is particularly important given the potential impact a firearms incident could have. Inspectors considered that the appointment of a Border Force Senior Responsible Owner to oversee the management and co-ordination of firearms risks across the country would significantly improve Border Force's capability in managing firearms risks.

### Identification of risks

- 6.4 There is a cadre of Make Safe Officers (MSOs) across Border Force who undertake additional training to enable them to examine firearms in order to render them safe to handle and transport. Only officers who have been suitably trained and accredited are permitted to carry out the MSO role: "The MSO is the only designated officer within Border Force who is both technically qualified and 'certified' to handle firearms and where practicable render them safe."<sup>17</sup>
- 6.5 Inspectors asked Border Force to provide details of any 'near misses', accidental firearms discharges or injuries relating to the handling of firearms by Border Force staff from 1 July 2022 to 11 September 2023.<sup>18</sup> Border Force identified five instances of 'near misses' during this time. Of the five instances identified, two occurred at Heathrow Airport (Terminal 3), and three occurred at Coventry Airport. In a narrative explanation of these five instances, Border Force stated: "All cases involved the behaviour of third parties rather than Border Force colleagues, with Officers identifying unsafe practices." However, one of the five instances referred to an MSO carrying out a 'make safe' procedure on a non-lethal firearm. This was a minor incident where a small amount of gas was released from an incapacitant gas spray canister into a plastic container during the 'make safe' process.

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<sup>17</sup> Border Force Firearms Make Safe Officer policy.

<sup>18</sup> A 'near miss' is defined in the Border Force Accident and Incident Reporting Policy as "An incident that does not result in actual harm but had the potential to do so."



- 6.6** Inspectors noted that Border Force did not have an effective and robust process to identify and record ‘near misses’.<sup>19</sup> While Border Force recorded five ‘near misses’ nationally between 1 July 2022 and 11 September 2023, during an onsite visit to Heathrow Airport on 18 and 19 September 2023, inspectors were made aware of two firearms mishandling incidents, which could reasonably have been considered as ‘near misses’. The first incident involved a firearm that was inadvertently placed on a baggage carousel by an airline representative and then left unattended. Inspectors also witnessed a passenger carelessly brandishing a weapon within the customs red channel, in view of Border Force officers.<sup>20</sup>
- 6.7** In the same incident, inspectors observed a Border Force officer, who was not an MSO, handle the weapon to read its serial number, while entering its details into a Border Force electronic system. The officer acted contrary to Border Force firearms policy by handling the weapon. However, this was not recorded as a ‘near miss’, until inspectors raised their concerns to a Border Force manager.
- 6.8** Highlighting the concerns identified by inspectors, a Border Force stakeholder confirmed that there is “at least one” instance of a firearms mishandling incident every month. These instances all refer to firearms being left on baggage carousels, unsupervised and accessible to the public. While this is an airport security risk, rather than a risk specifically managed by Border Force, incidents are not consistently recorded by Border Force, or reported the same day.
- 6.9** While there is no defined policy or legislative timeframe in which to report such incidents, a stakeholder responsible for investigating mishandling incidents told inspectors: “It’s important we are notified at the time ... we don’t work 24 hours, but we stress they [Border Force] must contact us right away so we can investigate it – sometimes we get an email 24 hours later and all the witnesses and people involved have gone.”

## Management of risks

- 6.10** Three main tools are used to identify, assess, and record risks to determine if any mitigating action is required: risk registers, risk assessments, and safe systems of work.

## Risk registers

- 6.11** Border Force provided inspectors with details of two risks relating to firearms, which are recorded on national risk registers. The first risk, recorded on the ‘Border Force national risk register’, referred to general compliance with health and safety protocols. The second risk, recorded on the ‘Operational Logistics risk register’, referred to FXAR and MSO training and the management of firearms handling.
- 6.12** The Border Force Operational Assurance Directorate (OAD) provided inspectors with a position statement, dated September 2023, in support of this inspection. It stated that regional risk registers were used to manage the risk resulting from a lack of adequate MSO cover and the resourcing of FXAR refresher courses. However, when inspectors requested copies of these regional risk registers, Border Force responded that the two risks on the national risk registers “are the only live entries” containing firearms.

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<sup>19</sup> A ‘near miss’ is defined in the Border Force Accident and Incident Reporting Policy as “An incident that does not result in actual harm but had the potential to do so.”

<sup>20</sup> The customs channel is a zone of the airport where passengers with goods to declare or customs queries should proceed to speak to a customs officer.

- 6.13** Inspectors identified further risks that were not included or managed on any risk registers supplied to inspectors. Some Border Force officers conduct baggage (or other) searches without attending the FXAR course, which will be discussed further in chapter 8. There was an absence of any recording of mitigation measures in place on any risk register provided to inspectors to address the potential safety risks to the public and to officers encountering a firearm.
- 6.14** A Border Force manager had no concerns that the risk registers do not reflect a broader range of firearms risks, as there is “suitable mitigation” in place. Whereas a Border Force manager at a different port stated it was “probably an error” that firearms risks, such as “accidental discharge”, were not reflected on regional risk registers and confirmed that a firearms risk would now be drafted. This reflects an inconsistent approach to the management of firearms risks on risk registers within Border Force.

## Risk assessments

- 6.15** In a document titled ‘Guidance for risk assessors’, Border Force defines the purpose of a risk assessment as:

“to ensure that hazards are eliminated, or risks minimised to as low as reasonably practicable through the correct application of relevant standards and control measures to prevent workplace accidents.”

The guidance defines the role of Border Force managers in the risk assessment process as:

“ ... managers must ensure that there is a suitable and sufficient risk assessment in place for all relevant activities. This must be communicated to staff prior to the commencement of an activity and upon any update.”

- 6.16** The same document defines a “suitable and sufficient risk assessment” as one which:
- “identifies the significant risks arising out of the task
  - identifies those persons who could be at risk
  - evaluates the effectiveness of current controls
  - enables the employer to identify and prioritise the measures that must be taken to protect people from harm, including complying with relevant legislation
  - be appropriate and proportionate to the work and remain valid for a reasonable period”
- 6.17** Risk assessments were provided by Border Force for each port that inspectors visited. At the Port of Plymouth, there were three risk assessments which referred to: freight searches, cars within customs controls, and foot passengers at the Primary Control Point (PCP).<sup>21</sup> While the freight search risk assessment referred to Border Force officers potentially encountering a firearm during a search as a risk, it did not mention the requirement for an officer to be FXAR trained, which would be a risk control measure, nor was there any reference to an MSO. The risks of mishandling a firearm or an accidental discharge of a firearm were also omitted from the document.

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<sup>21</sup> The Primary Control Point refers to the immigration control area where passengers present their travel documentation and may be questioned about their reasons for entering the UK.

- 6.18** Neither the cars nor the PCP risk assessments referred to firearms in any capacity, leaving staff exposed to the potential risk of finding a firearm in a baggage search or in a car at the Port of Plymouth.
- 6.19** Nine risk assessments were provided for Heathrow Airport. Of these, one was undated, one was written in 2017 and seven were produced in 2020. There was no record that any of the risk assessments had been reviewed to consider if they were still fit for purpose, and reflective of any emerging risks that could have occurred after they had been drafted.
- 6.20** At Heathrow Airport, the ‘customs detection’, ‘search on tarmac’, and ‘red channel’ risk assessments contained an identical firearms and explosives risk, with a risk control measure that FXAR training and MSO training is mandatory for anyone physically handling weapons. Furthermore, a baggage search risk assessment, created in 2022, stated that if guns, ammunition, or explosives were detected, officers and passengers should be removed from the vicinity, before the area is secured and an MSO informed.
- 6.21** One specific firearms risk assessment was provided for the Port of Liverpool. Inspectors were told that this risk assessment had been introduced immediately before the inspection visit, and prior to that, no firearms risk assessment had been in place. Examination of the document identified that it contained references to a different port and failed to mention whether there was a requirement to wear body armour when handling firearms. Furthermore, the risk assessment had not been signed.
- 6.22** Manchester Airport provided a comprehensive firearms risk assessment which covered FXAR training, MSOs, body armour requirements, in-flight security officer processes and the movement of firearms in specialist vehicles.<sup>22</sup>
- 6.23** Across the three ports, Border Force managers were open to the need for the risk assessments to be improved and regularly reviewed. One Border Force manager explained the need for there to be communication from ports to feed into a “regional, and national level” of review.
- 6.24** While a comprehensive risk assessment can reflect processes and mitigations in place to manage risk, inspectors identified an instance where a control measure within a risk assessment was not carried out. The Heathrow Airport risk assessment stated that some ballistic bags are X-rayed as a risk control measure; however, staff at Heathrow Airport told inspectors this had never occurred.
- 6.25** Therefore, the quality of firearms risk assessments was inconsistent and varied across the four ports visited. Inspectors were concerned that the risk assessments in place to effectively manage firearms risks was dependent on the port, rather than a national standard that would apply irrespective of where a firearm is encountered within the country.

## Safe systems of work

- 6.26** Border Force guidance for risk assessments requires that:

“It is the employee’s responsibility to read the relevant activity risk assessment prior to undertaking the task and to comply with the risk assessment throughout the undertaking of that activity.”

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<sup>22</sup> An in-flight security officer (also known as a sky marshal or air marshal) is a covert law enforcement or counter-terrorist agent on board a commercial aircraft.

- 6.27** All the risk assessments provided by Border Force during this inspection referred to a corresponding 'safe systems of work' (SSoW), which must be read in conjunction with the risk assessments and followed when undertaking the activity. Inspectors were told during the inspection that risk assessments and SSoW were stored either on local shared drives or in local SharePoint folders.
- 6.28** SSoW are defined processes in place to reduce the risk of harm to staff and the public. A Border Force senior leader explained that SSoW are a priority to manage firearms risks, as while firearms are "never risk free", "safe systems of work should be in place". The senior leader explained that "all levels of the organisation" should quality assure and regularly review SSoW.
- 6.29** A senior manager told inspectors that there are health and safety managers and Locally Nominated Health and Safety Officers (LNSHO) for each Border Force command. They are responsible for the management of SSoW, which should be reviewed every two years or whenever there is a change that may affect risk.
- 6.30** The SSoW used at Manchester Airport is specific and bespoke to that location. There is a mandated requirement for officers to carry radios, wear body armour, and for two officers to be present during searches, as well as detailed security measures for the firearms store within the lockup.<sup>23</sup> FXAR and MSO training requirements are also stipulated. The SSoW had been assured by the Border Force Senior Officer and Assistant Director and was with trade unions for consultation. The LNSHO had also reviewed the SSoW and compared them with local and national standards.
- 6.31** Similarly, Heathrow Airport uses a bespoke SSoW for 'make safe' operations. The SSoW details the requirement for FXAR training, the use of body armour, and requirements for MSOs to follow, as well as the transportation and handling of firearms.
- 6.32** The SSoW used at the Port of Liverpool refers to search and detection across various modes, and each contains identical firearms content. While the content does refer to mandatory personal protective equipment (PPE) requirements and notes that firearms can cause harm, there is no mention of the requirement for staff to be FXAR trained, nor that any encountered firearm should be dealt with away from the public.
- 6.33** In contrast, the Port of Plymouth provided two SSoWs, which clearly stated that all staff undertaking freight searches must be FXAR trained. However, there is no mention of firearms specifically, nor of the detection of weapons more generally.
- 6.34** While a senior leader emphasised that the SSoW is an effective risk management tool for firearms, inspectors found the SSoW to be inconsistent and of varying quality across the ports visited.

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<sup>23</sup> A lockup is a secure storage facility for commodities detained or seized by Border Force.

# Assurance

## Border Force assurance expectations

- 6.35** The ‘Border Force Assurance Expectations’ document sets the “minimum standards that Border Force should be achieving, or putting plans and actions in place to achieve, in every Border Force location.”<sup>24</sup> In relation to firearms activities, the expectations are:
- “2.4 A sufficient number of staff have received the following, specialist, training to meet the business need: Firearms MSO [Make Safe Officer] training.
- 10.12 At least one make-safe officer is available when needed at every BF [Border Force] location.
- 10.13 Any weapons / firearms are handled / manipulated by BF staff in line with guidance.”
- 6.36** It is the responsibility of managers at each Border Force port to provide first-line assurance to ensure these expectations are met. Monthly assurance reviews are conducted at each port and sent to OAD.
- 6.37** Guidance on the use of the ‘Border Force assurance expectations framework’ for frontline Border Force managers states that: “How that assurance is obtained, and the frequency of any management checks can be decided locally, using a documented, risk-based approach ...”<sup>25</sup> However, if an assurance expectation has a priority indicator, there must be regular and routine assurance and/or testing.
- 6.38** Inspectors requested evidence of assurance returns for Heathrow Airport, the Port of Plymouth, and the Port of Liverpool from 1 July 2022 to 31 August 2023. The returns provided for Heathrow Airport and the Port of Plymouth were completed on an ad hoc basis. There were no returns regarding these expectations from the Port of Liverpool.<sup>26</sup>
- 6.39** The assurance framework uses a ‘RAYG’ (red, amber, yellow, and green) system to denote the severity of the issue, with red being the most serious. Inspectors noted there were six amber entries for those returns relating to assurance expectation 2.4, regarding specialist training courses. Where there was insufficient information contained in one of the returns, OAD noted that it was following up the issue with the port. There were no red returns; however, a senior manager at a port confirmed that they would receive a call from OAD “almost immediately” to discuss mitigation if they provided a red return.
- 6.40** Border Force explained that some of the records provided for assurance expectation 2.4 may relate to other specialist training courses in addition to the MSO course:
- “... (please note this assurance check also names other specialist training and so some assurance returns may not relate specifically to firearms training).”
- 6.41** Therefore, if ports had not directly referred to “MSO training” in their assurance return, OAD could not determine which specialist training was being discussed. Inspectors were concerned that the current assurance return format may make it difficult for OAD to track whether this expectation was being met in relation to MSO training across Border Force.

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<sup>24</sup> Border Force Assurance Expectations intranet page.

<sup>25</sup> Border Force Assurance Expectations intranet page.

<sup>26</sup> There were some returns from the Port of Liverpool which Border Force said related to Liverpool John Lennon Airport.

## Other assurance measures

- 6.42** Inspectors found evidence of other more general assurance measures that related to firearms, in addition to the three assurance expectations listed above.
- 6.43** Assurance expectations 10.7 and 10.8 state that “Notebooks are completed fully, accurately, and in line with guidance and CPIA [Criminal Procedure and Investigations Act] requirements whenever mandated” and “Relevant systems ... are completed fully and accurately, as soon as practicable, and records match notebooks.” Firearms seizures and detections are recorded in a Border Force officer’s notebook, as are legitimate importations of firearms. Border Force Higher Officers told inspectors that they conduct assurance checks on officers’ notebooks monthly. The process for checking was based on who was on duty and whose notebooks had not been recently checked.
- 6.44** Detentions and seizures of firearms are also recorded on electronic systems. The principal system used is ePMS (electronic property management system). Local Border Force managers are responsible for assuring information that is input into these systems. The Performance Reporting and Analysis Unit (PRAU) Border Force Data Cell (which provides management information for Border Force) also reviews ePMS records. The Data Cell contacts the relevant Border Force officer for clarification where there is a lack of information about items seized or where errors are identified.<sup>27</sup>
- 6.45** In the Port of Plymouth, the lockup is assured every month by a Border Force Higher Officer, as part of the standard set of first-line assurance checks for OAD. At Manchester Airport inspectors were told that, as well as the monthly check, a Border Force Senior Officer also conducts a six monthly check of the armoury and lockup.
- 6.46** Inspectors also visited the Heathrow Airport armoury. In addition to first-line assurance, the Metropolitan Police Aviation Security Unit also reviews security and makes recommendations for improvement.
- 6.47** Inspectors requested details of legitimate movements of firearms entering or leaving the UK from 1 July 2022 to 30 June 2023. In response, Border Force provided 12 separate spreadsheets, which were examined by inspectors. The spreadsheets contained 24 columns of information to complete. However, only around half of the columns were consistently completed. The spreadsheet included a column for assurance checks; however, only one spreadsheet indicated that these checks had been conducted. In two of the spreadsheets, the ‘assurance date’ heading was missing from the column. Consideration should be given as to what information is necessary for these records, and to potentially simplify the template. Consideration should also be given to whether assurance checks are necessary, and if so, introduce a consistent assurance process.

## Body armour

- 6.48** Border Force ‘Operational Personal Protective Equipment’ guidance provides a checklist of when body armour should be worn. The list is not exhaustive and is intended only as a general guide. It indicates that body armour should be worn for higher-risk Border Force tasks, such as searching for clandestine entrants, searching passengers, and firearms In Flight Security

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<sup>27</sup> In its factual accuracy response, Border Force clarified that: “The team creates a regular data quality report of EPMS errors, which is sent to SPOCs within Border Force for correction. The PRAU Border Force Data Cell also regularly provide the Border Force Operational Tasking and Co-Ordination Team (OTC) with data to scrutinise seizure records and review any potential anomalies.”

Officers 'make safe' duties. However, the list contains many notes and caveats. For example, when searching passengers, either slash resistant clothing or body armour may be worn. It is up to local port managers to decide and define this on their risk assessment and SSoW.

- 6.49** Inspectors found an inconsistent picture of the use of ballistic body armour when dealing with firearms or conducting searches across the four ports visited. Inspectors understood the difficulty in mandating consistent policy and standard operating procedures relating to body armour across Border Force when operational environments varied so widely from port to port. However, the lack of consistent national guidance means that local risk assessments and SSoW must include clear guidance for staff on this issue. This is particularly important in relation to 'make safe duties', as one MSO told inspectors that they were unsure whether body armour should be worn.
- 6.50** The 'Operational Personal Protective Equipment' guidance for Border Force officers states that:
- "It is the responsibility of the Border Force Officer to ensure the cleanliness and serviceability of the individually issued PPE [personal protective equipment]."
- and that:
- "Once an item of PPE reaches its shelf life it must be taken out of use and disposed of or sent back to supplier as appropriate."
- 6.51** Inspectors were told that body armour used by Border Force staff had a lifespan of ten years, after which it had to be replaced. Inspectors found that some officers were unaware of the expiry date of their body armour, nor were they aware of how to check whether it was still fit for purpose. In one case, a Border Force officer told inspectors that they knew their body armour was 12 years old and therefore two years out of date.<sup>28</sup>
- 6.52** Every 12 months Border Force officers must complete an annual personal safety training (PST) refresher course, in subjects such as control and restraint, handcuffing and use of batons. During this course, officers' handcuffs, leg restraints and baton may be checked by Border Force PST trainers to confirm that they are still fit for purpose. It should be possible for an annual check of body armour to be conducted during this training course, which is an approach adopted by other law enforcement organisations. The introduction of such an assurance measure would go some way to mitigating the risk of body armour which has reached the end of its lifespan.

## Second-line assurance

- 6.53** Where issues identified by first-line assurance are 'prevalent or significant' they are closely monitored by OAD and shared with the Learning & Development (L&D) senior leadership team. They may also be escalated to the Border Force People Board and considered alongside other strategic priorities and organisational capacity or fed into the National Learning and Development Steering Group, where new training is discussed.
- 6.54** The Border Force 'Firearms Review', July 2023, was also provided as evidence of second-line assurance. The review proposed the appointment of a Grade 7 Firearms Lead to oversee the review's recommendations. An individual with a strong background in firearms is now in post

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<sup>28</sup> In its factual accuracy response, Border Force clarified that: "There are assurance measures in place to address this – for instance since 2017 Border Force Heathrow has had a process in place to assure body armour, including a dedicated Officer to assure who has been issued body armour, the level of protection for each vest, and when the armour was issued and when it will expire."

(initially on a fixed term basis of 6 to 12 months). They will be aiming to “formalise a structure that is sustainable for audit and assurance purposes” and ensuring that risk assessments and SSoW are “fit for purpose”.



## 7. Inspection findings: Policy and guidance

### ICIBI expectations

- 7.1** Inspectors considered the ICIBI expectation that “processes are simple to follow and transparent”.

### Guidance available to Border Force staff

- 7.2** The Border Force Operational Logistics command is responsible for “providing high quality services by providing logistical support so that Border Force are [sic] able to operate effectively.” The ‘people pillar’ of Operational Logistics is responsible for the management and oversight of health and safety matters.
- 7.3** Border Force has a range of national guidance documents available to frontline staff, the majority of which are available on the Migration and Borders Guidance SharePoint platform (MBGS). Guidance on this platform is organised by theme under an A-to-Z index. Inspectors noted that many firearms-related policies were contained on a dedicated Firearms page, rather than under the A-to-Z index.
- 7.4** By accessing the guidance using SharePoint, Border Force staff were assured that they were directed to the latest version of the policy. However, as will be discussed in more detail in this chapter, several frontline Border Force Officers interviewed during this inspection told inspectors that they access guidance via other means than this SharePoint site.

### Current Border Force policies

- 7.5** In its position statement, Border Force told inspectors that firearms policy and guidance is produced by three different areas of the Home Office Migration and Borders Group – Customs Operational Policy and Powers, Border Policy, and International Migration Directorate.<sup>29</sup>
- 7.6** Firearms are a complex commodity, with several Home Office stakeholders involved from a legislative or policy perspective. One Home Office official responsible for Border Force firearms policy described their role as “managing the policy”, adding:
- “I use the word ‘managing’ because we do not own the legislation, as that is managed by other Home Office colleagues [the Home Office Firearms Policy Unit].”
- 7.7** Inspectors noted that there was strong evidence of Home Office policy managers engaging constructively and positively with a range of stakeholders who had an interest in firearms at the border. Border Force highlighted this engagement in its position statement, which stated that it liaised with the following internal and external stakeholders:

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<sup>29</sup> In its factual accuracy response, Border Force provided additional clarification that: “This is one area of the Home Office not three. Guidance on the powers and processes associated with the management of firearms is owned by one team, The Customs Powers and Operational Policy Team (CPOPT). This team sits in Migration and Borders Group, part of International Migration Directorate and is responsible for guidance for Border Force officers.”

- National Firearms Centre
- Home Office Firearms Policy Unit
- Department for Business and Trade
- National Crime Agency
- National Ballistic Intelligence Services
- His Majesty’s Revenue and Customs
- Foreign, Commonwealth and Development Office
- Home Office Drugs and Firearms Licensing Unit

**7.8** Inspectors engaged with several of Border Force’s internal and external stakeholders during this inspection. Overall feedback from these stakeholders supported the view that Border Force was consulting them in the development of firearms policy. While some engagement was reliant upon “named contacts” within Border Force, the establishment of the Border Steering Group, which included several external stakeholders, had contributed significantly to building stakeholder contacts for the development of operational policy.

**7.9** Through research on the MBGS platform, and a review of the evidence request for this inspection, inspectors established that several Border Force guidance documents related to firearms activity.<sup>30</sup> Some of these documents could not be found by inspectors on the MBGS – the principal source of guidance and policy information available to frontline Border Force staff, but were referenced in the Border Force ‘Firearms Review’, July 2023. A summary of these findings is provided in Figure 3.

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30 Inspectors excluded training materials and guidance relating to firearms or explosives from this analysis.

**Figure 3: Border Force firearms guidance documents**

Document title	Available on MBGS?	Policy owner known?
Firearms make safe officer	Yes	Yes
Firearms realistic imitation firearms	Yes	No
Firearms and explosives awareness and recognition – basic operational guide	Yes	No
Firearms and explosives awareness and recognition – trainers’ guidance	Yes	No
Firearms safe handling	Yes	No
Firearms component parts and ammunition policy	Yes	Yes
Guide on Firearms Licensing Law <sup>31</sup>	No	No
Firearms carried by UK Aircraft Protection Officers (APOs) in UK registered aircraft	No	No
Firearms and Explosives: Mobile & Fixed Location Armoury	No	Yes
Firearms Control at Point of Entry	No	No
Firearms import policy internal version	No	No
Firearms import control procedures internal version	No	No

**7.10** Inspectors noted that in the Border Force ‘Firearms Review’, July 2023, referenced in chapter 5, in 10 of the 16 policies identified as being related to firearms in that report, the ‘owner’ department of the policy within the Home Office was unknown.

**7.11** Inspectors asked a senior policy manager in the Home Office why Border Force was not aware who was responsible for a number of the policies in this area. They told inspectors:

“GRAFT [the Guidance, Rules and Forms Team] are responsible for publication and they would be able to identify who authored a document.”

**7.12** Inspectors were also told by the same policy manager that the owner or author of a particular policy was no longer identified in the document, because it was generating too many enquiries, as one individual was the nominated point of contact for multiple Border Force customs policies. One FXAR trainer told inspectors: “The big problem for firearms nationally is there is no central grasp of it – it needs to come under one umbrella with a single person to oversee it. It needs central governance.”

**7.13** The lack of central ownership, and clearly defined policy owners, carried significant risk of operational policy failing to keep pace with developments. Up-to-date policy and guidance is particularly important in this area, as it is widely acknowledged by many Border Force staff involved in firearms activity as being technically complex and fast moving.

31 Available on GOV.UK

- 7.14** Inspectors also noted that nine of the policies identified as being related to firearms were more than four years old – predating the UK’s departure from the European Union.
- 7.15** Inspectors did, however, note that a senior policy manager acknowledged the need to review and refresh existing policy, and this process had already begun at the time of this inspection. The senior policy manager told inspectors, “For the last few months, we have been trying to update them. Most are out of date – they are from 2017 - 2018 at best and need updating ... but we are not there yet.”

## Use of policy and guidance by frontline staff

- 7.16** During onsite observations, inspectors asked frontline staff where they would find guidance and policy to assist them in undertaking their duties. In response, inspectors heard a mixed picture of how operational guidance was accessed.
- 7.17** At Heathrow Airport, the port with the highest number of firearms movements, frontline staff told inspectors that they referred to guidance on “SharePoint and Horizon [the Home Office intranet] and the internet”, though officers indicated to inspectors that they had insufficient time to read the guidance in any great depth.
- 7.18** Inspectors found that there was a reliance on local firearms guidance at Heathrow Airport, rather than national firearms policies. This was summarised by one senior manager who told inspectors:
- “I would be amazed if my officers had read [the national guidance documents] to be honest – we tend to distil them down into local guidance in the armoury, and the legislation does help – it’s really complicated, and we tend to only rely on [national] guidance if we’re stuck.”
- 7.19** This was echoed by another Border Force manager at Heathrow Airport, who told inspectors that the guidance was “... basic, the staff know what to do because they have been doing the job a long time. My staff use the local guidance more and not the national guidance.”
- 7.20** Inspectors heard that paper copies of local and national guidance documents were held in the customs red channel and armoury. Inspectors considered that the use of local guidance may introduce inconsistencies in the operation of firearms controls at different ports. Inspectors were also concerned that the reference to paper copies of national guidance carried the risk of officers referring to national guidance that was out of date.
- 7.21** Inspectors identified further issues with sensitive information, such as police response procedures in the event of an armoury alarm sounding, being recorded in local guidance documents, but without a government security classification being applied to the document. While national Border Force policies go through an assurance process to consider whether a protective classification is required, it was unclear to inspectors what process, if any, applied to considering whether local guidance should be subject to a security classification. Inspectors considered that the lack of a security classification, and associated handling requirements on such sensitive documents, might pose a physical security risk if the information in the document was not held securely, given the high harm nature of firearms as a commodity.
- 7.22** At the Port of Liverpool, frontline officers told inspectors that they relied on copies of guidance saved on local shared drives as well as information held on a OneNote file and the national guidance available on SharePoint. Inspectors noted that relying on guidance saved to a drive

introduced an inherent risk, insofar as the guidance referred to would be a 'snapshot' of the guidance at that time. Whereas, accessing the guidance via the SharePoint platform would ensure that the most up-to-date version of the published guidance was being referred to.

- 7.23** Some Border Force managers and officers at the Port of Liverpool openly told inspectors that they had never referred to any firearms guidance because they had no reason to do so given the low number of firearms encountered at the port. In some cases, they did not know where to find the guidance in the event of a firearm being encountered.

## Use of Ocelot as a guidance platform

- 7.24** Ocelot is a Border Force guidance platform which can be accessed either via a web browser or a smartphone application. Inspectors found that Ocelot was a particularly useful tool in assisting with the operationalisation of firearms policy.
- 7.25** One policy manager told inspectors that most of the policy and guidance documents were 'long form' and very detailed, a view shared by Border Force managers during onsite interviews. These long form policies were distilled down to a format compatible with Ocelot by the Border Force Ocelot team, as the level of detail and knowledge in the long form policy was not always required when applying operational policy at the border. The policy manager told inspectors that: "Not everything is readily transferrable into Ocelot. The objective, which we have not hit yet, is that every long document is reflected on Ocelot."
- 7.26** Most frontline Border Force staff that inspectors engaged with identified Ocelot as a useful source of information, though inspectors did encounter some staff who were not aware of the platform. While Ocelot was praised for its usability and breadth of guidance available, Border Force managers at the Port of Liverpool identified that sometimes the search facility did not always return what was required if specific key words were not used when searching the platform.
- 7.27** Overall, inspectors found that Ocelot was a useful and popular platform for frontline Border Force staff, allowing real-time access to guidance and policy in the field, in a format conducive to operational delivery.

## Understanding of the role and remit of Make Safe Officers

- 7.28** At all the ports visited by inspectors, many staff indicated that they would seek a Make Safe Officer (MSO) in the first instance when looking to find guidance or support in relation to firearms queries.
- 7.29** Several MSOs told inspectors that they were perceived to be 'subject matter experts' in relation to anything firearms related, including policy, legislation, and operational procedures, when in fact this was not the case. An experienced MSO at one port told inspectors: "if you go and become an MSO, in Border Force's head you are a subject matter expert in firearms and you're not – you've been taught a process."
- 7.30** Senior managers acknowledged these concerns; one told inspectors:

"There is a lot of misunderstanding and misconception about what the role of an MSO actually is. People think they are a general expert in all things firearms related, but in reality, their role is to make firearms safe."

- 7.31** Inspectors spoke to an MSO at another port where firearms were rarely encountered, and by their own admission the MSO did not feel equipped to deal with general legislative or other procedural firearms queries, beyond handling weapons and making them safe in line with the training provided at the National Firearms Centre.
- 7.32** Inspectors considered that Border Force may need to challenge the current perceptions and understanding of the role and remit of MSOs, both to manage the expectations of Border Force staff, prevent MSOs from exceeding their remit, and to ensure that complex procedural, legislative, or technical queries are routed to the right place.

## 8. Inspection findings: Training

### ICIBI expectations

- 8.1** Inspectors considered the ICIBI expectation that: “Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent.” Individuals should understand their role, responsibilities, accountabilities, and powers; should receive the training they need for their role and for their professional development; and individuals and teams should have the tools, support, and leadership they need to perform efficiently, effectively, and lawfully.

### Firearms and Explosives Awareness and Recognition training

- 8.2** Firearms and Explosives Awareness and Recognition (FXAR) training is a one-day course for Border Force officers. Border Force ‘Firearms and explosives awareness and recognition’ guidance states that the aim of the course is:

“... to provide you with the ability to identify firearms, explosives, other associated items and component parts. Additionally, the FXAR course will provide you with the necessary procedures to ensure your safety, that of your colleagues and the public and enforce the prohibitions and restrictions applied to the cross-frontier movement of firearms and explosives.”

- 8.3** Border Force estimated that 6,435 staff had received FXAR training in the past four years to 1 September 2023, representing approximately 71.5% of the frontline workforce.<sup>32</sup> The guidance outlines who should attend and when they should undertake a refresher course:

“As a Border Force Officer who operates on the frontline you must attend the FXAR training. Additionally, you must attend a FXAR refresher training course every 4 years to ensure your training remains current and adequate.”

### FXAR course co-ordination and allocation

- 8.4** FXAR training is centrally co-ordinated by the Border Force Training Team, within the Learning and Development directorate, with the assistance of a cadre of regional and local Training Liaison Officers (TLOs)<sup>33</sup>. The Training Team notifies regional TLOs of the course, who cascade this to local TLOs. Courses are then allocated on a ‘first come, first served’ basis. Customs trained officers normally complete core immigration and customs courses first and attend FXAR training up to two years later.

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<sup>32</sup> In providing this data, Border Force stated the following caveat: “This data is taken from live local operational management systems, has not been assured by the Home Office Performance Reporting and Analysis Unit and should not be treated as official statistics.”

<sup>33</sup> Training Liaison Officers are Border Force Higher or Senior Officers who act as an interface between the Learning and Development directorate and front-line staff to arrange nominations for training courses.

- 8.5** Some senior managers told inspectors that officers who had not completed the FXAR training were not allowed to conduct searches but could observe searches by trained officers. However, another manager said that non-FXAR trained officers did conduct searches, while acknowledging that it was a risk.
- 8.6** Training Team members identified inefficiencies in FXAR record keeping and said that they relied on TLOs to update them on attendance at FXAR courses via spreadsheets. TLOs, in turn, relied on FXAR trainers to provide them with the information. The Training Team was not given reasons why delegates failed to attend courses, and it was not kept up to date when staff moved on to other roles. Therefore, while many officers appeared to require an FXAR course, this may not be the case, as they may have left Border Force, or moved to a non-operational role.
- 8.7** A lack of up-to-date information hinders the Training Team’s ability to plan future courses. However, inspectors were told that the Learning and Development directorate is working on a technical solution, which it is hoped will provide up-to-date information on courses and qualifications undertaken by staff. However, no timeline has been provided to inspectors for the delivery of this tool.
- 8.8** A TLO told inspectors that: “when a course comes out, I need to be at my computer to get places.” However, a member of the Training Team told inspectors that the availability of FXAR courses was not normally a problem. One of the main issues was filling scheduled FXAR courses, due to pressures on Border Force resources: “quite often it can be a challenge to negotiate a release of a trainer or delegates themselves.”
- 8.9** FXAR courses are halted from May to August, during which time Border Force is under increased pressure due to passenger volumes. Courses resume during the rest of the year, from September to April.
- 8.10** A high turnover of staff is an additional obstacle to ensuring that all front-line officers are FXAR trained, with those having been trained often leaving, and a constant stream of new staff arriving. Some Border Force officers are required to mentor new recruits, resulting in them being unable to do their day-to-day operational job, exacerbating the resourcing pressure.

## **Immigration Border Force officers**

- 8.11** Although staff trained only in immigration functions do not conduct customs searches, they do conduct searches for documents relevant to a passenger’s immigration status, and therefore they could encounter a firearm. Inspectors found an inconsistent approach by local managers in deciding whether to provide FXAR training to non-customs trained staff.
- 8.12** At Heathrow Airport, FXAR training is only delivered to customs trained staff, and not to staff trained only in immigration functions, while at the Port of Plymouth, Manchester Airport, and Port of Liverpool all Border Force officers receive FXAR training. Inspectors heard that in some ports, Border Force managers are particularly reluctant to release immigration-only trained Border Force officers for FXAR training courses: “Immigration see FXAR as a waste of time. Not everybody feels like that, but it is a legacy culture.” As discussed in chapter 5, the issue of who should be FXAR trained had been discussed at a Border Steering Group (BSG) meeting. A senior manager told inspectors that although a Training Team member made it clear at the meeting that all frontline staff required FXAR training, the issue was left unresolved, with no one identified to take the matter forward and enact the policy.



- 8.13** In mitigation, a senior manager told inspectors that the customs red channel at Heathrow Airport was permanently manned by Border Force officers, and therefore, if any firearms or components were found they could notify customs trained Border Force Officers. However, this mitigation relies on the untrained officer being able to identify the item as a potential firearm, component, or accessory without having had any training to do so. Additionally, Border Force officers conduct baggage searches for immigration purposes in the customs green channel, which is not permanently manned by customs officers. Officers who found something suspicious would therefore need to take the passenger and their luggage to the customs red channel, or radio for assistance, if there were not a customs trained Border Force officer nearby.
- 8.14** There is a risk that without FXAR training, immigration-only trained Border Force officers might handle a firearm contrary to Border Force guidance, which states that: “If you find a firearm ... you must never handle it unless you have been trained and are so authorised.” A senior manager provided an example of a mishandling incident where a Border Force officer, who had not had FXAR training, found an incapacitant spray and incorrectly placed it in the immigration watchhouse for safekeeping.

### **FXAR training for managers**

- 8.15** There was no clear guidance or policy on whether frontline Border Force managers were required to complete FXAR courses. Inspectors heard that some Border Force managers had not had any firearms training, while others had undertaken training some years previously, but had not completed any refresher training. This was of concern to inspectors, as Border Force officers are likely to refer to Border Force Higher Officers or Border Force Senior Officers if they encounter a firearm and require supervision or guidance on the action to take.

### **FXAR course content and delivery**

- 8.16** FXAR trainers deliver the FXAR course using a dedicated PowerPoint presentation accessed via the Operational Safety Unit SharePoint training folder. While staff at all grades told inspectors that they found the course interesting and enjoyable, a senior manager described it as “nothing more than very, very basic awareness”.
- 8.17** The PowerPoint presentation contained grainy footage and dated references. An FXAR trainer told inspectors of examples in the training from the 1980s including explosives hidden in a radio cassette player and video cassette – items which many delegates on the courses were unfamiliar with. Other FXAR trainers told inspectors that the presentation contained some material that was intended to be humorous, and while there was a need to make the training engaging, they had concerns that this may have undermined the seriousness of the subject matter.
- 8.18** The training folder contained a ‘course record workbook’ for trainers, which was a checklist of topics and ‘safe systems of work’, as well as a safety briefing to be read out to delegates. However, there was no detailed lesson plan, which inspectors would have expected to see for use in course delivery.
- 8.19** During the course, delegates are shown different types of firearms and component parts. At the end of the course, delegates are required to undertake a knowledge check involving 20 multiple choice questions. If they do not achieve a score of 15, the trainer revisits any incorrect answers to ensure that delegates understand the subject area.

- 8.20** The FXAR ‘Course Record Book: Sessions and Skillsets’ indicates that there is a session on ‘legislation and control’. However, the FXAR course focuses on awareness and recognition of firearms and does not teach officers how to process legitimate firearms. Officers told inspectors that they must refer to guidance or rely on the experience of their colleagues when dealing with legitimate firearms.
- 8.21** There is also little forensic awareness content on the course. Some Border Force managers considered this to be an important issue, and two said that they were trying to arrange for either the National Crime Agency or local police to provide forensic awareness training to their staff.
- 8.22** Inspectors considered that officers would benefit from situational awareness training to help them to control passengers in the presence of firearms. This may be beneficial in an incident such as the one described in chapter 6, where a passenger with legitimate firearms was allowed to brandish an unloaded gun in the customs red channel.

## FXAR training equipment

- 8.23** According to the Border Force ‘Firearms and explosives awareness and recognition – trainer’s guidance’, the Border Force Health and Safety Team is responsible for the use, security, and storage of FXAR training materials. First-line assurance of the FXAR training kits is the responsibility of the Operational Safety Unit (OSU).
- 8.24** Inspectors heard that some of the training equipment had deteriorated, and the firearms and training samples were “falling to pieces”. A senior manager told inspectors that OSU controls the training kits and has a large stock of firearms but is reluctant to release the firearms to replenish training kits for “safety reasons”.<sup>34</sup>
- 8.25** Two members of staff described sourcing firearms or explosives for training purposes from a third party due to the lack of good quality equipment in training kits (one from a Border Force colleague working in another specialist area and one from a partner nation). Therefore, inspectors were concerned that there is a lack of oversight of the contents within the training kits.
- 8.26** The Border Force ‘Firearms Review’, July 2023, found that: “there is no single point of senior management oversight of the training programme or national assurance of operating standards.” The quality of training content and materials remains an issue that needs to be addressed.

## FXAR post-course evaluation

- 8.27** Evaluation of the FXAR course was found to be minimal. While some FXAR trainers provided evaluation forms, there was no central function to review the forms and act on the feedback. A senior manager acknowledged this was a gap when asked about the evaluation process.

## FXAR refresher courses

- 8.28** FXAR refresher courses are required every four years and it is the responsibility of regional TLOs to arrange these courses. However, inspectors found that many individuals across

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<sup>34</sup> In its factual accuracy response, Border Force stated that: “The National spares kit is held centrally at Heathrow. There is a process in place to acquire items from this.”

different grades had not received FXAR refresher training within the required four-year period. In one location, an FXAR trainer estimated that around 67% of frontline staff had received training within the mandated time. As detailed above in relation to the FXAR training course, it was often a challenge to release staff for training.

- 8.29** Officers working in ports where firearms were encountered less frequently often had little or no experience of dealing with firearms between their FXAR course and refresher course. Furthermore, there were no other continuous professional development (CPD) opportunities for officers to learn more about firearms or keep their knowledge of firearms up to date.

## Firearms and explosives awareness trainer course

- 8.30** FXAR training is delivered by Border Force staff who have attended the FXAR trainer course. Three FXAR trainer courses are delivered every year by two to three trainers at the National Firearms Centre (NFC). There are 8 to 12 spaces on each course.
- 8.31** As of 11 September 2023, there were 81 FXAR trainers within Border Force. Of the ports visited by inspectors, seven FXAR trainers were based at Heathrow Airport and one FXAR trainer was based at the Port of Plymouth. The Port of Liverpool has no dedicated trainer and Liverpool based staff receive FXAR training from the trainer at Manchester Airport.
- 8.32** Inspectors heard that the limited number of FXAR trainers placed pressure on existing trainers, with one FXAR trainer explaining that they had to deliver FXAR training courses on their allocated rest days. There was a particular shortage of fully qualified FXAR trainers in the North region.
- 8.33** Inspectors were told that there is a waiting list for FXAR trainer courses, and that although a course is scheduled for February 2024, some officers may need to wait until June 2024 to attend a course. However, at the BSG firearms meeting in September 2023, it was acknowledged that an upcoming FXAR trainer course had been cancelled and rescheduled due to only having three delegates. The course due to be delivered in February 2024 only has five delegates scheduled to attend. Therefore, it was unclear to inspectors why some courses had such low numbers of delegates when there was a waiting list.
- 8.34** The role of a Border Force FXAR trainer is voluntary and is undertaken in addition to other roles and responsibilities. The FXAR trainer role does not attract any additional remuneration, and it was described by a Border Force manager as a “role with no thanks from the business”. FXAR trainers must be a Make Safe Officer, but there is no prerequisite to have training delivery skills.
- 8.35** The FXAR trainer course does not include any direction on presentation and training skills, as the course is mainly focused upon firearms and explosives technicalities. Minutes from the BSG meeting from 20 September 2023 stated that the FXAR trainer course needed to be rebranded to “cover technical import/export as well and fundamentals of how to deliver FXAR training.” However, there was no indication of when a rebrand would happen or who would deliver these additional aspects of the training.

## Post FXAR trainer course

- 8.36** Upon completion of the FXAR trainer course, there is a formal requirement to deliver six elements of the course. These are recorded in a logbook and reviewed by a lead FXAR trainer.

FXAR trainers support the lead trainer in delivering the FXAR training. FXAR trainers can develop their skills and experience to become a lead trainer who can lead the course, take responsibility for the technical kit used, and to report any issues.<sup>35</sup> However, the process to develop from an FXAR trainer to a lead trainer was unclear. A Border Force manager stated: “there is not a structured pathway between a developing trainer and a fully accredited independent trainer.”

**8.37** The Border Force FXAR trainer guidance states that: “to protect the organisation against criticism and litigation, robust maintenance, development, assurance and assessment of the FXAR training programme must be undertaken.” While FXAR trainers all receive the same training course at the NFC, there is an absence of any assurance in place to ensure the training delivered by FXAR trainers is consistent across all ports. The absence of a mechanism to ensure consistency of delivery was also acknowledged in the Border Force ‘Firearms Review’, July 2023, with a recommendation to introduce a “centralised governance oversight program” which could “assure national standards of course delivery” and “assure trainer portfolio assessments”. The review also made a recommendation for FXAR trainers to undertake a formal training delivery accreditation.

## Make Safe Officer training

**8.38** As detailed in chapter 6, there is a cadre of Make Safe Officers (MSOs) across Border Force who undertake additional training to enable them to examine firearms and render them safe. Only officers who have been suitably trained and accredited are permitted to carry out the MSO role. There are currently 747 trained and certified Border Force MSOs nationally. This amounts to around 8.3% of operational Border Force staff. As detailed elsewhere in this chapter, the MSO requirements for each port are decided by Border Force port managers, with courses allocated on a ‘first come, first served’ basis rather than based on business needs. Inspectors found no evidence of a consistent means of determining the number of MSOs required at individual ports, beyond the perceptions of individual port managers.

**8.39** The training is delivered to Border Force staff by the National Firearms Centre (NFC). Each year the NFC provides 20 to 22 courses, enabling up to 264 Border Force staff to be trained as MSOs.

**8.40** Following completion of the MSO course, each student is required to complete a refresher course within 18 months to enable their certification to remain valid. The NFC provides 40 to 44 MSO refresher courses annually, enabling up to 528 Border Force staff to retain their accreditation as MSOs. Figure 4 provides a breakdown of the number of trained MSOs at Border Force locations visited by inspectors.

**Figure 4: Number of Border Force staff trained as Make Safe Officers as at August 2023<sup>36</sup>**

Port	Number of MSOs
Heathrow Airport	129
Port of Plymouth	9
Port of Liverpool	2

<sup>35</sup> FXAR trainers’ guidance.

<sup>36</sup> Data sourced from Border Force evidence return and onsite visits.

Port	Number of MSOs
Manchester Airport	31

## MSO coverage and demand for additional training

- 8.41** Each Border Force region is responsible for identifying the number of MSOs they need to meet their local requirements. Border Force managers told inspectors that each region seeks to have at least one MSO on duty at any given time, which is consistent with Border Force’s assurance expectations (as detailed in chapter 6).
- 8.42** The level of MSO cover varied across the different ports visited by inspectors. A senior manager at Heathrow Airport told inspectors: “We look to have at least one MSO on duty across the region ... I tend to be better off for MSOs, so I am pretty much guaranteed to have two or three MSOs on at a time.” In contrast, a senior manager at the Port of Liverpool told inspectors that they currently have five trained MSOs<sup>37</sup> but need eight to provide the operational cover that is required.
- 8.43** If there are insufficient MSOs to enable scheduling one MSO per shift, a port may have to request MSO assistance from elsewhere in the region or seek support from local police should a firearm be encountered. For example, the Port of Liverpool would seek support from Border Force at Manchester Airport or the port police.
- 8.44** Some ports had informal agreements with local police (the Port of Liverpool and the Port of Plymouth), while others had formal memoranda of understanding (Manchester and Heathrow Airports).

## MSO selection and pre-course assessment

- 8.45** The selection of individuals suitable to perform the role of MSO varied across the country. Border Force managers at the Port of Liverpool and the Port of Plymouth told inspectors that selection for the MSO course was on a voluntary basis and that no pre-selection criteria were applied.
- 8.46** In contrast, staff at Heathrow Airport operate a pre-course assessment programme which had been running for five or six years. This assessment allows candidates to handle a firearm and establish if they are physically strong enough to manipulate the weapon. A member of staff told inspectors that this was a subjective test to assess the candidate’s physical capability. An additional aspect of the pre-selection process was to identify if the candidate was subject to any occupational health restricted duties.
- 8.47** Manchester Airport also manages a pre-selection process for the MSO role. This involves inviting expressions of interest from staff and then assessing their physical ability to manipulate a firearm. A staff member told inspectors that further checks are also conducted into the candidate’s discipline record and overall suitability for the role.
- 8.48** The Border Force ‘Firearms Review’, July 2023, described that a pre-course assessment programme was trialled at Heathrow Airport and in the Central region. These were conducted by “experienced FXAR trainers” and involved:

<sup>37</sup> The number of MSOs stated by the senior manager at Liverpool was different to the number of MSOs stated in the Border Force evidence return in Figure 4.

- 30-minute assessment
- assessment of officer’s physical ability to manipulate weapons
- general awareness of health and safety
- submission of application form with:
  - statement of suitability
  - line manager declaration of business need for the training
  - line manager declaration the officer is suitable
  - line manager declaration the officer is not subject to an attendance management, discipline investigation, or warnings
  - line manager declaration the officer is not subject to any occupational health restricted duties.<sup>38</sup>

The ‘Firearms Review’ concluded that the pre-course selection assessment process for the role of MSO should be adopted nationally.

- 8.49** Inspectors queried whether the pre-course selection process was indirectly discriminatory against some Border Force staff on the grounds of age, sex, and disability. In raising this query, inspectors attached weight to the subjective nature of the assessments and lack of defined standards against which to conduct an assessment. Senior managers and staff told inspectors that they were not aware if an equality impact assessment had been completed for the pilot scheme, and no such equality impact assessment was provided by Border Force during the inspection.
- 8.50** While indirect discrimination may be lawful if objectively justified as a proportionate means to a legitimate aim, inspectors found it was unclear whether there was sufficient objective justification, or whether the Home Office was compliant with the requirements of the public sector equality duty in the absence of an equality impact assessment.

## MSO course availability and allocation

- 8.51** A manager within the Learning and Development directorate told inspectors that their team managed a central waiting list for the MSO courses. The NFC schedules MSO training throughout the year, with each course able to train 12 delegates. However, the NFC told inspectors that the average course attendance was 10.3 students per course. This equates to 37 places on the MSO course being lost each year to a lack of delegates or to students’ failure to attend.
- 8.52** Managers across Border Force told inspectors that they had no control over when their staff would receive MSO training after being placed on the waiting list. One FXAR trainer told inspectors that this process is currently taking nine months from being placed on the waiting list to receiving the training. This was corroborated by assurance returns provided by Border Force, which showed that Liverpool (Liverpool John Lennon Airport, rather than the Port of Liverpool) identified the need for MSO training in November 2022, but did not get a place on an MSO course until September 2023.<sup>39</sup> An FXAR trainer in Border Force North added that the allocation of courses was on a ‘first come, first served’ and not on a business need basis.

<sup>38</sup> Border Force Firearms Review, July 2023.

<sup>39</sup> Border Force evidence return.

## MSO course content

- 8.53** The initial MSO ‘core course’ is delivered during a two-day training session at the NFC. The course trains delegates on the principles of firearms clearance including practical sessions with a selection of different weapons such as revolvers, self-loading pistols, rifles, shotguns, machine guns, and air guns.<sup>40</sup> Additional sessions also cover the principles of electrical stun devices and other non-lethal firearms, providing instruction on the safe handling, correct labelling, and storage of the weapons.
- 8.54** At the conclusion of the course all delegates undertake a ‘live firearms clearance assessment’ to evaluate their ability to safely handle and control and remove the supply (ammunition) from a selection of firearms. A manager within the NFC told inspectors that the MSO course has a 99% pass rate. The one-day refresher course also provides delegates with the opportunity to practice the procedures for making firearms safe and concludes with a ‘pass or fail’ assessment.
- 8.55** MSOs told inspectors that the MSO training courses were well structured, enabled access to a variety of different firearms to practice with, and provided them with the required level of knowledge. For example, one officer described the course to inspectors as “really good, lots of opportunity to handle firearms and scenarios. The course was in depth and explained everything I needed to know.” Another officer told inspectors the training staff were very knowledgeable and described the training as “hands on ... quality training”.

## Post-course continuous professional development for MSOs

- 8.56** Inspectors heard that MSOs received different levels of support and operational experience when they returned to their home port after completing the MSO course. At Manchester Airport, newly trained MSOs received mentoring for three months to provide them with the practical skills and experience to carry out the role. Another example of good practice was heard from an MSO at Heathrow Airport, who told inspectors that experienced MSOs and FXAR trainers provided drop-in sessions for all staff to familiarise themselves with firearms throughout the year. However, a recently trained MSO in another port told inspectors that they had not received any support or direction following their training and had not been shown the location of the MSO equipment.
- 8.57** A manager within the NFC told inspectors that some MSOs attended a refresher course and had not encountered a firearm since their initial training course. Inspectors heard that some ports did not encounter firearms on a regular basis and there was no formal CPD for MSOs to maintain their skills. One experienced FXAR trainer suggested to inspectors that a mandatory six-monthly CPD session would be useful and that the first refresher course should be delivered to new MSOs 12 months after the core training.

## Technical support

- 8.58** Border Force ‘Firearms, component parts, and ammunition’ guidance states that “If you have any questions about the guidance and your line manager or senior caseworker cannot help you ... then email Border Force national, immigration and customs enquiries (BF NICE).”<sup>41</sup> Border Force also told inspectors that the NCA Firearms & Explosives Officer (FXO) network is another potential source of support.<sup>42</sup>

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<sup>40</sup> MSO course timetable.

<sup>41</sup> Border Force Firearms, Component Parts, and Ammunition Policy.

<sup>42</sup> Border Force position statement.



**8.59** However, an officer working at Heathrow Airport told inspectors that if they encountered a firearm where specialist technical knowledge was required, they would contact one of the FXAR trainers or the NFC. This was confirmed by NFC staff who told inspectors that they often received firearms queries from Border Force staff, sometimes out of hours. Inspectors considered that Border Force staff would benefit from clearer channels of communication if they had technical questions, particularly when dealing with a firearm operationally.



# Annex A: Firearms legislation

Legislation	
Firearms Act 1968 <sup>43</sup>	
section 57(1)(a)-(d)	<p>Defines a firearm as:</p> <ul style="list-style-type: none"> <li>lethal barrelled weapon (meaning a barrelled weapon of any description from which a shot, bullet or other missile, with kinetic energy of more than one joule at the muzzle of the weapon, can be discharged)</li> <li>a prohibited weapon</li> <li>a relevant component part in relation to a lethal barrelled weapon or a prohibited weapon (see component parts for definition of relevant component part)</li> <li>any accessory to a lethal barrelled weapon or a prohibited weapon where the accessory is designed or adapted to diminish the noise or flash caused by firing the weapon</li> </ul>
section 5(1)(b)	Prohibited weapons include any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing (NB. This includes an electric charge)
section 1(a)&(b)	<p>Requirement to have a firearm certificate</p> <p>Subject to any exemption under this Act, it is an offence for a person:</p> <ul style="list-style-type: none"> <li>to have in his possession, or to purchase or acquire, a firearm to which this section applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate</li> <li>to have in his possession, or to purchase or acquire, any ammunition to which this section applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate, or in quantities in excess of those so authorised</li> </ul>
section 2	Requirement of certificate for possession of shotguns
section 58(2)	Exemptions for antique firearms
Violent Crime Reduction Act 2006 <sup>44</sup>	
section 36(1)(d)	<p>Realistic imitation firearms</p> <p>A person is guilty of an offence if they bring a realistic imitation firearm into Great Britain or causes one to be brought into Great Britain.</p>

43 <https://www.legislation.gov.uk/ukpga/1968/27/contents>

44 <https://www.legislation.gov.uk/ukpga/2006/38/contents>

Legislation	
section 36(7)	A realistic imitation firearm brought into Great Britain shall be liable to forfeiture under the customs and excise Acts.
section 38(1)(a) & (b)	Defines “realistic imitation firearm” means an imitation firearm: <ul style="list-style-type: none"> <li>• has an appearance that is so realistic as to make it indistinguishable, for all practical purposes, from a real firearm; and</li> <li>• is neither a de-activated firearm nor itself an antique</li> </ul>
section 38(7)(a) & (b)	Defines a “de-activated firearm” as an imitation firearm that consists in something which: <ul style="list-style-type: none"> <li>• was a firearm; but has been so rendered incapable of discharging a shot, bullet or other missile as no longer to be a firearm</li> </ul>
Firearms Act 1982 <sup>45</sup>	
Section (1)	Defines an imitation firearm readily convertible into a firearm
Firearms (Amendment) Act 1988 <sup>46</sup>	
section 8(a)&(b)	De-activated weapons A firearm that has been rendered incapable of discharging any shot, bullet, or other missile, and has consequently ceased to be a firearm if: <ul style="list-style-type: none"> <li>• it bears a mark which has been approved by the Secretary of State for denoting that fact and which has been made either by one of the two companies mentioned in section 58(1) of the Firearms Act 1968 by the Secretary of State for the purposes of this section; and</li> <li>• that company or person has certified in writing that work has been carried out on the firearm in a manner approved by the Secretary of State for rendering it incapable of discharging any shot, bullet or other missile</li> </ul>

45 <https://www.legislation.gov.uk/ukpga/1982/31/section/1>

46 <https://www.legislation.gov.uk/ukpga/1988/45/contents>

# Annex B: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality, and customs by the Home Secretary and by any person exercising such functions on her behalf. The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions and in particular:

- consistency of approach
- the practice and performance of listed persons compared to other persons doing similar activities
- the procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (unfounded claim)
- the law about discrimination in the exercise of functions, including reliance on paragraph 17 of Schedule 3 to the Equality Act 2010 (exception for immigration functions)
- the procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- the procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints; and
- the content of information about conditions in countries outside the United Kingdom, which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials.

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to her in writing in relation to specified matters.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which she has committed to do within eight weeks of receipt, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the inspectorate's website, together with the Home Office's response to the report and recommendations.

# Annex C: ICIBI ‘expectations’

**Background and explanatory documents are easy to understand and use (e.g., statements of intent (both ministerial and managerial), impact assessments, legislation, policies, guidance, instructions, strategies, business plans, intranet and GOV.UK pages, posters, leaflets etc.)**

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate)
- They are kept up to date
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible)

**Processes are simple to follow and transparent**

- They are IT-enabled and include input formatting to prevent users from making data entry errors
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined
- The potential for blockages and delays is designed out, wherever possible
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets)

**Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent**

- Individuals understand their role, responsibilities, accountabilities and powers
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences

## **Decisions and actions are ‘right first time’**

- They are demonstrably evidence-based or, where appropriate, intelligence-led
- They are made in accordance with relevant legislation and guidance
- They are reasonable (in light of the available evidence) and consistent
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements)

## **Errors are identified, acknowledged and promptly ‘put right’**

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective
- Complaints are handled efficiently, effectively and consistently
- Lessons are learned and shared, including from administrative reviews and litigation
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits

## **Each immigration, asylum, nationality or customs function has a Home Office ‘owner’**

- implementation of relevant policies and processes
- performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
- resourcing (including workforce planning and capability development, including knowledge and information management)
- managing risks (including maintaining a Risk Register)
- communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
- effective monitoring and management of relevant contracted out services
- stakeholder engagement (including customers, applicants, claimants and their representatives)

# Acknowledgements

The inspection team is grateful to the Home Office for its co-operation and assistance during this inspection and for the contributions from the staff who participated. We are also grateful to the stakeholders who contributed.

## Inspection team members

Inspection Oversight:	Posy Hartstone
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Inspector:	Gary Slevin












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