



Home Office

## **FIREARMS LICENSING**

A consultation on recommendations for changes made to the Home Office

Government response

February 2025

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# 1. Introduction

1.1. This document provides a summary of responses to the consultation paper 'Firearms Licensing: a consultation on recommendations for changes made to the Home Office', published by the Home Office on 29 June 2023.

1.2. It covers:

- the background to the consultation,
- a summary of the consultation responses,
- a detailed response to the specific questions raised in the consultation, and
- the next steps following this consultation.

## 2. Background

- 2.1 The previous Government published a public consultation paper on 29 June 2023 to seek views on a number of recommendations that had been made to the Home Office for changes to aspects of firearms<sup>1</sup> licensing. These recommendations had been made in:
- i. the Prevention of Future Deaths reports issued by the Senior Coroner for Plymouth, Torbay and South Devon (*hereafter referred to in this paper as Coroner for the Keyham Inquest*) on 8 March 2023, which followed the inquest into the deaths of those shot and killed by Jake Davison in Keyham on 12 August 2021;
  - ii. the report by the Independent Office for Police Conduct (IOPC) following its investigation into Devon and Cornwall Police's decision-making in relation to Jake Davison's possession of a shotgun and shotgun certificate. The IOPC finalised its recommendations on 2 May 2023; and
  - iii. the report by the Scottish Affairs Select Committee following its review of firearms licensing regulations in Scotland published on 22 December 2022, which followed the fatal shooting of John MacKinnon on the Isle of Skye on 10 August 2022.

### Context

#### The controls on shotguns

- 2.2 The previous Government decided, before publishing the consultation, not to consult on the recommendations that had been made to align shotgun and firearms legislation. This was on the basis that shotguns were already subject to significant controls and have important uses in farming and in leisure pursuits. We have noted, however, that a number of respondents to the consultation expressed disappointment that it did not include the issue of closer alignment of the controls on shotguns and other firearms. This included some law enforcement respondents, who considered that further controls on shotguns would increase public safety, and others including people who had been affected by shotgun shooting incidents. Some of these respondents pointed to the risks associated with shotguns being kept in certificate holders' own homes, including in towns and cities.
- 2.3 The Government takes the view that shotguns are no less lethal than other firearms that are controlled under section 1 of the Firearms Act 1968, and that it is right to look again at the differences in the controls and whether it is sensible, in order to address the risks that shotguns and firearms present if misused, to consider greater alignment of the controls. The Government therefore intends to issue a new consultation on improving and aligning the controls on shotguns with other firearms. We intend to publish this consultation later this year.

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<sup>1</sup> Firearms' is the term used to cover all firearms and shotguns and is used throughout this consultation paper. The paper makes it clear when discussing shotguns specifically and will use the term 'shotgun' to distinguish them when necessary from other firearms.

## Firearms licensing fees

- 2.4 The Coroner expressed concern that the level of firearms and shotgun licensing fees did not allow the police to achieve full cost recovery. The Coroner for the Keyham Inquest expressed the view that the calculation of fees should take account of the costs of training for firearms licensing officers and staff as well as the day-to-day costs of delivering the licensing function to ensure that police licensing arrangements are properly resourced and staff adequately trained to deliver their duties.
- 2.5 The Government's Manifesto included a commitment to move to full cost recovery for firearms licensing fees and a Statutory Instrument was laid in Parliament on 15 January 2025 that introduce increased fees based on full cost recovery from 5 February 2025. Introducing the new fees will meet the concerns expressed by the Coroner in relation to firearms licensing fees.

## Firearms licensing training

- 2.6 The Coroner for the Keyham Inquest also expressed concerns about the absence of national, accredited training for all officers and staff involved in firearms licensing. Following the publication of new Statutory Guidance for Chief Officers of Police on firearms licensing, which came into effect on 1 November 2021, the Home Office has provided funding to the College of Policing to develop and introduce new, fully accredited national training for police firearms licensing personnel. The College of Policing began the roll-out of this training from November 2024. It will be mandatory for all police forces. The training will help to ensure that there is greater consistency across the police service in delivering their firearms licensing responsibilities and to ensure that police checks on the suitability of firearms licence applicants and holders are as robust as they can be.

## Responses to the consultation

- 2.7 The consultation ran for eight weeks and concluded on 23 August 2023. A total of 91,385 responses to the consultation were received, whether by completing the online survey, or by sending responses to the Home Office by post or email. 19,642 of those who completed the online survey were partial responses only. Of those who completed the online survey, 21,572 responses provided comments in the 'free text' box included as part of the online survey before the consultation formally closed. The free text box provided those who responded to the survey an opportunity to provide any additional comments on the subject matter of the consultation. Every comment that was made in response to the consultation was read by officials in the Home Office in order to ensure that everybody's views were considered before this response to the consultation was published. We are grateful to all those who responded, and we appreciate the time taken by a wide range of individuals, bodies and groups to provide their views.
- 2.8 The consultation sought views on the three areas set out in paragraphs 2.9 to 2.12 below.

## Recommendations for changes to legislation

- 2.9 The consultation paper sought views on two of the recommendations made to the Home Office by the Coroner for the Keyham Inquest relating to firearms licensing legislation. The first was a recommendation to grant the police a specific power of entry (without a warrant issued by a magistrate or sheriff) to be able to seize shotguns, firearms and ammunition where there is a risk to public safety or the peace and the certificate holder does not cooperate with the police and agree to voluntary surrender. The second was a recommendation that the mandatory prohibition provided by section 21 of the Firearms Act 1968, whereby a person is prohibited from possessing any firearms or ammunition following conviction and a custodial sentence be reviewed in the light of modern criminal justice disposals, so that it is based more on the nature of the offence committed than the length of a custodial sentence.
- 2.10 The consultation paper also sought views on the recommendation made by the Scottish Affairs Select Committee that the duration of firearms certificates be kept under review and whether the current duration of five years remains appropriate, or whether certificates should be for shorter or longer duration.

## Recommendations for changes to the system of referees

- 2.11 The consultation paper also sought views on recommendations made to the Home Office on changes to the system of referees for firearms applications. Recommendations were made by both the IOPC and the Scottish Affairs Select Committee, while the Coroner for the Keyham Inquest noted perceived deficiencies in the current arrangements. It also sought views on whether:
- people applying for shotgun certificates should provide two referees;
  - at least one of the referees should be a person of certain standing in the community;
  - referees should be able to demonstrate a good knowledge of the applicant's circumstances, relevant to their suitability to possess a firearm or shotgun;
  - the application form should include a checklist for referees on the information that they should provide to the police, with the referees providing a written declaration that they have disclosed all relevant facts to the police;
  - the Statutory Guidance for Chief Officers of Police on firearms licensing should include more detailed guidance on the information the police should be looking to elicit from referees;
  - the police should look at the circumstances when individuals change referees between application and renewal, and between subsequent renewals; and
  - the sharing of the unique application reference number by the applicant with their referees would make it easier for referees to report concerns they have about applicants to the police, to decline to give references or, for those who had provided a reference but subsequently become concerned that the

applicant may no longer be suitable to possess firearms, to report these concerns to the police.

### Recommendations for changes in other areas of firearms licensing

- 2.12 The consultation paper also sought views on recommendations that were made to the Home Office about the content of the Statutory Guidance for Chief Officers of Police on firearms licensing, the medical aspects of firearms licensing, mental health support for firearms certificate holders and whether any changes need to be made to the current arrangements for reporting concerns about a certificate holder to the police.

### The Government response

- 2.14 This paper provides a summary of the responses received to the consultation and sets out the next steps that the Government intends to take in respect of the recommendations that were addressed in the consultation.

### 3. Summary of the consultation responses

3.1 The Home Office received a total of 91,385 responses to the consultation, comprising 70,726 completed online survey responses, 19,642 partial responses, 912 responses by e-mail and 105 responses by post. Partially completed online survey responses are omitted on the basis that the respondent did not reach the end of the survey to confirm they were ready to formally submit their response.

3.2 Responses came in various formats as summarised in the table below:

	Responses
Completed online responses	70,726
<i>Incomplete online responses</i>	<i>19,642</i>
Email responses	912
Postal responses	105
<b>Total responses analysed</b>	<b>71,743</b>

3.3 From the comments made in response to the consultation, we can see that responses came from a range of stakeholders summarised in the table below:

	Responses	Percentage*
Police/law enforcement representatives	23	0.03%
Members of shooting community	13,696	19%
GPs/health practitioners	238	0.3%
Farming/rural community	2,527	4%
Victims/friends/family of victims of gun crime	30	0.04%
People who did not self-report belonging to any of these groups	55,229	77%
<b>Total</b>	<b>71,743</b>	<b>100%</b>

3.4 In the table:

- ‘Police’ covers responses from police forces or representative police views (such as the National Police Chiefs’ Council) but not individual officers.
- ‘Firearms certificate holder’ includes those who self-reported to be a firearms certificate holder or a registered firearms dealer.
- ‘Representative shooting groups’ includes responses from those bodies or associations who represent the views and interests of the shooting community.



- ‘GP/health practitioner’ includes those who self-reported as being a medical professional, including GP, doctor, physician, working in mental health, psychiatrist.
- ‘Farming community’ includes those who self-reported as being a farmer or land manager, game keeper or who otherwise said that they work in a rural setting.
- ‘who did not self-report belonging to any of these groups’ includes those who did not explicitly associate themselves with one of the above categories. Those who responded to the consultation were not, for example, asked to declare if they were a member of the shooting community.

## 4. Responses to specific questions

### Introduction

4.1 In this chapter, we summarise responses to the specific questions posed in the consultation paper. The total number of responses varies by question, as some respondents did not provide a response to every question.

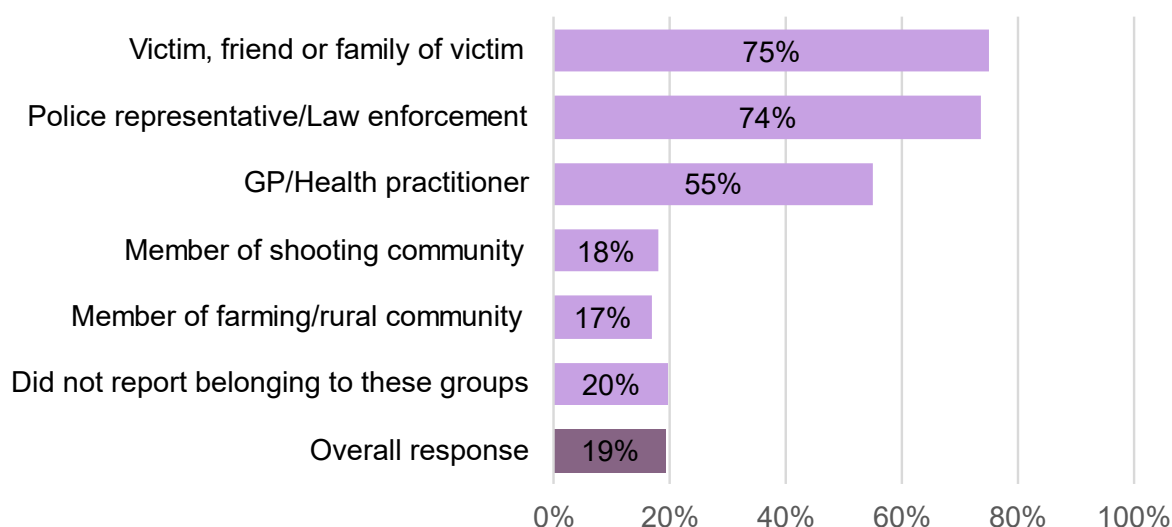
### Recommendations relating to changes to legislation

#### (a) A power of immediate seizure of firearms, shotguns and ammunition

**Q1. Do you consider that the police should be granted a specific power of entry (without a warrant issued by a magistrate or sheriff) to be able to seize shotguns, firearms and ammunition where there is a risk to public safety or the peace and the certificate holder does not cooperate with the police and agree to voluntary surrender?**

19.3% of those who responded to this question responded 'yes', and 80.7% responded 'no'. Of those who responded 'yes':

#### Responded 'yes'

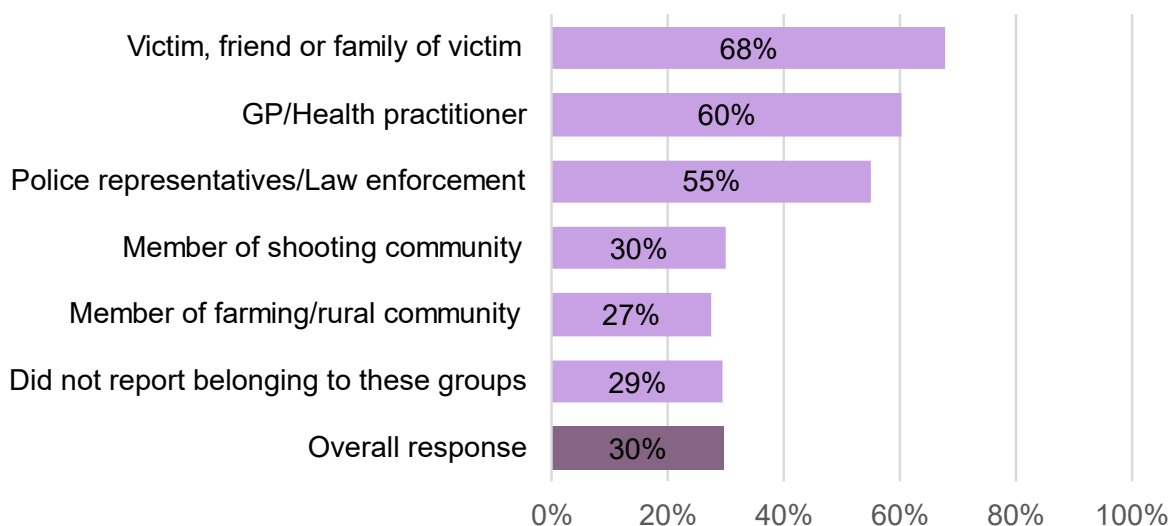


#### (b) Mandatory prohibitions

**Q2. Do you consider that the prohibition on possessing firearms should be changed from one that is based solely on length of a custodial sentence following conviction, to one based more on the nature of the offence?**

29.5% of those who responded to this question responded 'yes', and 70.5% responded 'no'. Of those who responded 'yes':

## Responded 'yes'

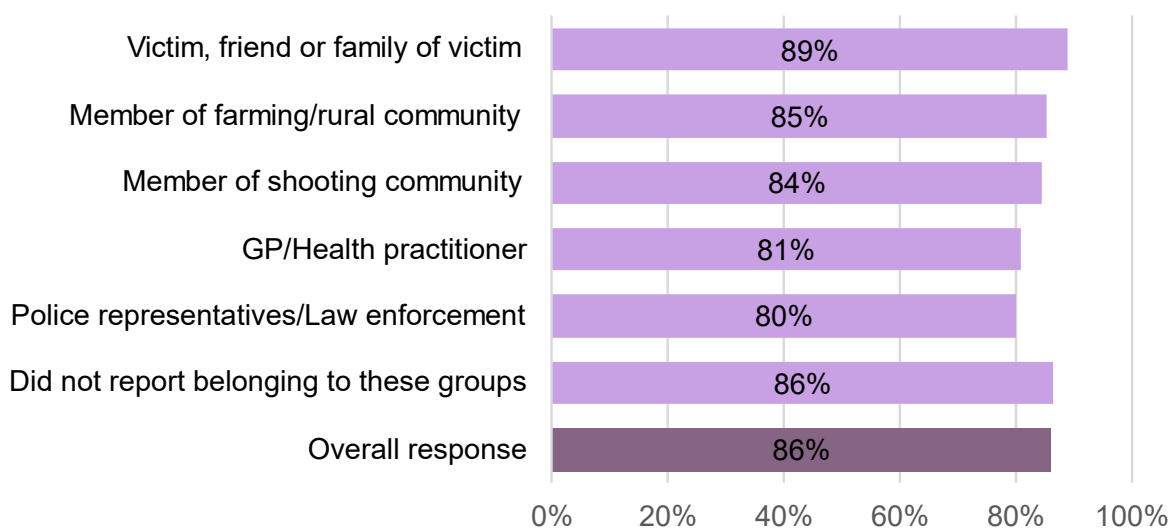


### (c) Length of certificate before renewal required

**Q3. Do you consider that the renewal period (currently every five years) for a certificate should be kept under review? If so, is renewal every five years the right period of time or should it be changed to a shorter or longer period of time?**

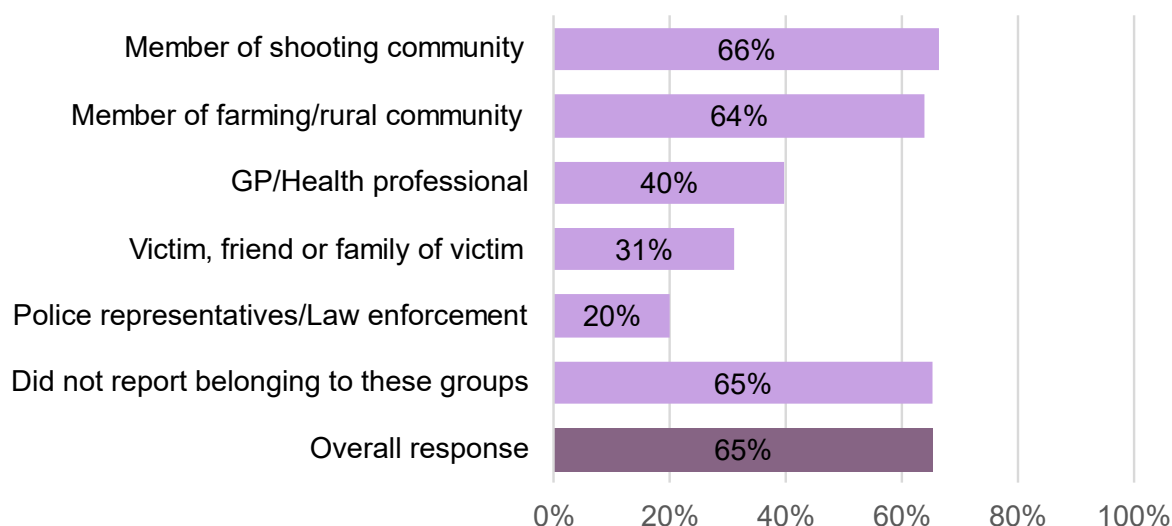
86% of those who responded to this question responded 'yes', and 14% responded 'no'. Of those who responded 'yes':

## Responded 'yes'

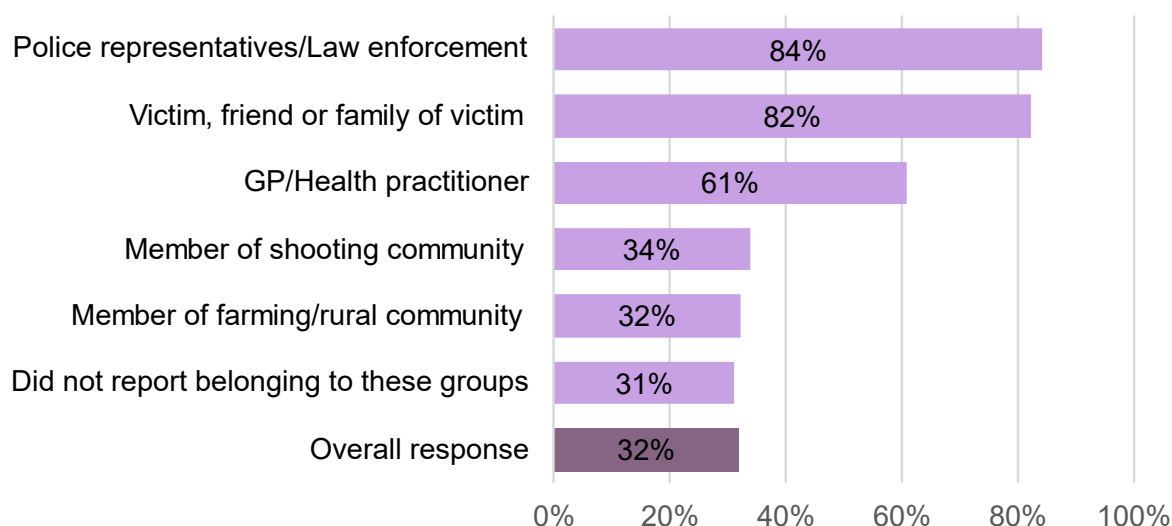


*Length of certificate before renewal*

27.8% of those who responded to this question said that the certificate should be 5 years (the current duration), 7% said it should be less than 5 years and 65.3% said it should be more than 5 years.

**Responded 'more than 5 years'****Recommendations relating to referees****Q4. Do you consider that people applying for shotgun certificates should provide two referees?**

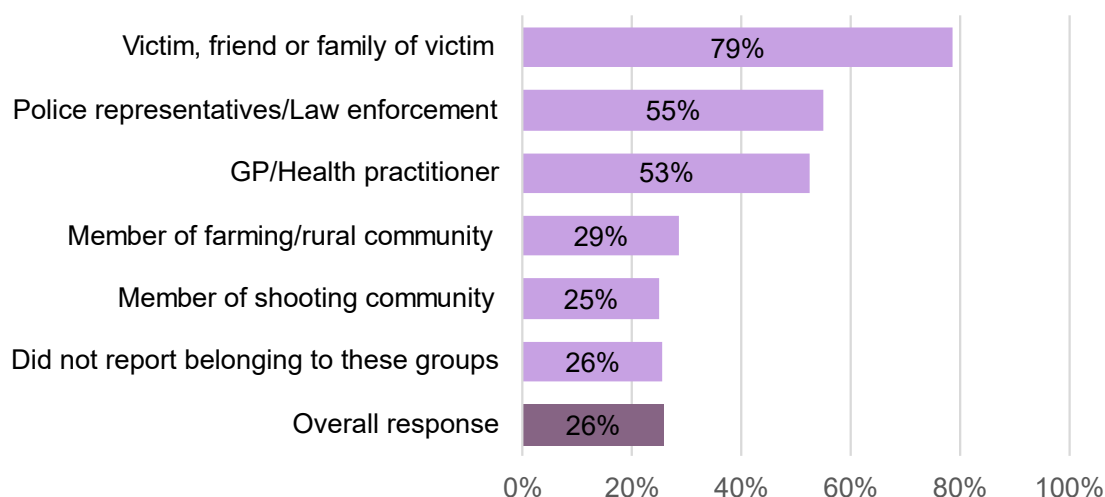
31.8% of those who responded to this question responded 'yes', and 68.2% responded 'no'. Of those who responded 'yes':

**Responded 'yes'**

**Q5. Do you consider that at least one of the referees should be a person of certain standing in the community (e.g. of a professional background)? This could include public officials (both elected and Civil Servants or Local Government officers), members of a regulated profession (including doctors, nurses, solicitors, barristers, accountants and FCA regulated finance professionals), officers of registered shooting clubs, National Farmers' Union representatives, landlords, land managers, vets or surveyors.**

25.7% of those who responded to this question responded 'yes', and 74.3% responded 'no'. Of those who responded 'yes':

### Responded 'yes'

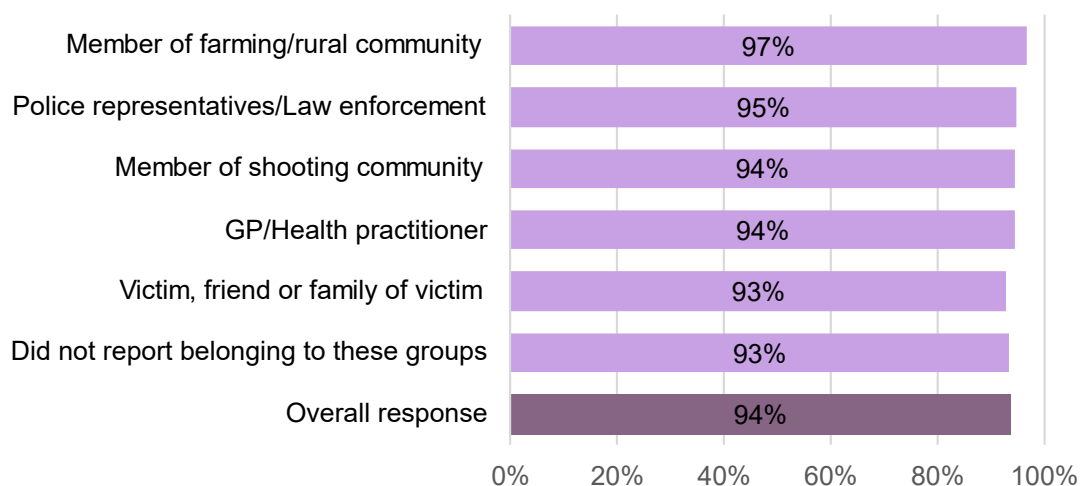


**Q6.**

**Do you consider that referees should be able to demonstrate a good knowledge of the applicant's circumstances, relevant to their suitability to possess a firearm or shotgun?**

93.6% of those who responded to this question responded 'yes', and 6.4% responded 'no'. Of those who responded 'yes':

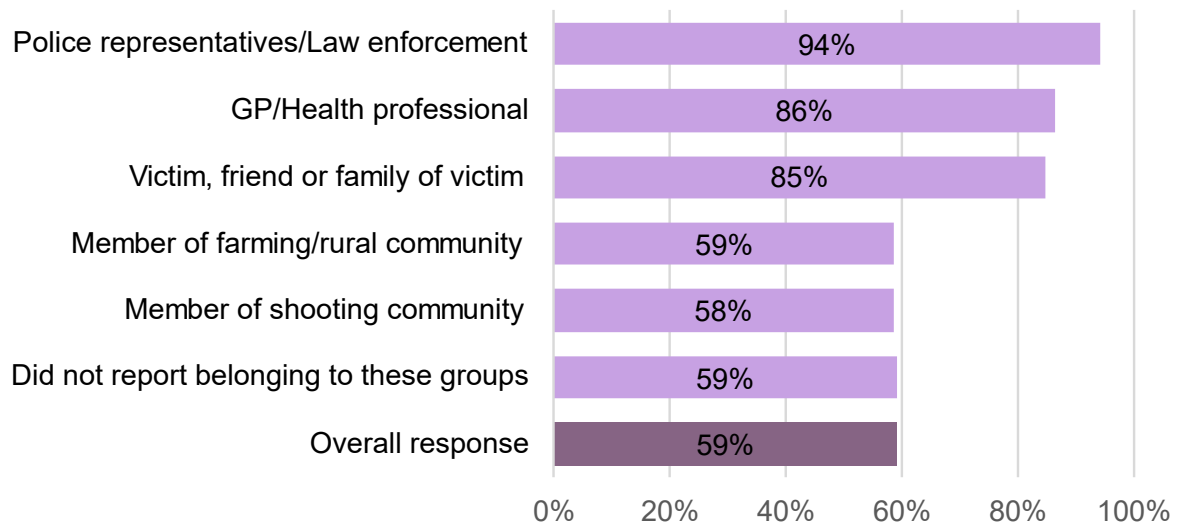
### Responded 'yes'



**Q7. Do you consider that the application form should include a checklist for referees on the information that they should provide to the police, and require referees to provide a written declaration that they have disclosed all relevant facts to the police?**

59.1% of those who responded to this question responded 'yes', and 40.9% responded 'no'. Of those who responded 'yes':

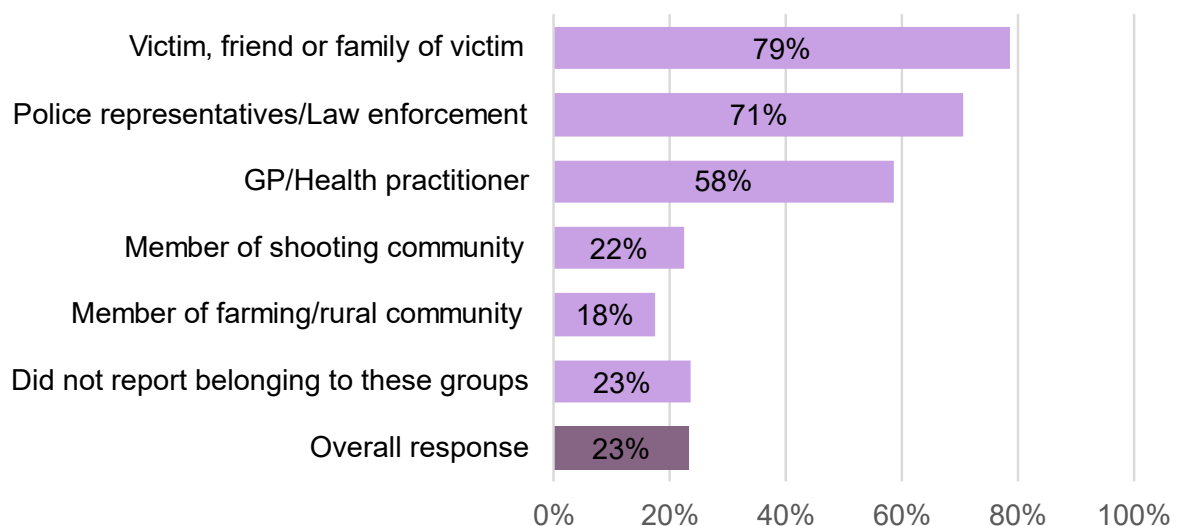
### Responded 'yes'



**Q8. Do you consider that the Statutory Guidance should include more detailed guidance for the police on the information they should be looking to elicit from referees?**

23.1% of those who responded to this question responded 'yes', and 76.9% responded 'no'. Of those who responded 'yes':

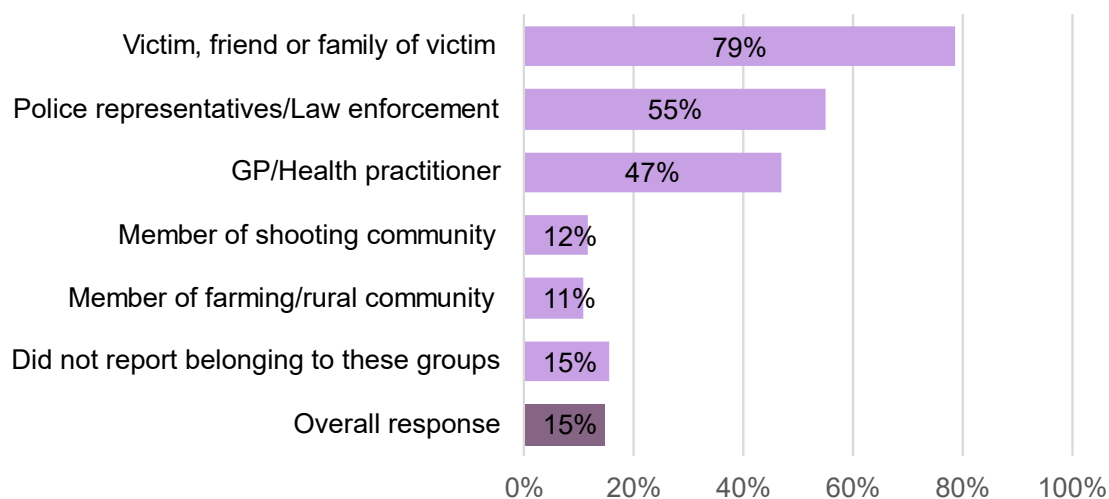
### Responded 'yes'



**Q9. Do you consider that the police should look at the circumstances when individuals change referees between application and renewal, and between subsequent renewals?**

14.7% of those who responded to this question responded 'yes', and 85.3% responded 'no'. Of those who responded 'yes':

**Responded 'yes'**

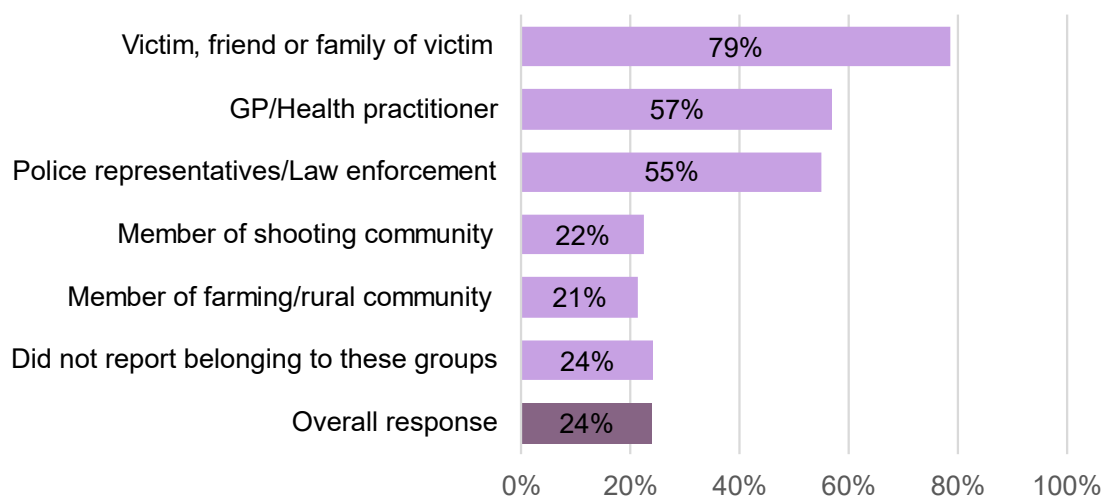


**Q10.**

**Do you consider that the sharing of the unique application reference number by the applicant with their referees would make it easier for referees to report concerns they have about applicants to the police, or to decline to give references, or, for those who give references but subsequently become concerned that the applicant may no longer be suitable to have access to a firearm or shotgun, to report this later to the police.**

23.8% of those who responded to this question responded 'yes', and 76.2% responded 'no'. Of those who responded 'yes':

**Responded 'yes'**

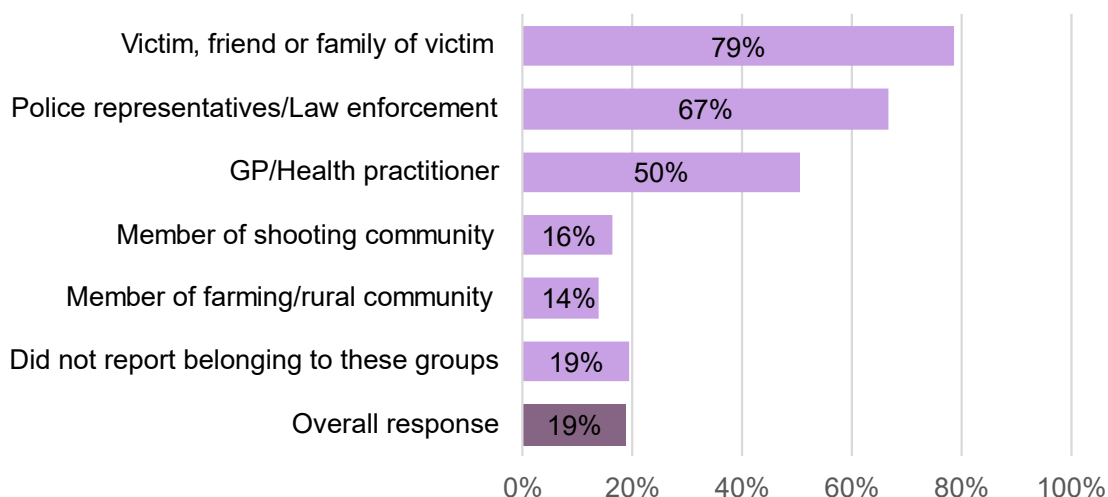


## Other recommendations

**Q11. Do you consider that the content in the Statutory Guidance should be expanded and made more prescriptive in relation to the suitability checks carried out by the police for firearm and shotgun applicants and certificate holders?**

18.7% of those who responded to this question responded 'yes', and 81.3% responded 'no'. Of those who responded 'yes':

### Responded 'yes'

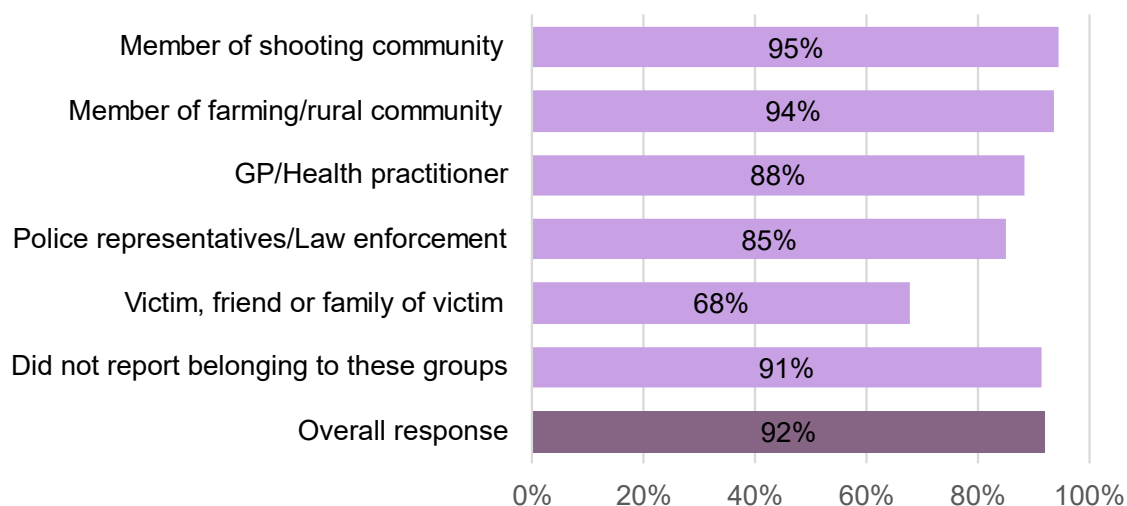


**Q12.**

**Do you consider that the balance of probabilities test is the correct test to apply in the Statutory Guidance to information about a person's suitability to hold a certificate? This is the test that the police have been using for many years and is applied in weighing the evidence and information in any individual case.**

91.9% of those who responded to this question responded 'yes', and 8.1% responded 'no'. Of those who responded 'yes':

### Responded 'yes'

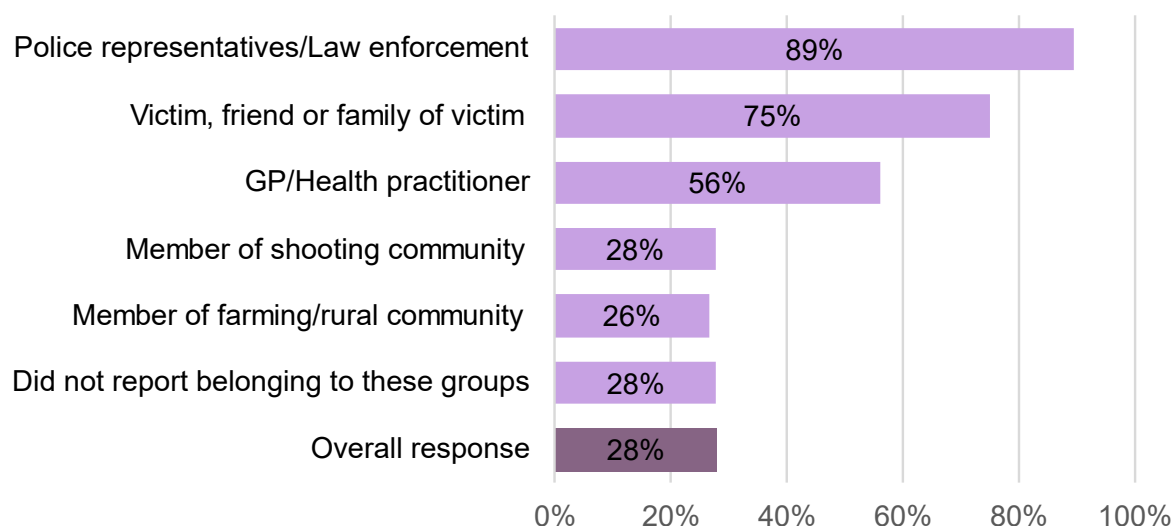




**Q13. Do you consider that neurodevelopmental disorders should be added to the list of relevant medical conditions in the Statutory Guidance (and application form)?**

27.8% of those who responded to this question responded 'yes', and 72.2% responded 'no'. Of those who responded 'yes':

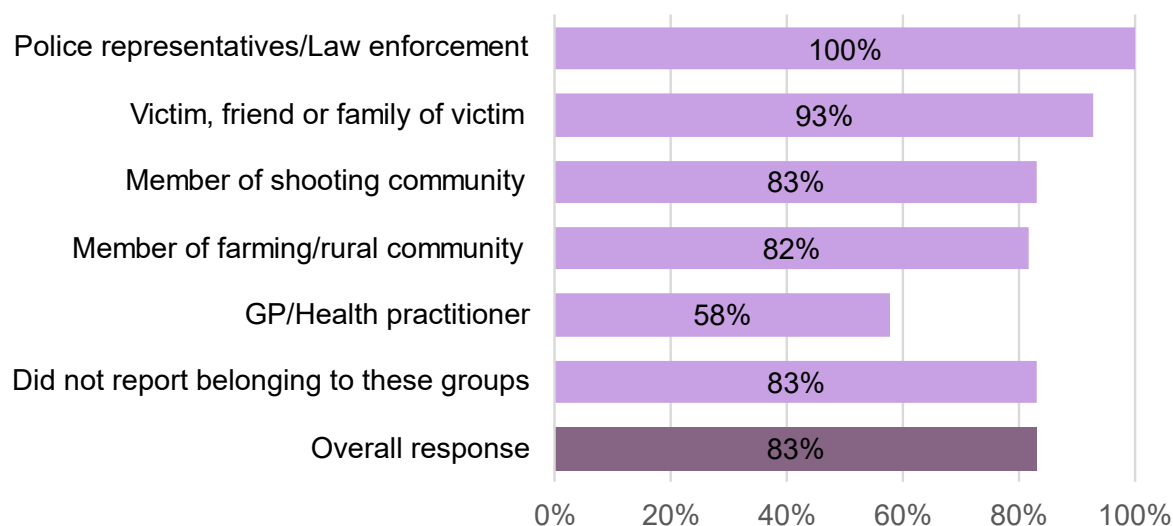
**Responded 'yes'**



**Q14. Do you consider that GPs' engagement with the firearms licensing process should be made mandatory?**

83% of those who responded to this question responded 'yes', and 17% responded 'no'. Of those who responded 'yes':

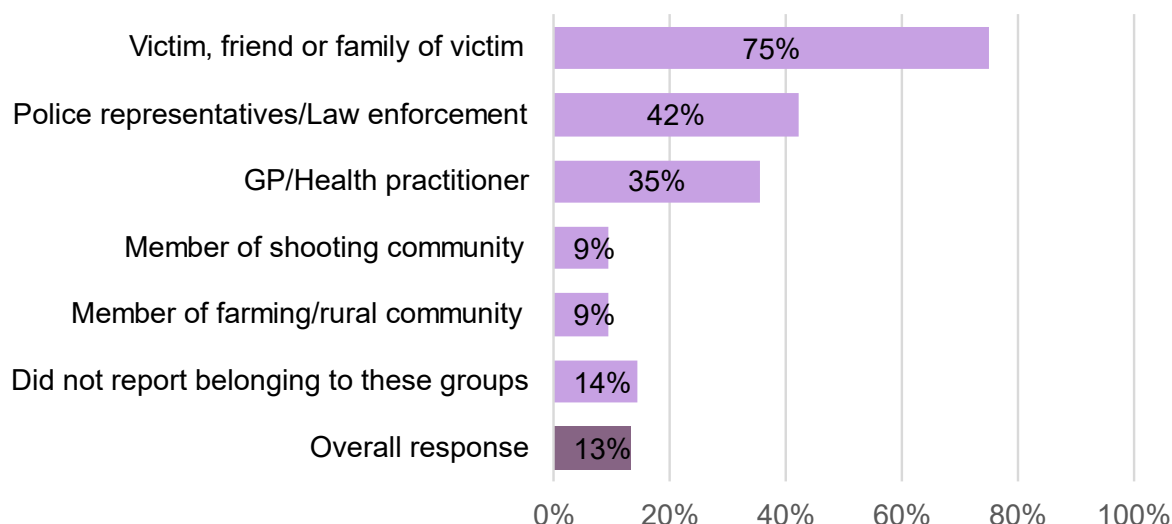
**Responded 'yes'**



**Q15. Do you consider that interim medical checks should be made on licensed firearms holders between the grant of the certificate and any application to renew?**

13.3% of those who responded to this question responded 'yes', and 86.7% responded 'no'. Of those who responded 'yes':

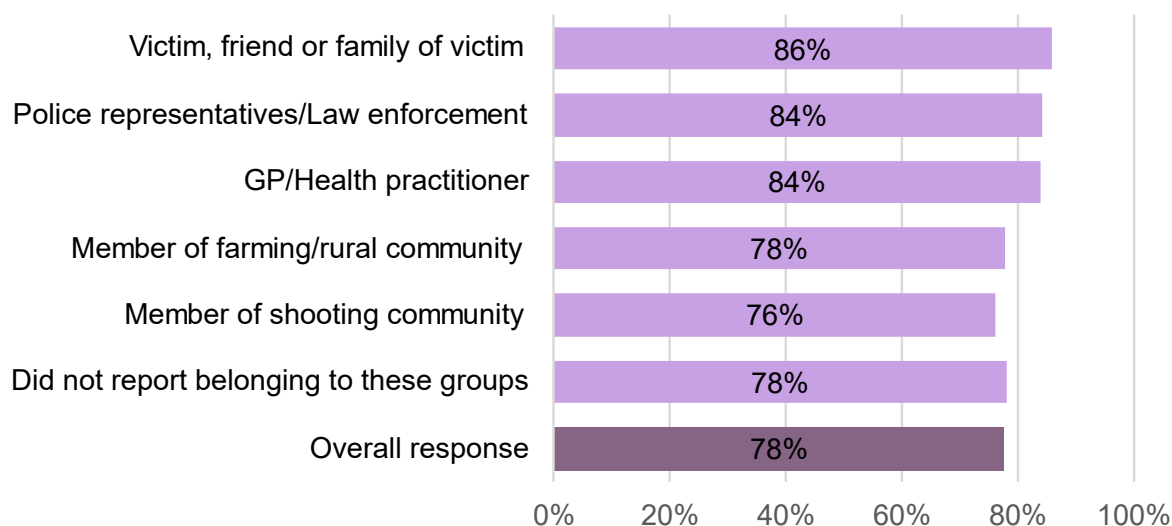
**Responded 'yes'**



**Q16. Do you consider that the digital marker for use by GPs on the medical records of licensed firearms holders should be visible to other health professionals?**

77.6% of those who responded to this question responded 'yes', and 22.4% responded 'no'. Of those who responded 'yes':

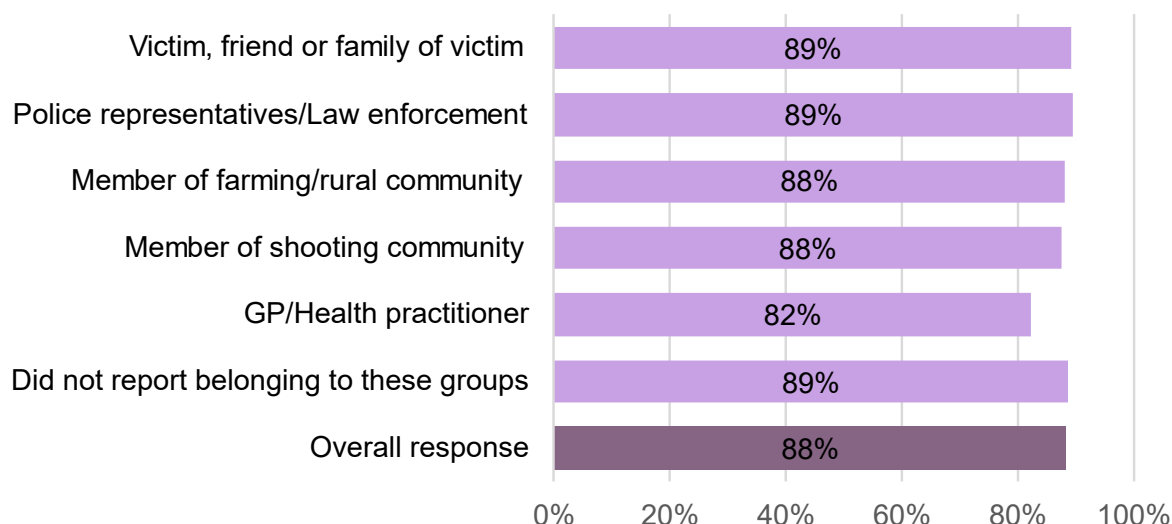
**Responded 'yes'**



**Q17. Do you consider there should be more mental health advice and support for licensed firearms holders through, for example, advice leaflets and other such support?**

88.4% of those who responded to this question responded 'yes', and 11.6% responded 'no'. Of those who responded 'yes':

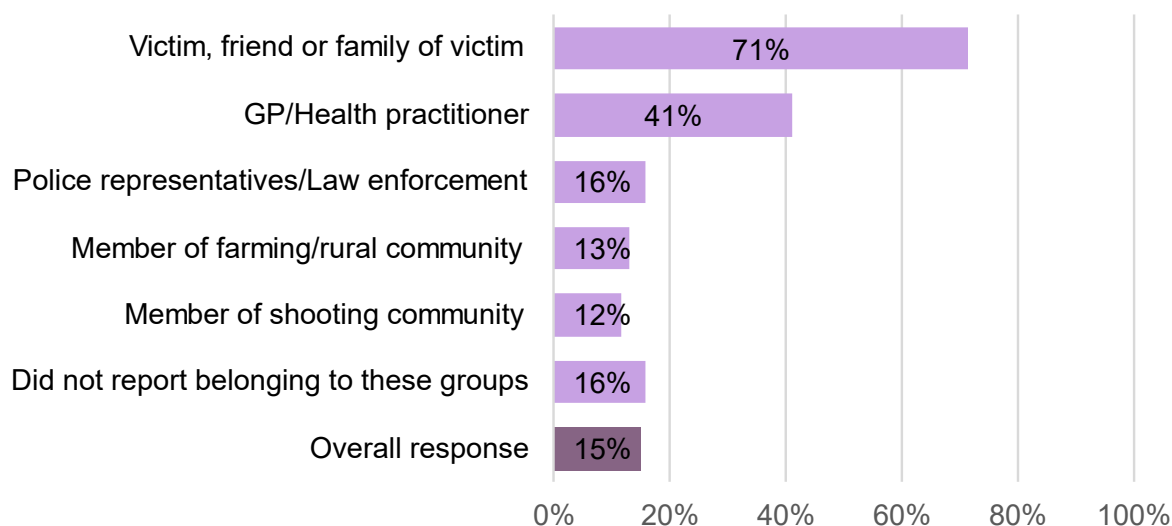
**Responded 'yes'**



**Q18. Do you consider a specific phonenumber should be introduced in addition to the services already available to report concerns about a licensed firearms holder?**

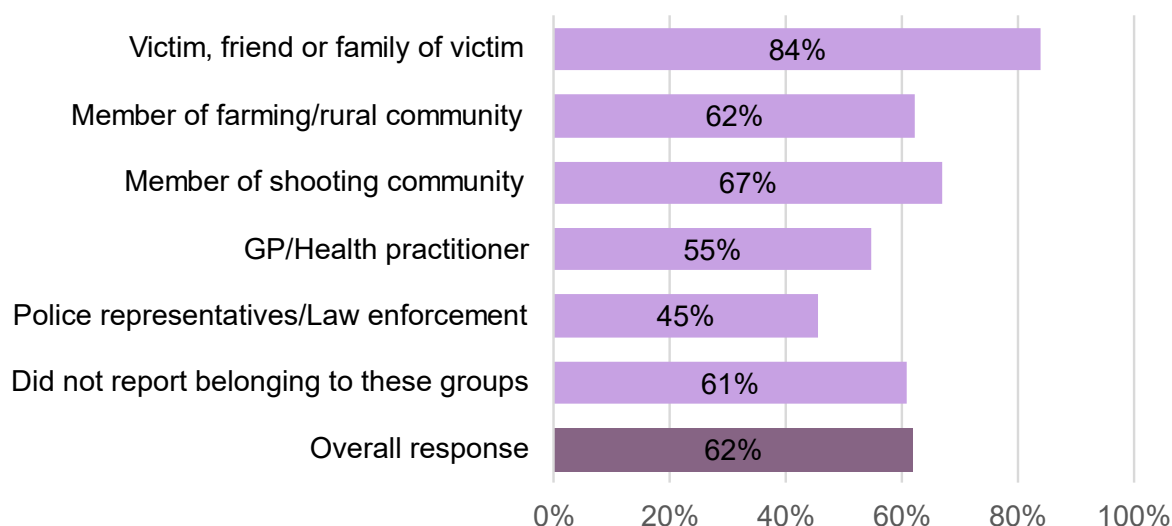
14.8% of those who responded to this question responded 'yes', and 85.2% responded 'no'. Of those who responded 'yes':

**Responded 'yes'**

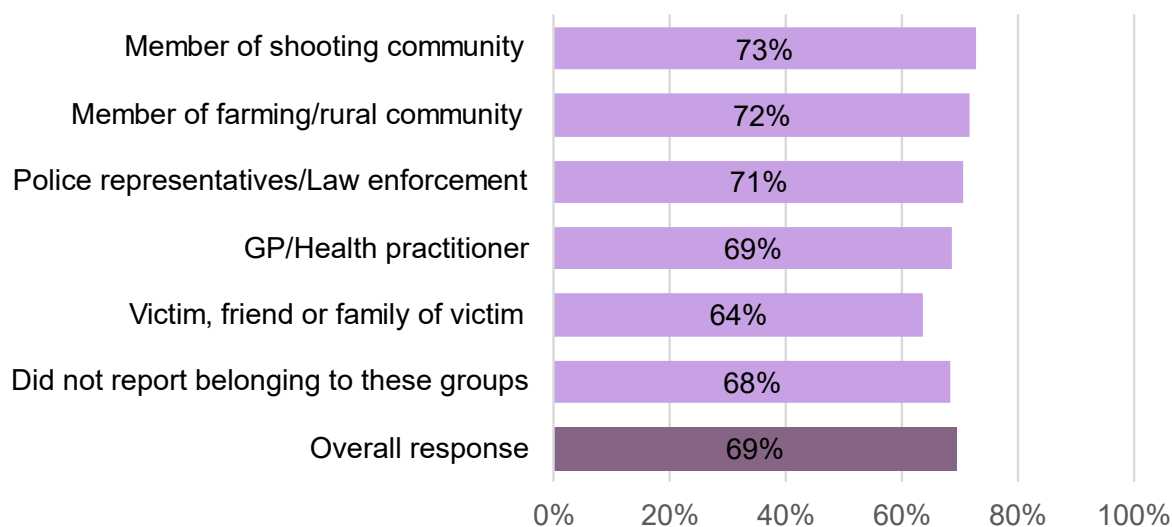


**Q19. How in principle should any specific phonenumber be funded?**

61.8% of those who responded to this question said that the phonenumber should be paid for by public funding and 38.2% said it should be paid for by other sources of funding.

**Responded 'public funding'****Q20. Do you consider that it would be better to raise awareness of existing avenues open to raise concerns about a licensed firearms holder (999, 101, Crimestoppers, force firearms licensing contacts) than create a new phonenumber service?**

69.3% of those who responded to this question responded 'yes', and 30.7% responded 'no'. Of those who responded 'yes':

**Responded 'yes'**

## **Additional comments**

- 4.2 Those responding to the consultation paper were also asked whether they had any additional comments on the subject matter of the consultation. We have included the substance of these responses, where they relate directly to the subject matter of the consultation, in the analysis of responses set out in Chapters 5, 6 and 7 of this paper.

## 5: Consultation outcomes: legislation

- 5.1 The Government welcomes the responses to this consultation and would like to thank all those who took the time to send their views.

### Recommendations relating to changes to legislation

#### (a) A power of immediate seizure of firearms, shotguns and ammunition

- 5.2 The police have powers to seize firearms, shotguns and ammunition where there is an immediate threat to life. The Coroner for the Keyham Inquest expressed concern that there is, however, no statutory power for the police to enter property and to seize firearms, shotguns or ammunition where there was a justification for reviewing suitability to hold a firearms certificate, but where there was no immediate threat to life. In such circumstances, the police currently rely on either voluntary surrender by the certificate holder or by seeking a warrant from a magistrate (or Sheriff in Scotland) under section 46 of the Firearms Act 1968.
- 5.3 The consultation asked whether, in view of the potential public safety risks, the police should be granted a specific power of entry (without a warrant issued by a magistrate or sheriff) to be able to seize shotguns, firearms and ammunition where there is a risk to public safety or the peace and the certificate holder does not cooperate with the police and agree to voluntary surrender? Of those who responded to this question<sup>2</sup>, 82% of members of the shooting community, 83% of members of the farming/rural community and 80% of those who did not self-report as belonging to any of these groups responded 'no' to this question. The response was very different for other groups; 45% of GPs/health care professionals, 26% of those in law enforcement and 25% of those who described themselves as victims/friends/family/community of victims of gun crime.
- 5.4 A number of respondents provided written comments relating to this question. Many considered that the requirement to obtain a warrant represented an important safeguard, noting that the police already have sufficient powers of entry, and powers to seize firearms, where there is a risk to life, public safety or the peace, and the power to revoke the firearms certificate. Some respondents considered that this might increase the number of unnecessary seizures, with the police being 'over cautious' and seizing firearms on a 'just in case' basis, without proper and sufficient evidence of an actual risk. If there is a concern here that the requirement to obtain a warrant creates an unacceptable delay where there are genuine public safety concerns, some respondents suggested the alternative of allowing for accelerated arrangements to obtain a warrant in firearms cases, which would still include the important element of scrutiny by a magistrate or Sheriff in Scotland.
- 5.5 Other respondents, including some from a law enforcement background, considered that in some circumstances the potential time delay in having to obtain a warrant could substantially increase the risk of serious injury or death, representing a tactically

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<sup>2</sup> In this chapter, where we refer to the percentages of people who responded, this includes those who responded by completing the online survey on gov.uk, those who submitted their responses electronically via the consultation inbox, and those who posted their responses to the Home Office.

challenging situation for the police. We were told that practice was not consistent between police forces, with some more likely to seize weapons in the face of a potential risk, while others were less inclined to do so. It was therefore suggested to us that creating a clear power would provide greater certainty. Others agreed that a power to seize firearms without a warrant was a good idea in the interests of public safety, but only if there were guaranteed arrangements in place to allow the certificate holder to retrieve their firearms without delay where this turned out to be safe and appropriate.

- 5.6 The Government's attention was also drawn to the potential impact on other members of a household who might be present and could be affected if the police were to be given additional powers of entry. We were told about the importance of ensuring that any such operations are appropriately planned and coordinated so that they do not inadvertently create additional risks to members of the household, for example those who might be at risk of domestic abuse.
- 5.7 Having weighed up the evidence, and having considered the responses to this consultation, the Government's view is that there is a potential public safety gap in that the police do not have a backstop power to enter premises to seize firearms where there are grounds for re-assessing a certificate holder's suitability, but the certificate holder is uncooperative with the police. The delay that is caused by the need to obtain a warrant could prove fatal. While it is to be hoped that a certificate holder will usually cooperate with the police, a new backstop power will provide certainty that the police can act decisively should circumstances so require. The Government therefore intends to legislate to provide the police with a new power of entry when a suitable legislative opportunity arises.

#### (b) Mandatory prohibitions

- 5.8 The consultation asked for views on whether the existing prohibition on possessing firearms provided for by section 21 of the Firearms Act 1968 should change from one that is based solely on length of a custodial sentence following conviction, to one that is based more on the nature of the offence committed. At present, a person is prohibited from possessing any firearm, including shotguns and ammunition, if they receive a custodial sentence, including a suspended sentence, of three months or more for any offence. This includes youth custody or detention in a young offenders' institution. The prohibition is for five years on release if the sentence is three months or more but less than three years. If sentenced to three years or more in custody, the prohibition is for life.
- 5.9 The Coroner for the Keyham Inquest was concerned that the thresholds for this mandatory prohibition may not reflect modern-day criminal justice disposals, including current sentencing by the courts. He was concerned that this could see some people continuing to have access to firearms where their involvement in criminality may well make this both inappropriate and unsafe, such as violent offenders who are given community disposals.
- 5.10 Of those who responded to this question, 29.5% considered that the mandatory prohibition should be changed to reflect modern day criminal justice disposals and be based on the nature of the offence committed rather than length of custodial sentence

alone, and 70.5% responded that there should be no change to current arrangements. 70% of members of the shooting community, 73% of members of the farming/rural community and 71% of those who did not self-report as belonging to any of these groups responded 'no' to this question. The response was very different for other groups; 40% of GPs/healthcare professionals, 45% of those in law enforcement and 32% of those who described themselves as victims or friends or family of a victim of gun crime.

- 5.11 The views of those who provided comments in respect of this question were mixed. Many considered that the current approach was the right one and provided absolute clarity, while others considered that both sentence length and/or the nature of the offence committed should be factors in any mandatory prohibition. It was noted that this should apply not only in the case of violent offences, but other offences which raised sufficiently serious questions about the person's honesty and character.
- 5.12 While this recommendation related specifically to mandatory prohibitions, with the intention of improving public safety, the Government is clear that, alongside mandatory prohibitions, the police are able to refuse any application for grant or renewal of a certificate where an applicant has been convicted of a violent offence. The police may also consider revoking a certificate where the holder is convicted of such an offence or other offences, such as those that demonstrate dishonestly or poor character. It is also important that the police take into account situations where an applicant or a certificate holder admits to having committed an offence and has an out of court disposal, where the circumstances of the offence, rather than the specific disposal, suggest suitability should be re-assessed. The Government therefore considers that the purpose behind this recommendation can be met by strengthening the Statutory Guidance to provide greater clarity about police powers to refuse or revoke certificates in cases involving violence, other offences and where a person admits guilt and has an out of court disposal.

### c) Length of certificate before renewal required

- 5.13 The consultation asked for views on whether the renewal period for certificates, which is currently five years, should be kept under review, and whether five years is the right period of time, or whether certificates should have a shorter or longer duration. The Scottish Affairs Select Committee commented in its report that the current renewal period of five years should remain in place but that this should be kept under review, particularly if an alternative, workable method of mental health monitoring and assessment were to be introduced. As noted in the consultation paper, there are differing views on how long certificates should be valid for before a renewal is required, and these differing views were set out in evidence to the Coroner and to the Scottish Affairs Select Committee. Of those who responded to this question, 28% said that 5 years is the right duration, 65% said that it should be longer than 5 years and 7% said that the duration should be less than 5 years. Members of the shooting community, members of the farming/rural community and those who did not self-report as belonging to any of these groups responded in similar proportions to the overall response. 40% of GPs/health care professionals thought the length should be more than 5 years, as did 20% of those in law enforcement and 31% of victims or friends or family of a victim of gun crime. 69% of victims or friends or family of a victim of gun



crime thought the length should be less than 5 years, as did a third of GPs/health care professionals and those in law enforcement.

- 5.14 A significant number of those who responded to the consultation provided comments on the issue of certificate duration. A number of respondents considered that the current arrangements were working well and should be left as they are. Others suggested that the length of the certificate should depend on circumstances with, for example, a first-time applicant having a shorter certificate period which would help to prove their suitability, or older certificate holders (the age suggested by respondents being 70) should have a shorter duration of certificate, perhaps renewed every three years. Some expressed the view that the current duration of five years should be the maximum, with the police able to issue certificates for a shorter duration where there were concerns about the applicant, with a shorter certificate period allowing for a more frequent, formal review of suitability. Others suggested that a longer certificate (e.g. ten years) might follow after the holder has previously held one or two five-year certificates without any problems.
- 5.15 Significant numbers of respondents said that we should move quickly to longer certificates: some suggested moving to six or seven years, with many others looking for ten-year certificates or even 'life-long' certificates along the lines of driving licences. Respondents said this would reduce the burden on both the police, in administering certificates and undertaking suitability checks, and GPs who provide medical information to the police when applications are made for the grant or renewal of a certificate. Some suggested that there should be differences in duration of shotgun and firearms certificates, with the former having a reduced duration (e.g. three years) and the latter a longer duration (e.g. ten years).
- 5.16 Some respondents were concerned by the suggestion of longer certificates and argued for shorter duration, or consideration, for example, after two years, of whether there have been any material changes in the circumstances of the certificate holder, potentially triggering a review of the certificate if significant changes in circumstances had occurred. There were also arguments put forward for reducing the length of certificates on the basis that this would give the police more opportunities to ascertain whether there were any issues of concern in the life or circumstances of the certificate holder which may not otherwise come to light if not reported, such as coercive behaviour towards a partner or domestic abuse.
- 5.17 The Government's view is that a careful balance has to be struck between the length of certificates and the imperative to ensure the safety of certificate holders, their families and the wider community. While a certificate duration of less than five years would seem to offer the advantages of more frequent suitability checks on certificate holders, the Statutory Guidance for Chief Officers of Police now requires that the police conduct continuous assessment of certificate holders during the duration of a certificate. This is supported by the new digital medical marker, which has been rolled out to all GP surgeries in England, which allows for a GP to alert the police should a certificate holder start to suffer from a relevant medical condition and are seen by their GP, which then ensures that consideration can be given by the police to whether it is safe for the individual to continue to have access to firearms.

5.18 The Government is clear that public safety must be the paramount consideration and is of the view that no changes should be made to the duration of certificates at this time.

## 6. Consultation outcomes: referees

### Recommendations relating to the requirements relating to referees

#### (a) The number of referees to support an application for a shotgun certificate

- 6.1 The consultation asked for views on whether people applying for the grant or renewal of a shotgun certificate should provide the names of two referees. The Firearms Rules 1988, made under the Firearms Act 1968, require that:
- an application for the grant or renewal of a firearm certificate shall be accompanied by the names and addresses of two persons who have agreed to act as referees, whereas
  - an application for the grant or renewal of a shotgun certificate shall be accompanied by the name and address of a person who has agreed to act as a referee.
- 6.2 The Coroner for the Keyham Inquest expressed concern that the requirement to provide only one referee to support a shotgun application meant that less information about the applicant and their suitability was obtained, compared to when an application is made for a firearms certificate. The Scottish Affairs Select Committee, in recommending that the Government conduct a review of the referee system to determine whether it is fit for purpose, also included a specific recommendation that those applying for shotgun certificates should provide character references from two referees.
- 6.3 The consultation yielded differing views on whether to increase the number of referees to support a shotgun application to two. Of those who responded to this question, 32% said that there should be a requirement for two referees to support a shotgun application, and 68% said that the requirement should remain at one referee. 66% of members of the shooting community, 68% of members of the farming/rural community and 69% of those who did not self-report as belonging to any of these groups responded that the requirement should remain at one referee. 84% of those in law enforcement responded that they supported moving to two referees, similar to 82% of those who described themselves as victims or friends or family of a victim of gun crime and 61% of GPs/healthcare professionals.
- 6.4 These different views were also apparent in the comments of those who provided their views on this issue. Some suggested that requiring two referees would clearly provide the police with more information about the applicant, and there was a suggestion that requiring one of these to be a family member would help to provide assurance from somebody who knows the applicant best, with the second referee being non-family in order to provide the police with a more impartial view.
- 6.5 Others questioned the value of increasing the number of referees to support shotgun applications and, indeed, the value of referees at all. Concerns were also expressed about increasing the number of people brought into firearms licensing if the number of referees for shotguns were to be doubled, which it was suggested could have

implications for public safety as more people become aware of those who hold shotguns and where they live. Some also noted that this would place an extra burden on applicants, which might be felt more acutely by those who live in rural or remote communities.

- 6.6 Having considered this issue, and taking into account the responses to the consultation, the Government has decided that there should be a requirement on applicants for both firearms and shotguns to provide the name of two referees. The Government will look to make this change by an amendment to the Firearms Rules 1988, and to the relevant application form, as soon as is practicable.

#### **(b) Other matters relating to referees**

- 6.7 The Firearms Rules 1988 also require, in relation to applications for both firearm and shotgun certificates, that the referee(s) must:

- (i) not be a member of the applicant's family;
- (ii) not be a serving police officer or a police employee; a Police and Crime Commissioner or a member of a Police and Crime Commissioner's staff; or a member of the Scottish Police Authority or a member of staff of the Scottish Police Authority;
- (iii) not be a registered firearms dealer;
- (iv) be resident in Great Britain;
- (v) have known the applicant personally for at least two years; and
- (vi) be of good character.

- 6.8 The Scottish Affairs Select Committee recommended that the Government conduct a review of the referee system, to determine whether it is fit for purpose. Specific issues raised by the Select Committee were:

- i. individuals canvassing for positive references or putting pressure on people to give positive references (for example, through coercion or by engaging in the peer pressuring behaviours which may be experienced in smaller communities);
- ii. the options open to police when individuals change referees between application and renewal, and between subsequent renewals;
- iii. that people applying for shotgun certificates provide character references from two referees.

#### ***A requirement for recent knowledge of the applicant***

- 6.9 The IOPC recommended that the Government consider amending the requirement at (v) above to require the referee(s) to have recent knowledge of the applicant (e.g. within the last 12 months). As was noted in the consultation paper, since February 2023, the Statutory Guidance for Chief Officers now clarifies that the expectation should be that the referee(s) will have known the applicant for the most recent two

years and that they have had a reasonable degree of contact with the applicant during that period. The Government has noted that some of those who responded to the consultation questioned the period of two years indicating that this was an arbitrary figure and did not guarantee, of itself, that the referee has a good knowledge of the applicant. The Statutory Guidance does now create an expectation that the referee will have known the applicant for the most recent two years and have had a reasonable degree of contact with the applicant during that period which will help to ensure that the applicant is well known to the referee. We consider the issue of the referee's knowledge of the applicant further in the paragraphs below, and we will consider whether it is necessary to make the purpose of the requirements set out above more explicit when the Firearms Rules 1988 are next amended, making any further consequential changes, as required, to the Statutory Guidance.

### *Good knowledge of the applicant*

6.10 The consultation also asked for views on whether it should be an explicit requirement that referee(s) must have a reasonably in-depth knowledge of the applicant's character, circumstances, temperament, and fitness to have a firearm which was recommended by the IOPC. Of those who responded to this question, 94% agreed that there should be such a requirement and 6% disagreed. There was a consistent response across all groups to this question. 94% of the shooting community and GPs, 95% of those in law enforcement, 97% of members of the farming/rural community, 93% of victims and friends/family/community of victims and 93% of those who did not self-report as belonging to any of these groups responded 'yes' to this question. Those who provided additional comments in relation to this issue raised questions about whether a balance needed to be struck between the referee having a good knowledge of the applicant and a knowledge of firearms, if the expectation were that the referee is being asked to vouch for the safety of the applicant to possess a firearm.

### *A person of standing*

6.11 The consultation asked for views on whether at least one of the referees put forward in support of a firearms or shotgun application should be a person of certain standing in the community (e.g of a professional background). 26% of those who responded to this question agreed with this suggestion and 74% disagreed. Members of the shooting community, members of the farming/rural community and those who did not self-report as belonging to any of these groups responded in similar proportions to the overall response. 79% of victims/friends/family/community of victims thought that at least one referee should be a person of certain standing in the community, as did 53% of GPs/healthcare professionals and 55% of those in law enforcement. Those who commented on this question noted that it was as much a matter of opinion as one of judgement as to who might be regarded as a person of standing, noting that the list of examples in the consultation paper excluded serving or former military personnel. Others suggested that the notion of 'standing' was an outdated or elitist one, with those in the sort of professions listed being seen as not necessarily better placed to provide a meaningful reference than others. Knowledge of the applicant was seen as the far more relevant qualification. A number of respondents also made the point that, in as much engagement is now conducted online and remotely, it was becoming more difficult to have an actual acquaintance with some of the professionals suggested. Others, including current certificate holders, noted that they

did not personally know people who might be regarded as having the standing in the community that might be required. Some saw merit in the suggestion that at least one of the referees should be a member of an approved shooting club. It was also suggested that the minimum, or sole requirement, to act as a referee was the absence of a criminal record. Finally, those representing people in the medical profession pointed to difficulties in including GPs or other clinical professionals as people who might have 'standing', as this could create a conflict of interest as they might otherwise be involved in the licensing process, for example as an applicant's or certificate holder's GP.

### *A checklist for referees*

- 6.12 The Coroner at the Keyham inquest expressed concern that insufficient information is currently given to referees concerning what they should disclose to the police about the applicant and their suitability. The consultation asked for views on the Coroner's suggestion that this could be addressed by introducing a standard checklist for referees to explain what is expected of them and would also allow for referees to give a written declaration that they have disclosed all relevant facts to the police. Opinions were more evenly balanced amongst those who responded to this question, with 59% in agreement with the idea of a checklist and 41% opposed. The majority of all groups were in favour of a checklist for referees: 58% of members of the shooting community, 59% of members of the farming/rural community, 86% of GPs/medical professionals, 94% of those in law enforcement, 85% of friends/ families of victims/ friends/family/community of victims and 59% of those who did not self-report as belonging to any of these groups. There was a very high non-response rate for this question (55%).
- 6.13 Those who provided comments on this question generally considered that it would be helpful to provide more information to referees on what is expected of them at the time of application, including providing this in the form of a checklist. Many considered that it was particularly important for referees to be encouraged to provide any and all information that they considered might be relevant to suitability, but that guidance to referees should include warnings about making any assumptions about the person's family life within their home, based on their knowledge of the applicant in other settings. Some also suggested that referees could be given an ongoing responsibility to report any material changes in the certificate holder's circumstances which they considered might be pertinent to their fitness to access firearms, while others were clear that this would be neither appropriate nor workable. The point was made that it must remain the police's ongoing responsibility to ensure that the certificate holder remains suitable to possess firearms, and that there should be no attempt to transfer the liability to referees in any way.
- 6.14 The question of liability was of concern to some respondents, who considered that the inclusion of a formal declaration by the referee might imply some legal, ongoing responsibility or liability, rather than simply being a means of confirming that the information provided is true and that there is nothing else that the referee knows that might make the applicant unsuitable.



### *More guidance for the police*

6.15 The Coroner was also concerned that the Statutory Guidance to Chief Officers of Police contains insufficient guidance on the information that the police should be looking to elicit from referees and how they should do this. The Coroner was concerned that the absence of national guidance impacted on ensuring consistency between police forces in how they approach the collection of relevant information from referees as part of their assessment of the applicant's suitability. The consultation asked for views on whether the Statutory Guidance should include more detailed guidance on the information that the police should be looking to elicit from referees, and of those who responded to this question, 77% agreed that there should be more in the Statutory Guidance on this, and 23% disagreed. Responses from members of the shooting community, members of the farming/rural community and those who did not self-report as belonging to any of these groups were consistent with the overall response. A higher proportion of other respondents thought that there should be more guidance for the police: GPs/medical professionals 58%, law enforcement 71% and friends/families of victims 79%. Many of those who commented on this question agreed that there should be further guidance for the police, particularly in the interests of ensuring consistency of practice across all police forces. This question is linked to the preceding question of a checklist for referees: such a tool would provide clarity as to the information that the police should look to obtain. Finally, a number of respondents made the point that the police would need to reflect on what information they are told by referees, and to set this into the wider context of their suitability checks, rather than necessarily taking what they are told at face value.

### *A change of referees*

6.16 The consultation asked for views on whether the police should look at the circumstances when individuals change referees between application and renewal, and between subsequent renewals in the light of the suggestion made by the Scottish Affairs Select Committee that the Government should address the options open to police when this occurs. Of those who responded to this question, 15% considered that the police should look into the circumstances of such changes and 85% did not consider this to be necessary. The response from those who did not self-report as belonging to any of these groups was consistent with the overall response. Fewer members of the shooting and rural/farming community thought that police should look into a change in referees (12% and 11%). More GPs/medical professionals (47%), law enforcement (55%) and friends/families of victims thought that they should (79%).

6.17 Those who commented on this recommendation made the point that it was unlikely to be unusual for referees to have changed after a period of five years, which is the current duration of firearms certificates, particularly if the certificate holder has moved house or circumstances have otherwise changed. Similarly, the circumstances of the original referee may have changed, suggesting that they are no longer suitable for the purpose. The point emphasised here, as in respect of other recommendations relating to referees, is that the crucial question is whether the referee has sufficient knowledge of the applicant at the time of renewal, whether or not that is the same person who acted as a referee when the certificate was originally granted or last renewed. It was suggested by some that this issue could be adequately addressed

by requiring the police to ask why the referee(s) had changed, and for the police to make a judgement about this, based on the individual circumstances applying.

### *A unique application number*

- 6.18 The consultation asked for views on the recommendation made by the Scottish Affairs Select Committee that a unique application reference number should be shared by the applicant with their referees, to make it easier for referees to report concerns they may have to the police about the applicant, either at the time of the application or if they subsequently become concerned about the person's access to firearms or shotguns, or in order to decline to give a reference. Of those who responded to this, 24% agreed with this recommendation while 76% did not. Responses from members of the shooting community, members of the farming/rural community and those who did not self-report as belonging to any of these groups were consistent with the overall response. A higher proportion of other respondents thought that the unique application reference number should be shared: GPs/medical professionals 57%, law enforcement 55% and friends/families of victims 79%.
- 6.19 As with the responses to previous questions, respondents considered that the system should enable all relevant information to be provided to the police by the referee at the time of application, and for this to allow for referees to raise any concerns they may have at this stage. In terms of reporting concerns subsequently, as noted elsewhere in this paper, many respondents considered that there are sufficient opportunities and avenues available for people to report concerns, and the inclusion of a unique reference number shared with referees was not seen as contributing in any significant way to this.

### **Conclusions and next steps in respect of referees**

- 6.20 The Government has carefully considered the recommendations made in respect of referees by the Coroner for the Keyham Inquest, the IOPC and the Scottish Affairs Select Committee, and also the responses to these recommendations provided during this consultation. In addition to moving to requiring two referees for both shotgun and firearms applications, the Government will:
- i. develop more comprehensive guidance for referees, to clarify what is required of them, and we will give further consideration to whether this should be accompanied by a checklist;
  - ii. further strengthen the Statutory Guidance to provide greater clarity to the police as to what information they should look to elicit from referees and the weight to be given to this as part of firearms suitability checks; and
  - iii. not proceed with requiring one of the referees to be a person of standing.



## 7. Consultation outcomes: other recommendations

- 7.1 This chapter is concerned with responses to the consultation questions relating to other recommendations that were made to the Home Office by the Coroner for the Keyham Inquest, the IOPC and the Scottish Affairs Select Committee which relate to the Statutory Guidance to Chief Officers of Police on firearms licensing.

### The Statutory Guidance to Chief Officers of Police

- 7.2 The Statutory Guidance was introduced on 1 November 2021 and it was refreshed on 14 February 2023. The purpose of the Statutory Guidance is to improve the quality and consistency of police forces' assessments of the suitability of applicants for firearms licences. The police must have regard to the guidance and the requirements it sets out in exercising their firearms licensing functions.

### *More guidance on involvement of household members and others*

- 7.3 The consultation asked for views on recommendations that had been made to the Home Office that were relevant to the content of the Statutory Guidance. The consultation asked, firstly, for views on whether the content in the Guidance relating to the suitability checks carried out by the police should be expanded and made more prescriptive. This was specifically in relation to interviewing partners and household members of certificate holders or applicants with a record of violence or subject to allegations of violence, and in relation to the IOPC recommendation that the Statutory Guidance be amended to set out clearly when further checks, beyond the minimum, should be considered when assessing an application for a firearm certificate. Of those who responded to this question, 19% considered that the Guidance should be expanded and made more prescriptive, with 81% considering that this was not necessary. Responses from members of the shooting community, members of the farming/rural community and those who did not self-report as belonging to any of these groups were consistent with the overall response. A higher proportion of other respondents thought that the guidance should be expanded and made more prescriptive: GPs/medical professionals 50%, law enforcement 67% and friends/families of victims 79%.
- 7.4 Many of those who responded to this question considered that the Statutory Guidance should be more explicit about the importance of the police involving family members and those living in the same household as the applicant as part of the process of assessing suitability, and the importance of the police being alive to possible abusive behaviour in the household, even if not reported to them. Others noted the potential for partners, or ex-partners, to act in a malicious way against an applicant, and considered that the Statutory Guidance needed to be clear in ensuring that the police are aware of the potential for this. A number of respondents also made the point that the police should be aware of wider issues, such as financial worries, that could act as a trigger for domestic dis-harmony and domestic abuse.
- 7.5 Many respondents were concerned about the potential consequences of firearms being present in households where there is a history, or likelihood, of domestic abuse. It was estimated that there are 2.4 million adults aged 16 and over who experienced domestic abuse in the year ending March 2022, which equates to a

prevalence rate of approximately 5% of all adults. There is the potential, therefore, that in many households where there is a certificate holder, domestic abuse, which often goes unreported, may be present. Against this background, we will look again to make the advice on domestic abuse in the Statutory Guidance clearer and emphasise the need to interview partners, relatives, and possibly former partners, if there are allegations or suspicions of domestic abuse against the certificate holder or applicant. We will also look again at the content of the Statutory Guidance relating to other allegations of violence against applicants or certificate holders to ensure that the guidance is sufficiently clear about the need for the police to investigate such allegations and take this information into account when making their assessment of suitability.

- 7.6 More broadly, in relation to the Statutory Guidance, many of those who commented on this made the point that the guidance should be written in such a way as to remove, as far as possible, the potential for variations in practice between different police forces. This applied particularly to when the police should carry out additional, non-routine checks where they consider these to be necessary to fully assess suitability. This was seen as an issue in the way that the Statutory Guidance is written but was also seen as carrying implications for the training that officers received, which should reinforce the Statutory Guidance, and resourcing of police firearms licensing departments, with many respondents making the point that resourcing needed to match the demands on the police, to enable the police to run an efficient and effective service.
- 7.7 The Government will strengthen the Statutory Guidance to address the issues raised above when next refreshed. We are intending to publish a further revision of the Statutory Guidance in early 2025.

### *Balance of probabilities test*

- 7.8 The consultation also asked for views on whether the balance of probabilities test is the correct test to apply in the Statutory Guidance to information about a person's suitability to hold a firearms certificate. We noted that this is the test that the police have been using for many years and is applied in weighing the evidence and information when considering whether an applicant for a firearms certificate might be a risk to public safety or to the peace. The Coroner for the Keyham inquest questioned whether this test was the correct one to apply and expressed concern that information and evidence might be disregarded in a suitability assessment if it could not be proven on the balance of probabilities. The Coroner considered that the decision on suitability should be based on the totality of the risk information available, applying appropriate weight to the evidence available. Of those who responded to this question, 92% considered that the balance of probabilities is the correct test, whereas 8% disagreed. 'Yes' responses were high for all groups (85%-95%) other than friends/families of victims; (68%).
- 7.9 Those who commented on this question provided a range of views, with some clear that the balance of probabilities is the appropriate standard for weighing evidence when considering suitability to access firearms, while others were of the view that the threshold for weighing evidence should be higher and based on the principle of beyond reasonable doubt. A concern raised by some was that assessing evidence on

the basis of the balance of probabilities may make it too easy for the police to reject an application, even if the evidence against the applicant was not particularly strong or overwhelming. Others considered that the balance of probabilities test could lead to unsubstantiated evidence, provided by persons with malicious intent against a firearms applicant, being given disproportionate weight by the police when assessing the suitability of the applicant.

- 7.10 The Home Office will look to provide further guidance to the police in the next refresh of the Statutory Guidance. We are satisfied that in most instances, where the evidence before the police is sufficient to reach a conclusion on the balance of probabilities, this should be the test that is applied. However, noting the views of some who responded to this consultation, including from a policing background, the Government considers that it is important for the police to consider all of the available evidence and information when assessing suitability. There will be circumstances where the evidence before the police may be insufficient to reach a conclusion on the balance of probabilities. In such circumstances, we consider it right that the police should not disregard such evidence but that, in the interests of ensuring public safety, it should be weighed alongside all of the other information available to them, in reaching their decision on suitability.

#### *Neurodevelopmental disorders as a relevant medical condition*

- 7.11 Finally in respect of the Statutory Guidance, the consultation asked for views on whether neurodevelopmental disorders should be added to the list of relevant medical conditions set out in the Statutory Guidance and on firearms application forms. This was recommended by the IOPC. Of those who responded to this question, 28% considered that neurodevelopmental disorders should be added to the list of relevant medical conditions, while 72% did not. Responses from members of the shooting community, the farming/rural community and those who did not self-report as belonging to any of these groups reflected the overall response. Other groups were more in favour; GPs/medical professionals 56%, law enforcement 89% and friends/families of victims 75%.
- 7.12 A number of respondents commented on this issue. The majority of those who did so, argued against adding neurodevelopmental disorders to the list of relevant medical conditions. Many considered the suggestion to be discriminatory, noting that neurodevelopmental disorders cover a wide spectrum, ranging from minimal in impact to more severe, and that there is no evidence to show that the presence of such conditions necessarily impacts negatively on a person's suitability to hold a firearms certificate, meaning that decisions should continue to be made on a case-by-case basis. Some of those who responded said that they suffered from neurodevelopmental disorders and were safe certificate holders. Respondents also expressed concerns that such a move might create an unhelpful disincentive for people to seek help when they needed to, for both physical and mental health issues, if they feared this could potentially see an arbitrary decision taken to revoke their firearms certificate.
- 7.13 Other respondents considered that neurodevelopmental disorders should be added to the list of relevant medical conditions, but that it should be clear that this should not bar somebody from holding a firearm. Rather, it would give the police the best information possible to inform their decision as to suitability. Others were in favour of

the suggestion based on a view that anybody diagnosed with a neurological condition should be barred from holding a firearms certificate, or that such a diagnosis should see suspension of a held firearms certificate, pending an assessment by a qualified doctor.

- 7.14 The Government considers that the arguments here are finely balanced and has given careful consideration to the views put forward, including from the professional medical bodies. On the one hand, it is important that all risks should be flagged to the police, and adding neurodevelopmental disorders to the list of relevant medical conditions will ensure that any potential health risks are not missed. On the other hand, we do not want to suggest that the presence of such disorders should necessarily lead to an application being refused, or a certificate revoked. We are particularly mindful that such disorders cover a wide spectrum and in very many cases will not impact on the safety of the individual to have access to firearms.
- 7.15 With this in mind, the Government has decided not to add neurodevelopmental disorders specifically to the list of relevant medical conditions that the applicant must declare when applying for a firearms certificate. This will avoid any of the unintended consequences that are discussed above. We will however make it clear on the application form and in the Statutory Guidance that doctors and the applicants themselves should be alert to the presence of neurodevelopmental disorders when considering whether the applicant has any other condition which may affect the safe possession of firearms, depending on the severity of the individual case, and bring this to the attention of the police if necessary based on their knowledge of the applicant's neurodevelopmental disorder. The relevant guidance already makes it clear that the list of relevant medical conditions should not be regarded as being exhaustive and we will make it clearer that doctors should consider whether there are any conditions, including neurodevelopmental conditions, which may affect the individual's safe possession of a firearm or shotgun, now or in the future.

## Medical arrangements

### *A statutory duty on GPs*

- 7.16 The consultation asked for views on recommendations made by the Scottish Affairs Select Committee and the Coroner for the Keyham Inquest relating to the medical aspects of firearms licensing.
- 7.17 There has been significant strengthening of the medical checks for firearms licensing in recent years, including making it a requirement for all applicants for a firearms certificate to provide relevant medical information to the police, and the development and introduction of a new digital firearms marker in England to ensure that the police are notified by the certificate holder's GP if there is a concerning deterioration in the certificate holder's physical or mental health at any point after the grant of the certificate. However, the engagement of GPs is voluntary, and there is currently no statutory or other mandating requirement relating to their involvement in firearms licensing.
- 7.18 The consultation asked, firstly, for views on the recommendation that consideration be given to making GPs' engagement with the firearms licensing process mandatory,

as had been recommended by the Scottish Affairs Select Committee. Of those who responded to this question, 83% considered that GP involvement should be mandatory, while 17% considered that it should not be. 100% of law enforcement respondents and 93% of friends/families of victims who answered this question thought that GP involvement should be mandatory. The response from GPs/medical professionals was lower, at 58%.

- 7.19 Amongst those who were in favour of making GP involvement mandatory, some were concerned that, otherwise, there would remain vulnerabilities in the system, if it were not guaranteed that certificate holders' GPs would meaningfully engage in the licensing process by providing relevant medical information at the time of application. Given the importance, on public safety grounds, that GPs provide medical information to the police, some commented that this suggested GP involvement should therefore be a statutory duty. Many respondents were concerned that as matters currently stand, GPs can decline to provide the required information to accompany a firearms application, which not only put the applicant at a disadvantage, but also created public safety risks if the GP were not flagging to the police potential physical or mental health issues which could impact on their patient's ability to have safe access to firearms. Many respondents were also concerned that there was no consistency in the fees charged by GPs for providing medical information to the police at the time of application.
- 7.20 Other respondents were concerned that, without a statutory duty on GPs, individual doctors might be swayed by their personal views on firearms, which might disadvantage applicants for firearms certificates if, for example, the doctor had a conscientious objection to firearms.
- 7.21 Other respondents expressed different views, pointing out that the role of GPs was to meet the clinical needs of their patients and that their involvement in firearms licensing was outside of their contractual arrangements or clinical responsibilities and therefore a private matter for the GP. Because GPs are not NHS employees but are contractors to the NHS and their involvement in firearms applications is not part of the NHS contract, it was explained that it was therefore appropriate for GPs to charge the applicant a fee for their work in providing medical information to the police, as the time and costs of doing so therefore fell on the GP personally. It was also explained that it was appropriate for individual doctors and practices to determine the fee to be charged, based on the work involved.
- 7.22 More broadly, in relation to the medical aspects of firearms licensing, some respondents made the point that certificate holders could, on occasions, be disinclined to see their GP, for fear of a medical condition being reported to the police which might raise questions about their continued access to firearms. The value of the digital marker would be undermined if certificate holders did not see their doctor when they needed to, because the digital marker is reliant on certificate holders being seen by their GP.
- 7.23 The Government has carefully considered the arguments on both sides of this question, including the views put forward by medical representative bodies. We are satisfied that those who apply for the grant or renewal of a firearms certificate are now able to obtain the required medical information from either their GP or from



another suitably qualified GMC-registered doctor. This process, which was introduced in November 2021, has removed the risk that a firearm certificate could be granted in the absence of input from the applicant's doctor. We do not consider, therefore, that there is an overwhelming argument for creating a specific statutory duty on GPs, or for adding firearms to the GP contract, at this time. Moreover, the successful roll-out of the digital medical marker to all GP surgeries in England, which was completed in May 2023, is supporting the provision of relevant medical information from GPs to the police. We are putting in place measures to monitor the use of the digital marker to ensure that it is operating as intended. Against this background, the Government has decided not to place a specific statutory duty on GPs or to add firearms licensing to the GP contract. It is unclear how either of these approaches would in any event compel a GP who is reluctant to become involved, for example, because of a conscientious objection to shooting as a sport. We will, however, keep the issue under review, should any concerns become apparent with the current arrangements, for example if monitoring of the digital medical marker produces evidence to show that it is not providing the required flow of relevant medical information from GPs to police forces.

### *Interim medical checks*

7.24 The consultation asked for views on the Scottish Affairs Select Committee recommendation that interim medical checks should be made on firearms certificate holders between the grant of the certificate and any application to renew. Of those who responded to this question, 13% considered that such interim checks should be introduced, and 87% disagreed. The introduction of interim checks had much higher support from GPs/medical professionals (35%), law enforcement (42%) and friends/families of victims (75%). A number of those who commented on this question made the point that interim medical checks are not necessary if the digital marker on GP records is working as intended. Some did make the point, however, that the value of the digital marker depended on certificate holders seeing their GP if they were unwell: if a certificate holder begins to suffer from a relevant medical condition during the lifetime of the certificate but does not consult their GP about this, there would be no reference to the police by the doctor which would trigger a police assessment of continued suitability. The point was also made that this would put an additional burden on GPs which was not covered by their clinical or contractual arrangements.

7.25 As noted above, there are measures now being put in place to monitor the use of the digital marker to ensure that it is operating as intended. If it is established that the digital marker is helping GPs to provide the information the police require in order to make an assessment of continued suitability during the lifetime of a certificate, where there is a material change in medical circumstances, we do not consider there would be a need to introduce additional interim medical checks. We will, however, return to this question if there are any concerns about how the digital marker is operating in practice. In relation to checks on certificate holders more broadly, the Statutory Guidance also makes clear that certificate holders are subject to continuous monitoring by the police who are able to review all aspects of the certificate holder's suitability during the life of the certificate including their medical suitability, should they consider this to be necessary, for example as a result of information which comes to light while the certificate is valid.

### *The digital marker to be visible to other health professionals*

- 7.26 Finally in relation to medical arrangements, the consultation asked for views on whether the digital marker for use by GPs on the medical records of licensed firearms holders should be made visible to other health professionals. This point had been raised by the Coroner for the Keyham Inquest. Of those who responded to this question, 78% considered that the digital marker should be extended in this way, and 22% considered this to be unnecessary. All groups responded in a similar way, with GPs/medical professionals (84%), law enforcement (84%) and friends/families of victims slightly more in favour (86%). Many of those who commented on this question saw the value of extending the digital marker in this way, where the relevant software would allow for this. It was noted that medical care is not only provided by GPs but there is, however, no unified NHS record, which means that secondary care and community care providers would need to develop new systems in order to flag patient notes and to communicate relevant information to the patient's GP and/or the police.
- 7.27 Other concerns raised, relevant to this question, included issues around data protection and safety. These related to the need for safeguards to ensure that there is no public safety risk created by increasing the number of people with access to the marker, which would increase the numbers with knowledge of those who owned firearms. There needed to be restrictions on sharing such information on public safety grounds. A number of respondents made the point that access needed to be restricted to those providing a relevant clinical service, with relevant qualifications.
- 7.28 The Government is sympathetic to the intention behind this recommendation. It is the case that the digitalisation of health records across different service providers does not allow for this recommendation to be given effect at the present time. The Government will, however, look to use opportunities to meet the underlying objectives of this recommendation, as we move forward on the unification of patient health records.

### **Mental health**

- 7.29 The consultation asked for views on whether there should be more mental health advice and support for licensed firearms holders through, for example, advice leaflets and other such support. This followed on from recommendations from the Scottish Affairs Select Committee who recommended that more should be done to provide mental health support for certificate holders including those who live in more remote communities. 88% of those who responded to this question supported the notion of more mental health advice and support, whereas 12% did not. Responses were similar across all groups – strongly in favour of more mental health advice and support.
- 7.30 The vast majority of those who commented on this question strongly supported the notion of more advice and support relating to mental health to be available to certificate holders. As with other health matters, concerns were however raised about the fear that seeking help in relation to mental health, including for stress, anxiety or depression, might lead to an automatic review of the person's certificate

and potential revocation. This was seen as a potential disincentive that could see those most in need of help or support shying away from seeking it. Respondents were clear that certificate holders should be able to freely access mental health support or help without fear of an arbitrary response which was not based on a proper assessment of any risk to the safety of the certificate holder themselves or the wider public.

- 7.31 In addition to support for more information being made available to certificate holders, including through advice leaflets, some saw the value in the police introducing welfare-related calls to certificate holders during the lifetime of the certificate, as a means of ensuring that there are no issues of concern beginning to develop, which might benefit from early engagement or support.
- 7.32 The Government agrees about the importance of providing mental health advice and support for licensed firearms holders, including in gun clubs and through improved communications and support aimed at certificate holders. The Firearms and Mental Health – Awareness and Support Leaflet, which was issued by the Scottish Firearms Licensing Practitioners Group in 2022, highlights the support available to certificate holders and encourages people with concerns to come forward and seek help. This is being extended so that a version of the leaflet will also be available to certificate holders in England and Wales.

## Phonelines

- 7.33 The consultation asked for views on recommendations made by the Scottish Affairs Select Committee relating to the current arrangements for reporting concerns about certificate holders to the police and whether and how these might be improved.
- 7.34 The consultation asked, firstly, for views on whether a specific phoneline should be introduced, in addition to the services already available, to report concerns about a licensed certificate holder. Of those who responded to this question, 15% considered that a new phoneline should be introduced, whereas 85% did not consider this to be necessary. Members of the shooting community, law enforcement, and the rural/farming community and those who did not self-report as belonging to any of these groups answered in a similar way. GPs/medical professionals and friends/family of victims were more in favour of a specific phoneline (41% and 71% respectively).
- 7.35 The consultation also asked how a specific phoneline should be funded. 62% of those who answered this question said it should be by public funding, and 38% said the funding should come from other sources. A higher proportion of friends/family of victims thought that a phoneline should be publicly funded (84%); GPs/medical professionals and those in law enforcement were more in favour of other sources of funding (45% and 55% respectively).
- 7.36 Finally, the consultation asked for views on whether it would be better to raise awareness of existing avenues open to raise concerns about a licensed firearms holder (999, 101, Crimestoppers, police force websites and force firearms licensing contacts) rather than create a new phoneline service. 69% of those who responded to this question considered that it was better to raise awareness of existing ways to



raise concerns, while 31% of respondents disagreed. Responses were similar across all groups. Yes was slightly higher for members of the shooting community (73%), those in law enforcement (71%) and members of the farming/rural community (72%), and slightly lower for friends/family of victims (64%).

- 7.37 There were mixed views about the value of introducing a new phoneline. A significant number of those who responded to this question were concerned that it would be open to abuse, with malicious calls being made to it. Others questioned whether there was sufficient evidence to justify the need, costs and bureaucracy involved in establishing a new helpline. Many considered that the existing routes to raise concerns were well established.
- 7.38 Those who were in favour of a dedicated phoneline considered that this was more likely to be used than existing routes for those who became concerned about certificate holders, as it would be dedicated to this purpose. Others considered that, in a digital age, there should be clearer and better avenues for reporting concerns online, rather than relying on a phoneline. Of those who provided comments on the question of funding, while some considered that the costs should be met from the public purse as it was supporting public safety, many made the point that any new phoneline should be funded from the licence fee.
- 7.39 The Government has carefully considered the responses to this consultation in respect of the recommendations made by the Scottish Affairs Select Committee. We are satisfied that the existing channels available to the public for reporting concerns about licensed gun owners to the police (i.e. 999, 101, Crimestoppers, police force websites and police firearms licensing contacts) are well known and used by the public. Additionally, a police/public contact app was launched on 22 March 2024 and includes an option for reporting concerns relating to firearms. We are not persuaded that a new phoneline is needed in addition to the services already available.

## Other issues

- 7.40 A number of those who responded to this consultation raised other issues relevant to firearms licensing on which they would wish to see Government action. These included measures to further tighten controls and measures where it was considered safe now to relax controls.
- 7.41 We have not commented on these additional issues in this document, because they were not recommendations that had been made to the Home Office by the Coroner for the Keyham Inquest, the IOPC or the Scottish Affairs Select Committee, which were the subject of the consultation run by the Home Office. All responses to the consultation were read by members of the Firearms and Weapons Policy Unit in the Home Office, and they may be used to help consideration of future policy development. The Government is very grateful to all those who took the time to set out their views.



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