SECURITY ASSESSMENTS AT RENEWAL

Security is the responsibility of the Certificate holder and you will see on your Shotgun or Firearm Certificate Statutory conditions 4(a) & (b) which requires you to take reasonably practicable precautions to prevent access to your firearms and shotguns by unauthorised persons. This means that the bulk of the responsibility lies on you although the Chief Officer has some interest in security. If he feels that the security measures proposed by a Certificate holder would be so poor as to constitute a danger to the public safety or to the peace then he has the power to revoke a Certificate. However, this is a heavy burden and if it were to be satisfactorily discharged, then the police would have to show that the security measures taken by the Certificate holder were either non existent or so feeble as to render them completely useless.

The Home Office Guidance 2013[1] contains some very useful comments about the way in which the police should approach secure storage of firearms and shotguns. The overarching principle of the Guidance is that the police must take each case on its merits. Also, individual Chief Officers are not permitted by law to have blanket policies. This is established by the case of *R – v- Wakefield Crown Court, ex parte Oldfield.* The ratio of this case says that where a public official has a policy, then if it is to be legal it must admit of exceptions.

Paragraph 19.11 of the Guidance states that "*In practice there should be no need for significant change if the recommendations made at the time of the grant were accepted and implemented, and there has been no subsequent change in circumstances*". This is perhaps the most important part of this whole chapter and it sets out very clearly that the Home Office does not approve of Chief Officers who try to move the goalposts.

For instance BASC receives a large number of reports about burglar alarms being requested by enquiry staff at renewal. Chapter 19 of the Home Office Guidance says that alarms *may* be considered where the individual circumstances are such that additional considerations for security might be made.

After police "approve" the security measures which are currently in place the burden then falls on the Chief Officer to show that there has been a significant change in your circumstances and that the request made by the Firearms Enquiry Officer for you to install additional security measures is justified by the risk assessment which has been taken. If no risk assessment has been taken and this request/demand has been made purely on an ad hoc basis, then it has no validity.

Assessments must take into account collective security provisions i.e. the outer layer of security (doors and windows) has to be measured along with the core security (cabinet/s or gun room). Splitting firearms/components between cabinets can make it harder for criminals to gain access and certain cabinets have heavier safe like qualities, all providing greater deterrent and protection. Quantity of firearms in itself is not a reason to demand alarms or heavier security, concerns based on quantity must be justifiable with due regard to all circumstances. Specific detail is contained within Home Office Guidance at Chapter 19.

[1] https://www.gov.uk/government/publications/firearms-law-guidance-to-the-police-2012

The Home Office Guidance **(Chapter 19.28)** is also clear that where only one firearm is owned, then lower levels of security may be considered than might be appropriate where more than one firearm is owned. All too often, Certificate holders are told by Firearms Enquiry Officers that the law has changed or there are new requirements. This is not the case and we think it is important that people know this. In making this comment, we do not seek to link it to any particular police force as BASC has a very good and positive relationship with Licensing Departments, but we know that requests for alarms and additional security provisions at renewal in particular are made without justification.

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