



The British Association for Shooting & Conservation

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Rt Hon Nick Hurd MP  
Minister of State for Policing and the Fire Service  
The Home Office  
2 Marsham Street  
London  
SW1P 4DF

18 July 2019

Dear Nick,

**Consultation on the statutory guidance for firearms, including revised medical arrangements**

Thank you for your letter of the 18<sup>th</sup> July with notification that the consultation on the introduction of statutory guidance for firearms licensing, including revised medical arrangements, will be published shortly.

BASC welcomes your commitment to ensuring that those who shoot are not disadvantaged, that there should be consistency if a fee is charged and that inappropriate charging should be challenged. We also welcome your support for a marker leading to ten year certificates and your commitment to IT solutions to ensure that this happens.

We still have significant concerns, from the comments made in the five meetings we have had with you and your predecessors over the past three years, the numerous meetings with your officials and the contents of your letter, that the measures to be proposed in the consultation will not be robust enough to achieve our common aims.

BASC is committed to public safety as a key factor in ensuring the continued private ownership of firearms. It is not in shooting's interest to have an uncoordinated, chaotic, system of firearms licencing, or the inconsistency that has bedevilled medical involvement in firearms licensing for nearly four years.

As we have said in our meetings and correspondence a key problem with Home Office guidance, whether statutory or not, is that Chief Constables are not bound by its contents but merely have to have regard for it. This means that they can still depart from its provisions and that making the guidance statutory does little to address the inconsistency and varying practice in the 44 constabularies around Great Britain.

A further problem is the fact that General Practitioners are the responsibility of the Department of Health and not the Home Office. We therefore recommend that the Department of Health is included in any forthcoming consultation.

*Together - for shooting, conservation, the future and for you*

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The major concern that we have repeatedly raised with the Home Office, which is not mentioned in your letter, is the need for a statutory obligation on doctors to participate in firearms licensing in the interests of public safety. This matches the statutory obligations already in place for the police and the applicant contained in the Firearms Act. Without this, any system of medical involvement in firearms licensing will be prey to the whims of individual doctors as to whether or not they participate and on what terms. We would therefore wish to see in any consultation a proposal for a statutory duty to participate to be placed on doctors.

We also wish to put on record that any system must comply with the principles of better regulation and be proportionate and that medical issues with firearms certificates occur in fewer than 2% of all applications, that many of these are already declared on the form and that the incidence of misrepresentation are so few in number that no prosecutions have been brought for false declarations and there are no figures kept for the number of incidents.

While we welcome your proposal that it should be the police who contact the GP we wish to be sure that the burden of securing medical verification is not placed on the applicant who can be left with no hope if his GP, practice and other doctors refuse to participate. The original guidance specified that an applicant should not be disadvantaged and we wish to see that as a requirement in any new system.

Your letter assumes that a fee will be charged yet the agreement of all stakeholders and the government in 2013 was that "there is no expectation that a fee will be charged." Given that this is not a service but regulation in the interests of the public, we believe that there is a justified charge on the public purse. It is important to remember that the process does not require a full medical examination or reference but merely the completion of a tick-box form and yet we have cases of doctors charging as much as £275 for verification and threatening applicants that they will not have their certificate if they don't pay.

BASC is the only national organisation to have monitored the performance of licensing departments for the last 14 years. We will continue to do so, publish the results and will monitor the fees charged to our 155,000 members. We note that you have said that inappropriate pricing can be challenged and will be interested to see the mechanism you propose for this.

BASC believes that the obligatory use of medical markers and the move to a ten year licence are key requirements for public safety and reducing the burden on licensing authorities and applicants. We are disappointed that your letter suggests that the consultation will not recommend this.

We note that it has taken nearly six years since medical markers were identified by the police and Home Office as essential for public safety and yet little or no progress has been made to put a robust system in place. We also note that the Department of Health is currently consulting on the contract for IT services to GPs and could ensure that the system provides for an enduring marker to be put on medical notes. We again recommend that, in the interests of joined up government, you include the Department of Health in the forthcoming consultation.

Finally, BASC, as a major stakeholder in this area of policy has asked on many occasions for sight of the consultation before it is launched, in order to help the Home Office in avoiding errors in a technically complicated subject. As the largest and only shooting association with a team focused on firearms licensing this is an important way in which we can assist your department. We hope, that even at this late stage, you will take advantage of our offer.

Thank you for your offer of a meeting which we will accept. I look forward to your officials contacting me and hope that we can co-operate in ensuring a robust system that protects public safety, is not burdensome on an overstretched police force and provides an efficient service to applicants.

Yours sincerely



**Christopher Graffius**  
**Executive Director of Communications & Public Affairs**

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