

# WILTSHIRE POLICE FORCE POLICY



## Firearms and Explosives Licensing

Date of Publication: August 2019  
Version: 3.0  
Next Review Date: March 2023

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## **POLICY STATEMENT**

The principle of this policy is to ensure that all firearms, shotguns and explosives in the County are licensed in accordance with relevant legislation. The safety of our communities is of paramount importance when considering the issue of firearms to members of the public and this policy seeks to provide our communities with the best possible service and to protect them from harm.

Processes are in place to ensure that firearm, shotgun & explosives certificates are issued only to persons considered suitable to hold them. Any certificate holder who is brought to the notice of the police, in circumstances casting doubt upon their continued suitability to hold a firearm or shotgun certificate, will be the subject of an immediate and robust review process.

All applications (including applications from Wiltshire Police Officers and staff) will be treated on their own merits in accordance with the Firearms Act 1968, as amended, taking into account the applicant's request, against guidance issued on such matters by the Home Office publication 'Firearms Law Guidance to the Police 2016' and the Association of Chief Police Officers (ACPO) 'Procedural Good Practice Guide 2002'.

This will be achieved through a centralised administrative unit responsible for processing applications concerning firearms and shotgun certificates. Specialist Firearm and Explosives Enquiry Officers (FEOs) will undertake interviews with applicants and conduct a risk assessment to ensure they are a fit and proper person to possess firearms. Some of the risk factors considered can be found in [appendix A](#).

The Domestic Abuse Unit/Public Protection Unit will be consulted and multi-agency liaison may be necessary to properly assess whether the applicant can hold a firearm or shotgun without danger to public safety or the peace. All applications, where there is a history of domestic abuse, will be referred to the Domestic Abuse Unit for their professional opinion to be given to assist the decision making process.

**Medical information required by the police:** When a person applies for a firearm or shotgun certificate or to be registered as a firearms dealer, the applicant will ask their GP, or a suitably qualified GMC-registered doctor, to provide information to the police which will confirm whether or not the applicant is or has been diagnosed or treated for any relevant medical condition which could affect their ability to possess a firearm safely. A medical proforma to be used for this purpose is part of the firearms application form and should be detached by the applicant and passed by them to the doctor for completion. This process is also to be used for the renewal of certificates.

All applicants under the age of eighteen will be subject to additional scrutiny to confirm their maturity and general behaviour. The parent/guardian of the applicant will be required to give authority for the police to approach the head teacher of their son/daughters school. A standard letter will then be sent to the school requesting factual details and history of the applicant's behaviour and maturity. The details included in any response from the school will be taken into account when deciding whether or not to issue a certificate.

In order to facilitate the above the Chief Constable has delegated his authority under s55 of the Firearms Act 1968 (as amended) and Regulation 2 of the Control of Explosives Regulations 1991 to the: Head of Operational Support Services, the Firearms & Explosives Licensing Manager and the Senior Firearms Licensing Officer.

This policy applies to all matters relating to the Firearms Licensing function with exception to the seizure of firearms and revocation of certificates, which is dealt with separately in the Firearm and Shotgun Certificate Holders Coming to Police Notice (Seizure of Weapons and Certificates) procedure document.

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## **POLICY AIM**

This policy explains how Wiltshire Police will approach the administration of firearm, shotgun and explosives licensing, in accordance with current legislation and Home Office guidance.

## **APPLICABILITY**

This policy is aimed primarily at Police Staff within the Firearms Licensing Department, although it remains relevant to other Police Officers and Police Staff who may deal with related matters.

## **LEGAL BASIS AND DRIVING FORCE**

The legal basis for this policy is derived from;

- The Firearms Act 1968.
- The Firearms Act 1982.
- The Firearms (Amendment) Act 1988.
- Firearms Acts (Amendment) Regulations 1992.
- Firearms (Amendment) Act 1994.
- Firearms (Amendment) Act 1997.
- Firearms (Amendment) (No2) Act 1997.
- The Firearms Rules 1998.
- 1991 EC Directive (91/477/ECC) Control of the Acquisition and Possession of Weapons.
- Sections 37, 38 & 39 of the Anti-Social Behaviour Act 2003.
- Amendments to the Firearms Act 1968 introduced by the Violent Crime Reduction Bill 2006.
- Explosives Regulations 2014

## **RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS**

[Firearm & Shotgun Certificate Holders coming to Police Notice Procedure](#)

[Domestic Abuse Policy and Procedure](#)

[Home Office Guide on Firearms Licensing Law](#)

[Statutory guidance for chief officers of police on firearms licensing](#)

## **AUTHORISED PROFESSIONAL PRACTICE**

Major Investigation and Public Protection > [Firearms Licensing](#)

## **DATA PROTECTION**

Any information relating to an identified or identifiable living individual recorded as a consequence of this policy will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the [Force Data Protection Policy](#).

## **FREEDOM OF INFORMATION ACT 2000**

This document has been assessed as suitable for public release.

## **MONITORING AND REVIEW**

The Firearms Licensing Department is responsible for the accuracy and integrity of this document. This policy will be continuously monitored and updated when appropriate, to ensure full compliance with legislation. The Firearms Licensing Department will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

## **WHO TO CONTACT ABOUT THIS POLICY**

The Firearms Licensing Department is responsible for this policy and procedure. All queries relating to this policy and procedure should be directed to the Firearms & Explosives Licensing Manager either by email to [fal@wiltshire.pnn.police.uk](mailto:fal@wiltshire.pnn.police.uk) or by telephone to 01380 861009.

**Firearms Licensing Risk Factors Offence, Incident or Intelligence;**

Medium Risk	High risk
	Prohibited person
Section 39 Assault	Any offence which can only be dealt with on indictment.
Unlawful Sexual Intercourse	Any offence where conviction is likely to result in a custodial/suspended sentence
Section 4 and 5 Public Order Act	Section 1 ,2 and 3 Public Order Act
Criminal Associates	Robbery / Burglary
Any offence involving dishonesty Theft (low value)	Any Repeated offending (not minor motoring)
Intemperate habits. (Drunkenness)	Indecent assault
Threats (other than threats to kill)	All assaults other than Sec 39 unless in connection with domestic violence
Disputes	Theft high value
All wildlife Crime	Threats to kill
Domestic Abuse or violence (victim or witness within the family)	Domestic Violence or abuse (aggressor)
Drink Drive/in charge OPL (No exacerbating factors)	Historic Offences – Certificate granted then reoffends within 12 months
Possession of class c drug	All drugs offences with exception of possession of class c drug
Fail to comply with conditions of a firearms/shotgun certificate	Drink drive/in charges OPL 2x over limit or other exacerbating factors
Possess firearm without a certificate where certificate has expired within 7 days. (Weapons to be seized) Where this situation is not of the applicants making then Firearms Departments should issue permits )	All Firearms Offences except fail to comply with conditions of a certificate and possess without a certificate where certificate has expired within 7 days
Criminal Damage under £5000	Criminal Damage £5000 and over
Unauthorised access to firearms or ammunition (Weapon to be seized)	Any offence under the Protection of Children's Act 1978
Disregard for public safety. (not firearms related)	Any racially aggravated offence.

## Firearms Licensing Risk Factors Medical Conditions;

Medium Risk	High Risk
Multiple Sclerosis *	Moderate – Severe Depression
Parkinson's Disease*	Bi-Polar disorder
Motor Neuron Disease *	Mania
Cancer (all types)	Psychosis
Chronic Obstructive Pulmonary Disease*	Alcoholism
Stress or anxiety, whereby had that person been in employment it would have necessitated certificated absence from work	Previous Suicide attempt (including some suicidal ideation with no active plan)
Slight Depression	Self Harming
Post Natal Depression	Uses Prohibited Drugs, such as cocaine and heroin.
Post-Traumatic Stress Disorder	Sectioned (Mental Health Act)
Alcohol dependency/excessive consumption/drunkenness	Arrested Section 138 Mental Health Act
Early Stage Dementia *	Mid Stage to Late Stage Dementia*
Bereavement Reaction	Epilepsy (not Night time seizures only)
Stroke	
Any other life limiting condition	
Any other condition which significantly Effects their quality of life or that of a significant other person in their life.	
Significant Trauma	
Epilepsy (Night time seizures only)	
Heart Failure*	
Aspergers / Autism /ADHD	
Certificate holder over 70 year old (in line with Driving Licence assessment) The assessment at this time should be limited to a visit and interview by a Firearms Enquiry Officer regarding the general wellbeing of the certificate holder. Medical enquiries should only be carried out if this interview highlights concerns.	

## DOCUMENT ADMINISTRATION

### Ownership

Department Responsible: Crime Standards and Justice - Firearms Licensing  
Policy Owner/ Author: Firearms & Explosives Licensing Manager  
Technical Author: Craig DALBY (Firearms Enquiry Officer)  
Senior Officer/Manager Sponsor: ACC Crime and Justice

### Revision History

Revision Date	Version	Summary of Changes
13.03.2020	3.0	Policy statement amended to refer to risk assessment and factors. Appendix A added.
28.10.2020	3.0	Scheduled review – no changes made. Scheduled review date amended to November 2021.
02.03.2022	3.0	Related Policies – reference and link to the HO Statutory guidance for chief officers of police on firearms licensing added.
14.09.2022	3.0	Paragraph on 'Information from GPs' changed to 'Medical information required by the police' with additional instructions for applicants added.

### Approvals

This document requires the following approvals:

Name & Title	Date of Approval	Version
Continuous Improvement Team	03.05.2018	2.0
Senior Command Team	07.01.2014	1.0
JNCC (Not required for all policies)	N/A	

### Distribution

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief		
Email to relevant affected Staff/Officers	16.01.2014	1.0

### Diversity Impact Assessment

Has a DIA been completed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If no, please indicate the date by which it will be completed. If yes, please send a copy of the DIA with the policy.	Date:

### Consultation

List below who you have consulted with on this policy (incl. committees, groups, etc):

Name & Title	Date Consulted	Version

### Implications of the Policy

#### Training Requirements

None

#### IT Infrastructure

None