



Information Update: Clarification of Firearms Licensing Guidance 3 August 2017

Following the issue of the renewed [BMA Guidance on Firearms Licensing](#) I met with Nick Jones, the Firearms Licensing Manager at Derbyshire Constabulary.

During the meeting it became obvious that some GP practices were using outdated guidance/letters to the police and we re-iterate the BMA guidance:

“The proper regulation of firearms is in the public interest and it is important that you respond to the initial police letter. You should not disregard the letter, nor delay in providing a reply (you should normally respond to the letter within 21 days). Failure to respond could put you at professional risk. However, as you are not contracted to provide these services under the GMS contract, you are entitled to charge the applicant a fee, and may withhold the report until the fee has been paid. In these circumstances you must inform the police that the reason for the delay is that you are awaiting payment.”

The payment of the fee is currently a matter between the practice and their patient and if you receive a letter from the police then you will need to respond to the police as per the guidance and notify the patient of any costs, with a line that you will not release the information until you have received the fee. The only exception to this is if the police become aware of concerns about an individual who is already holding a certificate that is not due for renewal, then they may contact you for medical facts and at that point they would pay you a fee directly. The issue of fees going forward is the subject of debate between the BMA Professional Fees committee and the Home Office and we will notify you of any updates when we receive them.

We are aware that some practices have concerns that they are receiving letters from the police asking for medical facts and the practice have responded saying they will not provide this until a fee is paid; on some occasions the police are issuing the certificate anyway. Unsurprisingly the patients are then refusing to pay the fee. At the meeting Mr Jones explained the police process and as he signs off these renewals he is ultimately responsible. In Derbyshire, part of the process for the issue of all firearms certificates including renewals, is that the applicant will be visited at home by the police before issue/renewal of the certificate. In addition the police also check national databases and if there are any concerns then they will not issue the certificate. Finally, they also have the power to revoke a certificate if they become aware of any issues, through automatic monitoring of the national police database and other sources. I am certainly reassured that the processes they have in place are extremely robust.

The final matter we discussed was flags on records, as requested by the police.

I explained our concerns that this is not a fail-safe system due to the sheer number of flags that are on records and Mr Jones fully understands this.

For further information, or to arrange an interview, please contact:
Dr Susie Bayley, Head of Communications, Derby and Derbyshire LMC



He is still of the opinion that having a flag for firearms ownership is better than not having one since this could lead to the police being notified if a firearms owner then subsequently presents with a medical problem that may call into question whether they should be in possession of a firearm. I agree with this stance but re-iterated that the GP cannot be held responsible if a flag is missed and while this is understood at a local level there are still ongoing discussions at the national level between the BMA, Home Office and the Police to provide more clarity in this area.

I hope the guidance is now clearer for practices and if you have any queries please contact me at the LMC Office.

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