



House of Commons
Scottish Affairs Committee

**Firearms licensing
regulations in Scotland:
Government response
to the Committee's
Third Report**

**Eighth Special Report of Session
2022–23**

*Ordered by the House of Commons
to be printed 3 July 2023*

The Scottish Affairs Committee

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Eighth Special Report

On 22 December 2022 the Scottish Affairs Committee published its Third Report of Session 2022–23, *Firearms licensing regulations in Scotland*. On 29 June 2023 the Government sent its response to this report, which is included as an appendix. The Government also launched a *consultation on firearms licensing*, which is open until 23 August 2023.

Appendix: Government Response

I am writing once again to thank you for the Scottish Affairs Committee's report on 22 December 2022, and to thank the Committee for agreeing to an extension to the period given for the formal Government response.

I am very grateful to the Committee for its report and for its considered recommendations for changes to firearms legislation and to the Statutory Guidance to Chief Officers of Police that sits alongside the legislation. The impact of fatal shootings on the victims' families and friends, as well as the wider community, is devastating when they occur. It is right that we learn from any such shootings to see whether and how we can strengthen the controls on access to firearms to try to prevent such shootings in the future.

The UK Government has looked at the recommendations from the Committee alongside Prevention of Future Deaths reports issued by the Senior Coroner for Plymouth, Torbay and South Devon on 8 March 2023, following the inquest into the deaths of those shot and killed by Jake Davison in Keyham, Plymouth, on 12 August 2021 and the report by the Independent Office for Police Conduct (IOPC) following its investigation into Devon and Cornwall Police's decision-making in relation to the possession of a shotgun and shotgun certificate by Jake Davison, published on 20 February 2023.

You will have seen today that we started a consultation for eight weeks on the recommendations made to the Government in your report and those made by the Senior Coroner for Plymouth, Torbay and South Devon and the IOPC. I enclose a copy of the Government's consultation paper which was published today.

The consultation is to invite responses to the recommendations that have been made and on which we are consulting. However, if we decide that new legislation is necessary in response to any of the recommendations, we will bring forward a further consultation on the specific Government proposals on legislation, accompanied by assessments of the impact of those changes on all those potentially affected.

I now turn to the specific issues you raised.

A two-tier system of firearms licensing fees

The Committee recommended a consultation on the introduction of a two-tier system of licensing fees, with those who use firearms for leisure purposes paying the full cost of their licence applications, and those who require firearms for work purposes paying a reduced fee.

As set out in the accompanying consultation paper, the UK Government will consider this recommendation further when we consult, later this summer, on new fees for firearms licensing, which will be informed by a data collection exercise, completed earlier this year,

to gather up-to-date information on the costs and time spent on licensing related activities by police force. As set out in the consultation paper, we are looking to set fees to enable full-cost recovery for the police. Income from licensing fees is crucial to ensuring that police forces have the resources they need to administer an efficient and effective licensing system and, thereby, ensure public safety.

Referees

With regard to the Committee's recommendations around the review of referees in the firearms licensing process, it is worth noting that similar issues were raised by both the IOPC and in the Prevention of Future Deaths reports issued by the Senior Coroner for Plymouth, Torbay and South Devon. You will see that we are now consulting on possible changes to the role and participation of referees in the firearms licensing process.

The involvement of former partners

You will see that we are seeking views in the accompanying consultation paper on the recommendations made in respect of interviewing partners and household members of those certificate holders or applicants with a record of violence or subject to allegations of violence. The Government will also look again at making the advice on domestic abuse clearer and emphasise the need to interview partners, relatives, and possibly former partners, if there are allegations of domestic abuse against the certificate holder/applicant. The intention is to publish a further version of the Statutory Guidance by the end of 2023.

A new reporting service

The UK Government has noted the Committee's recommendation around creating a new reporting service where members of the public can register concerns about certificate holders. We are seeking views on this in the accompanying consultation paper, including whether a specific phoneline should be introduced, how this might be funded, or whether the existing services offer a better way to achieve the purpose.

Duration of firearms certificates

The UK Government has noted the Committee's recommendation that the current renewal period of five years remain in place but that it should be kept under review. As you will see, we are seeking views on this issue in the consultation paper.

Aligning shotguns and firearms controls

The Committee recommended changes to legislation to align the requirements for shotguns and firearms. Public safety is our priority, but the measures to manage the risk to public safety must be proportionate and balanced with the fact that the vast majority of licensed firearms holders are law abiding and cause no concern. It is for this reason that the Government has decided not to proceed with the recommendations made to align shotgun and firearms legislation. Shotguns are already subject to significant controls on their use and they are important in helping farmers control vermin on their land and in rural pursuits. We will keep this under review, but we are concerned that additional controls on shotguns are unnecessary and would have a negative impact on their legitimate use.

The GP role in firearms licensing

The Committee made recommendations for changes to the GP role in firearms licensing, specifically around the GP medical marker, making their role mandatory in the process and their involvement in suggested interim checks during the life of a certificate.

There has been significant strengthening of the medical checks for firearms licensing in the past couple of years, including making it a requirement for all applicants 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 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. The UK Government stands ready to work with the Scottish Government if they decide to introduce the digital marker to GP surgeries in Scotland.

The Home Office will work with the Department of Health and Social Care and the Scottish Government on how to take forward the issues raised by the Committee about the medical aspects of firearms licensing, including the recommendation that GP involvement could be made mandatory.

On the recommendation that the UK Government and Scottish Government work together to investigate the merits of medical practitioners and police conducting interim checks on firearms licence holders, you will see that we are seeking views on this in the consultation paper. It is the intention that the digital marker is applied by the GP in surgeries in England to the certificate holder's medical record, to ensure that the police are notified of any concerning deterioration in the certificate holder's physical or mental health at any point after the grant of the certificate. The Home Office will work with the Scottish Government, if it decides that it wishes to adopt a similar digital marker in Scotland. The Statutory Guidance also supports and details the requirements of continuous assessment by the police during the lifespan of a firearm or shotgun certificate, so that the police will receive information about the ongoing suitability of a certificate holder from any source during the life of the certificate.

Buddy initiatives

The UK Government is consulting on the recommendation made by the Committee in relation to 'buddy' initiatives. The Home Office has already been working with representatives of the police and shooting representative bodies to bring greater definition to the role of gun club liaison officers for a similar purpose. Gun clubs wishing to allow target shooting by members who do not hold a personal firearm certificate are only allowed to do so if approved by the Home Office in England and Wales, or by the Scottish Government in the case of clubs in Scotland. We are now intending to work with the police and shooting bodies to highlight the revised role for gun club liaison officers, and then explore whether and how this model might be applied more widely to other shooting clubs.

Mental Health

The UK Government has noted the Committee's recommendation in relation to advertising avenues to mental health support for the shooting community and also the points made about the particular challenges faced by rural communities traumatised by

fatal shootings, recommending that the UK and Scottish Governments work together to provide more mental health resources in these areas or that could be easily accessed when tragedies involving firearms happen.

The Scottish Affairs Committee recommended that the Government should support the shooting community in advertising avenues to mental health support, to build on the recent release of leaflets in Scotland about mental health in that community, and that the UK and Scottish Government work together to support the distribution of materials such as the mental health leaflets produced by shooting organisations. We are consulting and would welcome views on this recommendation as to whether and how a similar form of leaflet on mental health could be made available throughout the United Kingdom, and we have been in discussion with the Scottish Government and Police Scotland about the work already undertaken in Scotland.

Health services are a devolved matter and services are delivered separately in England, Wales and Scotland. We recognise the need to ensure people in rural areas have access to mental health services. We are taking action to increase access to mental health services including for people in rural settings. The NHS Long Term Plan commits to investing an additional £2.3 billion a year into mental health services by 2023/24. This will allow two million more people to get the mental health support they need. As part of this, we are increasing access to NHS Talking Therapies across all parts of England, including rural areas. NHS Talking Therapies provide evidence-based support for a range of common mental health conditions.

Since the onset of the pandemic, remote access to NHS talking therapies has increased significantly, from approximately 33% of appointments being delivered via phone/webcam and other virtual means to a high of 97% during the peak of the pandemic. As services return to more in-person face to face delivery, activity can still be delivered via remote technologies. This means patients can access therapy from the comfort of their own homes where they choose to do so. For rural communities where access to NHS talking therapies services may have been compromised in the past because it required long journeys to community hubs, patients now have a greater choice in how they receive therapy, and hence easier access. Even though many rural communities have poor internet coverage, therapy is being delivered via the telephone, SMS messaging, email or via digital packages that do not require the patient and therapist to be online simultaneously. NHS talking therapies are available on a self-referral basis and we have set national waiting time standard, which we are currently meeting, that 75% of people referred to NHS talking therapies services should start treatment within 6 weeks of referral, and 95% should start treatment within 18 weeks of referral.

Once again, I would like to thank the Committee for its report and recommendations. I hope that this letter, and the accompanying consultation document provides assurance that we are taking the action necessary, in collaboration with the Scottish Government as appropriate, to strengthen firearms licensing controls.

Yours sincerely,

Rt Hon Chris Philp MP

Minister of State for Crime, Policing and Fire