

## **DORSET POLICE and CRIME PANEL – Scrutiny Review of Firearms Licensing**

### **1. Introduction**

1.1. Dorset Police and Crime Panel (PCP) have a statutory responsibility, under the Police Reform and Social Responsibility Act 2011 to scrutinise the Dorset Police and Crime Commissioner (PCC), to promote openness in the transaction of police business and also support the PCC in the effective exercise of his functions (s.28(2)). This responsibility can also include carrying out 'investigations' into topics of particular interest, or public concern (s.28 (6)). The guidance to PCP's (Local Government Association and Centre for Public Scrutiny, Police and Crime Panels Guidance on role and composition, October 2011) suggest that there should be two types of scrutiny. The first is reactive scrutiny, which 'looks at how services have been delivered in the past, learns and applies lessons from that experience to the future'. The second is proactive scrutiny which 'engages in current policy development, influencing decisions before they are made'.

### **2. Context**

2.1. As part of the PCP responsibilities Dorset PCP have introduced a work programme to provide structure to how scrutiny is managed (<https://www.dorsetforyou.gov.uk/article/423508/Dorset-Police-and-Crime-Panel-Work-Plan>) and have agreed with the PCC to complete 'scrutiny reviews' on agreed areas of business. The first of these being concerned with Firearms Licensing which was identified by the PCC as a specific issue for the Dorset Police and that PCP members were aware of public feedback raising concerns with the arrangements for the grant or renewal of firearms and shotguns licences.

### **3. Process**

3.1. The PCP agreed for Mike Short, Iain McVie and Andrew Kerby to complete the work on behalf of the PCP and agreed a set of key lines of enquiry at its public scrutiny meeting held on the on the 8<sup>th</sup> September 2016 (<http://dorset.moderngov.co.uk/ieListDocuments.aspx?CId=141&MIId=252&Ver=4>)

3.2. The scrutiny group were provided with an extensive report from Dorset Police via the PCC providing background information and responses to the key lines of enquiry. This document contained some confidential information and a copy can be provided to PCP members by Mark Taylor, Dorset County Council and PCP Lead Officer, should individual PCP members wish to see it.

3.4. The group also used the last independent firearms licensing inspection, 'Targeting the Risk', completed by Her Majesty's Inspectorate of Constabulary (HMIC) in September 2015. (<http://www.justiceinspectors.gov.uk/hmic/wp-content/uploads/firearms-licensing-targeting-the-risk.pdf>) and the written response by the Dorset PCC to the points raised in the report by HMIC, dated 20<sup>th</sup> March 2016 (<http://www.justiceinspectors.gov.uk/hmic/publications/targeting-the-risk/>).

3.5. To then test this information and ensure the PCP met its statutory requirements to scrutinise the PCC, the group met with representatives of the PCC and Dorset Police at Police Headquarters on 15<sup>th</sup> February 2016. This took the form of a structured meeting where the PCP representatives were able to clarify, question and investigate how the PCC was, and is, ensuring that Dorset Police improve their efficiency and effectiveness of firearms licensing that keeps Dorset safe and provides value for money.

3.6. The scrutiny group to provide a final report for the Police and Crime Panel.

### **4. Key lines of enquiry (KLOE) scrutiny findings**

#### **4.1 An effective and efficient Firearms Licencing system exists in Dorset?**

There is clear evidence of an improved licensing system being in place since the 2015 HMIC inspection. Dorset Police have adopted a proportionate response to processing applications, including the need for General Practitioners to be consulted as to the medical suitability of applicants to hold firearms or shotguns lawfully. There is a clear plan in place to further improve performance as the force moves to a joint firearms licensing team with Devon and Cornwall (D&C) Police, who were found to be performing at a higher level in terms of timeliness compared to Dorset Police. The strategic alliance firearms licensing unit commences full operation from October 2017. Whilst the alliance has identified a saving

(13% or £665K over 5 years) for both forces the proposed new structure, staffing and processes proposed with robust accountability are anticipated to ensure an effective and efficient system in the medium and long term.

The PCP scrutiny group fully recognise the importance of the firearms licencing service, but equally acknowledge that its relative priority and the sustainability of its funding allocation cannot be scrutinised in isolation. Police resourcing and deployment decisions will always need to be assessed against other high priority areas of activity when evaluating threat, risk and harm judgements.

The PCP will be interested to see how the new combined department performs and in particular that it continues to provide a service that keeps Dorset safe and is efficient and effective.

Evidence – Force website, HMIC Inspection, Force response and Structured Interview.

#### 4.2 A clear & accessible system is in place?

There is a clear and accessible system in place that members of the public can easily access and that has two way communication between the applicants and the police.

The scrutiny group were pleased to see the work that is being done to increase public consultation and partnership working with individuals and groups within the shooting community, actively seeking feedback which will help to increase understanding and shape future direction.

There are issues with IT that is a national problem with the operability of the National Firearms Licensing Management System (NFLMS) and the introduction of a national on line application. This latter project (E Commerce for Policing) has been suspended and alternative solutions are being explored. This limits some of the anticipated short term efficiency opportunities that were envisaged. There is a need for both the Force and the PCC to continue lobbying central government to ensure an efficient and effective **national IT solution** is implemented that enables on-line processing and payment. The PCP would encourage and support the PCC in any representations made to the Home Office.

Evidence – Force website, HMIC Inspection, Force response and Structured Interview.

#### 4.3 Firearms Licencing in Dorset adheres to the Firearms Act and all relevant legislation.

Firearms Licensing in Dorset clearly adheres to all legislation contained within **over thirty** separate pieces of legislation governing firearms licensing 'supported by the Home Office guidance and by the College of Policing's guidance which is set out in its Authorised Professional Practice'.

Evidence – Force website, HMIC Inspection, Force response and Structured Interview.

#### 4.4. Evidence exists of refusal and removal of firearms licences?

A Temporary Police Sergeant has been added to the unit to improve the level of quality assurance and the prompt progression of revocation or refusal of licences. There is a clear process that adheres to legislation and is overseen by a senior police officer. Good evidence of refusal and revocation were confirmed during the scrutiny process.

Evidence –HMIC Inspection, Force response and Structured Interview.

#### 4.5. Changes introduced have reduced the risk of future backlog?

There has been a reduction in days taken to process applications since the 2015 HMIC inspection and the actions identified by the PCC to the Home Secretary in 2016 have been implemented. In addition to the Temporary Sergeant, two additional temporary police staff positions have been added to ensure performance improves in the short and medium term.

The force have utilised it's improved information system, NICHE to ensure issues of threat, risk and harm involving the ownership or use of legally held firearms and shotguns are robustly managed.

The PCC has also introduced a greater level of accountability on police through his regular performance meetings (Joint Executive Board and Alliance Executive Board) and that firearms licensing remains one of his 'Issues Under Commissioner Scrutiny (IUCS)' to the force on behalf of the public. In turn the force has improved how it manages and accounts for the quality and timeliness of the process with monthly returns to the Chief Officer lead, twice yearly reviews of overall performance and improved line management within the department. This PCP Scrutiny Review confirmed that the PCC has a closed loop process for the scrutiny of Dorset Police and the Strategic Alliance in relation to firearms licencing.

Evidence – HMIC Inspection, PCC letter, Force response and Structured Interview.

#### 4.7. Value for money

There are peaks and troughs of demand for the police and while applicants are charged a nationally set fee to process applications the force has to fund firearms licensing by between £841,700 per annum and £1,350,000 per annum. This money comes from the budget allocated to police by the PCC for meeting a legal policing requirement that provides licensing for the public in the pursuit of a sporting activity or as part of an occupational/work requirement. The scrutiny group acknowledge that the licensing fees are set by nationally but the current level of funding if freed up would equate to between 25 and 30 police officers, based on figures used by the PCC when setting the annual precept. The PCP would encourage and support the PCC in any representations made to the Home Office.

Evidence – Force website, PCC website, HMIC Inspection, Force response and Structured Interview.

#### **5. Observations for future spotlight scrutiny**

5.1. The requirement for clear key lines of enquiry and outcomes is crucial to ensuring a proportionate and worthwhile scrutiny exercise.

5.2. That the PCP and PCC agree in advance the most suitable attendees to meet the requirements outlined in the 'Scrutiny Review – Planning and Scoping Document'.

5.3. That the scrutiny activity by the PCP is focussed on the work of the PCC and not stray into a form of inspection of the police service, as there is no legal basis for the PCP that allows this.

#### **6. Scrutiny observations for the PCC to consider**

6.1. That the PCC provides an update to the PCP as to the progress and performance of the newly formed strategic alliance firearms licensing department at the end of the 2017/2018 policing plan year.

6.2. That the PCC continues with representations to the Home Office and the Police IT Company to introduce a national on line application, processing and payment system for firearms and shotgun applications and renewals. The PCP would also support any such representations.

6.3. That the PCC continues with representations to the Home Office to set fees at a more appropriate level for occupational and sporting users. The PCP would also support any such representations.

#### **6. Conclusion**

This was the first time the PCP have completed a scrutiny review of this type and as with any new process there will always be observations for future reviews. Overall the Scrutiny Group considered this a worthwhile scrutiny activity that has provided both reassurance and highlighted some areas for the PCC to consider in the future.

This report is forwarded for the Dorset Police and Crime Panel to consider at the next full public meeting.

IJ McVie

Independent Member

Dorset Police and Crime Panel