

Minutes

NPCC FELWG, MEETING HOSTED BY HAMPSHIRE POLICE THURSDAY 13TH APRIL, 2017.

Security classification:	Not Protectively Marked
Disclosable under FOIA 2000:	Partial
Author:	DURHAM CONSTABULARY
Force/organisation:	NPCC
Date created:	18/02/2017
Business Area:	FIREARMS
Portfolio:	FIREARMS AND EXPLOSIVES LICENSING WORKING GROUP
Attachments @ paragraphs:	<u>None</u>

1. ATTENDANCE

1.1 Present

Dave Orford, Durham Police, Chair
Neal Bickford, Durham Police
Roger Arditti, Met Police
Richard Hillman, Met Police
Helen Rees Dyfed Powys Police
Tony Hill, Hampshire Police
Darren Miller, Hampshire Police
Graham Widdecombe, Home Office
Dave Coutts, North Yorkshire Police
Steve Millington, West Mercia Police
Bridget Hodgson, Northamptonshire Police
Nichola Murphy, PSNI
Mark Groothuis, Op. Endeavour
Martin Parker, NaBIS
Mike Cox, Avon and Somerset Police
Peter Steinhouse, Kent Police
Paul Gregory, Surrey Police
Keith Main, Scottish Government
Steve White, Police Scotland
Audrey Marsh, Police Scotland
Richard Kennett, Suffolk Police
Joe Cooke, Devon and Cornwall Police
Fiona Smith, West Yorkshire Police
Chris Lynn, NCA



1.2 **Welcome**

ACC Orford welcomed everyone to Hampshire Police and thanked Darren Miller for hosting the meeting.

1.3 **Apologies**

Janet Jones
Nathan Munson

2. **Action Log**

201 amendment; GW explained delay in amending the 201, as this was part of a greater piece of work exploring online forms. DO wishes to see the change to include 'have ever' expedited, regardless of the other work streams. - ONGOING

Steyr LP50 pistol ; MP has examined, and he has determined it is not a self-loading pistol as it indexes rather than loads; aside, on a pragmatic basis, this weapon is not used in crime, and is therefore not a threat – MP suggests this agenda item be closed. CLOSED

Increasing certification period by 8 weeks; - Covered in main agenda ONGOING

Wording re. Scottish air weapon legislation; - NB has circulated the wording re. Air weapons to all regional leads. CLOSED

RFD basic guide to law; MG has circulated this – it is to be launched at the CPD event in Ryton on 4/5/2017. CLOSED

RFD risk matrix; RA work in to RFD risk was circulated by NB. CLOSED

NFLMS change request; Covered in main agenda - ONGOING

Explosives / HSE compliance agreements compliance agreements; NB has circulated most recent guidance from SW - CLOSED

Rifle range guidance – Main agenda - CLOSED

Open conditions – Covered in main agenda - ONGOING

Delays / non-compliance with named force – DO has spoken with ACC for the particular force – performance has improved considerably. – CLOSED.

3. **Medical Arrangements**

DO gave a full chronology of events since the last FELWG meeting, including his meeting with the HO and the BMA. There were some positive signals in relation to working on the wording of the initial request letter, though the issue of payment was not resolved; furthermore, there were some changes in the BMA governance

structure. The main arguments that the BMA had were three-fold 1; that they are not contracted to do this work; 2; that they are not qualified to answer the questions. 3; that they have concerns with the mechanism and data quality for placing enduring medical markers.

These issues appear to have come to ahead on the 3rd March, when there was a clear shift in the BMA guidance, published on their website, including advice not to comply with requests for enduring medical markers. DO is clear that this is a retrograde step that puts the public at greater risk, and he has written to the CEO of the BMA asking this position to be reviewed urgently. Similarly, DO has met the new policy lead Nick Hunt, and explained the context and potential consequences of failing to reach an agreement. DO also explained how senior coroners have a strong interest in this issue, and he is engaged with the Senior Coroner from Wiltshire on this matter.

PS has been tasked with engaged with engaging with the BMA on the content of the screening letter. NB is to represent FELWG with the policing minister on the same issue next week.

DO further explained to the group how he had spoken to Christopher Graffius of BASC in relation to the same. BASC have concerns around bearing of costs, delays and postcode lotteries, however, they back police on the enduring medical marker subject to assurances on data security.

In summary DO contended police have done all they reasonably could to make this arrangement work, before offering it to the group as to next steps. Options could include; 1; Continue with status quo whilst continuing to negotiate with the BMA and the HO – i.e. accept it is a patchwork of compliance, but this is better than no compliance at all. 2; Go full retrograde to pre 1st April 2016.

RA made the point that in some areas police are working exceptionally hard to force a process that isn't working, and surely the solution would be for the HO to decree that the applicant must pay. DC argues that a fee should have, and needs to be agreed nationally, and again this would need HO support. KM and AM are nervous about any retrograde step, given how things are working in Scotland. MG expressed exasperation that the HO do not make initial screening a statutory order.

DM questions whether there is a positive obligation under article 2 for the medical profession to provide the screening data.

SM highlighted there have been some positives, including GP's engaging directly with his department since the issue has been raised in GP circles.- aside, he believes screening should be an obligatory part of the process.

MG questioned whether HMIC should be engaged, given the HO have failed to deliver recommendation 11. – DO to consider engagement with HMIC on the same.

After much debate, there was a consensus in the room that despite the frustrations, licensing departments should continue to try and influence GP's in their respective areas, and we should continue to engage as opposed to take a retrograde step. There was a further acceptance that the question of 10 year licenses were out of the question whilst there was no agreement on enduring markers.

ACTIONS; PS to meet with BMA and negotiate wording of initial screening letter
DO to pursue matter with Nick Hunt. NB to present police side with minister.

All to continue to engage with local GP's. FELWG stance remains that in the absence of compliance, managers can only make a decision on the information they have, and should therefore grant if there are no further concerns identified.

FELWG position – Position remains that forces should continue to request the information from GP's, whilst work continues with HO to come to a sustainable solution.

4. PND

DC gave an update on his work in relation to PND, which was presented in conjunction with an NPCC report on the same. In summary, scoping has shown PND has the capability to do bulk scheduled searches taking the data from NFLMS. The frequency of such scheduled searches needs to be decided on. MG made the point that it is still proving difficult to extract quality data from NFLMS, and this is a vulnerability as has been proven by recent data wash exercises. On a similar theme, it has highlighted there needs to be a better relationship between licensing departments and ROCU's. HR made the point that the PND interface needs to be full automated.

ONGOING ACTION – DC TO CONTINUE TO REPORT ON PROGRESS.

5 ACRO update

DM gave an update following his meeting with the FBI; ACRO are actively trying to forge an MOU with the FBI for information exchange, and there was early indication this could include checks for firearms licensing – this position has now been reneged, however, DM continues to engage with his contacts in the US to establish if MOU agreements can be made at state level.

ONGOING ACTION – DM TO CONTINUE TO ENGAGE WITH CONTACTS IN THE US.

6 Home Office inc, Police and Crime Bill, Certificate extensions, and expanding ammunition

GW gave update on the provisions of the Police and Crime Bill, all of which will come in on 2nd May, save for extensions and antiques / obsolete. There is a HO circular on the act, which includes the general conditions on expanding ammunition.

MG proposed a form of words to licensing departments which NB will circulate.

Similarly, there is consensus between GW / HO and MP in relation to ammunition that is dual as it is not prohibited – NB to circulate said guidance, and MP to present workshop on the same at CPD event.

The issues of fees was raised, as this is under consideration by the HO and DO's views were sought on the same. DO is clear on the matter – he and FELWG are Apolitical and will abide by the direction from parliament, however unless the HO are committed to full cost recovery in all areas of licensing, then any fee can only be viewed as a token levy – FELWG will engage fully to work out accurate cost to police if there is an appetite for full cost recovery, but this is an issue for ministers. In the absence of this, FELWG should not be engaged, but will accept any decision reached by the HO.

S131 extension to certificates is causing significant concerns amongst FELWG reps, and there is a fear that despite best intentions, the constraints of NFLMS and PNC will make the situation worse, and the work arounds will only further add to delays and lead to data quality problems given how difficult it would be to manage. There was considerable empathy for shooters who require physical documentation. DM argues that this needs a working group, but regardless, the constraints of NFLMS make the prospect of a workable solution occurring this year unlikely.

ACTION; DC to work on behalf of FELWG to find a sustainable solution. - ONGOING

7 NFLMS and ecommerce update

DO gave update on latest NFLMS report which would indicate that the current system has between 3-5 years lifespan. Further, there has been an identified £250k/year budget allocated for change requests. DM is lead on NFLMS changes on behalf of FELWG and all change requests must be via DM. DM is in liaison with Andy Barrons re. outstanding requests for change – DM will prioritise tasks on behalf of FELWG.

8 NaBIS, Op. Endeavour, and Dragonroot

MP informed the group of the substantial increase in submissions to NaBIS, including a 100% increase in shots fired cases- i.e. cases which create the most work. There are significant increases in submissions from the Met, Merseyside, GMP, West Mids, West Yorks, and particularly South Yorks. MP also updated that NaBIS have submitted a transformational bid for a new cradle-to-grave IT system.

The planned lawful to unlawful conference is currently on hold due to operational reasons.

MG pleaded with FELWG reps for consistency in relation to lost and stolen data, and reminded all that 3 systems need updating in the event of a lost or stolen gun – namely, PNC, NaBIS, and NFLMS.

MG updated group with most recent guidance for RFD's which will be launched at the next CPD event.

9 Open / closed conditions on grant

RA has spoken to a number of key stakeholders in relation to this, but highlights any change in FELWG stance could open Pandora's Box, and believes the broader issue is one of how we satisfy ourselves of competence in the first instance. DC continues to do open conditions from grant, but insists FEO's walk and talk through ground to ensure competence. RA maintains it is difficult to make meaningful assessments. MG concerned we may inadvertently drop standards if we are not consistent in approach.

ACTION – DC and RA to come together and produce a framework to move forward

10 Range safety

RA has met with Andrew Mercer from the NRA who proposed to train all NRA affiliated clubs. RA to accept and liaise with NRA and report back.

11 Explosives

SW gave update to group on interpretation of Police and Crime Bill in relation to explosives – this will also be uploaded on to POLEX.

ACTION- NB to circulate latest list of nominated HSE explosive leads.

12 CPD and strategy

JC gave update in relation to the forthcoming CPD event. In relation to strategy and relative performance against same, there were too few returns to draw a meaningful benchmark. DO requests better buy-in on the same, and that all forces complete this task by next FELWG, and furthermore, that they critically assess the FEO competency list that informs the second part of JC's work.

ACTION – All regional reps to ensure full return compliance with heat map to assess performance against strategy. Likewise, to critically consider the essential and desirable qualities needed for a new FEO course.

13 AOB

DO Thanked KM for all his work on behalf of FELWG as he take a new position working for the Scottish Government.

14 Time and date of next meeting

Suffolk Constabulary – 21st September.