



Our Ref: 000192/20

Your Ref:

Address Correspondence to: Linda Dempsey, Information Management

Date 22 January 2020

Dear S. Rhosier,

### **Freedom of Information Act 2000**

I write further to your request for information received 17/01/2020.

I note you seek access to the following information:

*With reference to:*

*<https://www.leics.police.uk/ar/applyregister/fao/lei/firearms-and-explosives-licensing/firearms-licensing-application-forms-and-fees/>*

*and:*

*<https://www.countryside-alliance.org/our-work/campaigns/campaignforshooting/firearms-licensing/contact-your-local-firearms-licensing-team>*

*and:*

*<https://basc.org.uk/firearms-team-enquiries-top-10000-in-2019/>*

*and:*

*<https://publications.parliament.uk/pa/cm199900/cmselect/cmhaff/95/9510.htm>*

*1. What policies, provisions, legislation and procedures are used by your force for guidance and adherence when deciding to approve an application for any form of Firearms License, including where minors will gain access to Firearms?*

*2. When deciding to approve an application for any form of Firearms License, is there a legislative, procedural or policy requirement that the applicant's employment must require use of a Firearm in order to obtain a license or are licenses available to all meeting the stipulations of Firearms legislation regardless of the purpose to which they would put a Firearm, e.g. sport shooting?*

*3. When persons are convicted of crimes of violence such as assault or unlawful killing of wildlife or any animal, what cross-checks/policies, provisions, legislation and procedures does your force have in place for guidance and adherence when deciding to withdraw any form of Firearms License issued to said person(s)?*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

**Your request for information has now been considered and the information asked for is as follows: -**

Please see the attachment to the Email

1. The force has its only firearms policy which is based on the Home Office Guide on Firearms Law 2016 and in addition Firearms Legislation, particularly the principles of the Firearms Act 1968 and 1982 as amended by the Firearms (Amendment) Acts of 1988, 1992 and 1994. There are other relevant provisions under the Criminal Justice Act 2003, Violent Crime Reduction Act 2006 the Criminal Justice and Immigration Act 2008 and the Crime and Security Act 2010. With regard security of Firearms we follow guidance issued by the Home Office, given in Firearms Security Handbook 2019.

2. Leicestershire Police hold no information relative to this question

3. Any person convicted of any offence is brought to the attention of the firearms manager. The continued possession of weapons and certificates is based on The Home Office Guidance/Authorised Professional Practise and ensuring that effective and appropriate governance is implemented effectively.

The following link to the Gov.UK website that provides information on how to apply for a shotgun and firearm certificate:

<https://www.gov.uk/shotgun-and-firearm-certificates>

The following link to the GOV.UK website provides guidance on firearms licensing:

<https://www.gov.uk/guidance/firearms-licensing-police-guidance>

The College of Policing APP states firearms licensing must be consistent nationally and in line with [Home Office Guide on Firearms Licensing Law](#)

The procedural process of the policy has been redacted under Section 31 of the FOIA legislation (Law Enforcement) as to provide this would impact on our process of law enforcement.

### **Section 31 – Evidence of Harm**

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate.

However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over the police.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure.

Effective policing requires the active participation of a number of agencies in order for it to be successful. Information is not discussed and would severely impact on the process of law enforcement.

To provide the details of the policy procedure, would contain tactical and procedural information as well as other information that would undermine the effective delivery of operational law enforcement (Section 31(1)(a)(b)) by revealing specific practices.

#### Section 31 – Considerations favouring disclosure

There is a public interest in disclosure of the requested information as it would allow the public to discuss the conduct of our processes and would therefore raise the Force's accountability. It would also aid transparency and allow any failings to be discussed in the public domain.

#### Section 31 – Considerations favouring non - disclosure

I am of the opinion that it is not in the public interest to disclose sensitive information that relates to our procedures around our Firearms Policy. This would contain information that if disclosed, would reveal police tactics and evidence gathering techniques along with other information which is vital to Law Enforcement.

If this was released into the public domain, it would allow people who commit crime to be aware as to how this type of request is conducted. It would therefore give them an added advantage should they wish to impede investigations and would significantly weaken our law enforcement capabilities.

I believe that on balance it is **not** in the public interest to release information which you have requested on this occasion for the reasons stated above. I appreciate that this is not the decision you had hoped for but I must consider the wider position under the Freedom of Information Act 2000 which I feel necessitates the need to refuse your request under this legislation.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

*Linda Dempsey*

Linda Dempsey  
Freedom of Information Officer  
Leicestershire Police

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