

PREVENTION OF FUTURE DEATHS REPORT: RESPONSE FROM AVON AND SOMERSET POLICE



Prevention of Future Deaths Report Response

This document forms the official response from Avon and Somerset Police to the Prevention of Future Deaths report, published by Mr Ian M Arrow, Senior Coroner for Plymouth, Torbay, and South Devon on 8th March 2023.

Overview

On 12th August 2021, Jake Davison fatally shot Maxine Davison, Lee Martyn, Sophie Martyn, Stephen Washington, and Kate Shepherd in Keyham, Plymouth.

The Senior Coroner for Plymouth, Torbay, and South Devon, Mr Ian Arrow, led the inquest into their deaths and, following its conclusion in March 2023, he produced a number of *Prevention of Future Deaths* reports documenting key findings and learning to be considered by relevant agencies. A request was made for all subsequent responses to be completed within 56 days; by 3rd May 2023.

The report below documents the response of Avon and Somerset Police to the 'Matters of Concern' raised by the Senior Coroner for consideration by Chief Constables in England & Wales and those relating to 'Training.'

'Matters of Concern' – All Chief Constables

'I am concerned that in the light of the lessons learned in the Keyham inquests of the attitude towards risk, a further review of all certificates seized, refused, revoked, or surrendered and then subsequently approved over the past five years may be required to be assured of public safety.'

Response from Avon & Somerset Police:

Following the fatal shootings in Plymouth in 2021, the Home Office requested a review of the last five years of cases where licenses had been seized, revoked, or refused and then subsequently approved again. Avon and Somerset Police completed a thorough and comprehensive review and found no cases where the approval should not have been granted.

We are satisfied that our decision-making in each of these reviews was appropriate, and that our ongoing review processes are necessarily stringent. Our rationale for this is as follows:

Prior to the Home Office request in 2021, Avon and Somerset Police appointed a new Firearms Licensing Manager (FLM) in 2020, who sought to undertake assurance surrounding all risks within the department as a priority. This was particularly relevant given the context of the COVID-19 pandemic and the reduction of face-to-face contact with applicants, in addition to the number of licensing appeals that were going to the Crown Court.

Court files and revocations were reviewed, and learning was identified surrounding the quality and detail of rationales for revocations and subsequent approvals. The FLM also identified a culture which didn't support staff to effectively challenge decisions. Standards and



expectations were quickly articulated, and processes were tightened within the department to ensure transparency and robust decision making.

Following the Plymouth shootings in 2021, the process in Avon and Somerset Police was amended to add a further layer of scrutiny and oversight. This new approach required that all decisions to grant a certificate, where the certificate had previously been revoked / refused, must be authorised by an Assistant Chief Constable. This chief officer is provided with the relevant threat, harm and risk assessment, intelligence, case law, and relevant options and recommendations from the FLM. The process is in place for all applicants, irrespective of how much time has elapsed between the original revocation and the renewal.

Furthermore, Avon and Somerset Police have a number of established practices and processes which already mitigate against a number of the risks identified in the learning from Plymouth. Indeed, in October 2020, the following measures and processes were adopted:

- Avon and Somerset Police Firearms Licensing Team have implemented and maintained a position that any caution or restorative justice disposal should be considered as a conviction when assessing suitability.
- The responsibility for authorising the return of firearms was removed from investigating officers and sits solely with the Firearms Licensing Team - specifically Firearms Licensing Officers and the Firearms Licensing Manager.
- Any incident which requires the seizure or voluntary surrender of guns and certificates is subject to a suitability review.
- To ensure managerial supervision, completed reviews are signed off by the Firearms Licensing Officer and Firearms Licensing Manager, with additional oversight where necessary being provided by the Criminal Justice Chief Inspector and Assistant Chief Constable.
- Avon and Somerset have adopted the NDM RISK MATRIX (see Appendix A), which is supported by the Firearms and Explosive Licensing Risk Management Procedure consultation document and the College of Policing Risk Principles.

The Avon and Somerset Firearms Licensing Team have also reviewed the effectiveness with which overall risk is managed, and certificates and weapons are returned to those persons where they have been:

- Revoked,
- Seized during or following contact with the Police,
- Surrendered on advice from Police / Firearms Licensing / Third Parties.

Procedures have been amended to ensure that every incident, although considered on its individual merits, is scrutinised with the same objective curiosity and that all decisions are properly recorded and reviewed.

Avon and Somerset Police have been instrumental in shaping best practice nationally and have supported peer reviews across the South-west region. We have confidence in the robustness of our decision making and are assured that our processes enable high levels of public safety.



'Matters of Concern' - Training

'Despite the many recommendations made over the past 27 years, there continues to be a lack of nationally accredited training for Firearms and Explosives Licensing Unit (FELU) staff.

I also report my concern that in the absence of such the training there is a risk that the Statutory Guidance is not being appropriately applied by the FELU staff today, and so each Chief Constable may need to take steps to satisfy themselves that:

- i. Adequate local training, of a satisfactory standard has been universally delivered to all their FELU staff and supervisors in applying the Home Office Guidance on Firearms Licensing Law (published in November 2022) and the revised Statutory Guidance for Chief Officers of Police (published in February 2023) and,***
- ii. They have only delegated decision making to persons who have undergone adequate training in firearms licencing and in applying that recent guidance.'***

Response from Avon & Somerset Police:

All Firearms Enquiry Officers in Avon and Somerset complete the South Yorkshire Police three-day Firearms Enquiry Officer course (see Appendix B).

Our Firearms Licensing Team have a dedicated senior Firearms Enquiry Officer who trains, coaches, and mentors all new Firearms Enquiry Officers in line with the College of Policing Assessment Guidance for Firearms Licensing (See Appendix B), ensuring consistency in the operational approaches that staff take.

Specific training courses for Firearms Licensing Administrators are delivered through Mowbray Partners. Staff from the department also maintain their own continuous professional development by participating in regional events which involve inputs from national shooting bodies, the British Association for Shooting and Conservation (BASC), and the National Gamekeepers Organisation.

Avon and Somerset Police comply with the Authorised Professional Practice (APP) and the *Firearms Licensing: Statutory Guidance for Chief Officers of Police, February 2023*. The Firearms Licensing Team are presently using the latest publication to establish further areas for additional improvement.

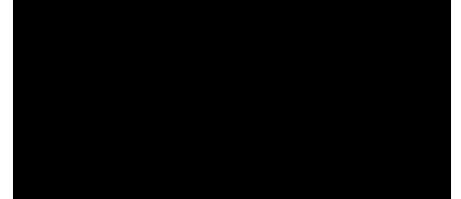
In response to the publication of the aforementioned guidance, and in recognition of the learning from the deaths in Keyham, the Firearms Licensing Team are reviewing their training requirements and will be implementing additional mandatory training for all staff working in the team.

These training inputs will include:

- Completion, by the Firearms Licensing Manager and Firearms Licensing Officers, of the Professionalising Investigations Programme (PiP) Level 1 training, focussing on decision making, managing risk, and supervising investigations. This course will mirror the input that is given to all police supervisors of investigations.

- Completion, by all staff in the team, of training on the National Decision Model; to further enable effective decision making that is justifiable, proportionate, lawful, accountable, necessary, and ethical.

Avon and Somerset would also welcome and support the development of nationally accredited training.



Avon and Somerset Police
2nd May 2023

