

[REDACTED]

Mr I M Arrow  
Senior Coroner  
Plymouth, Torbay and South Devon Coroner's Court  
1 Derriford Park  
Derriford Business Park  
Plymouth PL6 5QZ

[REDACTED]

Deputy Assistant Commissioner  
Metropolitan Police Service  
New Scotland Yard  
Victoria Embankment  
London  
SW1A 2JL

[REDACTED]

5 May 2023

Dear Mr Arrow

I am the Deputy Assistant Commissioner for the Directorate of Professional Standards in the Metropolitan Police Service ("MPS"). On behalf of the Commissioner of Police of the Metropolis, I write to provide the response to the matters of concern addressed to the MPS in your Report to Prevent Future Deaths dated the 8<sup>th</sup> March 2023.

On behalf of the MPS may I first of all express my sincere condolences to the family and friends of Maxine Betty Davison, Lee Raymond John Martyn, Sophie Iris Martyn, Stephen John Godfrey Washington and Kate Jane Shepherd, our thoughts and sympathies are very much with them.

The Coroner's "Matters of Concern" (Training)

The Prevention of Future Deaths report dated 8<sup>th</sup> March 2023 records:-

*"I was told that all Chief Officers of police ought to be satisfied that they only delegate their authority to issue and revoke firearms and shotgun licences to appropriately trained and skilled personnel. However, over the past 27 years, there has been an abject failure to ensure that nationally accredited training of firearms licensing staff has been developed and its currency maintained.*

*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 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 Licencing 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”.*

### MPS Response

MPS arrangements for “Delegated Authority” under the Firearms Act 1968 state that all members of the Firearms Enquiry Team (FET – MPS Designation for FELU) of Sergeant rank or above possess full decision making powers. This is then supplemented by a separate Decision Making Governance, which ensures that appropriate oversight is given. All decision makers have received the current agreed training package and undertaken accreditation which is overseen by the FET Inspector. Each new Supervisory officer joining the team receives an accreditation meeting with the FET Inspector and the MO19 senior leader responsible for FET, before being authorised to undertake independent decision making.

There is currently no nationally accredited training package, which the MPS has sought to resolve by MPS FET development of their own training. The content of this training has always sought to take account of nationally identified risks arising from cases across the country where learning or best practice has been identified. The content of the training is reviewed each time a case is identified or when legislation and national guidance has been issued. The MPS notes the commitment from the NPCC lead for Firearms Licensing and the College of Policing to re-invigorate work in this area. The FET Manager and relevant member of the senior leadership team will be attending a national conference at the College of Policing later in 2023.

The Directorate of Audit, Risk and Assurance (DARA) are a part of the Mayor’s Office for Policing and Crime (MOPAC) and provide an internal audit function for the MPS. DARA commenced a review of FET operations in September 2022, which concluded the MPS had “Adequate Assurance”. The DARA audit finding is that *“the control framework over the administration of Firearms Licensing is adequately designed and the majority of controls are operating effectively. Risks are generally managed effectively and some minor improvement in the design and application of controls is required to strengthen the overall control framework.”* The MPS is already addressing the points raised through the audit and DARA have been requested to undertake a future audit to review progress against findings and recommendations.

In February 2023, an internal review was conducted by the MPS Specialist Firearms Command’s senior leadership team. This specifically considered current MPS arrangements and anticipated learning to come from the inquests and response to the shootings in Keyham. An outcome of this is an MPS review

of the existing FET training, to ensure it remains up to date with developments in national firearms licensing.

The MPS assessment is that adequate local training has been implemented to all staff operating within their Firearms FET. This includes both the original statutory and non-statutory guidance to police and subsequent iterations of these. This training has been delivered to all Firearms Enquiry Officers (FEO), supervisors and the MPS FET management team has an ongoing continuous development programme, overseen by a newly implemented monthly board.

In 2018 the College of Policing published FEO Learning Standards. Following this in 2019 the issue of training was carefully considered against those learning standards, in light of the absence of an accredited product and arguably inconsistent local practices. As a result of this work, a three day FEO course was created focusing on critical risk assessment and decision making. The content of this course also incorporated reference to the relevant Home Office (non-Statutory) guidance of that time.

Statutory guidance followed in November 2021 and a stand-alone training package was devised and delivered to all staff. This was a substantial change to law and process in Firearms Licensing and the training investment reflected this. The MPS joined a working group of other Firearms Licensing Managers from across the UK and a detailed analysis of the requirements to ensure our compliance with these substantial changes was undertaken.

In February 2023 this Statutory Guidance was updated. The amendments to the guidance did not necessitate fundamental changes to existing working practices and therefore the changes were briefed to officers in writing. The existing FEO course was also updated to reflect this change in legislation. The College of Policing FEO learning standards remain the latest guidance and the MPS is fully compliant.

FEOs are mentored by an experienced member of staff and their practical application of knowledge is assessed by supervisors against 23 key areas of competence, which reflect the FEO Learning Standards and most recent statutory and non-statutory guidance. Ongoing training to all FET staff and new joiners is a key performance indicator. Continuous professional development is embedded within the FET with staff trained quarterly. Training content follows trends identified in the national Firearms and Explosives Licensing Working Group (FELWG) as well as any local or national learning opportunities identified by the FET management team. Supervisors and decision makers have been provided with an enhanced level of training in relation to decision making, risk management and professional curiosity. This is delivered in partnership with colleagues from the MPS Directorate of Legal Services. The MPS is also working with police force across the south east region, to share information and embed peer reviews and quality assurance.

The MPS has exercised significant effort to assure itself that the FET is compliant with all available College of Policing, Statutory and Non-Statutory guidance. Furthermore, the FET has taken a proactive position in keeping pace with any learning resulting from occurrences related to firearms licensing.

#### The Coroner's "Matters of Concern" (Review of the return of guns)

The Prevention of Future Deaths report dated 8<sup>th</sup> March 2023 records:-

*"I was informed that all police forces then reviewed their decisions to return a weapon in the previous year and only one police force (not Devon and Cornwall Police) identified any case where firearms had wrongly been returned to certificate holders in the previous year. I was told there were 9 cases identified in that one force. Whereas the remaining 42 forces (including Devon and Cornwall Police) found no incorrect decisions to return a certificate had been made.*

*In the light of this information I am concerned that the information from those 41 police forces who indicated that they had made no incorrect decisions to return a weapon/ certificate may need to be further tested and explored.*

*I am concerned the figures provided to the Home Secretary in 2021 may not reflect the accurate position, and that if sufficiently stringent checks are performed these may reveal other cases where a firearm or shotgun certificate had been seized, refused, revoked or surrendered but was subsequently issued/returned in circumstances when the certificate should not have been approved. I am concerned that if there are other cases that were not subject to a proper or thorough review of the risk of returning the weapon when the person may continue to have a firearms/shotgun certificate and hold weapons in circumstances that place the public and the licence holder themselves at risk.*

*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".*

#### MPS Response

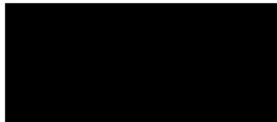
In August 2021, the MPS responded to a request from the Home Secretary for a review of all firearms returned to members of the public in the preceding 12 months. These cases were identified utilising a "search string" provided by Home Office colleagues for use with the National Firearms Licensing Management System (NFLMS). This process highlighted 33 such cases, which were reviewed by the FET Manager and a nominated Sergeant, then subsequently signed off by the Firearms Commander.

The MPS has also carried out an internal review of processes, along with the DARA audit. A review of 12 months of data and working practices, were found to be compliant. The MPS is committed to continuous improvement and firearms licensing is an integral part of the annual MPS Armed Policing Strategic Threat & Risk Assessment.

The MPS has carefully considered if a five year review should be undertaken, our assessment is that at this time a review would not be proportionate. In May 2023, the NPCC are holding an event where lessons learned from the shocking shootings at Keyham will be presented. Where further lessons or guidance is shared, including by the Home Office, College of Police or His Majesty's Inspectorate of Constabulary, Fire and Rescue Services, the MPS will ensure its training and guidance is updated.

Please do not hesitate to contact me should you require further information from the MPS.

Yours sincerely,

A large black rectangular redaction box covering the signature area.A smaller black rectangular redaction box covering contact information.