

These FAQs represent interim guidance and are likely to be subject to further clarification.

What is the new licensing process?

From 1 April 2016 new information sharing processes between GPs and police were introduced by the Home Office in an attempt to reduce the risk that a medically unfit person may be able to possess a firearm or shotgun. A number of stakeholders had expressed concern about weaknesses in the previous system.

How do the police decide if a person is fit to be granted a certificate to hold a firearm?

The licensing authority will conduct a number of checks which will usually include interviews, visits to the person's property, criminal records checks and references from people of 'good character'. In addition, the applicant's GP will be contacted.

What part in the new process do GPs play?

Police will contact the applicant's GP by letter asking whether they know of any relevant medical condition or have concerns about the issue of a firearm or shotgun certificate, but will also ask practices to place an encoded reminder onto the applicant's patient record. During the validity of the firearm or shotgun certificate, the presence of the encoded reminder is intended to enable the practice to consider notifying the police if a person's medical health gives rise to concern regarding their possession of firearms. Upon cancellation of the certificate, for whatever reason, the police will send notification to the GP and the encoded reminder will be inactivated.

What are the relevant medical conditions?

- Acute Stress Reaction or an acute reaction to the stress caused by a trauma
- Suicidal thoughts or self-harm
- Depression or anxiety
- Dementia
- Mania, bipolar disorder or a psychotic illness
- A personality disorder
- A neurological condition: for example, Multiple Sclerosis, Parkinson's or Huntington's diseases, or epilepsy
- Alcohol or drug related abuse
- Or any other condition, mental or physical, which might affect the safe possession of firearms

Can I demand or accept a fee for providing this information?

Yes. The work involved responding to the Police's letter, the initial check of the patient record indicating whether there are any concerns and the indication that a code on the patient's medical record has been added, does not come under essential services and GPC's view is therefore that a fee can be demanded. Our guidance makes clear that a GP can withhold the provision of this information until such time as the fee has been paid.

Can I just refuse to cooperate with the process altogether?

Having obtained legal advice the BMA believes that GPs are obliged to cooperate with and agree to facilitate statutory processes in which they have a prescribed role or function. In our view it is not acceptable for GPs to merely disregard the letter, not inform the police or to delay a reply - in doing so GPs could be placing themselves at professional risk and could be in breach of their contract

Can a GP claim a conscientious objection to participating in the process?

The position is not clear and the GPC is seeking further advice on the position. However, GMC guidance states a doctor may choose to opt out of providing a particular procedure because of their personal beliefs and values, as long as this does not result in direct or indirect discrimination against, or harassment of, individual patients or groups of patients. This means a doctor must not refuse to treat a particular patient or group of patients because of their personal beliefs or views about them.

This guidance was not drafted with the firearms licensing process in mind and the language used does not reflect the situation that some GPs may find themselves in with regard to co-operation with the relevant authorities. The GPC will seek to clarify the position as a matter of urgency.

What about consent?

The application form for firearm certificates requires the applicant to give consent to the sharing of factual medical information between their GP and the police, both during the application process and following grant of the certificate while it remains valid. The GP can disclose relevant information without consent if necessary where the certificate holder may present a risk of serious harm to themselves or others.

What if a full medical report is needed?

If the applicant has declared a relevant medical condition the police may ask the applicant to obtain and pay for a medical report to assist with their consideration of medical suitability. The medical report should normally be provided to police within one month of the request. If a further medical report is required the police will pay for this.