

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS  
BY DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT**

**ANSWER TO BE TABLED ON TUESDAY 11th SEPTEMBER 2007**

**Question**

With regard to the processing of firearm certificates by the States of Jersey Police (SOJP), will the Minister -

1. (a) advise how many renewals/variations have been processed in each of the last three years;
  - (b) the average time taken to process each one;
  - (c) the average time taken to process the slowest quintile.
2. Inform members whether the SOJP have stated that anyone without a valid certificate, notwithstanding the fact its expiry is due to processing by the SOJP, will be prosecuted, and, if so, state what action, if any, she intends to take regarding this matter?

**Answer**

1. (a) From 1/7/04 – 1/7/05 = 257  
From 1/7/05 – 1/7/06 = 348  
From 1/7/06 – 1/9/07 = 854.

The 2000 Firearms Law allowed for five year licences and included firearms not previously licensed such as shotguns and air rifles. This is why there has been a disproportionate number of renewals to process within the last 12 months. It should be noted that a reminder is generated by the Central Firearms Index (CFI) three months before any certificate expires and this is sent to the Connétable of the relevant Parish. Previously reminders were sent two months before expiry but this has been amended to give certificate holders maximum notice. Between November 2007 and March 2008 there are 360 certificates scheduled to expire and this will cause additional demands on workloads in CFI.

(b) and (c)

To go through the three years of records manually to analyse this information would create approximately two weeks of work in the Central Firearms Index and would prevent any applications, renewals and variations being processed for that time, so causing avoidable delay to the administration procedures. However, we have analysed the most recent batch of 34 certificates currently awaiting issue

- It was found that the average time taken for completed applications to reach the Central Firearms Index from the applicant was 12.3 days. The slowest 20% took an average of six weeks to arrive at Police Headquarters from the date the form was completed by the applicant.
- On average, Police National Computer (PNC) checks had been completed on these applicants just eight days after the form was received by the Central Firearms Index. The slowest 20 per cent took an average of 17 days before PNC checks were completed.
- On average, processed applications are returned to the relevant Parish Hall in about 18 days following the completion of the PNC checks. This gives a complete turnaround time within the Central Firearms Index for Firearms certificate applications of about 26 days (including weekends).
- The processed application is returned to the appropriate Parish Hall who then complete the process of issuing a firearms certificate. States of Jersey Police do not have details of the average time taken by

each Parish to issue a firearms certificate following receipt of the necessary documentation from the Central Firearms Index. It is not therefore possible to answer the question as to how long it takes to process an application. What can be stated, however, is that the Central Firearms Index at Police Headquarters is currently performing its part of the process from start to finish in about four weeks.

2. The matter of prosecution is not a matter for the Home Affairs Minister or the States of Jersey Police, this is for the 12 individual Parishes and Her Majesty's Attorney-General. The Police have been asked by the firearms community about their legal position should there be a time gap between certificates expiring and being renewed. There are no transitional arrangements in the Firearms (Jersey) Law 2000 to deal with this anomaly. Technically firearms certificate holders would commit offences of possession of firearms and/or ammunition without valid certification and would be liable to be reported to their respective Parishes for consideration of prosecution.

This has been discussed at a recent Firearms Law Liaison Group Meeting where the minute extract is as follows –

(iii) In response to a question about delays in receiving FA certificates, DCI Minty explained that –

- There were large volumes of applications, renewals and variations being processed through CFI and they were being prioritised in order of expiry date so as to try and ensure seamless renewal. This would have been why the enquirer's FAC was not dealt with when first submitted but processed closer to the expiry time.
- The CFI have been instructed not to backdate any FAC s .The FJL provides for no transitional arrangements between the expiry and renewal date if there is a gap.
- Technically persons in possession of firearms or ammunition without a valid certificate are in unlawful possession of firearms. FAC holders are duty-bound as responsible citizens to ensure that all their certification is valid to cover their activity, thus anyone who has not received their FAC renewal on time, should arrange for their firearms and ammunition to be lodged with the SOJP, otherwise they could be prosecuted.
- It was considered there was an individual responsibility to address concerns with the Connétable in the first instance. Prolonged delays could be taken up with AL, who will follow these up.
- Consideration to be given to a fast-track process. Police to consider implications to CFI for emergency requirements.

Secretary's note: Since the meeting DCI Minty has been asked to clarify the position regarding prosecution of FAC holders under these circumstances. DCI Minty has advised that each case which comes to attention will need to be dealt with on merit and the police duty to report offender/s remains, whilst the disposal of these cases relies on the Honorary Police (Duty Centenier) in each Parish who will be asked to consider the facts.