

Assessing the threat posed by Registered Firearms Dealers (RFDs) in the UK

Robin Bryant, Canterbury Christchurch University
Roger Arditti, Metropolitan Police Service
Kristian Gustafson, Brunel University London

Introduction

The attacks in Paris in November 2015 brought the reality of a marauding terrorist incident to the streets of western Europe. Some of the weapons used by the terrorists involved were M70 assault rifles which had previously been deactivated. Soon after, law enforcement organisations in Europe began to assess more fully the danger that terrorists might source legally held guns. Concern was raised in the UK by National Counter Terrorist Policing (NCPT), the National Crime Agency (NCA) and the National Ballistic Intelligence Service (NABIS) about the activities of some Registered Firearms Dealers (RFDs). A series of police operations in the UK, such as Operation ‘Dragon Root’ (which saw the arrest of at least two firearms dealers) and Operation ‘Gold Dust’ (which culminated in an RFD being sentenced to thirty years imprisonment in 2017 for supplying guns and ammunition to an organised crime group) appeared to support the legitimacy of these concerns.¹

The legal definition of an RFD can be found at s. 57 (4) of the Firearms Act 1968, which states that a firearms dealer is ‘any person or corporate body who, by way of trade of business: manufactures, sells, transfers, repairs, tests or proves firearms or ammunition to which section 1 of this Act applies, or shotguns; or sales or transfers air weapons.’ Further, dealers are allowed to trade in prohibited weapons (such as handguns and automatic weapons) provided they have authority from the Secretary of State.

In March 2018 there were approximately 3,400 RFDs in England and Wales, an increase of c. 3% compared with the previous year (Home Office, 2018, p. 9). RFD ‘corporate bodies’

(businesses) vary considerably in size and scope, ranging from a small one-person outfit, working from home to a multinational company operating from industrial premises mass producing military-grade firearms and ammunition. The most common types of activity undertaken by dealers include domestic and international sales, storage, decommissioning, and repair². It is important to acknowledge that the vast majority of RFDs are law-abiding businesses which contribute positively to the UK's economy.³

As far as the authors are aware, this paper represents the first academic study into the threats posed by RFDs in England and Wales. Whilst more is known concerning the typology of 'criminal armourers' in general (Williamson, 2015) the academic literature surrounding RFDs is sparse, with most of the research either emanating from the US (e.g. Webster et al., 2001) where the licencing, law enforcement and gun 'culture' context is significantly different from the UK or from more general firearms risk research by law enforcement agencies (e.g. NABIS, 2015), much of which is not publicly available and is often restricted to the UK's police services.

Methods

We employed three interlocking methodological approaches to assess the threat posed by RFDs⁴. First, case studies of dealers who had been prosecuted for criminal acts were collated and analysed. In total 12 case-studies were identified where dealers in England and Wales were prosecuted for criminal acts over the past ten years.⁵ As there were no central public repositories for documents connected with the case studies the authors used law enforcement networks to gather information. Moreover, some limitations were imposed as a result of meeting data protection standards and Information Sharing Agreements between the authors and the Metropolitan Police Service (MPS) and the National Ballistics Intelligence Service

(NABIS), particularly in relation to the rules of sub judice and protection of personal information. In the majority of cases, the authors were supplied with redacted *MG3* forms which are used by police to brief the Crown Prosecution Service (CPS) about a case and seek charging authority – these are detailed summaries of the evidence, including what was said in interview, what exhibits were found, witnesses’ statements, forensic evidence. These documents also highlighted any evidential gaps. On occasions, police investigators were able also to provide other briefing documents. The case studies were then collated and analysed using *NVivo* software⁶.

The second approach was a series of semi-structured interviews, designed to capture the views and experiences of police and staff in the organisations involved with policing RFDs. A total of 29 interviews were conducted with stakeholders, including four Firearms Enquiry Officers (FEOs), four Firearms Licensing Managers (FLMs), three crime investigators, two intelligence analysts, four officers with borders and customs responsibility, three officers from Counter Terrorism Policing, a senior police analyst, a senior scientist from NABIS, and three senior police leaders. Whilst the total number of interviewees was statistically small compared with the size of the policing and law-enforcement communities that deal with firearms and firearms’ licensing, it constituted a valid sample: interviewees represented multiple agencies, roles, and levels of authority. The representativeness of the interview set was also confirmed during presentations of initial research findings to large (100 plus) non-public and public conference audiences drawn from the wider law-enforcement/firearms licensing community and through circulation of draft findings to an even broader constituency. Whilst the focus was on the perceptions and experiences of law enforcement, we also interviewed four senior members of shooting organisations to provide a counter-point.⁷ Each interview was conducted using the same semi-structured interview schedule (Leech, 2002; Roulin and Bangerter, 2012; McIntosh

& Morse, 2015). Semi-structured interviewing can often elicit valuable qualitative insights into police decision-making and receptivity in other firearms licencing contexts (Arditti and Bryant, 2018). After transcription, the set of interviews were categorised and analysed, again using *NVivo* software, employing query and visualisation tools.

The third methodology employed Structured Analytical Techniques (SATs), and in particular an ‘Indicators and Warnings’ (‘I and W’s’) approach to identify any common factors that could be drawn from either the case-studies or the semi-structured interviews to better understand what might motivate an RFD to engage in criminality. Many of the offences in the case-studies were *absolute* (the prosecution did not have to prove the *mens rea*) and hence, the documentation did not provide many insights into why an RFD acted as he or she did. Consequently the ‘Indicators and Warnings’ methodology was employed, an approach more commonly used in national intelligence analysis (e.g. Grabo, 2004; Smith, 2008). A significant driver for the choice of this methodology was an awareness that warning failures are rarely due to insufficient intelligence collection, but rather more often due to weak analysis of existing data (Sundri Khalsa, 2005, pp. 561-566). For our purposes ‘indicators’ were defined as in-principle observable actions, becoming ‘indications’ once they were actually observed. Sufficient indications, or specific combinations, may reach a pre-determined threshold to provide a ‘warning’ (Heuer & Pherson, 2011, pp. 132-139). Most of the literature and developmental work on SATs, especially for those that deal with ‘I and W’s’, comes from the national security sphere and are thus more attuned to security needs and challenges. For example, ‘I and W’s’ for terrorism, focusing on individual behavioural indicators and especially as they relate to religious extremism, has become a recent focus of research (Davis et al., 2013). The use of ‘I and W’ methods in policing however, has largely been confined to pre-empting outbreaks of gang violence (Criminal Intelligence Service Canada, 2007); an application not

readily applicable to the threat assessment issues identified in this paper. The authors therefore had to adapt tools from that sphere to one of policing, despite the increasing use of SATs in general (see Tecuci et al., 2016).

For the purposes of this research we used the 12 RFD case study files to generate six scenarios, including elements which made them read as narratives, incorporating stylised versions of facts and observations by the responsible FEOs and subsequent criminal investigations and trials⁸. Various tools in scenario generation, such as the well-known ‘Cone of Plausibility’⁹ and hypothesis generation techniques (after Heuer & Pherson, 2011, pp. 147-158) were employed to generate the narratives which formed the basis of each scenario. A workshop with 21 participants composed of police officers, FEOs, FLMs, police intelligence specialists or intelligence experts then considered the scenarios. The police officers involved in the workshop varied in rank from Constable to Chief Inspector. Some of the participating police staff were involved in the original cases that the scenarios were based on, but this was taken into account when the workshop was divided into syndicates to ensure that members of each syndicate undertook a previously unsighted scenario. Although the range of participating agencies was somewhat narrower than involved in the initial interviews described earlier, a subsequent review of the findings by organisations not represented at the syndicate event did not flag any gaps.

After reviewing each scenario, individual syndicate members collected generic observational statements about the RFD described in his or her scenario and then, as a syndicate activity, these were grouped together in categories to generate a new ‘environmental scanning’ checklist¹⁰. The workshop also included a process of ‘backcasting’ the six scenarios to identify critical points on an RFD’s ‘journey to criminality’, and any indicators potentially visible to

law enforcement or others. This technique of ‘backcasting’ identifies the critical path to reach a scenario outcome, and various tools used in hypothesis-testing check on the validity of indicators (Gustafson, 2010, pp. 589-610). The syndicates then plotted a timeline back from the scenario outcome to the point where the individual decided to apply for his or her RFD licence and identified those steps and decisions that *had to have happened* from the initial application to later criminal action or negligence and then arrest (Heuer & Pherson, 2011, pp. 132-139). These indicators were then grouped, and cross-checked against the new environmental scanning checklist, as a prompt to see if any other considerations about the scenario became evident.

Results

Our analysis of the 12 case studies which featured offending RFDs (some previously in possession of many hundreds of firearms) indicated that the dealers concerned often worked alone or with no effective peer supervision. Most of the RFDs studied had been trading for many years (with an average of 15 years). The majority of the offences committed centred around the illegal possession or supply of firearms - only one case study involved a ‘shop-fronted’¹¹ RFD and only one related to commercial exportation of firearms. None of the case studies involved dealers who specialised in deactivation of firearms whilst only three imported (or purported to import) antique weapons. Furthermore, all but three of the RFDs in the case studies were in full-time employment through their dealerships.

The analysis of the observations of the police investigating officers involved in the cases suggested the officers perceived that the ‘arrogance’ of the dealers was a common factor. This arrogance appeared to manifest itself in an attitude that the RFD ‘knew better’ than the local force licensing team or, post arrest, the investigating officers in terms of technical matters, or

the dealer had a simple disdain for the relevant legislation. Although financial motivations for offending appeared to be present in seven of the case studies, identifying other likely motives via the case study analysis proved problematic. In most cases, the investigators were simply not sure – they felt the motives of the offending RFDs were complex and there was an element of frustration that they could not fully establish what led the dealer concerned into criminality. However, whilst motivation was opaque, analysis of the circumstances of the case-studies suggested the existence of a number of leading indicators that the RFD in question was either behaving, or likely to behave in a way that contravened the law. These ‘suspicious’ circumstances included poor record keeping; a chaotic working environment; that the dealer had financial problems; or that a dealer might have strong or extreme views about the ‘right’ to possess firearms¹². These indicators and warnings were not recorded or acted upon by law enforcement agencies because they did not *prima facie* indicate the commission of a crime or lack of fitness to be an RFD holder. An Indicators and Warnings workshop (see ‘Methods’ earlier) outcome, however, was that these factors correlated very highly with known cases of criminal RFDs, and conversely were not common amongst law-abiding licence holders. Viewing this through the lens of an intelligence practitioner, this marks at least some of these 12 cases as intelligence warning failures (Gentry, 2008, p. 248). That is, available information did not result in decision-maker advantage, and later reactive (i.e. police) intervention was required. Betts’ classic 1978 study of intelligence failure notes that some kind of failure in intelligence is inevitable (especially due to ‘innocent’ bureaucratic failings) but marginal, progressive gains in performance can be achieved through well-developed case studies (Betts, 1978, p. 52).

Whilst all RFDs have inherent capability to pose a danger to public safety (a function of their technical skills and access to firearms), there remains the questions of the opportunity and

intent to do so. Opportunity in the context of a dealership relates to the legal framework, oversight, and the effectiveness of law enforcement. Our analysis of the semi-structured interview transcripts identified a number of specific areas for concern in this respect. Firstly, many interviewees argued that it is easier to become an RFD than it is to become a private firearms certificate holder. A member of public who wishes to hold a 's.1' firearms certificate has to demonstrate that they are of 'sound mind', do not have intemperate habits and do not pose a danger to public safety. Further, they need to have 'good reason' to possess each firearm that he or she wishes to possess, and to apply to the police for authority each time they wish to purchase an additional gun (s. 27 of the Firearms Act 1968). In contrast, an RFD need only satisfy the Chief Officer of Police that they are not a danger to public safety (which is not defined) and that he or she will 'engage in business as a firearms dealer to a substantial extent or as an essential part of another trade, business or profession' (s. 34 of the Firearms Act 1968). What constitutes a 'substantial extent' or 'essential part' is not specified. Nor are the police (or Home Office in relation to s. 5 applications¹³) given any training in understanding whether a proposed business plan submitted to support the application to become an RFD is sound, or to assess whether an existing RFD is functioning as a legitimate business. Once granted, an RFD certificate will potentially allow a dealer to possess numbers of firearms limited only by storage space¹⁴. Indeed, several of the case studies we analysed highlighted the large number of guns that an RFD can acquire with no apparent constraints: in one case the dealer had acquired many tens of thousands of s. 5 weapons, primarily 'AK47' assault rifles.

The second reason it was considered easier for an RFD to possess guns when compared to a firearms certificate holder is that the latter is required to declare any relevant medical conditions and, if making an affirmatory declaration, provide medical evidence to demonstrate his or her fitness to hold a shotgun or firearm (Home Office, 2016). An aspiring RFD is not

required to undertake any process in relation to ensuring they are medically fit to possess guns. This means for example, that a person with a psychotic disorder, suicidal tendencies or a physical illness that inhibits their ability to handle a firearm safely can potentially be in possession of many hundreds of firearms.

Our research also identified a number of issues surrounding employees of the RFDs (known in the 1968 Act as ‘servants’). At the time of writing, there is no statutory requirement in England and Wales for prospective employees to apply for any form of authority to work for an RFD¹⁵. Nor is there any form of statutory requirement for RFDs to ‘sponsor’ employees or inform local police forces that someone will be working for his or her dealership. Some of our interviewees noted that police forces have sought means to counter this by including conditions within licencing certificates which oblige an RFD to provide basic identity details of their employees. However, interviewees also acknowledged this was largely ‘unpolicable’. The practical implication is that unvetted servants can have unfettered access to an RFD’s firearms and ammunition¹⁶.

A further issue identified by interviewees was the lack of detail in the statutory requirement under s. 40 of the Firearms Act 1968 for an RFD to keep a register of transactions in firearms and ammunition. Schedule 4 of the 1968 Act provides some limited direction about the nature of the register: this includes that entries must be made within 24 hours after the transaction; should include sufficient information to identify the person or company involved in the transaction and that the register (whether as physical item or electronic record) must be clear and legible and readily available for inspection. However, neither the Act nor the Home Office guidance provides greater level of clarity about *how* a register should be maintained and operated. Both the interviews we conducted and the case studies we analysed confirmed that

this omission is a significant issue. Our analysis found that chaotic, incomplete, or simply incomprehensible registers of sales was a common theme running throughout the case studies. For instance, in one case study the dealer went into liquidation and it was subsequently discovered that many hundreds of guns were apparently missing. Similarly, in another case study, the dealership was closed following the disclosure that the company's owner was in illegal possession of two s. 5 firearms. The RFD involved ran a system of multiple registers which were incomplete or inaccurate and it subsequently took five police officers a week to match the many hundreds of guns in the shop against the multiple registers. In another case study an RFD attempted to use a register to 'hide in plain sight' from the authorities – he was illegally importing handguns (classed as s. 5(aba) prohibited weapons) into the UK from the USA and 'converting' them to s.1 'long barrelled' pistols in the UK. The RFD knew that this was illegal but marked up the register in an attempt to persuade a Firearms Enquiry Officer (FEO)¹⁷ that what he was doing was legitimate. In another case study, following concerns about the export of 0.50 calibre rifles, officers conducted an audit of an RFD's business by examining the register held on the main office computer. However, this was found to be inaccurate and subsequently a further four computers were identified and seized. In total 63 different version of the company's register were found. Moreover, 273 guns were found in premises which were not recorded on the register and a further 1,631 guns were unaccounted. In another case an RFD simply created fictitious entries in his register to suggest that he was selling guns to a private certificate holder. In fact, he was diverting these guns to a friend who kept them in a secret room built into an extension on his property.

The semi-structured interviews we conducted also suggested that law enforcement officers and some of the representatives of the shooting community were concerned that individuals who might be 'suspect' in some way (for example, those who have hoarding tendencies, or have a

strong ideological aversion to controls on hand-guns) could decide on the RFD route to licencing to avoid the ‘good reason test’. Such individuals might then trade with each other, forming a small ‘closed’ loop of a dealers across a number of force areas giving the illusion of trade. We would argue that these concerns are justified, given that FEOs usually conduct audits either as part of the licencing application process or three yearly renewal (to a lesser extent in any annual visits) and if an FEO lacks the time, resources, training or inclination to ‘trace’ any of the sales shown by a dealer, such practices may go unnoticed.

The semi-structured interviews and case studies also highlighted the potential dangers that arise because of RFD registers being ‘standalone’. Unlike guns held on a private shotgun or firearms certificate, there is no requirement for an RFD to register his or her stock with the police. Even if there was, the police do not currently have the ability to enter this information on the National Firearms Licensing Management System (NFLMS). Hence, a gun can be sold or transferred by one RFD (and be marked accordingly on his or her register as being sold) to another dealer (again noted on that person’s register as coming into the dealership) and so on. It is not until the gun leaves this closed loop and is sold or transferred to a (non-RFD) private certificate holder that the police are informed and NFLMS updated. Hence a gun could potentially be within a closed RFD network for many years, and pass through multiple RFDs without the policing being aware. Indeed, the gun could even temporarily leave the RFD network and enter criminal possession, be used, and then placed back into the network and effectively disappear again. A number of case studies we analysed showed how easy it is for guns to disappear within a closed network. Further, if for some reason the attention of the police is drawn to the existence of a gun within the dealer network which needs to be traced, the authorities will have to locate the first dealer, examine the register, seize the gun, or move on to the next dealer if the gun has been traded. If the first dealer’s register is inaccessible or inaccurate, then the gun is effectively

lost until it re-emerges within the dealer network, either legitimately or via its use in crime. Some of our interviewees argued that in effect there are two market places for legally-held guns: the open one, which is driven by individual shotgun and firearms certificate holders who are required to inform police of acquisitions and disposals of guns who, in turn, are required by statute to keep a national register of guns and a 'closed' network which is made up of RFD-to-RFD transactions. Furthermore, there is no effective legislation, policy or oversight of the destruction of guns. If an RFD wishes to do so, they can mechanically destroy a gun (for example, by cutting the barrel into small parts) and mark-up the register accordingly. There is no burden on him or her to prove to the police that the gun has actually been destroyed. Nor is there a burden on the police to oversee or confirm that a dealer's guns have, in reality, been destroyed.

Our case studies and semi-structured interviews also revealed particular concerns with how guns initially enter the UK; that is with customs and border controls and import licences. An RFD who wishes to import a gun from a non-EU country into the UK will apply to the UK's Department for Business, Innovations and Skills for either an 'Open Individual Import Licence' or a 'Specific Import Licence'. However, our analysis of the case studies show that these licences were vulnerable to criminal exploitation. Practitioners we interviewed were also concerned that the current system does not constitute an effective means for ensuring that guns imported by RFDs are in fact what they purport to be or that all guns that have been imported have been entered on a register.

The Firearms Act 1968 places an obligation on a dealer to allow a duly authorised FEO to enter and inspect all stock 'in hand' and to provide the register. However, a common concern, expressed particularly strongly by some of the law enforcement investigators in our research,

was the fact that FEOs do not have a power to enter or search an RFD premises without a warrant. Our interviewees also questioned just how effective an annual inspection regime could be if an FEO could only inspect locations where the dealer indicated guns were kept. Further, a number of police investigators highlighted examples where FEOs had inspected particular parts of an RFD's premises and found 'all in order' only for investigators to subsequently discover illegal 'armouries' in adjacent rooms or lofts. Similarly, they questioned how effective the annual inspection would be if it was pre-arranged (which they perceived was common practice).

Rather than being uncovered by FEOs, the crimes in the cases we studied tended to be discovered as a result either through a complaint or as an unexpected consequence of another criminal investigation – for example, as the result of a domestic abuse investigation, via information from a foreign intelligence service or from a 'tip off'. Some of the police investigators we interviewed for this research questioned how their licensing colleagues allowed a particular RFD to descend into the chaos that appears to be regular feature of criminally-engaged RFDs. Some investigators also questioned whether FEOs were 'too close' to the dealers in question (perhaps as friends or shooting acquaintances, or as part of a criminal conspiracy). This is clearly a sensitive issue but also a pertinent one - FEOs are encouraged to develop working relationships, built on trust with 'their' RFDs to support the flow of intelligence but the lines of demarcation can become blurred. Other investigators challenged whether FEOs were actually performing their role diligently and wondered whether they might be hamstrung by resources, the lack of powers, or simply the lack of cultural inclination for intra- and inter-agency cooperation.

In summary, the results from the analysis of the case studies and interviews would thus appear to support a claim that, with the current dealer regulatory and enforcement regime, the capability and opportunity for criminality amongst RFDs are *de facto* present. A key question is therefore one of intent. As noted earlier, we employed an 'Indicators and Warnings' workshop methodology to explore how the intent by an RFD to commit crime might be better understood. Plenary discussion amongst the syndicates after reviewing each of the scenario findings identified 'motivation' as a key way of understanding the sources and degree of intent. In so doing the syndicates echoed a long-standing and fundamental discourse within both criminology and intelligence studies: why some people commit crime but not others, despite having the same capability and opportunity (e.g. Wikström and Treiber, 2007).

Syndicates were asked to consider a number of existing models for understanding the sources of intent and concluded that an existing framework - one derived from counter-intelligence work, with a focus on the motivation of agents - had good methodological fit. This was the 'MICE' framework ('Money', 'Ideology', 'Compromise', and 'Ego'; Bukett, 2013, pp. 7-18), which police participants in syndicates felt conformed to their own hitherto unarticulated understanding of criminal dealer motivations. In terms of RFDs, examples of 'Money' included personal debt, sudden life changes (such as having to pay child maintenance); 'Ideology' included 'sovereign citizen' thinking (which acknowledges no sovereignty above the self, rejecting State authority (Berger, 2016)); 'Compromise' might include family members or associates involved in illegal activity and those with 'Ego' could be dealers who believed that they 'knew better' than law enforcement or the Home Office. Further, collation of syndicate responses suggested that the best way forward for FEO interviews with RFD applicants was to follow a series of prompts based on the MICE indicators. For example, in

terms of 'Money' the applicant RFD could be questioned in terms of his or her personal finances and business plan¹⁸.

Discussion

This research assessed the threat posed by RFDs and how this might better be identified and potentially reduced. Threat can be expressed as a function of *capability*, *opportunity* and *intent* (Prunckun, 2010, p. 164)¹⁹.

The *capability* to threaten public safety in this context revolves around an RFD having ready access to guns and/or the technical skills to make or modify them. Understandably, some interviewees ventured that RFDs with the capability to import firearms, deactivate firearms or simply to trade in large numbers of s. 5 firearms posed a greater risk than others. Certainly, it is the case that not all RFDs have the same degree of capability to threaten public safety. For instance, a person who is an RFD simply to allow him or herself to have access to expensive shotguns to engrave, might not be capable of making, modifying or reactivating guns. Moreover, such an individual is also unlikely to import firearms or have access to more dangerous s.5 weaponry.²⁰ Also, whilst still lethal, a 'high-end' shotgun is likely to be less attractive to organised criminals than a semi-automatic pistol or machine pistol.²¹ In contrast, a gunsmith who has s. 5 authority from the Home Office and who specialises in bulk storage, deactivation or simply multiple sales, would have access to many more, far more potentially dangerous weapons. The diversity of business models associated with RFDs also make a nuanced assessment of their capability to pose a danger to public safety problematic. Moreover, the number of case studies of dealers known to have threatened public safety represents a small and possibly unrepresentative sample. There is a possibility of law enforcement agencies creating further strategies to police RFD's capability which are based on a limited data-set and

beset with confirmation bias. For example, if the primary focus is based on the risk of a criminal RFD replicating the Gold Dust ‘model’, then police may well uncover similar planned or existing conspiracies, but may well miss other criminal events because the focus is limited to a particular *modus operandi*.

Similarly, RFDs clearly have the *opportunity* to act in ways that put public safety at risk. This revolves around two factors: limitations of the current legislation and weakness of the law enforcement regime. In terms of the law, it is concerning that it is arguably easier to become an RFD than a private certificate holder. Even if the issues around medical assessment and vetting of RFD employees are resolved, the simple ambiguity inherent in ill-defined terms such as ‘substantive business interest’, ‘an essential part’, ‘danger to the peace’ means the interpretation of the tests to become (and remain) an RFD will vary from police force to police force, from FEO to FEO. Once granted, the RFD can effectively use any form of register he or she desires. There is no facility to link dealer registers to a common database accessible by police forces – indeed there is no prescribed format for a register. Moreover, the RFD is not obliged to record any dealer-to-dealer transactions.

Our research suggests that it is currently impossible to generalise which ‘type’ of RFD has the greater opportunity to pose a risk. However, the case studies suggest that RFDs who operate with no effective peer supervision, with large numbers of firearms and who have been trading for fifteen years or more pose a greater risk. However, this requires further research, and a much larger data set.

Moreover, the weakness and inconsistency of law-enforcement’s ability to manage RFDs does little to mitigate some of the opportunities to become a danger to public safety. The semi-

structured interviews we conducted suggest that law enforcement is struggling to adequately oversee RFDs: 24/7 monitoring is sporadic and is unlikely to extend to ‘servants’; there is little evidence of any police forces using open source intelligence or financial intelligence in relation to RFDs; the resourcing of FETs varies considerably, as does their ability to physically visit and audit dealers; FEOs have no formal training in relation to RFDs; there are significant intra and inter-agency siloed working practices and cultures; key stakeholders within law enforcement have divergent and often competing agendas; the importation system is open to abuse. Fundamentally, we can infer from some of the problems discussed in this research that the managing of RFDs should be a multi-agency concern, involving FETs; force intelligence specialists; Border Force; Department for Business, Innovations and Skills; National Counter-Terrorism Police; the Home Office and others. However, we found no evidence of co-ordination – quite the opposite, practitioners amongst our set of interviewees universally voiced frustration about isolated working practices which allow some clear warnings of malfeasance to pass without police response. Arguably, regional fusion hubs, staffed predominantly with intelligence staff drawn from the key stakeholder groups, should coordinate and drive local inspection and enforcement activity and feed into the UK’s Firearms Threat Assessment Centre (FTAC).

The lack of appropriate IT clearly restricts the ability of the police to manage the risk in relation to RFDs. This is particularly so in maintaining accurate records of what guns a dealer possesses at any one time, or when and to whom a gun is sold, transferred, destroyed or exported. Currently, this information can only be ascertained through interrogation of an individual register, in conjunction with the physical inspection of the dealer’s stock. This is a time consuming, resource-intensive process (not least because of the wide variety formats in which registers are maintained). An integrated IT system, in which individual guns can be initially

identified and tracked (perhaps via a bar code or an RFID chip) as they enter the UK or are 'proofed', and which subsequently move from dealer-to-dealer or to private individual (until either re-exported or destroyed) would certainly assist in reducing risk. Whilst not technically inconceivable, this would none-the-less require action from the UK's Home Office, supported by policing agencies and the firearms trade to implement. Such an IT-based system might significantly reduce an area of vulnerability.

Finally, in terms of RFD criminal *intent* our research suggests that the 'MICE' framework is potentially a basis for a continuous appraisal of the fitness of an RFD, as well as aiding decision-making concerning the initial granting of a licence. As with vetting for security-sensitive positions in government, MICE provides for a comprehensive audit of individual reliability, allowing a vetting officer a baseline by which to consider significant life-changes which might compromise that reliability. However, it is important to note that an adverse indicator in any MICE category does not *de facto* provide proof of lack of fitness to become an RFD, or to continue as such. Rather it provides good cause for an FEO or others to dedicate more attention to a particular issue if granting, and to provide a thread for the FEO to follow on renewals or changes to the RFD licence. The advantage gained here is in the realm of FEO efficiency: an FEO can focus more on those applicants or existing RFDs according to concerns raised by these warnings and indicators, using a more evidence-based and objective set of criteria.

The authors are aware of an ethical consideration arising from this publication, namely that it exposes gaps in the current legal and enforcement regime (although a number of details have been removed). However, we note that gaps have already been exploited by criminal enterprises for some time, and indeed these were evident in the case studies analysed for this

research. Corrective actions have already been taken by UK law enforcement organisations as a result of the preliminary findings of this study. The authors are therefore publishing in part to underline and encourage these improvements and efficiencies in the firearms licensing regime. Exploitable gaps are rapidly closing due to the strong focus being given to the subject, steps only accelerated by further scholarly study, which we encourage.

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¹The majority of these concerns are confined to restricted internal police documents, accessible to one of the authors. However, for reporting of Operation Gold Dust see:
<https://www.telegraph.co.uk/news/2017/02/23/antique-firearms-dealer-made-bullets-bedroom-used-two-murders/>.

² Based on MPS RFD records in 2018, representing c. 4% of the total number of dealers in England. RFDs also provide less obvious services, such as hiring of firearms for theatre production and films.

³ A 2014 report by the British Association for Conservation and Shooting (BASC) suggests shooting is worth £2 billion to the UK economy (see <https://basc.org.uk/blog/press-releases/latest-news/shooting-worth-2-billion-to-the-uk-economy/>).

⁴ Funding for the research was provided by the Faculty of Social and Applied Sciences, Canterbury Christ Church University and the MPS.

⁵ Inevitably there will be many more cases where RFDs were de-registered for various reasons but not prosecuted.

⁶ *NVivo* is commercial software designed to support qualitative research and allows for the classifying of data and the identification of themes.

⁷ Whilst these interviewees were acting on behalf of organisations which represent many thousands of shooters, this sample does not purport to be representative. Rather the inclusion of these interviewees was to provide a counter-point to the views from the policing community.

⁸ Importantly, these files included observations on personal, social and environmental factors noticed but not initially linked to criminal activity.

⁹ A pictorial representation (in the shape of a cone projected in two dimensions) which encloses all of the scenarios which are plausible.

¹⁰ This step departs from the usual national security process. Defence and national security teams would normally use one of a few established checklists for such activities (as one example, STEMPLES: Social, Technical, Economic, Military, Political, Legal, Environmental, Scientific).

¹¹ ‘Shop-fronted’ means commercial premises open to members of the public without invitation.

¹² Further research is required to establish the underlying rate of incidence of these ‘suspicious circumstances’ within the law-abiding RFD population.

¹³ S. 5 firearms included weapons normally prohibited for private possession such as assault rifles and handguns.

¹⁴ An exception are the s.5 prohibited weapons which require authority of the Secretary of State to possess and which are generally issued with an upper limit of the number of guns.

¹⁵ For example, from the UK’s Home Office.

¹⁶ However, we found no examples where servants had been implicated in criminal activity.

¹⁷ FEO – Firearms Enquiry Officers, police staff or police officers in the UK responsible for firearms licensing matters.

¹⁸ The workshop syndicates also identified specific indicators the authorities might note in preliminary inquiries on an RFD application, or subsequent unannounced visit, or renewal visit. These are not included in this paper.

¹⁹ Although it is acknowledged that these three factors are not independent and likely to interact in many ways.

²⁰ The Secretary of State has determined that certain firearms are especially dangerous. These include handguns and automatic firearms, and anything designed to fire a noxious substance. These firearms are prohibited under s. 5 of the Firearms Act 1968 and are treated separately from ‘s. 1 firearms’ and ‘s. 2 shotguns’. Dealers can still possess and trade ‘s. 5 firearms’ but require a separate authority from the Home Office to do so.

²¹ That said, there is growing evidence of the rise in the use of shotguns in criminal circumstances, particularly within London (NABIS, unpublished).