

Interim guidance from the BMA for GPs on firearms licensing

The BMA has agreed in principle that where an individual has been granted a firearms licence, or an existing licence has been renewed, the police will subsequently contact his or her GP to enquire whether there is any medical information that might have a bearing on the individual's suitability to hold a firearm.

Although aspects of this agreement were discussed and agreed in principle in November 2010, the BMA was expecting confirmation and further discussion with ACPO on when implementation of the new procedure would occur to ensure GPs were informed and suitably advised prior to the letters being sent out.

Unfortunately this has not happened and police forces have already begun to issue letters to GPs (without the BMA's prior knowledge), which do not provide sufficient instructions or advice. We are currently seeking further discussions with ACPO to try to resolve these issues.

Where doctors wish to respond to these letters and provide relevant medical information, consent to the disclosure of that information should ordinarily be sought, as the letter does not currently indicate that consent has been given. If the patient does not consent to disclosure, this should ordinarily be respected, although the police must be informed to that effect. If, however, the doctor believes that the patient presents an immediate risk of serious harm to themselves or others, information should be disclosed even in the face of an explicit refusal.

Doctors are under no obligation to respond to these letters, but should they decide not to, doctors should inform the police as it will otherwise be assumed that there is nothing relevant on the medical record.

Although the letter from the police states that it does not have to be retained, in the BMA's view doctors should record the request for information in the medical record and indicate what action, if any, they have undertaken. The BMA will be updating its guidance as soon as this matter has been resolved.