

# WHERE DO I WANT MY SHOTGUNS TO GO FOLLOWING MY DEATH?

Many readers will be able to answer this question without hesitation. They may be more concerned about how to give sufficient information to their families to ease the process after their passing, without the potential implications of giving unauthorised access to their shotguns. Honorary Solicitor **Laura Saunbury**, answers regular queries from readers on this delicate issue.

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**A**s a certificate holder, you will be aware that you cannot allow anyone to have access to your shotguns, unless that other person also holds a shotgun certificate or is authorised in some other way to possess shotguns. So how do you avoid leaving your loved one in a situation of having no idea what to do with your guns, or how to access your gun cabinet after your death, without the more immediate risk of getting yourself into trouble with your firearms enquiry officer?

#### WHERE SHOULD I START?

Start by making a clear written note of what you wish to happen to each of your guns following your death – this may not necessarily be the same in all cases. You may be happy for some to be

sold, and for your next of kin or estate to benefit from the proceeds of sale. Alternatively, if some of your guns are of particular monetary and/or sentimental value, you may wish to leave them to one or more specified individuals, in which case it would be sensible for your instructions in relation to those guns to also be included in your will as specific bequests. The process of transferring your shotguns after your death to chosen family members or friends may be quite straightforward, if those other individuals already hold shotgun certificates. However, bear in mind that even if your loved one does not share your enthusiasm for shooting, should they wish to simply keep your shotgun as an heirloom or treasured memento of you without ever using it, the police still

ought to grant them a shotgun certificate for that purpose.

Whether or not you make a will, you would be well advised to lodge a copy of the note detailing your wishes with your gun dealer, along with a spare set of keys to your gun cabinet. This will enable the dealer to promptly take your guns into storage following your death, pending them being transferred or disposed of in line with your wishes. This will alleviate the problem of the guns remaining in your home for anything more than a very short period of time after your death and so minimise the risk of others who live in the house being deemed to be in unlawful possession of your guns.

Providing your nominated dealer only has the means to gain access to your gun cabinet and does not also have keys to enter your property, the dealer cannot be deemed to be in constructive possession of your guns during your lifetime.

#### WHY IS PLANNING AHEAD IMPORTANT?

Planning ahead in this way will mean that the only information you need to give your partner or other next of kin, is the details of the firearms dealer they should contact upon your death. It also

ensures your guns will go to a dealer who you are confident will understand and fully respect your wishes. When the time comes, the dealer can then relieve your grieving family of the extra burden of liaising with the police to notify your death, on top of everything else they will no doubt be struggling to deal with.

#### ARE THERE ANY ALTERNATIVE ROUTES?

If you are unable to find a firearms dealer in your local area who is willing to provide such a service, consider contacting a specialist company, such as Artisan Rifles, which provides a bespoke firearms executor service. Another alternative is that your next of kin or executor of your estate will be able to apply to your local police firearms licensing department for a temporary permit. This will give them legal authority to possess your shotguns for a sufficient

period, enabling them to make the arrangements to transfer your guns in accordance with your wishes, or to a specified gun dealer for sale or other disposal. As with many aspects of life, planning ahead can make matters easier for your family. 🍷



**Laura Saunbury** is a consultant solicitor with a leading London law firm and has ten years experience as the Association's Honorary Solicitor and shotgun licensing advisor.

