

COALITION

for Gun Control / pour le contrôle des armes

www.guncontrol.ca

Discussion of Bill C-42

November 2014

Overview

The Coalition for Gun Control is a non-profit organization founded in 1991 in response to the Montreal Massacre. Its position on firearms regulation has been supported by over 300 organizations to date. Canada's *Firearms Act* is an important piece of our national strategy to prevent gun crime and injury and to support law enforcement. Considerable research has shown that effective regulation of firearms is linked to decreases in firearm homicides and suicides.

Canada's gun laws work. When comparing Canada and the United States, the murder rates without guns are roughly comparable, but murder rates with guns are six times higher in the United States (3.0 compared to 0.49 per 100,000) and murder rates with handguns are seven times higher in the United States (2.16 compared to 0.31 per 100,000). Since 2012, the federal government has introduced major changes that weaken firearms legislation. In response to these changes, leading injury prevention, public health, and public safety experts, as well as women's safety groups, have flagged the risks to public safety that arise. The changes include:

- The elimination of the requirement to verify the validity of a licence at the time of a long-guns purchase or transfer¹;
- The elimination of the obligation to register non-restricted firearms¹;
- The elimination of record-keeping of gun sales (in place since 1977)¹;
- The repeal of the Chief Firearms Officers' authority to oblige businesses to keep records of sale as a business requirement²;
- The elimination of the Gun show regulations³;
- The destruction of the records on 7.1 million guns (so far, the data on 5.6 million has been eliminated because Quebec is still in the process of appealing the decision with respect to its records)¹;
- The delay on the implementation of regulations to comply with Canada's international commitment to regulate and require marking⁴;
- The repeal of the RCMP's authority to reclassify firearms more than one year after the classification decision is made⁵;
- The introduction of an amnesty provision that contradicts the RCMP's decision to reclassify the CZ 858 and certain firearms in the Swiss Arms family because of the risks that they pose to public safety.⁶

Law enforcement officials have warned that the loopholes created by these changes facilitate illegal trafficking and make it harder to prosecute perpetrators of trafficking. Organized crime networks, terrorists and criminals will take the path of least resistance to obtain guns, and it is only a matter of time before these weaknesses are exploited. Now that non-restricted firearms are untraceable, it is much easier for those who want to remain undetected to acquire an unlimited number of guns, including powerful semi-automatics and sniper rifles, without any flags being raised. There is no way to know who owns these dangerous weapons, how they acquired them, or how many are in circulation.

The amendments proposed in Bill C-42 would put Canadians' lives at further risk. This bill weakens controls and would make it easier for legal guns to be diverted to illegal markets. These measures increase the risk of gun-related domestic violence and suicide, particularly youth suicide, and could result in an increased number of gun deaths.

Bill C-42 proposes critical modifications of the *Firearms Act* and of the *Criminal Code* by:

- Relaxing controls on handguns and restricted weapons.
- Weakening the powers of the provincial Chief Firearms Officers (CFO), and thereby preventing provinces from setting standards that are different from the federal standards for the implementation of firearms legislation.
- Allowing the Government rather than the RCMP to determine which weapons are prohibited or restricted, thereby increasing the influence of lobbies and political agendas in public safety decisions.
- Relaxing controls on gun licences for possession (including handgun licences).

Neither the Canadian Constitution nor the Charter of Rights and Freedoms grants Canadians the right to possess and use firearms. The Supreme Court of Canada has repeatedly rejected arguments that the Charter indirectly makes gun ownership a right.⁷ For example, in 2005 the Supreme Court ruled that the “*possession and use of firearms is not a right or freedom guaranteed under the Charter, but a privilege.*”⁸

Canada is one of the only countries in the world that is moving backwards; the government is weakening its controls on firearms while other countries are introducing stronger laws to improve safety and combat criminal trafficking of firearms. The recent changes to gun control have also put the country in breach of its commitments under several international agreements regarding crime gun trafficking⁹, and Canada has as of yet refused to take a position on the Arms Trade Treaty scheduled to come into force on December 24, 2014 with 121 countries as signatories and 53 ratifications.¹⁰

The current government has not shied away from implementing measures argued to increase public safety. Indeed, when tabling Bill C-44, the Protection of Canada from Terrorists Act, Minister Steven Blaney asserted that “[t]he first responsibility of the government is to keep Canadians safe.”¹¹ However, regarding gun control, the gun lobby has enough influence to overcome this “first responsibility”: There is ample evidence that stronger regulations on firearms contribute to public safety. While establishing causal relationships between complex factors is difficult, firearm deaths in Canada have declined with stricter controls on firearms. From this correlation we can infer that strong firearm controls reduce fatalities by curtailing risks that legal firearms be misused or diverted and that they are essential to preventing diversion and to choking off the illegal supply. Information on those in possession of individual firearms is also critical in the process of investigating and prosecuting firearm-related offences.

Controlling the availability of firearms is fundamental to crime prevention approaches that identify firearms as a facilitator of crime and violence. Situational crime prevention suggests that limiting access can reduce the occurrence and lethality of such crimes. While highly motivated individuals with homicidal intent may find ways to acquire a gun regardless of the laws or other measures in place to reduce access, less-motivated individuals will be denied access to lethal weapons. This is particularly important as impulsivity and ease of access play major roles in preventable suicides and domestic homicides.

Being a victim of gun violence is not limited to incidents that result in injury or death and for every crime or injury that is reported to the police, many more are not. Firearms are not only used to kill, they are also used to coerce, intimidate, injure, and subjugate victims. A gun does not have to be fired to inflict serious psychological damage. Around the world and in Canada, the prominence of firearms used in the cycle of violence against women and children has been repeatedly documented.¹²

Gun violence has significant economic and social costs. It is estimated that the cost of death and injury in the mid-nineties was \$6.6 billion per year.¹³ A Justice Canada report estimated the cost of gun crime at \$3.1 billion per year, a figure that excludes important costs that researchers could not estimate, such as costs stemming from the effects on the mental health of victims or of those who have lost a loved one, and on community safety.¹⁴ This estimate also excludes suicides, which are the cause of a large majority of gun deaths in Canada, and unintentional injuries (e.g. accidental discharge of firearms) that place a significant burden on our publicly-funded health care system. In 2006, the Small Arms Survey singled out Canada’s gun law for its significant impact on reducing gun death and injury in Canada, and estimated the decrease in gun injuries and gun deaths since 1995 as saving up to \$1.4 billion Canadian dollars a year.¹⁵

Recommendations

Relaxing the controls on firearms will put Canadians at risk. The Coalition for Gun Control and its member organizations have publicly opposed Bill C-42’s proposed changes. This legislation is not consistent with the Government’s stated commitments to crime prevention,¹⁶ injury prevention,¹⁷ and suicide prevention.¹⁸ We have very serious concerns regarding the impact of the bill on public safety and, in light of the proposed measures, we see no way to amend it in order to make it acceptable. Therefore, we recommend that the entire bill be withdrawn or defeated at the earliest opportunity.

Technical Analysis of Bill C-42

1.1 Provisions weakening controls on restricted firearms including handguns

In 2012, there were more than 576,847 restricted firearms registered to Canadians.¹⁹ This represented a 35 per cent increase from the 425,379 registered in 2006²⁰. This category of guns includes most handguns, as well as other firearms prescribed as restricted (including some long guns such as the AR-15 and Beretta CX-4 used by the shooter at Dawson College in 2006). Legal guns are misused in crime and account for a substantial proportion of crimes with guns. Strict controls over these guns are important to prevent misuse and the diversion of legal guns to illegal markets. In order to be granted a Restricted Possession and Acquisition Licence (RPAL) an applicant must demonstrate that he or she intends to target practice or participate in a target shooting competition, is a gun collector, or that the permit necessary in connection with the applicant's lawful profession or occupation (security, police, etc.). In rare cases, RPALs are granted for the protection of the applicant's life or the life of another (though the applicant must prove that his or her life is in danger and that the police cannot provide sufficient protection).

Canada has a long history of strict controls on handgun possession. Documenting the ownership of handguns is a practice that has been in place since as far back as 1892. In 1913, controls were adopted to ensure that handguns were not sold to a purchaser who did not hold the appropriate permit. Handguns have been registered since 1938 and different degrees of transport requirements have existed since 1968.

Criminal Law Amendment Act, 1968-69

Permit to transport restricted weapon²¹

97 (3) A permit to transport a restricted weapon from one place to another place specified therein may be issued by any person mentioned in subsection (1) to any person who is required to transport that weapon by reason of a change of residence or for any other bona fide reason, and shall remain in force until the expiration of the period for which it is expressed to be issued, unless it is sooner revoked.

Criminal Law Amendment, 1977

Permit to transport restricted weapon²²

106 (3) A permit to transport a restricted weapon from one place to another place specified therein may be issued by a local registrar of firearms to any person who is required to transport that weapon by reason of a change of residence or for any other bona fide reason, and shall remain in force until the expiration of the period for which it is expressed to be issued, unless it is sooner revoked.

The 1991 legislation (Bill C-17) further maintained these degrees of transport requirements while adopting additional protective measures²³. In fact, Parliament amended the said Act by adding thereto the obligation of a holder of a registration certificate in respect of a restricted weapon of having a permit to temporarily store the restricted weapon elsewhere than at the place at which that holder is otherwise entitled to possess it.

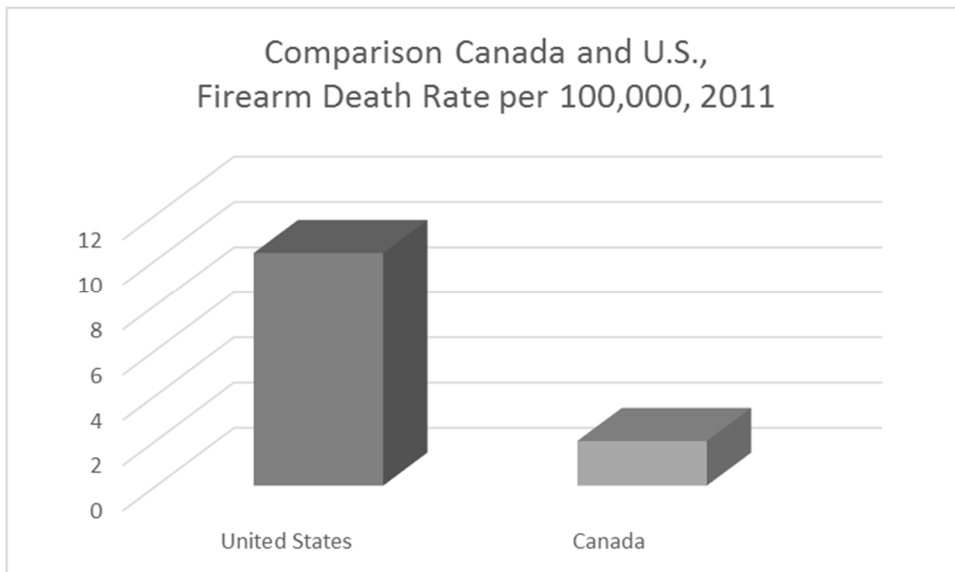
Currently, the provincial Chief Firearms Officer must approve the transport of any restricted weapon including handguns through an Authorization to Transport (ATT) certificate. Some provinces have stricter measures in place. Transportation is approved for transport directly to a shooting club in which the owner is a member, transport directly to a competition and transport for a change of address, or for consignment sale, repair and appraisal.

Bill C-42 proposes that that transportation of handguns by licensed gun owners be unrestricted within the province of possession. ATT certificates would no longer be required. This means that restricted firearms such as handguns could be freely transported in cars at any time, going anywhere within the province. There would be no supervision of the purpose or destination of these travels.

The consequences of weak gun laws are evident when we look at our neighbour to the south. Few controls exist on access to handguns in the United States, and the consequences are devastating. The firearms-related death rate in the United States is 10.3 per 100,000 people for the year 2011, representing a total of

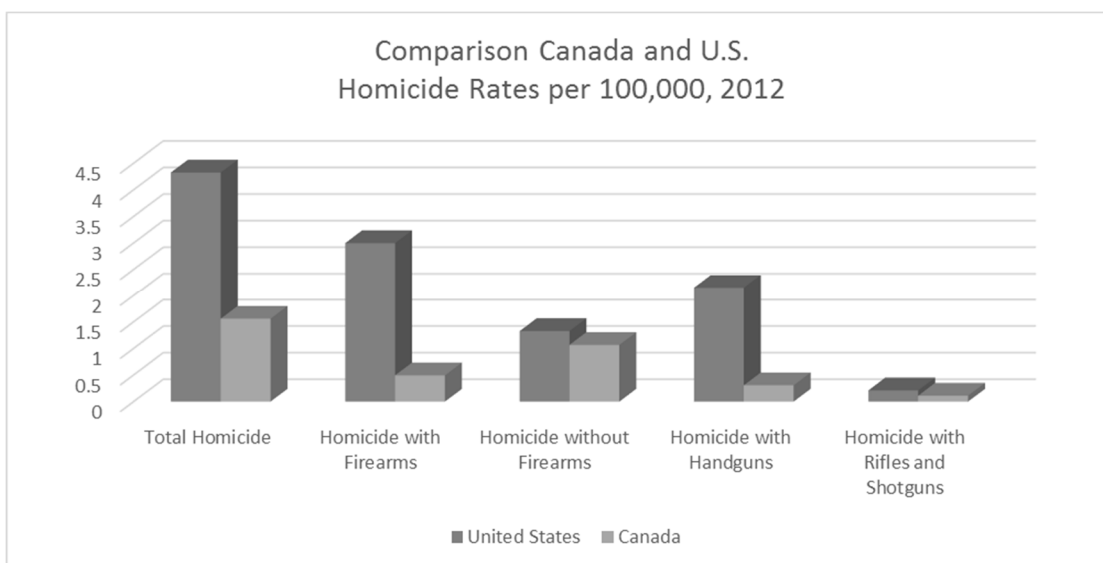
32,163 deaths.²⁴ The rate in Canada was 1.97 per 100,000 (679 total deaths) that same year.²⁵ As with overall deaths by firearms, the consequences of permissive access to firearms can also be seen in homicide and crime statistics. In 2012, the U.S. homicide rate (1.33 per 100,000) for incidents without guns was only slightly higher than the Canadian rate (1.07 per 100,000).²⁶ However, the rate of homicide with firearms in the U.S. (3.00 per 100,000) was 6 times higher than that seen in Canada (0.49 per 100,000) and the rate of homicide with handguns in the U.S. (2.16 per 100,000) was nearly 7 times higher than the Canadian rate (0.31 per 100,000).

Graph 1



Source: Hoyert, Donna L. and Jiaquan Xu. 2012. 'Deaths: Preliminary Data for 2011 - Selected Causes.' National Vital Statistics Reports (NVSS); Vol 61, No. 6, pp.40-42. Hyattsville, MD: US Department of Health and Human Services, Centers for Disease Control Prevention, Division of Vital Statistics. 10 October.; Statistics Canada. Table 102-0540 - Deaths, by cause, Chapter XX: External causes of morbidity and mortality (V01 to Y89), age group and sex, Canada, annual (number), CANSIM (database). (accessed: 2014-10-20)

Graph 2



Source: Boyce J. and Cotter A. 2013. Homicide in Canada 2012, Component of Statistics Canada catalogue, No. 85-002-X, pp.28-29, 31-33, Canadian Centre for Justice Statistics, Homicide survey. December 19 2013. Table 1, 4, 6. <http://www.statcan.gc.ca/pub/85-002->

x/2013001/article/11882-eng.pdf; FBI, Uniform reports, Crime in the United States 2012, Offenses Known to Law Enforcement, Criminal justice information services division. Table 8. http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2012/crime-in-the-u.s.-2012/offenses-known-to-law-enforcement/expanded-homicide/expanded_homicide_data_table_8_murder_victims_by_weapon_2008-2012.xls

1.2 Changes to licencing

1.2.1 Automatic renewal of all licences

This change affects licences **for all categories of firearms** including for the possession of restricted and prohibited firearms.

The license renewal process is essential to allow for regular re-screening for risk factors of violence and suicide that are not in police databases, and to thus reducing the chance that dangerous people have access to guns. For example, a substantial proportion of individuals who kill their partners have either criminal records or a history of psychiatric treatment. In many of these cases, other members of the community have known that these threats and acts of violence were occurring. Screening and licensing firearm owners reduces the risk that dangerous people will have access to weapons. Registration is essential for enforcing licensing.

On several occasions, the position of this government on the importance of the licensing process has been reiterated as coherent with the above. All parties represented are in agreement over this issue and these concerns have been a recurrent theme over the past years within the House of Commons. In fact, Vic Toews, then Minister of Public Safety stated in the House during the debates on Bill C-19:

"First and foremost, all individuals will still be required to be licensed to possess a firearm. We are committed to ensuring that only responsible and qualified individuals own firearms. Even after the passage of Bill C-19, to obtain a licence, individuals must still be able to pass the required Canadian firearms safety course and comply with safe storage and transportation requirements. They will also need to pass a background check, including a review of the individual's criminal record, any history of treatment for mental illness associated with violence, or history of violent behaviour against other people"²⁷.

Risk factors for suicide and homicide are closely linked; consequently, many homicides, including as many as 50 per cent of domestic homicides involving firearms, end in suicide. Coroners have identified access to firearms as one of the top five to ten risk factors determining whether a woman dies in a domestic violence situation.²⁸ For example, in Ontario, a province where only 15 per cent of homes have firearms, 55 per cent of the perpetrators of domestic homicides have access to guns. A firearm in the home dramatically increases the risk of death in domestic violence situations. Six public inquests (following the death of Jonathan Yeo who killed Nina de Villiers and Karen Marquis, the murder of the Kassonde children, the murder of Arlene May, the OC Transpo shooting, the murder of Brian Smith, as well as the inquiry into the murder of Rajwar Gakhal and eight members of her family by her estranged husband) all recommended strong measures for controlling access to firearms, such as the licensing of gun owners and the registration of guns to reduce the risk of further tragedies.

While we understand that the government has set limitations on the use of firearms during the proposed amnesty period but such restrictions will have little impact on the use of firearms in suicides and in acts of violence. The importance of licensing in ensuring that those at risks of violence and suicide do not have access to firearms has been stated numerous times by this government, for example during the debates on Bill C-19 the Parliamentary Secretary to the Minister of Public Safety Candice Bergen stated in the House:

"Gun owners are strong believers in the licensing process. That is where individuals will go through a background police check. They will have to take a safety course. Many times, their spouse is actually spoken to and asked, "How do you feel about your spouse getting a firearm? Are you concerned?" I fully support that process. If we can flag it, and there are times we cannot, but if we can stop it, that is where we can stop individuals from getting guns who should not have guns."²⁹

Currently, a valid firearms licence is the only information with which the police can determine that an individual may own non-restricted guns. The proposed six month amnesty would lead to further degradation of the CFRO data on all licenced gun owners - particularly the addresses of firearms owners - putting police officers,

family members and the public at risk. In the 2007 killing of Laval Police officer Daniel Tessier during a home raid, the media reported that the owner of the legal handgun had not reported his change of address. The Auditor General noted the need to improve the integrity of the data and recommended in section 4.64 of the chapter entitled “Data quality needs to be addressed” of its 2006 audit that: “*Canada Firearms Centre should ensure that its new information system will be able to provide management with the performance information it needs to run the Canadian Firearms Registry*”. This change would also hamper police investigations and in some cases prevent prosecution.

1.2.2 Merging of POL and PAL

It was in 2001 that owners of rifles and shotguns first had to obtain a licence, and at the time there was extensive debate on how to ensure that those who own guns and do not plan on acquiring more comply with the *Firearms Act* requirements. A separate licence category was subsequently created: the POL (Possession-Only License). This type of licence includes a “light” screening for risk factors and reference checks, but applicants are not required to complete the safety training program or pass the challenge on knowledge of the law, risks and safety.

Since 2001, owners who want to acquire more guns have to comply with the full Possession and Acquisition Licence (PAL) requirements, including a rigorous screening for risk factors for violence and suicide and the notification of their current and ex-spouses with regards to their application. There are currently 575,780 POL licence holders and over 1.3 million PAL licence holders in Canada. If POL and PAL licences were merged, those with POL licences may gain the right to acquire more firearms without having to even pass a safety test. Therefore, for public safety reasons, we do not support the proposal that POL and PAL licences be merged.

1.2.3 Mandatory safety course

The *Firearms Act* currently requires that individuals wishing to acquire non-restricted firearms take the Canadian Firearms Safety Course (CFSC) and pass the tests, or challenge and pass the CFSC tests without taking the course. This proposal would remove the latter option.

In recent years, media reports have publicized discrepancies on the way this course is taught and how the exam is administered across the country.³⁰ We encourage the government to provide due diligence to ensure accessibility to the safety course and rigorous standards across Canada, especially in rural and northern communities. These regions have higher rates of gun ownership, as well as higher rates of firearms-related death and injury and police reports of Firearms-Related Incidents.³¹

1.3 Granting the Minister final decisional power over classification

Parliament has classified weapons as restricted or prohibited when the risks they pose outweigh their utility. In 1995, our gun laws banned most semi-automatic assault weapons. There was a firm commitment that certain other guns would also be prohibited, but the list of prohibited firearms has yet to have been updated.

Since 1995, hundreds of new types of military and tactical guns have been imported to Canada. These weapons have features that should make them prohibited, or at the very least restricted. This issue has been highlighted numerous times by safety experts when called as witnesses on Bill C-19; they have flagged sniper rifles that are classified as non-restricted guns such as the L115A3 and the Steyr-Mannlicher HS50, which can pierce armoured cars and precisely hit a target nearly two kilometres away. In 2012, the Canadian Association of Police Boards (CAPB) also passed a resolution calling specifically for the reclassification of these guns.

It is necessary to renew firearms classification criteria regularly to keep pace with modern firearms technology. A variety of experts, including the coroner who inquired into the Dawson College shooting, agree on this. Many have noted that the fact that certain guns are marketed as hunting rifles does not make them hunting rifles. The firearms industry is known to act quickly to make design changes in order to evade

restrictive laws. Laws need to be flexible and vigilantly applied to ensure that importers and manufacturers do not skirt Parliament's intent.

In August 2014, the government announced the entry into force of new Firearms Classification regulations³² that prohibit the amendment of firearm classification determination beyond one year after the day on which the determination was made. These regulations came into force without suitable consultation or study and without ensuring that the classification criteria were up to date before the categories were frozen.

With respect to the Firearms Classification regulations, the government has taken a position that renders the RCMP unable to get military-style assault weapons off the street when more or new information is available. For example, in the winter of 2014, the RCMP reclassified the Swiss Arms variant after new information came to light following a Calgary gun shop's enquiry that accused a competitor of selling prohibited firearms. In light of the new regulation, the RCMP will have to show extensive due diligence before it can classify any new firearms and, if adequate resources are not provided, delays should be expected for importers.

Alongside the proposed changes to section 117.15 of the Criminal Code, Bill C-42 proposes to remove further protections from exterior political influence over public safety by granting the Minister the power to **reverse any** of the RCMP decisions with regards to classification. This would transform decisions about public safety into purely political decisions, justified by discretionary power.

These proposed changes to legislation would be contrary to the spirit of the discussions during the debates on Bill C-19. Accordingly, during the debates in the House of Commons on December 6th 2012, the fact that the RCMP itself was worried about the reduction of firearms controls and the limitation of its means to protect the public was brought to light. Prime Minister Stephen Harper clarified his position on the matter by stating the following:

"Mr. Speaker, I will be very clear. Prohibited weapons exist as a category under the law for essential reasons of public security. Our government has no intention of changing that category"³³.

This bill does exactly that.

1.4 Provisions weakening the powers of the Chief Firearms Officers (CFO)

Chief Firearms Officer (CFO) positions were introduced at the provincial level with the adoption of Bill C-51 in 1977. CFOs are responsible for the decision-making and administrative work related to licences, authorizations to transport and authorizations to carry, transfers of firearms by individuals and businesses, and record keeping.³⁴ By reducing the powers of the Chief Firearms Officers, the federal government may make it difficult for provinces to adapt the national firearms program to better reflect local priorities as they can do now. Examples of measures that could be affected include licence screening, inspection of gun collections and businesses, range construction standards, etc.

1.5 Exchange of information at import

We understand that this change is meant to address a long-standing flaw in the system that has allowed some businesses to divert firearms to criminals after failing to record all of the firearms in their inventory after import, or to report some as deactivated.

This issue was touched upon, for example, in a 2008 report published by the British Columbia Ministry of Public Safety and Solicitor General:

"Individuals cannot import prohibited firearms, but may bring in restricted and non-restricted firearms with certain conditions. A business possessing a special purpose licence may import prohibited firearms for the movie industry. In order to import prohibited and certain restricted firearms into the Canada, a business must apply to the Department of Foreign Affairs and International Trade (DFAIT) for a permit under the Export and Import Permits Act. DFAIT provides an international import

certificate to be used by the exporter to obtain an export permit in the country of origin and DFAIT also provides an import permit to allow the firearms entry into Canada. A shipment will then arrive at the border with the required authorization to import, a permit and the bill of lading. If approved by the CBSA, the shipment of firearms will then proceed to the business which will, in due course, register the firearms. Currently there is no formal notification of the CFO that the shipment has arrived in the province, until that CFO is notified by the Registrar, when the firearms are registered. Unproclaimed provisions of the *Firearms Act* would require notification of the Registrar by the CBSA. **This reliance on registration of the firearm by the business, as the process for notification of their arrival in Canada is a potentially serious flaw in the current process. It can result in unreported prohibited firearms being brought into the country without notification to the CFO.**³⁵

Although the government has known that this problem has existed since at least 2008 if not earlier, this is the first time that it has proposed to fix it.

1.6 Supplementary sanctions

At the time of Bill C-19's study, many expressed outrage that the potential impacts of the legislative changes on women facing violence was not taken into account and that no gender analysis of the bill was performed. Those that spoke up include service providers supporting abused women and women's organizations across Canada, including the BC Society of Transition Houses, the Alberta Council of Women's Shelters, Manitoba Association of Women's Shelters, the Ontario Association of Interval & Transition Houses (OAITH), Fédération de ressources d'hébergement pour femmes violentées et en difficulté du Québec, Transition House Association of Newfoundland and Labrador, PEI Family Violence Prevention Services, the Regroupement des maisons pour femmes victimes de violence conjugale, the Transition House Association of Nova Scotia, the Ottawa Coalition To End Violence Against Women (OCTEVAW), and the Canadian Federation of University Women (CFUW).³⁶

To our knowledge, these service providers were not consulted on the drafting of this legislation, and the supplementary sanctions proposed in Bill C-42 do not address the serious concerns that these actors had about unexpected provisions in Bill C-19. (Bill C-19 not only dismantled the long gun registry, but also removed mandatory verification of a buyer's licence when purchasing a gun, and subsequent regulations ended record keeping requirements for firearms dealers.)

Sanctions do not offer the same level of protection as did the preventive measures that are included in the current *Firearms Act*. The specific measures proposed here only apply to convictions after lengthy court procedures. This is particularly troubling considering that it is estimated that over 70 per cent of incidents of domestic violence go unreported, and that only a fraction of incidents result in formal charges and convictions.

We understand that there are other sections of the *Criminal Code* that a Crown Counsel, a peace officer, or a judge can rely on in order to prohibit the accused from possessing and using a firearm if there are "reasonable motives" to arrest him or her for domestic violence and that this individual owns a gun (for example s.499(2)(e), s.503(2.1)(3), s.515(4.1) and (4.11)). Nevertheless, we encourage the government to ensure that all judges are made aware of the risks of allowing domestic abusers access to firearms, or of returning firearms to potentially dangerous owners under some circumstances (e.g. hunting), as tragedies have occurred as a result of such decisions.

On November 25, 2012, the International Day to End Violence against Women, 35 women who sought assistance in Alberta's women's shelters reported that they had been threatened with a gun.³⁷ A study carried out in the provinces of New Brunswick and P.E.I. on family violence in rural settings found that two-thirds of women indicated the presence of firearms in their home, and said that knowing about the firearms made them more fearful for their safety and well-being; it also found that women were more likely to express concern for their safety when the firearms' owners were not licenced and when the firearms were not registered or safely stored.³⁸

- ¹ An Act to amend the Criminal Code and the Firearms Act, Statute of Canada 2012, Chapter 6. <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=5506066>
- ² Firearms Information Regulations (Non-restricted Firearms), SOR/2012-138, June 29, 2012. <http://laws.justice.gc.ca/PDF/SOR-2012-138.pdf>
- ³ Public Safety Canada.(2012) Public Safety Minister Vic Toews Tables Repeal of the Gun Shows Regulations. October 2, 2012. <http://www.publicsafety.gc.ca/cnt/nws/nws-rlss/2012/20121002-eng.aspx>
- ⁴ Regulations Amending the Firearms Marking Regulations, SOR/2013-203, November 22, 2013. <http://canadagazette.gc.ca/rp-pr/p2/2013/2013-12-04/html/sor-dors203-eng.php>
- ⁵ Firearms Records Regulations (Classification), SOR/2014-198, August 15, 2014. <http://www.gazette.gc.ca/rp-pr/p2/2014/2014-08-27/html/sor-dors198-eng.php>
- ⁶ Order Declaring an Amnesty Period (2014) SOR/2014-56, July 23 2014. <https://www.canlii.org/en/ca/laws/regu/sor-2014-56/latest/sor-2014-56.html>
- ⁷ R v. Montague, 2010 ONCA 141. <http://www.canlii.org/en/on/onca/doc/2010/2010onca141/2010onca141.pdf>; R v. Wiles, 2005 SCR 895, 2005 SCC 84. <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2267/index.do>; R v. Hasselwander, 1993 SCR 398. <http://www.canlii.org/en/ca/scc/doc/1993/1993canlii90/1993canlii90.pdf>
- ⁸ R v. Wiles, 2005 SCR 895, 2005 SCC 84. <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2267/index.do>
- ⁹ For example the 2001 Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA), the Firearms Protocol of the United Nations Convention Against Transnational Organized Crime, Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition [UN Firearms Protocol], the OAS Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms (CIFTA) and the 2005 UN International Tracing Instrument (ITI).
- ¹⁰ <http://www.un.org/disarmament/ATT/>
- ¹¹ Smith, Kristie. "New CSIS bill will protect sources, expand jurisdiction," Ipolitics, October 27, 2014. <http://www.ipolitics.ca/2014/10/27/new-csis-bill-will-protect-sources-expand-jurisdiction/>
- ¹² For example Graduate Institute of International and Development Studies (2014). Small Arms Survey 2014: Women and Guns. Chapter 1, In War and Peace, Violence against women and girls. Cambridge: Cambridge University Press.; Dansys Consultants Inc. *Domestic Homicides Involving the Use of Firearms*. Ottawa: Department of Justice (Canada), March 1992.; Vanessa Farr, Henri Myrntinen and Albrecht Schnabel (Eds.) *Sexed Pistols: The Gendered Impacts of Small Arms and Light Weapons*, Tokyo, United Nations University Press, December 2009.; Reducing Gun Violence in America, The Johns Hopkins University Press. 2013, Chapter 4, Evidence for Optimism: Policies to Limit Batterers' Access to Guns.
- ¹³ Miller, T.R. & Cohen, M.A. (1997) "Costs of gunshot and cut/stab wounds in the United States with some Canadian Comparisons," *Accid. Anal. Prev.* (29): 329-41; abstract at www.ncbi.nlm.nih.gov/pubmed/9183471 as cited in "Reasonable control: gun registration in Canada (Editorial)," *Canadian Medical Association Journal* (CMAJ) February 18, 2003.
- ¹⁴ Department of Justice Canada: Research and Statistics Division. 2012. The Economic Impact of Firearm-related Crime in Canada, 2008. Ottawa: Department of Justice.
- ¹⁵ Graduate Institute for International Studies Geneva. (2006) *Small Arms Survey 2006: Unfinished Business*. (Oxford University Press, USA), in Chapter 8: "The Instrument Matters: Assessing the Costs of Small Arms Violence." Available at www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2006.html
- ¹⁶ Harper, Stephen. (2011) Speech from the Throne, 1st sess., 41st parl., June 3, 2011. <http://www.parl.gc.ca/parlinfo/Documents/ThroneSpeech/41-1-e.html> Excerpt: "These measures will (...) give law enforcement officials, courts and victims the legal tools they need to fight criminals (...). Our Government will continue to protect the most vulnerable in society and work to prevent crime."
- ¹⁷ Harper, Stephen. (2013) Speech from the Throne, 2nd sess., 41st parl., October 16, 2013. <http://www.parl.gc.ca/parlinfo/Documents/ThroneSpeech/41-2-e.html> Excerpt: "Our Government will also: Collaborate with injury prevention organizations, to reduce the injury rate in Canada;."
- ¹⁸ Health Canada. (2009) "It's your Health". www.hc-sc.gc.ca/hl-vs/iyh-vsv/diseases-maladies/suicide-eng.php#phac Excerpt: "The Government of Canada works to help Canadians maintain and improve their mental health, including preventing suicidal behaviour."
- ¹⁹ RCMP Commissioner Report 2012 <http://www.rcmp-grc.gc.ca/cfp-pcaf/rep-rap/2012-comm-rpt/service-eng.htm>
- ²⁰ RCMP Commissioner Report 2006 (available on request)
- ²¹ Canada. Criminal Code, L.R.C. 1968-69, 1st session, 28th parl., art 97(3)
- ²² Canada. Criminal Code, L.R.C. 1977, 37th parl., art 106(3)
- ²³ Bill C-17, *An Act to Amend the Criminal Code and the Customs Tariff in Consequences Thereof*, 3rd session, 34th parl., 1991, cl. 23, (assented to 5 December 1991),
- ²⁴ Hoyert, Donna L. and Jiaquan Xu. 2012. 'Deaths: Preliminary Data for 2011 - Selected Causes.' National Vital Statistics Reports (NVSS); Vol 61, No. 6, pp.40-42. Hyattsville, MD: US Department of Health and Human Services, Centers for Disease Control Prevention, Division of Vital Statistics. 10 October.
- ²⁵ Statistics Canada. Table 102-0540 - Deaths, by cause, Chapter XX: External causes of morbidity and mortality (V01 to Y89), age group and sex, Canada, annual (number), CANSIM (database). (accessed: 2014-10-20)
- ²⁶ Boyce J. and Cotter A. 2013. Homicide in Canada 2012, Component of Statistics Canada catalogue, No. 85-002-X, pp.28-29, 31-33, Canadian Centre for Justice Statistics, Homicide survey. December 19 2013. Table 1, 4, 6.

<http://www.statcan.gc.ca/pub/85-002-x/2013001/article/11882-eng.pdf>; FBI, Uniform reports, Crime in the United States 2012, Offenses Known to Law Enforcement, Criminal justice information services division. Table 8.

http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2012/crime-in-the-u.s.-2012/offenses-known-to-law-enforcement/expanded-homicide/expanded_homicide_data_table_8_murder_victims_by_weapon_2008-2012.xls

²⁷ Vic Toews, Minister of Public Safety. Hansard. October 26th, 2011, 4:50 p.m.

<http://openparliament.ca/debates/2011/10/26/vic-toews-9/>

²⁸ Ontario Office of the Chief Coroner. (2002) Quoted in *The Toronto Star*, 1 April 2004, p. A8. Some of its more recent *Domestic Violence Death Reviews: Case Reviews of Domestic Violence Deaths* reports place access to firearms among the top 10 risk factors; they are available at

www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/PublicationsandReports/DVDR/DVDR.html

²⁹ Candice Bergen, Parliamentary Secretary to the Minister of Public Safety. Hansard. October 27, 2011, 1:20 p.m.

<http://openparliament.ca/debates/2011/10/27/candice-hoepfner-1/>

³⁰ "Firearms instructor gives certificates after helping students with exam. Instructor graduates students without enough course work, says 22-year veteran instructor" CBC News, Feb 20, 2014.

<http://www.cbc.ca/news/canada/manitoba/firearms-instructor-gives-certificates-after-helping-students-with-exam-1.2544002>

³¹ The five Census divisions with the highest rates of firearms offenses per capita in 2007-2008 were Churchill and Northern Manitoba, Northern Region, MB (654 per 100,00); La Ronge, SK (637), Virden Area, Westman, MB (418), Swan River, Parkland Region, MB (317), and Thompson and North Central Northern Region, MB (312) compared to Montreal, Qc (112), Toronto, ON (109) and Greater Vancouver, BC (95). RCMP. "Rank Order of Census Divisions in Canada by Rate of Police-Reported Firearm- Related Incidents, 2007 and 2008 (Draft Copy)," May 2010.

³² Firearms Records Regulations (Classification), SOR/2014-198, August 15, 2014. <http://www.gazette.gc.ca/rp-pr/p2/2014/2014-08-27/html/sor-dors198-eng.php>

³³ Stephen Harper, Prime Minister. Hansard. December 6th, 2012, 2:20 p.m.

<http://openparliament.ca/debates/2012/12/6/stephen-harper-2/>

³⁴ http://www.rcmp-grc.gc.ca/cfp-pcaf/cfo-caf/index-eng.htm_truncated

³⁵ Heemskerk, Tony and Eric Davies (2008) 'A Report on the Illegal Movement of Firearms in British Columbia', Victoria, B.C.: British Columbia Ministry of Public Safety and Solicitor General.

<http://www.pssg.gov.bc.ca/policeservices/shareddocs/specialreport-illegal-movement-firearms.pdf>

³⁶ Canadian Federation of University Women, "Media Release: Senate Study of Long-Gun Registry Bill Excludes Services for Abused Women – No analysis of Bill C-19's gender impact, say women's organizations," April 2, 2012.

<http://cfuwadvocacy.wordpress.com/2012/04/02/media-release-senate-study-of-long-gun-registry-bill-excludes-services-for-abused-women-no-analysis-of-bill-c-19s-gender-impact-say-womens-organizations/>

³⁷ Alberta Council of Women's Shelters. (2013) *2012 Data Count*. <https://www.acws.ca/collaborate-document/939/download/AB-Data-Count-2012-Updated.pdf>

³⁸ Doherty, D. & Hornosty, J. (2007) "Exploring the Links: Firearms, Family Violence and Animal Abuse in Rural Communities," Fredericton, NB: University of New Brunswick Family Violence on the Farm and in Rural Communities Project.