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Impact of Bill C-42: Highlights for Women's Safety Experts

On the very eve of the 25th anniversary of the Montreal Massacre, which resulted in the deaths of 14 women, a new Bill is being debated which would seriously weaken already insufficient controls on the availability of firearms and broaden the availability of the most dangerous ones.

As a result of numerous coroner reports, Public Inquiries, and other studies, it has been proven that the ease of availability of guns is a key determinant of violent death, especially for women in abusive relationships.

Key elements of concern with the Bill include:

- the addition of an automatic renewal period for licenses
- the merging of the current two types of licenses into one, which would
 - dilute screening requirements for risk factors, such as violence and psychiatric disorders, and
 - weaken ex-spouse notification requirements
- the weakening of the powers of provincial Chief Firearms Officers to restrict licenses, thus removing any scope at the provincial level to adapt regulations to local issues and conditions
- the elimination of restrictions on the transportation of hand guns and other restricted firearms
- the continuing lack of
 - mandatory verification of a buyer's licence when purchasing a gun, and
 - no requirement for dealers to maintain records of sale
- the focus of the Bill on the application of sanctions after the fact, rather than preventative measures, which would leave women and children in serious peril from those for whom consequences have little persuasive value

There has been no consultation on the Bill with authoritative agencies such as women's organizations and service providers that have extensive experience in supporting women who have been abused and remain in danger from their abusers.

Expanded Highlights:

Bill C-42 weakens firearms legislation with respect to control of availability of firearms.

Controlling the availability of firearms is fundamental to public safety, especially the safety of women and children, as impulsivity and ease of access play major roles in domestic homicides.

- There is a proven statistical correlation between stricter gun regulations and the decline of firearm-related deaths in Canada.
- Six public inquests into high profile murders have recommended strong measures for controlling access to firearms.
- Coroners have identified access to firearms as one of the top five to ten risk factors determining whether a woman will die in domestic violence situations.
- In Ontario alone 55 per cent of the perpetrators of domestic violence have access to guns.

Women's organizations, including service providers that have extensive experience in supporting abused women, were not consulted on the drafting of Bill C-42 and Bill C-42 does not take into account the serious concerns that relevant organizations raised with respect to earlier gun control legislation. Consequently Bill C-42 would make women and children more vulnerable to violence, including homicide, than is currently the case.

There are several aspects of Bill C-42 that are problematic for public safety, especially for vulnerable women and children.

- The Bill proposes an automatic renewal (amnesty period) of six months, which would significantly delay re-screening for risk factors such as violence, suicide and psychiatric diagnoses, as well as updating of basic data, such as current address.
- The Bill proposes that Possession and Acquisition licences and the less-regulated Possession-Only licenses be merged into one. This would weaken screening for risk factors for violence and suicide and the notification of current and ex-spouses.
- The Bill weakens the powers of provincial Chief Firearms Officers and eliminates restrictions on the transportation of guns.
- The Bill focusses on sanctions after the fact, rather than preventative measures, thus placing the burden and risk on women.
- There is still no mandatory verification of a buyer's licence when purchasing a gun and no requirement for firearm dealers to maintain records of sale. Therefore, anyone with bad intentions can easily acquire a firearm and use it without having effective measures that would limit abuses.
- Law enforcement officials have warned that new and continuing loopholes created by Bill C-42 facilitate illegal gun trafficking and make it harder to prosecute perpetrators of trafficking.
- The Bill introduces supplementary sanctions that are meant to protect children and women who are victims of domestic violence, such as broadening the definition of "intimate partner" in the *Criminal Code* and adding to mandatory and discretionary prohibition orders. However, these elements are ex-post facto and do nothing to protect the 70 percent of women who are unable or unwilling to report domestic violence or threats.
- The Bill grants the Minister the power to reverse any of the RCMP's decision with regards to classification of firearms, thus politicizing and slowing the classification of changing gun technology.