

**THE STANDING SENATE COMMITTEE ON NATIONAL SECURITY AND DEFENCE  
EVIDENCE**

OTTAWA, Monday, April 1, 2019

The Standing Senate Committee on National Security and Defence, to which was referred Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms, met this day at 11 a.m. to give consideration to the bill.

**Senator Gwen Boniface** (*Chair*) in the chair.

**The Chair:** Honourable senators, welcome to the Standing Senate Committee on National Security and Defence. Before I begin, I will ask my colleagues to introduce themselves.

(French follows - Sen Dagenais— Jean-Guy ... )

(après anglais -The Chair: ... to introduce themselves.)

**Le sénateur Dagenais:** Jean-Guy Dagenais, du Québec.

(anglais suit — Sen. Boisvenu: Pierre-Hugues Boisvenu, from Quebec...)

(Following French - Sen Dagenais — ... Quebec.)

**Senator Boisvenu:** Pierre-Hughes Boisvenu, from Quebec.

**Senator Richards:** David Richards, New Brunswick.

**Senator Plett:** Donald Plett, Manitoba.

**Senator Griffin:** Diane Griffin, Prince Edward Island.

**Senator Kutcher:** Stan Kutcher, Nova Scotia.

(French follows — Sen Pratte — Andre ... )

(après anglais — Sen. Kutcher: ... Stan Kutcher, Nova Scotia.)

**Le sénateur Pratte:** André Pratte, du Québec.

(anglais suit — Sen. Busson: Bev Busson, British Columbia... )

(Following French — Sen Pratte — ... du Quebec.)

**Senator Busson:** Bev Busson, British Columbia.

**The Chair:** And I am your chair, Gwen Boniface, from Ontario.

Today, we are continuing our study of Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms. We welcome, from the Canadian Association of Emergency Physicians, Dr. Alan Drummond, co-chair of the public affairs committee. He is accompanied, via video conference, by Dr. Howard Ovens, member, public affairs committee. And from the Canadian Federation of Nurses Unions, we have Linda Silas, President. We welcome all of you. Dr. Drummond, I understand you have some words you'd like to open with.

**Alan Drummond, Co-chair, Canadian Association of Emergency Physicians:** The Canadian Association of Emergency Physicians is the national specialty society of emergency medicine with over 2,200 members. I live in rural Perth, Ontario and I'm a Conservative gun owner. With me by video link is Dr. Howard Ovens, an urban emergency physician at Mount Sinai in Toronto, an academic professor of emergency medicine and one of the lead authors of our last position paper on gun control.

I know that you have had a lot of meetings with respect to this issue, and I also know that you know Canada has a gun problem. You are aware that in the OECD, Canada ranks fifth highest among nations for gun deaths per capita. Our members and Canadians don't need more studies before we act on the strong evidence currently available. Canadian hospitals now routinely practice active shooter protocols and our trainees no longer have to travel to large American cities to learn how to manage penetrating trauma from handguns. This is now a Canadian reality.

While the political and media focus seems to be on gangs and guns, it is important to remember that 80 per cent of all firearm deaths are secondary to suicide. Though we are not oblivious to the problem and are deeply concerned about these presentations to our emergency department, we tend to see gun control through the lens of public health, suicide prevention and a reduction in intimate partner violence.

There are two major issues for us. For many of the things that come in with mass shootings and urban crime, the solutions lie beyond the trauma bay. They lie with our sociologists, politicians and our police in terms of developing criminologist upstream solutions to these problems. In the emergency department, on a daily basis we are faced with those who would threaten suicide or those who are exposed to intimate partner violence, and that is something that could have an impact for us.

Canada has one of the highest rates of suicide by firearms in the developed world. There are 500 Canadians who commit suicide with guns on an annual basis. Many of these are rural Canadians using perfectly legal and accessible long guns. These are preventable deaths. I think it's important to emphasize that. There is strong and robust scientific evidence that a gun in the home is associated with a higher risk of suicide. It has been shown that for every 10 per cent decline in gun ownership in a home, firearm suicide rates dropped by 4.2 per cent and overall suicide rates dropped by 2.5 per cent.

Regarding suicide, it is clear that suicides are impulsive and that the suicidal crisis is largely temporary. Most people who commit suicide never repeat it. More than 90 per cent of those who survive a suicide attempt do not go on to die by suicide. There is often no substitution of method when guns are removed from the home.

Of course, in some, and regrettably so, substitution of method can occur. I'm not saying it doesn't, but the effect is not as much as one would think, with a good number of studies showing relatively little substitution effect.

Study after study in the international literature has conclusively shown that access to firearms increases the risk of suicide and that a reduction in such access reduces both the risk of suicide by firearm and overall suicide rate. Any legislation aimed at reducing access to firearms, particularly for those at risk, can reasonably expect a reduction in the number of suicides.

Let's move on to intimate partner violence. Every six days in Canada, a woman is murdered by her current or former partner, in many cases with a gun. All had a past history of domestic violence. The risk of death to a victim of intimate partner violence is significantly higher when there is access to a firearm in the home. It may, in fact, increase the woman's risk of death fivefold in that circumstance and is an important point of questioning when we look at the danger assessment of those who present to our emergency department.

Rural women are particularly vulnerable to suicide by firearm and rifles and shotguns — not handguns — appear to be the weapon of choice and are used in 62 per cent of such spousal homicides.

Firearms are not only used for homicide in intimate partner violence. The study has shown that the perpetrators of intimate partner violence will often intimidate their partners by threatening to shoot them, a pet or someone, or by cleaning or holding a gun while involved in an argument. Again, this is an issue for us of keeping the guns out of the hands of individuals at risk.

Our response to the proposed legislation changes is one of overall support, recognizing that this is just a first step in what is needed as a more comprehensive approach to gun control.

**The Chair:** Dr. Drummond, can I ask you to slow down for the purpose of translation?

**Dr. Drummond:** With respect to Bill C-71, the enhanced screening provisions and background checks, or at least the expansion of the timeline for seeking clinical red flags, resonates with us. We agree entirely that there must be rigorous screening and restriction of licensing for those individuals deemed to be at risk.

We have encouraged the government, however, to take that one step further and suggest that there be mandatory reporting by physicians of those individuals at risk by virtue of untreated severe mental illness and those identified at risk of intimate partner violence. This would allow for identification of individuals at temporary risk and limit access to firearms until the mental health or social crisis has been deemed to have been resolved.

This would be a very small step in the right direction but has the potential for saving lives. Any Canadian life saved, in our view, is worth the effort.

Thank you.

**The Chair:** Thank you very much.

**Linda Silas, President, Canadian Federation of Nurses Unions:** Thank you very much, senators, for inviting me to attend on behalf of the Canadian Federation of Nurses Unions. We represent nearly 200,000 nurses and students from across the country. I am president of CFNU and a registered nurse from New Brunswick. I am part of the East Coast on this end.

CFNU is the largest nursing organization in Canada. Our members work in hospitals, long-term care and community and home care. Over 90 per cent of our members are women. Our membership runs from downtown urban nurses to rural and remote nursing. Many of our urban nurses treat gunshot wounds on a daily basis, many of our rural nurses live in communities that enjoy hunting and our position on gun legislation is informed by this diversity of experience among our membership.

We know that gun violence is very costly, whether it is someone suffering after a suicide attempt, a woman injured by a firearm during a violent domestic dispute, a child wounded accidentally, a gang-related shooting or the aftermath of a mass shooting. Nurses, doctors and the rest of the health care team will be there waiting in emergency rooms to witness the outcome.

Senators, you know these statistics and as a nurse I feel it's important to repeat those that relate to health care. In 2011, they put the cost of treating a single gunshot wound at nearly \$500,000. That's for one gunshot wound. Between 2008 and 2015, nearly 6,000 Canadians died from firearms-related injuries, and that's just in seven years. There were 223 reported firearm-related homicides in 2016, an increase of 44 from the year before.

2016 was the third consecutive year of increases in numbers and the rate of firearm-related homicides in Canada. This data tells two stories: First, that firearm-related violent crimes have a costly impact on our health care system and on our community. Second, that stricter gun control laws reduce the frequency of violent crime committed with firearms.

In the wake of the Polytechnique massacre in 1989, I testified before a parliamentary committee on behalf of the then-National Federation of Nurses Union calling for stricter gun control laws. Thirty years later, here I am again.

Members of this committee should listen to the thoughtful and decisive action of the Prime Minister of New Zealand in the wake of the Christchurch terrorist attack two weeks ago. The scale of the horrific terrorist attack is difficult to comprehend, and I'm here to remind us of the massive cost this attack had on the health care system and its workers.

Here is a quote from the CEO of the Canterbury District Health Board that will give you a sense of the impact: As you can imagine, 49 gunshot wounds, they just didn't trickle in. They came in en masse, and we already had an emergency department that was already full of sick

people, and we have operating theatres that were already full and underway. The New Zealand health minister recently stated that the mental health needs resulting from the Christchurch attack are expected to last years.

After introducing new laws to ban semiautomatic guns and assault rifles, New Zealand Prime Minister Jacinda Ardern said to the media that we do have guns in New Zealand that are used by responsible owners, and that includes in rural communities. I've been steadfast in my belief that the vast majority of those gun owners will support what we're doing today because it is about all of us, national interests and safety, and Bill C-71 is the same.

Day in and day out, nurses treat and care for victims of smaller-scale tragedies involving individual victims of gunshot wounds, and yet it seems only huge tragedies galvanize public attention and motivate political action.

Do we need another Polytechnique, Ottawa shooting, Quebec city mosque or Danforth shooting, where a nursing student, Reese Fallon, was killed on July 22, 2018? The mother, an RN of one of Reese's friends who was dragged to safety wrote to me recently and reminded CFNU that we have to show leadership in addressing gun violence. This cycle needs to end with Bill C-71. It must be adopted and maintained. While we believe that Bill C-71 is an important start, Canada's nurses also want to see more done in gun control beyond this legislation.

As Dr. Drummond said, this is only a beginning. In our brief to the House of Commons, we presented the following recommendations: The first that were adopted, the background check included history of domestic violence and mental health issues. We also need to include that health care professionals report individuals who are threats to themselves and others. We need to increase data collection. We need to say no to military-style assault rifles. Lastly, we need to increase education on preventing accidents.

Let's not wait for another horrific terrorist attack to shake Canada into taking action on guns. Let's create a healthier and safer society. It is clearly a public health issue. Thank you.

**The Chair:** Thank you, Ms. Silas. Dr. Ovens, I understand you are available to answer questions.

**Howard Ovens, Member, Canadian Association of Emergency Physicians:** Yes. Thank you very much.

(French follows - Sen. Dagenais - Merci a nos invites.)

(après anglais — Dr. Ovens - ... Thank you very much.)

**Le sénateur Dagenais:** Merci à nos invités de leur présence. Mes questions s'adressent au Dr Drummond. Vous savez comme moi qu'il n'y a pas juste les armes à feu qui blessent ou qui tuent. Les couteaux sont également des armes souvent utilisées dans des conflits autres que ceux du crime organisé. Chez nous, dans quelle proportion constatez-vous des décès par des armes tranchantes comparativement aux armes à feu?

(anglais suit — Dr Drummond: Senator, thank you for your question.)

(Following French — Senator Dagenais - . . . armes a feu?)

**Dr. Drummond:** Senator, thank you for your question. We have studiously, as an association, avoided discussions of crime and homicide. We are not criminologists or sociologists; we treat injuries. Speaking as an emergency physician, we are here specifically to address the issues with respect to Bill C-71, which does not address knives. It addresses guns, as you well know.

A knife attack will not cross a Toronto school ground and kill a 4-year-old. A knife attack will not kill 49 people in a mosque in New Zealand. I'm not going to engage in a debate about crime because that's not where we're coming from. We're coming from a position of suicide

prevention and intimate partner violence. Although I understand the intent of your question, we're going to restrict ourselves to firearms, suicide prevention and intimate partner violence. We are not going to talk about crime.

(French follows - Sen. Dagenais - Maintenant, vous avez parlé . . .)

(après anglais — Dr Drummond: ... not going to talk about crime.)

**Le sénateur Dagenais:** Vous avez parlé d'intervention ou de dénonciation à la police lorsqu'il y a des problèmes de santé mentale. Cela pourrait avoir un impact sur le taux de crimes commis avec des armes à feu légalement détenues par une personne. Dans quelle mesure les interventions ou les dénonciations à la police se font en faisant la distinction entre un incident qui implique une arme blanche ou une arme à feu? Le dites-vous à la police?

(anglais suit — Dr Drummond: Yes I can. What I will do is, my colleague, Dr. Ovens ...)

(Following French — Senator Dagenais - . . . a la police?)

**Dr. Drummond:** Yes, I can. My colleague Dr. Ovens wrote a paper with respect to the mandatory reporting of gunshot wounds in the emergency department, which was the first of such legislation that was passed in Ontario and became almost a pan-national project. I believe there are seven provinces now that have mandatory reporting for gunshot wounds. I'm going to leave that question for Howard.

**Dr. Ovens:** Thank you very much for the opportunity to speak today. We're up to, I believe, nine provinces in Canada that have mandatory reporting of gunshot wounds. The rationale for requiring mandatory reporting of gunshot wounds, which is completely analogous to our rationale for wanting to report people who are at risk for misusing firearms who have access to them, is when you employ a gun, either in an attempt to harm yourself or in an attempt to intimidate or harm a loved one in your family, whether it's an accident or whether it's in some other venue, first of all, the gun is highly lethal. Many people will survive attacks using knives or bare hands, and there is an opportunity for recovery and healing. With guns, the lethality is very high. Ninety per cent of suicide attempts employing a gun lead to death whereas, for instance, if you overdose on drugs, far less than 1 in 100 — perhaps a couple in a thousand — will lead to death of the person.

As Dr. Drummond mentioned, there is the risk to people who are nearby -- the lethality-at-a-distance concept -- which is a significant public health factor. When guns are fired, bullets can go long distances and injure people who are what you might call "collateral damage."

For those reasons, we believe guns occupy a special place. We would like the ability for physicians who are aware of suicidal thinking, domestic strife in a home, where there are firearms present, we'd like to be able to violate our oath of privacy and our legislated requirements and notify the police that a danger exists.

(French follows - Senator Dagenais - J'ai une question qui s'adresse . . .)

(après anglais — Mr. Ovens: ... the police that the danger exists.)

**Le sénateur Dagenais:** J'ai une question qui s'adresse à Mme Silas. Pourquoi le comité de la Chambre des communes n'a-t-il pas retenu vos recommandations pour améliorer le projet de loi C-71?

**Mme Silas:** C'est une très bonne question, monsieur le sénateur.

Si je suis ici aujourd'hui, ce n'est pas parce que j'ai réalisé un projet de recherche comme le médecin qui comparait par vidéoconférence aujourd'hui ou que je travaille directement dans le milieu du suicide ou de la violence conjugale. Ceux qui font du lobbying pour obtenir plus de souplesse en ce qui a trait à la possession d'armes à feu ont beaucoup plus de ressources et d'argent que ceux qui font du lobbying contre les armes à feu ou pour obtenir un contrôle plus

sévère des armes à feu. C'est pourquoi nous assistons, depuis 1991, à toutes les présentations devant les comités des gouvernements provincial et fédéral.

L'industrie des armes à feu fait beaucoup de lobbying. Il est important d'entendre des organisations comme les médecins d'urgence et les infirmières vous dire que les fusils représentent un danger réel. Un fusil tue. Un fusil entre les mains d'une personne malade est dangereux. Tout gouvernement a la responsabilité de prendre toutes les précautions possibles pour protéger le public. Il ne s'agit pas de rendre cette industrie encore plus riche qu'elle ne l'est aujourd'hui.

**Le sénateur Dagenais:** Vous dites qu'une personne malade peut posséder une arme à feu. Une personne qui souffre d'une maladie mentale, permanente ou temporaire, peut détenir un permis légal ou utiliser une arme empruntée. Êtes-vous en mesure de déterminer si cette personne détient ou non un permis légal?

**Mme Silas:** Dans la société d'aujourd'hui et la santé publique, il y a deux aspects. Un professionnel de la santé, particulièrement un médecin, doit rapporter à la police ou aux services sociaux tout incident qui représente un danger. Par exemple, tout professionnel de la santé doit rapporter tout incident de violence envers les enfants, peu importe les motifs. Si une personne âgée n'est plus apte à conduire, peu importe la relation entre un médecin et son patient, le médecin doit le signaler afin que le permis de conduire soit retiré à son patient.

Lorsqu'on parle de permis de conduire ou de possession d'armes à feu à domicile — ce n'est pas toutes les personnes qui possèdent un permis qui commettront des actes criminels — pourquoi le professionnel de la santé ne devrait-il pas rapporter à la GRC le problème potentiel?

**Le sénateur Dagenais:** Merci beaucoup, madame.

**Le sénateur Boisvenu:** Bienvenue à nos témoins. Personnellement je crois que les vrais enjeux en matière de sécurité sont beaucoup plus liés au crime organisé, les petits comme les grands criminels. En Colombie-Britannique et à Edmonton, on a investi dans les corps policiers, ce qui s'est traduit par une diminution marquée du nombre d'homicides liés aux armes à feu.

Depuis la fin des années 1979, on a mis en place les permis d'acquisition d'armes à feu et la formation des chasseurs. Entre 1979 et 1995, le Canada a investi 2 milliards de dollars dans un registre national des armes à feu. Les homicides et les suicides commis avec des armes à feu ont diminué de 40 p. 100. De 1995 à 2010, où un contrôle des armes à feu très sévère a été mis en place, la réduction n'a été que de 35 p. 100.

Établir une relation directe entre la baisse des homicides et des suicides avec des outils ou une réglementation gouvernementale n'a jamais été faite. Alors, ma question est simple. En quoi ce projet de loi aura-t-il un impact sur la sécurité publique, sur la diminution des homicides et des suicides alors qu'on a investi 2 milliards de dollars dans un registre en 1995 qui n'a eu aucun impact sur la diminution des homicides. Cette diminution a même été plus faible que lorsqu'on n'avait pas de contrôle au moyen d'un registre.

(anglais suit -- The Chair: Senator Boisvenu, who are...)

(Following French — Senator Boisvenu — contrôle au moyen d'un registre.)

**The Chair:** Senator Boisvenu, who are you directing your question to?

(French follows — Senator Boisvenu: Ma question s'adresse ... )

(après anglais -- The Chair: ... directing your question to?)

**Le sénateur Boisvenu:** Ma question s'adresse aux trois témoins.

(anglais suit —Dr Drummond: Thank you very much. I'll try to answer your question ...)

(Following French — Senator Boisvenu — aux trois témoins.)

**Dr. Drummond:** Thank you very much. I'll try to answer your question.

I think there was some debate about what the impact of the gun control registry was. Apparently, our professional colleagues in Quebec would disagree with you, and in fact, they reinstated the registry after the Harper government disbanded it. I know there was a presentation from the Quebec Canadian Public Health Association to the Quebec government committee that was looking at reinstatement of the registry and said that, in their view — maybe not the view of who you have been reading — there was a substantial impact in reduction, particularly with respect to suicides. The Quebec Canadian Public Health Association believed that, courtesy of the registry in 1996, there had been a reduction of at least 300, 400 or 500 deaths per year on the basis of suicide. So I understand that there's conflict and disagreement about the —

(French follows — Senator Boisvenu: Je regarde les statistiques...)

(après anglais — Dr. Drummond: ... and disagreement about the —)

**Le sénateur Boisvenu:** Je regarde les statistiques que nous avons entre les mains. Au moment où il n'y a pas de registre au Canada entre 1974 et 2015, la diminution était de 40 p. 100. Entre 1995 et 2010, où met en place un contrôle très serré des armes à feu, la diminution n'est que de 35 p. 100.

En quoi le projet de loi que vous défendez aujourd'hui aura-t-il un impact sur la diminution des homicides et des suicides? Ma question est claire. Quel élément du projet de loi aura un impact à cet égard?

(anglais suit — Dr. Drummond: Well, if you'd let me finish my answer ...)

(Following French — Senator Boisvenu — aura un impact à cet égard?)

**Dr. Drummond:** Well, if you'd let me finish my answer, I'd be happy to provide that.

When I first became involved in the discussion around Bill C-68, there were 1,400 firearm suicide deaths per year in Canada. There are now about 500, so something seems to be working with respect to suicide reduction. That's the first thing.

Specifically with respect to Bill C-71, this is largely a crime control bill. We freely admit that. We are not criminologists and we do not know about the prevention of crime. However, there is the concept of prolonged or extended review of one's history looking for clinical red flags with respect to psychosis, suicidal depression or intimate partner violence. We believe that's a very good first step in pushing forward our concept, which is that of mandatory reporting.

(French follows — Ms. Silas: Je suis entièrement d'accord...)

(après anglais — Dr. Drummond: ... which is that of mandatory reporting.)

**Mme Silas:** Je suis entièrement d'accord avec le Dr Drummond. Les pourcentages que vous avez mentionnés vont tous en descendant. Pour une question de santé publique. Si on peut réduire les incidents au moyen d'armes à feu, c'est un pas dans la bonne direction. Alors, le projet de loi qui est devant nous ira encore plus loin.

(anglais suit — Sen. McIntyre: Thank you all for your presentations ...)

(Following French — Ms. Silas — ira encore plus loin.)

**Senator McIntyre:** Thank you all for your presentations. I draw your attention to the collection of data analysis of firearms deaths, injuries and crimes.

Is there a link between the mandatory reporting of firearm injuries and better tracking and analysis of this data? If so, would it allow for better tracking and analysis of this data?

**Dr. Drummond:** Do you want to take that, Howard?

**Dr. Ovens:** Yes. Thank you.

If I understood the question correctly, it was: Would mandatory reporting of gunshot injuries improve our knowledge and ability to analyze data in the country? Did I get it correct?

**Senator McIntyre:** You have it correct.

**Dr. Ovens:** In Ontario, when we called for mandatory gunshot wound reporting, we asked for a public registry of anonymized data that would be available for data analysis, as you've described, and we think it would be a very helpful tool. Unfortunately, I believe for mainly privacy reasons, the registry was never completed. It remains part of our position, as the national association of emergency physicians, that along with mandatory reporting, there should be a registry of these injuries which should do its best to protect people's privacy. It should be available for researchers of all kinds in order to analyze patterns in gun injury in our communities.

**Senator McIntyre:** Does the mandatory reporting of firearm injuries by physicians or health care professionals exist in some provinces? If so, which ones?

**Dr. Drummond:** I believed there were seven, but Howard has corrected me that nine provinces have adopted the Ontario model of mandatory reporting of gunshot wounds to the emergency department. Which ones are deficient, I do not know.

To add to Howard's comment, we have been clear that we need more Canadian-based research on gun-related injury and its prevention. We tend to rely on international studies, particularly from America, believing that some phenomena are universal. Since the beginning, we have called for better funding of firearms research that is Canadian-based.

**Senator McIntyre:** I take it that you both want to extend the mandatory reporting to a national level?

**Dr. Drummond:** You might misunderstand me, and I apologize if that's the case. Dr. Ovens was talking about someone showing up in an emergency room with a gunshot wound. We would like to see a linkage between this bill and others, and mental health.

There are people who come to our emergency department who express suicidal thoughts. We don't send everybody under a mandatory review order or a Form 1. Sometimes we have to make the clinical decision about sending them home. We don't know if they have an arsenal in their home. We do not know if they have access to guns. There is no mandated requirement for them to tell us, so sometimes we send people back with questionable concern for their suicidal ideation who do have access to firearms. We believe it would be in everybody's interests if we could report to the police from the emergency department asking for a temporary removal of firearms from the home until the mental health crisis passes.

Similarly, if someone comes in with psychosis — and it's not a crime to be psychotic in Canada — and paranoid thinking who wants to shoot the Senate of Canada. We don't know if they have an arsenal of firearms or the ability to do that. It would be nice in those circumstances to be able to say to the police, "We're not sure what's going on here, but we'd like firearms removed until this can be resolved."

Similarly, imagine a wife shows up who is the victim of domestic assault or concerns about domestic violence in the home. Again, no idea if there are firearms in the home until that social crisis can be resolved to our satisfaction.

When we talk about mandatory reporting, that's what we are talking about specifically.

**Senator Plett:** Let me start off by making a comment. Dr. Drummond, you wouldn't or perhaps couldn't answer Senator Dagenais's question about stats, and you said it was not your position to deal with the criminal aspect of the bill — and I'm paraphrasing here. Yet in your

opening comments, you talked — and you've talked a few times — about spousal abuse and intimate spousal violence. That is a crime.

**Dr. Drummond:** Yes, I understand.

**Senator Plett:** If you are dealing with that, you are dealing with a crime.

Do you have stats where — and let's throw suicide in there, too, although you clearly said that suicide prevention is obviously working, and I'm assuming that's working for all methods of suicide, not just one. If the suicide rate has gone down by 50 per cent in the last —

**Dr. Drummond:** Firearm-related suicide.

**Senator Plett:** Okay. That's the only one that has gone down; is that correct?

**Dr. Drummond:** Again, referring back to our original involvement, there used to be — you can do percentage per 100,000, but on average, there are about 4,000 deaths per year by suicide in Canada, and that has been true for the last 20 years or so.

**Senator Plett:** So 4,000 deaths per year. How many by firearms?

**Dr. Drummond:** It's 80 per cent.

**Senator Plett:** And how about spousal and intimate violence?

**Dr. Drummond:** I'm not so familiar with that.

**Senator Plett:** I'm assuming you support the measure of the five-year background check being extended to a lifetime background check.

**Dr. Drummond:** Yes.

**Senator Plett:** Maybe all three of you.

If you do support this measure, do you know of any incidents of firearm crime in Canada where having had a lifetime background check in place would have prevented? Are there stats on what would have been prevented if we'd had that?

Second — and I know Dr. Ovens spoke about the incidences of firearms having a lifetime background check — you both said that you would like to be able to have more interaction reporting incidents. Is there not a doctor-client privilege in this country where if I go and see a psychiatrist and he believes there are issues I have that I might be a danger to myself or others that he is prevented by that privilege of reporting that?

**Dr. Drummond:** In some circumstances, yes, but there are also circumstances where the greater societal good transcends the individual doctor-patient relationship. Let's say you come in with signs and symptoms of dementia. You may be 85 and like driving your car in rural Manitoba, but at the end of the day, you're probably not safe to be driving on the roads of rural Manitoba in your big truck.

Even though you have presented to your physician with signs and symptoms of dementia, at the end of day, we want to preventing you from hitting a school bus and killing 35 children. It's been very clear that there are certain circumstances in Canadian law where the individual right to privacy in relationship to their physician can be transcended by the greater societal good.

Dr. Ovens may have something more to say, but that's fairly well established for driving; drinking and driving; for a pilot who is unable to fly because of medical issues, or child or geriatric abuse — these things have existed for many decades. Do you have more to add, Howard?

**Dr. Ovens:** Yes, first, if I could go back. I want to correct what I believe is one of the errors in the data: It's not 80 per cent of suicides that are conducted by firearms; it's that 80 per cent of firearm deaths in Canada are suicide.

**Dr. Drummond:** Thank you. I made a mistake in the heat of the moment, senator.

**Dr. Ovens:** Second, there was a question about background checks. Although I don't have a paper at my fingertips on background checks beyond five years, we have provided in our materials an annotated resource list that shows clearly that restrictions in firearms and other policies related to background checks in a number of countries have shown significant decreases in suicide and other deaths by firearms. We have papers there from Switzerland, Austria and Australia. There is a lot of analysis by state in the U.S., where most of the relevant legislation is enacted by individual states.

Overall, there is good evidence that background checks can be a very effective tool in protecting people from firearm death and injury.

In terms of the doctor-patient relationship, it is because of our ethical requirements as well as legal requirements in that we require mandatory reporting where the public has an overwhelming interest in knowing about not just medical illness related to driving but even communicable diseases. What could be more private than a sexually transmitted disease? Yet if you are a danger to others because your disease is contagious, we are obligated to report that in the public interest. It has been shown that the most effective way to get physicians to comply with these sorts of reporting requirements is to make it mandatory so that they can't be questioned on the judgment they applied in deciding who to report.

We believe the presence of a firearm in a family where someone is having suicidal thoughts or in which there is domestic violence or a high risk of that meets that standard, and physicians should be relieved of their obligations to maintain privacy with their patient in the public interest. Thank you.

**Senator Plett:** Thank you for that, doctor. I do not believe that I have any disagreement with you or your colleagues about the mandatory reporting. Bill C-71 does not do that. I don't see where your concerns are being addressed by Bill C-71.

I just checked while we were talking about the rate of suicides that I asked Dr. Drummond about. In fact, only 16 per cent of all suicides are by firearms.

**Dr. Drummond:** I did stand corrected, and I apologized.

Let me answer that.

**Senator Plett:** I have the stats here.

**Dr. Drummond:** That's a 16 per cent national average.

You and I know, because we are both rural Canadians, that they tend to be higher in rural environments. You know that to be true, and you heard it here before. I live in rural Lanark County. Practically every home in the country has a firearm. I can tell you that the latest data for rural Lanark County, where everyone has venison in their fridge, is 25 per cent.

**Senator Plett:** Where I live in rural Manitoba, I have personally — and I have shared this information — in one way or another, by personally knowing or having been involved in at least seven suicides, and one of those suicides was by a firearm. They were all in rural Manitoba. One was by a firearm, and that was one 45 years ago.

**Dr. Drummond:** You are a very lucky man.

**Senator Plett:** I don't know if I'm lucky. The other six people are just as dead.

**Dr. Drummond:** I live in Lanark County, and I can tell you that I see more than my share of people with their heads blown off.

**Senator Pratte:** With regard to background checks, I think it's important to note what Bill C-71 does. It actually codifies what the courts have ruled -- that the chief firearms officer can go beyond the five-year limit if they wish to do so.

Doctor, when you mentioned trainees, you mean young doctors who train to become emergency physicians?

**Dr. Drummond:** The history of trauma care in Canada, up to fairly recently, has been blunt trauma — car accidents, falls and that kind of thing.

In training special emergency physicians to work in our urban cores, we had to send them to Baltimore, Chicago, LA and New York to be exposed to penetrating trauma such as that with guns.

**Senator Pratte:** I'm sorry to interrupt. Sometimes a lot of people think if you control guns better, people will find another way to either commit suicide or homicide. They will use a knife or some other tool.

Would you care to describe the difference between the injuries that come from the use of guns compared to knives or other means with which people might commit suicide?

**Dr. Drummond:** With respect to attacks and assaults, my only exposure has been with firearms, high-velocity rifles. As a coroner, I don't see them in the emergency department.

I see them on back roads in their cars. I see them in their basements in pools of blood. I see them in their backyards. In the emergency department, when I first started as an emergency physician back in 1979, we used to not see a lot of firearms-related injuries in rural Canada but some.

Now I rarely see that. I mostly see people who have killed themselves with weapons. There has been a change in the culture. However, in our urban environments, a high-velocity weapon destroys a lot of tissue.

So the surgeons have to go in and try and find the source of the bleeding and salvage whatever organs have been damaged. There's no doubt that a knife is a very localized phenomenon. A high-powered rifle or a shotgun is something completely different.

**Senator Pratte:** We heard testimony from Professor Mauser, a researcher, and a medical doctor, Dr. Langmann, who presented data that, one, apparently shows there is no relationship between the number of guns in circulation and homicides or suicides; second, that the gun-control measures that have been taken in Canada since the 1970s have not achieved their goal.

You seem to say that the research that has been done show some gun control measures work, and there is a link between the number of guns in circulation and the availability of guns and the number of homicides or domestic situations. Can you elaborate? Who is right? We are being presented with two sets of data here?

**Dr. Drummond:** No, you are not really. You are presented with disparate views. I don't know Dr. Mauser. I believe he is an economist at Simon Fraser University. I don't know if he is a criminologist.

Since 1994-95, when I first became involved in the regional Bill C-68, his name was used a lot in terms of being a contrarian view to the world literature. I have no comment to make.

With respect to my colleague Dr. Langmann, he is my colleague and he is an emergency physician. He has published, to my knowledge, one paper in an obscure journal called *The Journal of Interpersonal Violence* prevention back in 2011. One paper.

In that paper, he presented data where he did not discuss suicide, which for us is the major issue, but rather the more minimalist issue of homicide. It's important, but not as important as suicide in terms of numbers. He made the comment that there was no relationship whatsoever and there has been no value to the gun laws. Interestingly, researchers from the University of Montreal that same year took his same data and came to the exact opposite conclusion.

With respect to Dr. Langmann and his one paper, let's state the obvious. The position with respect to reduction of access to firearms in the home or in the community and in relationship to suicide, homicide and intimate partner violence has been very clear. We're talking about *The New England Journal of Medicine*, *The Journal of the American Medical Association*, *The Lancet*, *The British Medical Journal*, annals of internal medicine and massive amounts of scientific study from world-class researchers who have not published one paper but thousands.

We are talking about the likes of David Hemenway, Matthew Miller, Garen Wintemute and Arthur Kellerman, world-class, well-funded researchers who have been very clear that there is clear and robust scientific evidence that access to firearms leads to increased risk of suicide, homicide and intimate partner homicide.

**Senator Kutcher:** Thank you for the clarity of your presentation and for not getting caught up in non sequitur red herring arguments.

I appreciate you bringing to our attention the public health focus, which is different from a lot of the other discussions on the issue of firearms mortality. You were discussing mortality from firearms, not crime.

There is a paper that has just come out or will come out in *The American Journal of Medicine*. I would like you to comment on a phrase from that. It discusses the public health issues around firearms mortality in a metaphor that most of us might understand better. Here is the quote:

... combatting the epidemic of mortality from firearms among US schoolchildren without addressing firearms is analogous to combatting the epidemic of mortality from lung cancer from cigarettes without addressing cigarettes.

Could I get everyone's commentary on that from a public health perspective?

**Dr. Ovens:** Thank you very much, Senator Kutcher. I think that's an excellent analogy. Just as cigarettes are not only the number one risk factor for lung cancer, they do also cause risks to those around them through second-hand smoke. I think the analogy to guns, no matter how good we get at trauma care and making our trauma systems, about 80 per cent of people who die from gunshot wounds are pronounced at the scene and never have any opportunity to have access to treatment. So this is a highly lethal thing that really requires attention to the prevalence of firearms.

With your indulgence, I wonder if I can make one other comment going back to something Senator Plett said. He talked about the tragedy of seven suicides, only one of which was conducted by a gun in his community. The real important question is what the denominator is of attempted suicides, which relates to this analogy. How many people does he know who took overdoses or cut their wrists or indulged in other forms of self-harm who survived it and went on to hopefully productive lives versus how many people tried to kill themselves with a gunshot wound and survived? That's the important question because 249 out of 250 people who overdose will survive that attempt, and 90 per cent of them will not die by suicide. Whereas about 90 per cent of the people who take a gun to themselves will in fact die of that injury. It's more of a question of what is preventable, and if we can take guns out of the hands of depressed individuals, it has been proven that we can save lives just decreasing smoking we can save lives.

**Dr. Drummond:** From a scientific point of view and an injury prevention point of view, we talk about the triad of the host, the environment and the agent or the vector. So with respect to firearms control, the vector or the agent must be the gun to have a full understanding. There is no doubt about it, as Dr. Ovens has eluded to, that if you put a gun to your head, chances are you are

dead. You take a handful of pills, chances are you are not. There is a particular lethality to this particular agent that does need to be addressed.

**Ms. Silas:** To answer the question, when you look at precautionary safeguards in the name of public health, you have heard from doctors, nurses and other public health experts in the past when we've nationally debated laws on seat belts, asbestos, drinking and driving, and most recently cannabis. There is nothing different with gun control. We are talking about a public health safety issue, where we have to look at precautionary measures and we have to listen to the public health debate first and foremost.

**Senator Griffin:** I have a question relating to a 2008 position statement by the Canadian Association of Emergency Physicians. One of the recommendations is expansion of programs focused on the prevention of suicide, intimate partner violence and gang-related violence.

Has there been any substantial increase or establishment of programs that you are aware of? Because I think that's a very important recommendation.

**Dr. Drummond:** Since Howard wrote the paper, I will defer to him.

**Dr. Ovens:** The right answer is a mixed one because most of these programs, when it comes to suicide prevention, are regional or provincial in nature. Gang-related violence programs tend to be more community-based and municipal in nature. I think as a generalization, I can say that there have been some good programs undertaken since that time in some communities and some provinces, but we could do more.

**Senator Griffin:** Thank you. My last question is for Ms. Silas. You indicated that education was very important in preventing accidents. Could you give me some specifics? What kind of education?

**Ms. Silas:** If we look at domestic violence, just in the last three to four years, we have seen five provinces and the federal government address domestic violence in helping families and victims. One of the key aspects around that is education. We look at how to provide education to gang-related traumas. Toronto is famous for what they are doing in some of the school districts.

Those are programs that are not well funded. One of our recommendations is similar to that of the emergency physicians, which is we need to not only fund the data aspect — it can't be done at the end of your desk — but it has to be funded properly. Education programs also need to be funded properly, and by preventing, we will be able to reduce assaults and deaths.

**Dr. Drummond:** I think education is important. The Canadian Paediatric Society — everybody loves pediatricians — has been very clear; if there is a gun in a home with children, then that child has to be safeguarded, and safe storage has to be part of the discussion, as it is with car seats when discussing your child's welfare.

We also have to get our own house in order. I think the discussion about firearms should happen in the family physician's office. I think it should happen in the emergency department. We have to train both physicians and nurses to make that part of the discussion in terms of the overall maintenance of health, just like we talk about cigarettes and alcohol and all those other things. We have to educate our own members to involve themselves in that discussion.

**Senator Griffin:** Thank you.

**Senator Richards:** Thank you very much for your presentations. I keep going over this, and I know I sound like a broken record, but you haven't heard this record yet.

I just don't think you can get there from here, okay. I've known a lot of violent people in my life, coming from an area in New Brunswick that had a lot of violence in the 1970s and 1980s. I lived through it. There were a lot of murders. Of the 11 murders I know and the people I know, 9 of them were by other means besides guns. I think no one just chooses the idea that, "I'm going

to commit suicide with a gun. No, that doesn't work. I'll do it with pills." There has to be some psychological temperament toward one or the other method. I don't think if you put away guns, someone will say, "I'm going to do it by hanging." I think they have a pre-determined attitude as to what they will do.

I don't know if this is a moot point or not, but you are talking here about registered firearms, so there is a whole deal of physician and psychiatric speculation about who might do what to whom.

Also, a lot of this is taken care of in the family, this talk about safety and guns. I have rifles in my house. They're certainly kept care of and put away. The children — well, they are grown men now — are aware of them and know where they are. They both had hunting courses, and I have taken hunting courses. A lot of families do this responsibly, so the idea of a doctor or a psychiatrist deciding who can or cannot have guns, I'm not sure it will work. I wish it would work, but I just don't think it will.

**Dr. Drummond:** Is that actually a comment or a question?

**Senator Richards:** It's a comment and a question.

**Dr. Drummond:** I'm trying to get the sense of this. I will do my best to respond.

I agree that most firearms owners are responsible. I live in a community where people hunt and sports shoot and they enjoy it, and I have no real interest in getting involved in their pursuits. They enjoy them. Men disappear in November for two weeks to go deer hunting and hang out, drink beer and watch the lowly Ottawa Senators on the television. I get all of that. We're not talking about them.

We're not talking about the rank and file gun rural owner. We're talking about those who have expressed a desire to commit suicide, thinking about suicide, paranoid psychotics or people who are beating up their wives. That is who we are talking about. I'm sorry, senator, I'm going to finish my response to your non-question.

**Senator Richards:** I'm not interrupting you.

**Dr. Drummond:** Here's the deal. Bill C-71 is a modest first effort, in our view. I think there needs to be a much more comprehensive approach to changing the gun culture in Canada and frankly, gun control evokes different things to different people. If we're talking about a mass shootings, we are talking about something different than a pediatric injury. If we're talking about crime control and gangs in downtown Toronto or Edmonton, we are talking about something different than a farmer blowing his head off in his back field. Totally different things. We have to start somewhere.

This would not have been the bill we would have chosen. We would have liked something much more robust and comprehensive, but that is the bill on the table. From the perspective that we have taken, which is suicidal prevention or prevention of intimate partner violence or preventing a psychotic from blowing up half of city hall, we think the idea of the expanded purview of their past psychiatric or emotional or social history is of value and on that basis alone should be passed.

**The Chair:** I'm going to close it out. I would like to take the opportunity to thank the three witnesses for appearing this morning and participating in what has been a robust discussion. We appreciate your contribution to our studies.

Senators, for our next panel today, we are happy to welcome Robert Henderson, Owner, Access Heritage; Ross Falkner, Owner, The Gun Dealer; and from the Association of Women Shooters of P.E.I., Kate MacQuarrie. Welcome to all of you.

Who would like to begin?

**Kate MacQuarrie, Association of Women Shooters of P.E.I.:** Good afternoon. I appreciate the opportunity to be here to speak to you today. I am here as a law-abiding firearms owner, one of 2.1 million men and women in Canada. I'm a certified instructor for both the restricted and non-restricted firearm safety courses and have been for nearly 30 years. I'm a hunter, a trapper, a target shooter and I also have an organization on P.E.I. that works to remove barriers to women's participation in the shooting sports.

Last year, we had 70 women participate in our programs throughout the year. In just the first three months of this year, we have seen more than 80 enrolled. I can offer perhaps a different perspective from those who you have heard to date and I will certainly be happy to answer questions on that, including issues of firearms and domestic violence, which may differ from the last speaker you heard.

First I want to speak briefly about Bill C-71, why it's bad legislation and to highlight what I feel is the most egregious component.

In introducing Bill C-71 on March 26, 2018, the Honourable Ralph Goodale summarized the perceived need for this legislation in this way: Hard evidence shows a gun violence issue that is serious, appears to be worsening and is not confined to big cities or to particular weapons.

I would like to remind you that Stats Canada data shows that less than one half of 1 per cent of police-reported crime in Canada involves a firearm; that firearm homicides have shown a declining trend for at least three decades; and that the increase in homicides observed since 2013 was driven by a substantive increase in gang-related homicides over that period. Indeed, almost half of the national increase since 2013 was due to more victims in Toronto. Additionally, we have seen that past changes to firearms laws have had no correlating effect on crime in Canada.

There is a well-known quote that's commonly paraphrased as "complex problems have simple, easy-to-understand and wrong solutions." Gang violence is unquestionably a complex problem, but increased restrictions on law-abiding firearms owners and their legally owned property, is simple, easy to understand, and it's the wrong answer.

Bill C-71 misidentifies a need, proposes a solution that has been shown will not change societal outcomes and is based on emotion, not evidence.

So while Bill C-71 is bad legislation, some parts are worse than others, specifically sections 23 and 58. On March 20, 2018, the Honourable Ralph Goodale said:

. . . it's simply not a federal long-gun registry, full stop, period.

With respect to the requirement of private retailers keeping records, he said those records will not be accessible to government. They would be accessible to police when they are investigating gun crimes with the proper basis of reasonable cause and judicial authorization through a warrant.

Further, the act itself states that nothing in it shall be construed to permit or require the registration of non-restricted firearms, yet Bill C-71 quite clearly recreates a registry.

Section 23 requires those transferring non-restricted firearms to provide their licence numbers to the registrar and receive a reference number to transferring that firearm.

The purported need being addressed is to ensure that those acquiring firearms are properly licensed, but section 23 of the Firearms Act already explicitly requires, when acquiring a non-restricted firearm, to have a proper licence. The proposed revisions to section 23 do nothing other than create a registry of transfers of non-restricted firearms.

The proposed amendments to section 58 complete the recreation of a long gun registry, albeit decentralized. Businesses would be required to record and maintain, for a period of at least 20

years, the buyer's firearms licence number, reference number from the registrar, date of the transaction and the make, model, type and serial number of the firearm.

Now, not only is that a registration, it's a registration with records held by nearly 4,500 different businesses across Canada. Security of, and access to, these records is absolutely a concern. Minister Goodale's statement that these records would only be available to law enforcement under warrant is contrary to section 102 of the Firearms Act, which requires businesses to produce any records that an inspector believes contain information relevant to the enforcement of the act or regulations. Under that section, an "inspector" is defined as a firearms officer, which is essentially anyone appointed by the provincial or federal minister. That is a far cry from law enforcement under warrant.

I began my remarks by telling you that I am a firearms owner, and as such I've passed background checks that are almost certainly more detailed than many of you here who do not have a firearms licence. Every day my name is checked with the Canadian Police Information Centre to confirm that I haven't been the subject of an incident report. I must notify government if I move, and I want to point out that's something those who have been prohibited from owning firearms are not required to do.

In short, further regulating me and the other 2.1 million law-abiding gun owners in Canada will in no way address gun violence, but it will cost a great deal of tax dollars that should instead be directed at crime prevention.

**Ross Faulkner, Owner, The Gun Dealer:** Good afternoon. My name is Ross Faulkner and I have been an independent business owner for 42 years. I am also an owner of the Canadian Federation of Independent Businesses. I am here today to speak about the effects of Bill C-71 on my business and its 20 employees.

I want to thank you for the opportunity to share the challenges my business faces as we stride towards a Bill C-71 world.

The Gun Dealer is a family-owned and operated firearms and gunsmithing operation, which I started in 1977.

In those 42 years, little has put as much economic strain on my business as the looming Bill C-71.

First, I would like to discuss the potential impact of the provision in the bill which limits the transportation of restricted firearms to our gunsmith. Currently, approximately 20 to 25 per cent of firearms brought to our on-site, full-time gunsmith are restricted and currently do not require an ATT.

Obtaining an ATT to bring restricted firearms to my store will only accomplish a significant loss of business for us. It will not enhance public safety. For example, a customer could have a live round jammed in his chamber. Obtaining an ATT on a weekend or a holiday is next to impossible. Leaving a firearm jammed with a live cartridge in it is unsafe and a threat to public safety. Any impact or loss of business in our service department will no longer make it feasible to maintain a full-time position.

Second are the costs related to maintaining reference records for a 20-year period. The burden, both in man hours and storage capacity, put an unnecessary financial load on my existing business. Even revenue Canada only requires record keeping for seven years. This is unrealistic and could result in businesses giving up and closing their doors.

Third, the responsibility of obtaining a government-issued reference number for each sale will dramatically impact our current hours of operation. The Gun Dealer is open seven days per week until 9 p.m. several evenings. Should the ability to obtain said reference numbers be

limited to current government hours of operation, our ability to maintain our current hours will be impacted. In so doing, my ability to earn a living and provide employment is severely and negatively impacted.

It is uncertain if reference numbers will even be provided in a timely fashion. If not, customers who have travelled long distances will not want to wait around our store while we try to obtain reference numbers. I foresee a loss of sales, the result of which will be job losses, job losses, and more job losses.

Fourth, I will remind the Senate that jobs in rural Canada, like macadam, can be scarce at the best of times. Should Bill C-71 proceed as written, it may not be at the cost of my business on a whole, but it will certainly be at the cost of those I currently employ. Bill C-71 is unlikely to have any impact on the reduction of crime rates, but it most certainly will have an impact on my current staff in the form of layoffs and permanent loss of full-time positions.

The inventory at The Gun Dealer includes both restricted and non-restricted firearms and only those legal for sale in Canada. At present, the value of my inventory sits at the \$2 million mark. I am able to employ 20 people in the economically depressed area of McAdam, New Brunswick.

Bill C-71 allows in its provisions the handing over of firearms classifications to the RCMP. This is one of my greatest concerns because it seems to give them the ability to change classifications any time they deem necessary. Should the RCMP deem a firearms classification should be changed from non-restricted to prohibited, all variations of said firearm will be prohibited as well. The result is tens or hundreds of thousands of dollars of inventory made worthless.

I've spent my adult life working to make this business a success, one I can pass on to my son and my grandsons. Bill C-71 threatens these plans, jeopardizing the value of my inventory, giving the RCMP power to change classifications without warning, creating uncertainty in the value of my inventory, and rendering that planned future an uncertain one.

If I take a hit on the value of my inventory, the outcome will be the loss of many of the 20 positions that I provide in this community. This bill not only misses the mark on controlling crime but robs hard-working Canadians of their livelihoods.

The points I have made are the potential effects of Bill C-71. I cannot stress enough the importance of the Senate carefully reviewing these points. The provisions in the bill must be carefully considered. If the effects are felt in my store, I feel secure in stating they will be felt by dealers and businesses all across this country. Please consider carefully Bill C-71 and its ramifications prior to proceeding with the bill as it stands and in making amendments.

I thank you for your time and consideration and I would be pleased to answer any questions you may have. Thank you.

**Robert Henderson, Owner, Access Heritage:** Thank you, senators, for the opportunity to contribute to your discussions.

My business experience includes the application of the existing firearms legislation and offers insight into the unintended consequences of this bill on arts, culture and tourism. I will first address the need to declassify or downgrade devices that pose no risk to public safety. Second, I will demonstrate the importance of an appeal process to the decisions made by the Canadian Firearms Program.

If you have seen the musical *Les Misérables* or have watched a movie like *Pirates of the Caribbean*, you have seen my products. They are on display at numerous Indigenous heritage sites, at the Smithsonian and at other world-class museums in Paris, London, Berlin and

Stockholm. In Canada, my products help tell the national story from Signal Hill in St. John's, Newfoundland to *des Fortifications-de-Québec* to Fort Langley, B.C.

I provide non-firing, historic, flintlock reproductions. Flintlock firearms are muzzle-loading devices that were generally manufactured before the 1840s, based on technology going back to the 16th century. These mechanisms have a special place in the firearms legislation. Even if they were firing, reproduction flintlock muskets would be categorized as antique, meaning that they were essentially unregulated. They were not considered a threat to public safety and were downgraded in the legislation. It is likely that the last crime committed by a flintlock happened before Confederation.

Declassification has been a boon to museums, historic sites, and the entertainment industry. I can tell you with certainty that a number of large film productions would never have been possible had flintlocks been classified otherwise.

In the 1990s, I was involved in the discussions and decision to deregulate long flintlocks. Unfortunately, short flintlocks were kept as restricted even though everyone agreed they had not presented a public safety issue since before 1867. Yet, to this day, enforcement resources are needlessly expended searching and seizing restricted flintlock devices.

My own business provides a case in point. In the last 18 years, I have been importing non-firing flintlocks from India. By removing a small connecting flash hole in the design, the technology was deemed deactivated and the flintlocks were allowed by customs. This decision was consistent with our major trading partners, including France, United Kingdom, and the United States, who also classify these products as deactivated or inert.

At the Ottawa port of entry, even though my compliance was 100 per cent, most of my shipments were ripped apart and inspected continually for the past two decades, causing delays and damage not experienced by my international competitors. Ironically, I then exported 90 per cent of these devices with ease to other parts of the world.

Last December, at the very height of the retail season, a key shipment was stopped by the CBSA. At that time, they arbitrarily decided to revisit allowing deactivated flintlocks without any forewarning to me and without any relevant change in legislation. The Canadian Firearms Program was asked to investigate. I co-operated with the investigation and a timely decision was promised; it never happened. Even though they were dealing with very basic, 400-year-old technology, the final report was completed two months after the program's initial promised date. My business essentially stopped during that time.

The new decision was that the products were "not non-firing enough" and that the short flintlocks were restricted devices. To me, this investigation was devoid of transparency and flawed. Even though it was standard police practice, I was not questioned. Along with other errors, they misrepresented information previously published on my website and never sought context from me.

The program's decision put Canada out of sync with our major trading partners, many of whom have stricter firearms laws. The fact of the matter is thousands of these devices have been purchased by movie and history enthusiasts, by people dressing up as pirates, and for decorations on pub walls. For tactile learning, these devices are part of museum education kits to explain flint-and-steel technology. All those people who own non-firing devices are now, de facto, in illegal possession of a restricted firearm due to the change in opinion.

I think this is unjust, and I would like to suggest two amendments. First, in my view, Bill C-71 should allow the declassification of devices that have been proven to have no public safety

concerns. Bill C-71 does not now seem to permit either firearms or other devices to be classified in a less restrictive direction. I think this is a flaw in the legislation.

My second concern with Bill C-71 is the need for an appeal process of the Canadian Firearms Program's decisions. My recent experiences with this organization show the necessity of holding the CFP to basic transparency standards. There must be a mechanism to hold the firearms program accountable for what may otherwise be arbitrary decisions. The CFP's recent overstepping of their bounds with regards to Swiss Arms only reinforces this necessity.

At this time, I would be happy to answer any questions you might ask.

**The Chair:** Thank you. We will now move to questions. I will remind senators to move quickly to their questions so that everyone has an opportunity to ask their questions.

(French follows — Sen. Dagenais: Merci à nos invités de leur . . .)

(après anglais — The Chair: ... an opportunity to ask their questions.)

**Le sénateur Dagenais:** Merci à nos invités de leur présence. Madame MacQuarrie, vous venez de l'Île-du-Prince-Édouard. C'est une province intéressante, mais le territoire est moins grand que d'autres provinces. J'aimerais savoir ce que vous anticipez comme incidences en ce qui concerne les délais pour les permis de transport dans votre province.

(anglais suit — Ms. MacQuarrie: That's absolutely a concern...)

(Following French — Sen. Dagenais — . . . de transport dans votre province.)

**Ms. MacQuarrie:** That's absolutely a concern for firearm owners on Prince Edward Island. As some of the other speakers this morning have mentioned delays in getting permits with respect to after-hours and trying to get authorization to ATTs. If I'm at a range with one of my restricted firearms, a problem arises and I need to take it to a gunsmith, I cannot immediately do that under the proposed changes. There are safety concerns around that for me and for other firearms owners, and that is absolutely a concern.

(French follows — Sen. Dagenais: Les informations privées des . . .)

(après anglais — Ms. MacQuarrie: ... that is absolutely a concern.)

**Le sénateur Dagenais:** Les informations privées des détenteurs d'armes à feu peuvent être réparties chez des dizaines de vendeurs d'armes à feu. La transmission de ces informations d'un vendeur à l'autre comporte-t-elle un danger pour ce qui est des détenteurs d'armes à feu et de permis?

(anglais suit — Ms. MacQuarrie: Absolutely. For me, as a firearms owner...)

(Following French — Sen. Dagenais — . . . les détenteurs d'armes à feu et de permis?)

**Ms. MacQuarrie:** Absolutely. For me, as a firearms owner, security of and access to those data are significant concerns. We know in recent years that identity theft and data security have been growing as issues. I think of my time working in retail back in the early 1990s when it was common at that time to require a social insurance number to validate a cheque. We would not be sharing that kind of personal information anymore, and the issues around data security and who has access to those are perhaps more significant for those of us in the firearm community, as well.

(French follows — Sen. Dagenais: M. Faulkner, vous êtes dans . . .)

(après anglais — Ms. MacQuarrie: ... the firearm community, as well.)

**Le sénateur Dagenais:** M. Faulkner, vous êtes dans l'industrie des armes à feu depuis un certain nombre d'années, parlez-nous de ce que vous allez devoir faire concernant la sécurité des informations personnelles de vos clients? Avez-vous l'impression qu'on va vous faire faire le travail des policiers, entre autres? Si un jour vous deviez fermer votre compagnie, qui sera responsable des archives concernant vos clients?

(anglais suit — Mr. Faulkner: That's certainly a good question.)

(Following French — Sen. Dagenais — . . . votre compagnie concernant vos clients?)

**Mr. Faulkner:** That's certainly a good question. The information we're going to collect under Bill C-71 — if I understand your question right, you're asking how we are going to secure this information so that we do not get hacked and people's information does not get out to the public or to a criminal element. I really don't know. I have purchased a computer system now to try to come up with legislation so that we can be able to record the information for Bill C-71 for government. I have regular firewalls on my computer, but an advanced attack on my computer — the information is there, and I'm not so sure it's as secure as it should be.

(French follows — Sen. Dagenais: Selon le ministre Goodale, les gens . . .)

(après anglais — Mr. Faulkner: ... as it should be.)

**Le sénateur Dagenais:** Selon le ministre Goodale, les gens pourraient obtenir plus rapidement leur permis de transport via Internet. Croyez-vous que cela sera possible à partir d'un fichier centralisé? On l'appelle fichier centralisé. On refuse de l'appeler registre. Ce n'est pas un fichier centralisé, ce sera un registre des armes à feu. Croyez-vous qu'on pourrait obtenir un permis de transport plus rapidement via le fichier centralisé?

(anglais suit — Mr. Faulkner: I didn't quite get ...)

(Following French — Sen. Dagenais — . . . de transport plus rapidement via le fichier centralisé?)

**Mr. Faulkner:** I didn't quite get all of the question.

(French follows — Sen. Dagenais: Je vais la répéter ma question.)

(après anglais — Mr. Faulkner: ... of the question.)

**Le sénateur Dagenais:** Je vais répéter ma question. Selon le ministre Goodale, si je suis un détenteur d'armes à feu et que je veux transporter mon arme d'un lieu à un autre via le fichier centralisé — le gouvernement refuse de l'appeler registre des armes à feu —, cela sera plus facile d'obtenir un permis de transport. Autrement dit, avec la nouvelle reclassification, on pourra obtenir notre permis de transport plus rapidement. Croyez-vous que cela sera possible?

(anglais suit — Mr. Faulkner: The past is always a good thing...)

(Following French — Sen. Dagenais — Croyez-vous que cela sera possible?)

**Mr. Faulkner:** The past is always a good thing to look at. We have had ATTs in the past, and they just have not worked. They overwhelmed our provincial firearms offices. It just didn't work.

Right now, you can transport your restricted firearm as a condition on your firearms licence. This system work, and it works very well. To even be talking about ATTs is a step backward; it is going back 25 years. It's just simply wrong. We've got it right.

Look at your firearms licence. It's like a driver's licence. My driver's licence could be a class 5A or a class 6A, which allows me to drive a motorcycle or a commercial vehicle. This is how it work today on your firearms licence. If you get stopped, the RCMP looks at your firearms licence, it doesn't have class 5R and you have a restricted firearm, then you are in violation. What you can do with that firearm is now listed on your firearms licence, and we have this right. The ATTs — you'll never convince me that this is right. It is definitely wrong and a step backward.

**Senator Plett:** I will try to be quick rather than brief, because I do have a question for each of our witnesses. Thank you for being here.

This bill proposes requiring retailers — this is for Mr. Faulkner — to verify that purchasers of non-restricted firearms have a valid firearms licence before selling them a firearm. Despite the

fact that it's already a Criminal Code offence to buy a firearm without a licence, the retailer has to have no reason to believe that purchaser does not have one. According to Minister Goodale's own testimony in the House of Commons, vendors often check anyway, but they are not required to do so.

Two questions, Mr. Faulkner: How often does someone try to buy a long gun without a licence from you? And do you know of an incident without a PAL purchased a long gun?

**Mr. Faulkner:** I can only talk to you about my business. We check, on the RCMP system, every firearm licensing that comes into our store and especially as we are a regional dealer we ship across Canada, so every licence a checked It's checked on the RCMP system and you'll be quite surprised what information comes up on that system. We know quite a bit about you when you present your licensing. Now, I understand —

**Senator Plett:** You have never sold someone a gun if they didn't have a licence.

**Mr. Faulkner:** Never.

At present, your licence is being checked at store level and for us to obtain a reference number, this is just an absolute — we are already checking licences. When you come to my store, I'm punching you into the computer and let me tell you, I'm seeing a lot of information. And it tells me, yes, you can buy that gun or no, you cannot purchase the firearm. We need to call the CFO's office.

**Senator Plett:** Has a person without a PAL ever purchased a long gun from you?

**Mr. Faulkner:** No.

**Senator Plett:** Ms. MacQuarrie, thank you for being here. Minister Goodale has tried to tell Canadian gun owners — and you have alluded to this — that Bill C-71 cost not create a registry. My good friend opposite has also said that in the chamber a number of times.

Yet when the previous Conservative government eliminated the need to collect this information they did so by regulation. Then Minister Vic Toews, Justice Minister, now a judge in Manitoba, appeared before the Standing Senate Committee on Legal and Constitutional Affairs to explain why that regulation was necessary to ensure that such information should not be collected.

This is what he said:

The real purpose of this regulation is simply to clarify the effect of Bill C-19, that is, to prevent the establishment of another long-gun registry through other means, whether it is through information collected through CFOs or otherwise.

Do you agree with Minister Toews or do your organizations believe that the enforcing the firearms vendors to keep these kinds of records is a clear attempt to maintain another long-gun registry?

**Ms. MacQuarrie:** Thank you for the question. As I alluded to in my opening remarks, to our organization, it is a clear attempt to recreate the long-gun registry. The only difference in this case, rather than being in a central place, the registry would be stored in 4,500 businesses across Canada. So it is a long-gun registry with less security of information than we had preciously.

**Senator Plett:** Thank you very much.

And very quickly, Mr. Henderson, you have explained how your business has been caught up in classification changes related to firearms, even though your firearms are non-firing antiques. I found that quite interesting when I read it.

The government has argued that politicians should stay out of the business of firearms or device classification. Have you tried to raise this issue with the minister? And if so, what has

been his response? And how important are viable appeal provisions enshrined in legislation for a business such as yours?

**Mr. Henderson:** Thank you for the question. It's an excellent question. Yes, I have approached the minister's office on this particular situation and surprisingly, I had not heard anything from the minister's office until quite recently, which is to pass on the various departments conclusions and reiterations of firearms legislation. But it's not really getting to the core of the issue, which is that there are Canadians out there who acquired these reproductions, which are non-firing, on the belief that they are non-firing and have entered the country legally and now they are sitting at home with something on their wall and little do they know they have a restricted firearm and they are illegally in possession of that item even though it doesn't — but what do you do with that?

It comes down to this whole issue of classification, do you have faith that the Canadian Firearms Program, a program which has been parked in the RCMP — it's not the RCMP, and they will tell you they are not the RCMP. That organization used to be part of the Solicitor General's office until they were defrocked out of privacy, out of transparency and other issues, and the Martin government put them in the RCMP.

It's strange that you would have legislation which would suddenly say you didn't have any problems in the past, even though all of your corporate history said you have had problems in the past. Why don't we give you carte blanche to do whatever you want with classification? I think there should be oversight from a political standpoint on these issues, absolutely.

**Senator Plett:** Thank you very much.

**Senator Griffin:** My first question is to Mr. Faulkner. As I understand it, you are one the largest independent firearms dealers in the country, certainly in the eastern part of the country, but obviously people come to your store and purchase there. And I also understand that you do online sales?

**Mr. Faulkner:** That is correct.

**Senator Griffin:** How does it work with online sales? If I were to order a firearm online, do you have to see my PAL?

**Mr. Faulkner:** On our online site, we collect all the information, including your PAL, pertinent information like your date of birth, place of birth. This information is complied and we then enter the information into the RCMP system and check your licence before we ship the information. Also we would ask questions like, "What is your mother's maiden name," things to ensure you are the person that you say you are.

Also, the firearm is only shipped to the address on the firearms licensing. If we see that a customer says ship to PO box 560, yet our system shows 360, then the red flag comes up and we start calling and asking questions. We do have a system that checks this.

**Senator Griffin:** Thank you. I had not realized previously that the online sales were such a big thing.

With record keeping, I think it has been fairly clearly indicated by other witnesses here as well as yourself, that there will be many different places where everyone that's selling has their own records stored. So would it be useful to have some guidance as to how these records are to be stored. Senator Dagenais asked what happens if you sell your business or go out of business. What happens to those records, for instance?

**Mr. Faulkner:** Very unclear.

**Senator Griffin:** Okay, that is a big issue.

**Mr. Faulkner:** It is very unclear, but that is a really good question. Remember, every sale is going to require a reference number so all that information will be called into the federal government, which they say they are not recording. I hope I can believe them. I wish to believe them but my heart tells me something different.

**Senator Griffin:** One of the issues I was concerned about is how easy would it be to transform this information into a de facto gun registry?

**Mr. Faulkner:** I think this is a registry. When we go to obtain a reference number, we can't just call up and say we need a reference number. They are going to ask us what the firearm is, what the licence is, what the address is and who the person is. Make no mistake about this, Senator Griffin, this is a registry. The records are kept at store level but we are calling that information into the Government of Canada. Are they just giving us a reference number and deleting that information? I suspect not.

**Senator McIntyre:** Thank you all for your presentations. My questions have to do with the definition and classification of firearms.

Are the definitions used to classify firearms clearly defined or are they more open to interpretation and opinion?

**Mr. Faulkner:** No, firearm classifications are clearly defined. Restricted, non-restricted or prohibited, they are clearly defined. The case for Mr. Henderson is unique where it's basically a non-firearm that they have decided is a firearm. Sometimes they break their own rules, and we've seen this before.

**Senator McIntyre:** As we know, assuming Bill C-71 becomes law, the RCMP, and not the Governor-in-Council, would be the sole authority to classify or reclassify firearms. Are there experts other than the RCMP that could do that job and, in other words, could classify or reclassify firearms?

**Mr. Faulkner:** Let me clear this up. Right now, under this system, which we don't have in Bill C-71, all classifications of firearms are being done by the RCMP. Where the difference comes in under Bill C-71 is that under the system that we have now, once the RCMP classify a firearm as non-restricted, they have a year to change that classification and after a year it must stay non-restricted for the life of the firearm.

The problem that we have right now under classifications is there was an Order-in-Council called *Repeal of Firearms Regulations (Classifications)* and this was done on November 2, 2018. The government made a change here. Basically, what has happened here is they gave the RCMP the right to change classifications whenever they wish. In other words, they classify this today as non-restricted, but, "Oh well, I guess we've changed our mind. It's a new day and it's now prohibited."

Under the old system, they could not do that. They said it was non-restricted and it had to stay non-restricted. Now they have an open chequebook to do whatever they want, whenever they want, and they can basically take guns off the market.

**Senator McIntyre:** Currently, does the RCMP give reasons for classification or reclassification? Can you obtain a —

**Mr. Faulkner:** There is a set of guidelines that classification of firearms goes by, including barrel length and overall length. There is a formula that is used.

**Senator McIntyre:** Is it possible to obtain a full forensic report from the RCMP on the conversion of firearms from non-restricted to restricted or prohibited, or vice-versa?

**Mr. Faulkner:** As a senator, you could get that report. As a firearms dealer, I probably could not.

**Senator McIntyre:** As I understand, businesses may be required to purchase new software in order to meet the new diligence and record-keeping requirements imposed by Bill C-71. Is there the possibility of that?

**Mr. Faulkner:** That's what I did. I had to purchase a new computer system and it cost me \$50,000 to retain those records for 20 years. I will state it again: it is unrealistic. Twenty years of records? I won't be there for 20 years. I don't know who will be there, but I won't be. I'm 62 now and I won't be there.

**Senator Pratte:** Thank you to all the witnesses for being here.

I want to go back briefly on the issue of a registry versus a non-registry. Maybe I'm misunderstanding it, but my understanding of the bill is that when a retailer will call in for a reference number, they will provide the PAL number of the buyer, and that's it: no information on the firearms. We have been assured of that by the government. When you call in, you give the PAL number and they check whether it's valid, and that's it.

In my view, if the government doesn't collect information on the firearm and if the owner of the firearm is not required to have a registration of the firearm, this is not a registry.

**Mr. Faulkner:** Why would we bother calling in? We already have a computer sitting at our desk. We already have that information. This is a great make-work project. As a taxpayer, this absolutely offends me. You don't believe the businesses are capable of checking a firearms licence? We are already doing it. It's a beautiful make-work project and a waste of taxpayers' dollars. Keep it up.

**Mr. Henderson:** Correct me if I'm wrong, senator, but why are business owners holding the records? To be audited by the RCMP if an issue comes up? There is the creep. Suddenly, you've downloaded billions of dollars worth of — how much did the registry cost last time? Billions of dollars? That has been shifted to the business owners who will now buy \$50,000 computers and whatnot and they are holding the information. Well, the next step becomes, "why don't we draw this together?" It's only a first step in the building blocks for another registry, in which we assume the burden.

**Ms. MacQuarrie:** If I could clarify a point, respectfully, senator, it's not just the licence number being recorded. The records Mr. Faulkner alluded to include the make, model, type and serial number of a firearm. If that's not a registry, I'm not entirely clear what is.

**Senator Pratte:** We're talking about two different things. I was talking about when you call in for a reference number. There is no information asked for by the government about the make or any information on the file. As far as record keeping by the retailers, how are the requirements of Bill C-71 different from what you used to be called the "green books?" That was the system that existed before 1995.

**Mr. Faulkner:** How are they different, you mean?

**Senator Pratte:** Yes. Because, at that time, from 1979 to 1995, before the long-gun registry came into effect, all retailers had to keep records of their firearm sales. It was called the "green book."

**Mr. Faulkner:** We have to obtain reference numbers from the firearms centre. I'm not sure from where we are going to obtain this. I hear what you are saying that we're just going to call their licence number in. I just don't see that happening. That's just not enough information for them to give us a reference number. They are going to want to know what firearm the customer is purchasing.

**Senator Pratte:** They are telling us they are not going to ask this question.

**Mr. Faulkner:** Why would you give a reference number on a licence that is already valid? What would be the point?

**Senator Pratte:** They want to check if the licence is valid. I want to go back to the record-keeping. On the record that is required by Bill C-71 to be kept, there is no personal information. There is the PAL number and the firearm details, but you are not required by the bill to have the name or address of the customer.

**Mr. Faulkner:** That's not the way I understand it. If the RCMP call, give us such and such a serial number, they want to know who purchased that firearm and exactly their name and address.

**Ms. MacQuarrie:** If I may jump in, senator, while you're not required to keep the information, you're not prevented from keeping it either.

With respect to your questions prior to 1995, I'd like to make two comments to that. First of all, we have no evidence to suggest that keeping those records did anything to prevent crime, so the need is certainly questionable. What has changed significantly since 1995 are issues of identity theft and data security. Those are new concerns since that time.

**Senator Pratte:** Final point, if I may. Isn't the requirement for record-keeping by retailers presently what exists in the United States?

**Mr. Faulkner:** We have a different system than the United States. I don't know their system. I can tell you we have a system in Canada that is based on a firearms licence. It's not a bad system to have a firearms licence to buy a firearm.

I do know in the United States it's a completely different world. When you go fishing, you need a fishing licence. When you go hunting, you need a hunting licence. In Canada, when you buy a firearm, you need a firearms licence. I think we probably got that right. In the United States, you walk into a gun store and you show your driver's licence or any other form of identity and you've got the firearm.

These are two different scenarios. We've got it different in Canada. We do not compare to the United States in any way.

**The Chair:** Senators, we have four senators to go. We have about 12 minutes, so I'm asking you to keep that in mind.

**Senator Oh:** Most of my questions have been asked, so I'm going to ask about some facts. Ms. MacQuarrie, how long have you been running this association?

**Ms. MacQuarrie:** Our organization formed in 2016, so three years.

**Senator Oh:** Three years. This morning the panel was talking about committing suicide using guns. How many of your members have committed suicide and how many members are left?

**Ms. MacQuarrie:** Zero.

**Senator Oh:** So your association mostly deals with target practice, handguns and long guns?

**Ms. MacQuarrie:** Our members participate in all shooting sports, so handguns, rifle shooting, skeet shooting and hunting. Our members are involved in it all.

**Senator Oh:** And no one has used a gun to commit suicide?

**Ms. MacQuarrie:** We have had no crimes committed by our members.

**Senator Oh:** Thank you. I'm just going to ask a question concerning economics for Ross Faulkner. You say you have 20 positions that will be lost if Bill C-71 kicks in.

**Mr. Faulkner:** I presently employ 20 people, and I want to make this aware to the Senate as well; these are not burger-flipping jobs. They come as full-time positions. My employees have

dental and prescription drugs, and they're getting paid way more than minimum wage. They're getting paid a wage that they can live on.

This bill negatively impacts my business, and the result will be layoffs for good, hard-working Canadians. That's what's really going to happen with Bill C-71. Let the Senate hear it and hear the truth. The truth is the truth, and this is the truth.

**Senator Oh:** Do you know roughly how many people, including family members, will be affected?

**Mr. Faulkner:** If our business goes down, we will start laying off, no question about it. I'm hoping five to seven positions could be affected by this if our business goes down, and I believe it's going to go down. Anything negative like Bill C-71 turns people off; they don't like to buy.

**Senator Oh:** How many members, including their families, will be affected? You employ 20 people. That's a lot in a rural area.

**Mr. Faulkner:** I am the biggest independent employer in McAdam, New Brunswick. Our population is about 1,200 and I am the biggest independent employer there.

**Senator Oh:** Good. Thank you.

**Senator Richards:** Senator Oh asked my question, which is fine. I'm glad he asked it.

Mr. Faulkner, I know that you're the biggest employer in McAdam, and pretty well all of the income in that village revolves around your shop. I think this is a registry, and that might even be fine if it would stop gun violence. I know you're not a criminologist — neither am I — but I've dealt with this for quite a while. Do you think this legislation will do anything to stop gun violence across the country?

**Mr. Faulkner:** That's a great question, Senator Richards. I'm going to speak from my heart. I have a son and two small grandsons. Public safety is a concern for me, but I feel that this is just not going to stop any crime or enhance public safety in any way. It is going to be a burden for my business, I can assure you that.

**Senator Richards:** Thank you.

**Senator Kutcher:** Thank you very much for the clarity of your presentations and how well you voiced your concerns about the bill. Much like Senator Richards, Senator McIntyre asked one of my questions already, so I don't need that information.

Ms. MacQuarrie, you talked about having a different perspective on domestic violence, and you didn't get a chance to speak to that. We would all be interested in what that would be.

**Ms. MacQuarrie:** Thank you for that question. There are two things I would like to address there. First, I'd like to remind the committee — and I'm sure you know this, sir — that the presence of a firearm in a home is not a predictor of domestic violence. What I mean by that is homes that have firearms are not more likely to be scenes of domestic violence than homes without firearms.

A second point, which was an eye-opener for me and I learned through my group, is the perspective of women who have been subject to domestic violence in our laws today. One of the questions that folks are asked when they apply for a firearms licence is to provide the name of their former spouse or conjugal partner. I have had multiple women in my organization who were victims of domestic violence stop the licensing process when they get to that point and were shocked to find out that in order to proceed with the licensing, they would have to provide contact information for, in fact, the person who victimized them.

We talk about looking at firearms law with a gender lens, and I think many of the presentations to date have assumed that it's men using firearms and women being victims of them. I would like to reiterate that's not the case. I thank you for your question.

**Senator Busson:** It's always difficult to be last because people have covered so much of the waterfront. I'm so interested in folks like you who deal with these kinds of issues on a day-to-day basis and are clearly hit between the eyes when things change. Your expertise is really appreciated.

I do have a question. I think it was Mr. Faulkner or perhaps Mr. Henderson -- or both of you -- who spoke about the classification of firearms and how the RCMP could — and I think the phrase was used “on a whim” change a classification from one to another.

I'm wondering what motivation other than public safety you think the RCMP would use to change a classification from one to another.

**Mr. Faulkner:** Well, I believe they have a list out there. In Bill C-71, there were two firearms on the list that I had already previously seen. That just made me believe that they have a hidden agenda here. I believe that they are on an agenda and they've been given full rein to do what they wish with classifications and people like me will financially take the burden. There's no question about this.

When the Order in Council came through - and I spoke about this earlier - and they changed how they can change the classification of firearms, we were in trouble. As a gun shop, I'm in trouble. My inventory is in trouble. I sit nervously right now that the RCMP could just say, “We don't like the look of this firearm. This firearm looks to be an assault weapon so we're just going to decide — whether it is or not — that we're just going to get rid of it.” That's what I see coming.

**Mr. Henderson:** I find that if you give this to a public servant entity there is an innate risk for them not to classify it to prohibit it — to make everything prohibited because it reduces risk. There's always the weight, by locking in with a public service entity, to constantly move to remove the risk. If something happens in our society, they're to blame because they didn't identify that one. That one got through. Oh, why don't we take this entire category? Obviously we're going to be more diligent. That's why we need politicians to come into the process and to assume some of the risk so that you take the weight off of our public servants who are just trying to do the best that they can. I'm very empathetic for the responsibilities that are thrust upon them, but the responsibility in some of these matters, in order to preserve freedom, the liberty of its citizens and its property and create an environment which is safe, is to have it remain in the hands of Governor-in-Council

**The Chair:** We'll take this opportunity to thank all three of you for being here and appreciate your candour and your responses. We'll start with the next panel.

Senators, we reconvene for our third panel today. We have Matt Demille, Manager, Ontario Federation of Anglers and Hunters and Brian McRae, Senior Advisor, Ontario Federation of Anglers and Hunters. Welcome to the table. Via video conference from B.C. we have Chuck Zuckerman, Chairperson, BCWF Firearms and Recreational Sport Shooting Committee, B.C. Wildlife Federation.

Mr. Zuckerman, we welcome you, but we understand you are only good until 2:00 because of video access. Just for senators' purposes, if you have questions, please lead with Mr. Zuckerman if that's your interest.

**Matt Demille, Manager, Ontario Federation of Anglers and Hunters:** Good afternoon. On behalf of the Ontario Federation of Anglers and Hunters, thank you for inviting us to talk about Bill C-71.

The OFAH is the largest conservation-based organization in Ontario, but we also represent all possible firearms interests including hunting, trapping and recreational shooting.

Additionally, we represent 56 shooting clubs which operate 80 CFO-approved, licenced ranges. This is not just an Ontario perspective. In fact, almost all of our affiliate fishing and hunting organizations from coast to coast to coast, including our co-panellist BCWF, have endorsed our submitted brief. In total, these organizations represent approximately 345,000 Canadians.

Long-term trends show overall firearm-related crime is on the decline, but regardless of the statistics no Canadian should deny there is a need to reduce gun violence. It's not about if, it's about how.

We applaud the government's financial commitment to crime prevention projects across Canada, as well as funding for RCMP and Canada Border Services Agency to ensure that we have the resources needed for heightened security along our borders. This is the "how" we expect from the government.

The messaging and spending clearly indicate this public safety initiative was developed to target gangs, gang violence, organized crime and illegal cross-border smuggling of firearms. However, this policy direction in Bill C-71 only targets law-abiding firearms users and does so in a way that will achieve negligible enhancements to public safety. The policy silence on gangs, violence and serious firearms crimes is deafening. It is not surprising firearms owners feel unjustifiably targeted. This is the "how" that doesn't make sense to us, so we cannot support the bill as written.

There is a common misconception that there isn't enough scrutiny on who can obtain and keep a firearms licence in Canada. Firearms owners are already one of the most vetted segments of Canada's population. New applicants undergo a rigorous screening process. Between 2012 and 2017, 4,637 licence applications were refused.

In addition, existing firearms owners undergo continuous eligibility screening to verify there has been no criminal activity since acquiring their licence. Between 2012 and 2017, 14,505 licences were revoked. Refusals and revocations occur for many reasons including court-ordered prohibitions or probation, domestic violence, mental health, potential risk to self and others, and violent behaviour. In 2017, there were just over 443,000 individuals prohibited from possessing firearms.

The take-home: We have a screening system and it works to enhance public safety. Is it perfect? No, but investing in a more coordinated and connected screening system among agencies has greater potential to enhance public safety than trying to dig deeper and look for different things.

Today in our opening remarks, we haven't been able to do a deep dive into the bill. I hope you've all had a chance to review our submitted brief that included a thorough analysis of each section of the bill with background context, outstanding questions and concerns, as well as the results from a survey of more than 3,500 firearms users conducted by the OFAH in April 2018 regarding Bill C-71 .

Our opposition to Bill C-71 is not partisan; it is not emotional; it was not predetermined on principle. It was only after a thorough, critical analysis that we arrived at the same conclusion for almost every proposal: It won't enhance public safety; the evidence simply doesn't support it.

Licensed firearms owners care about public safety as much as other Canadians. The firearms community is not against firearms policy but it needs to be evidence-based and we want to see measures that will actually keep Canadians safe.

One of the most significant challenges we face in establishing sound firearms policy is the politicization and, therefore, visceral polarization that almost always occurs. Unfortunately, it seems the only conversations we seem to have about firearms occur in the media, often after a

tragic event, or in the political arena. There has been a lack of willingness on either side of the debate to get past the rhetoric and the entrenched view that we need to start in opposition to each other. In reality, we all want the same thing. We all want to reduce crime, violent crime and the illegal use of firearms in Canada. If we stop fighting with each other, we could turn that energy, time and resourcing into achieving real public-safety benefits for Canadians.

To that end, the OFAH has been invited to participate in a formal dialogue with a gun control advocacy group facilitated by the Mosaic Institute. The goal is to build mutual understanding, seek common ground and attempt to develop public policy proposals to reduce gun violence that would be better informed and carry greater weight than either group could develop on its own. This dialogue will explore differences and perspectives between rural and urban Canadians, firearms users and non-users, and the lived experiences related to responsible firearms use and the misuse of firearms. There is a clear need for better education on both sides of this debate and we believe this facilitated non-political discourse can build some momentum to help us get there.

In the end, Bill C-71 has created confusion and concern and has eroded confidence in the government's approach to firearms policy. Even for the changes we can live with, there is almost no convincing evidence to demonstrate it will do anything to enhance public safety.

If the government is serious about respecting the firearms community, then it can't move forward with Bill C-71 without significant amendments, not only to minimize the unnecessary scope of its impact on law-abiding Canadians but also to introduce tangible provisions that directly tackle the stated intent of addressing gun violence.

In conclusion, we are imploring this committee to ask tough questions and seriously consider meaningful amendments. Our recommendations for amendments include increased penalties for firearms-related violent crimes; requirements for accessible and effective appeal system for individuals when licences are refused, revoked and when verification is not granted; the addition of specific provisions for retailer information security standards and penalties for non-compliance; rescinding the proposals to remove destinations for automatic ATTs; and the addition of a requirement for a standardized classification process that is consistent, transparent, evidence-based, that fully consults firearms users and includes an effective and timely appeal system for classification decisions. Thank you.

**Chuck Zuckerman, Chairperson, B.C. Wildlife Federation:** Good afternoon, Madam Chair and members of the committee. Thank you for inviting the 50,000 members of the B.C. Wildlife Federation to communicate with you regarding Bill C-71.

Firearms ownership is a way of life for the responsible firearms owners of British Columbia. We appreciate the outdoors experience and are committed to placing natural, wholesome food on our families' dinner tables. We realize that this experience bonds us to our ancestors and the pioneer spirit. It forms the values that hold our families and society together. This is what gives meaning to our lives.

Firearm usage is an important harvesting tool when it is based on the scientific management of species and fair-chase ethics. The benefits of appropriate harvesting are: it limits negative wildlife interactions; it prevents crop predation; it protects livestock; and it saves the government the cost of employing conservation officers to address problem wildlife.

Regarding safety, I am a licensed firearms instructor, a master CORE hunting instructor and a competition handgun shooter. A student may be issued a restricted-firearms course report only after attending a two-day training session and passing written and practical tests. Safety is a priority. Foremost in the instruction is always pointing the firearm in a safe direction and keeping your finger off the trigger.

Learning the safe and legal use, storage, transportation and display of non-restricted firearms requires that they be unloaded and have a trigger lock applied to them or have them stored in a safe or securely locked container or room. Restricted firearms further require that they be unloaded with a trigger lock applied and transported in a locked case with the ammunition transported in a separate locked case. Transporting restricted firearms in any other manner is an offence under the Criminal Code of Canada. It is illegal to carry a loaded or unloaded restricted firearm on your person.

Only when the student successfully completes the course do they become eligible to submit an application. That application must then pass the scrutiny of an RCMP background check.

Bill C-71 proposed regulations create more onerous layers of regulation that only law-abiding firearms owners will follow. The proposed bill does nothing to address the issue of illegal firearms use or possession. What other recreational activity is so regulated, requiring background checks every five years?

Bill C-71 proposes to increase the firearm background check. This would rephrase the questions on Form 5592-Eng which all applicants must fill out.

To answer these questions, it says: If you answer yes to any of the questions in this section, you must provide details on a separate page.

(A) Have you ever been subject to a peace bond or protection order?

(B) Has any member of your household ever been prohibited from possessing any firearm?

(C) Have you ever threatened or attempted suicide? Have you ever suffered, been diagnosed or treated for depression, alcohol, drug or substance abuse, behavioural problems or emotional problems?

(D) Have you ever experienced a divorce, a separation, or a breakdown of a significant relationship, a job loss or a bankruptcy?

When comparing licensed drivers to licensed firearm owners, ICBC stated that there were 642 motor vehicle accidents per 100,000 licensed drivers. The CBC, in August, stated that there were 0.6 firearm deaths for 100,000 across Canada and that there was 0.07 accidental shootings per 100,000 licensed firearms owners across Canada.

Our question is: If licensed drivers are over 600 times more likely to have an accident, including fatalities, than licensed firearm owners, then why are they not required to undergo similar background checks? As alcohol and speed contribute to 51 per cent of motor vehicle accidents, perhaps a renewable alcohol purchase licence and speed governance should be required as are seatbelts.

In conclusion, would money not be better spent training and employing more law enforcement personnel? Would not a better solution be applying more resources to relieving the causes of crime, such as poverty, economic inequality, inadequate education and drug addiction? To mitigate against criminal activity, would it not be better to discuss parenting schools and effective conflict-resolution techniques as mandatory subjects in schools?

Societal values can only be changed by education, not regulation. Respectfully, thank you.

**The Chair:** Thank you, Mr. Zuckerman. We will now move to questions from senators.

(French follows — Sen. Dagenais: Monsieur Zuckerman, selon vous . . .)

(après anglais — The Chair: ... to questions from senators.)

**Le sénateur Dagenais:** Monsieur Zuckerman, selon vous, est-il arrivé souvent qu'on ait dû reclassifier les armes à feu?

(anglais suit — Mr. Zuckerman: There have been ...)

(Following French — Sen. Dagenais — . . . reclassifier les armes à feu?)

**Mr. Zuckerman:** There have been times when regular non-restricted firearms have been reclassified directly into prohibited firearms. The problem is that if you didn't have a prohibited firearms licence, you are now in contravention of the Criminal Code and would have to then relinquish those firearms to the RCMP.

That classification has happened. As to how often it has happened, I do not know.

(French follows — Sen. Dagenais: À votre connaissance, est-ce que . . .)

(après anglais — Mr. Zuckerman: ... happened, I do not know.)

**Le sénateur Dagenais:** À votre connaissance, est-ce que la reclassification des armes à feu a fait l'objet de quelque contestation? Croyez-vous sincèrement qu'un propriétaire d'arme à feu va trouver satisfaction s'il porte une décision de reclassification d'arme en appel? Ne crée-t-on pas des préjudices aux citoyens en effectuant de telles reclassifications?

(anglais suit — Mr. Zuckerman: We certainly are, senator.)

(Following French — Sen. Dagenais — . . . effectuant de telles reclassifications?)

**Mr. Zuckerman:** We certainly are, senator. Thank you for the question. The issue here is trust. The citizens trust the government to make the right decisions. With this bill and more restrictions applied to the citizens, does the government trust the citizens? By reclassifying these firearms, there is no appeal process at this time. The Governor-in-Council has given the power to reclassification to the RCMP. How do you appeal to the RCMP? To whom do you write? Therefore, there is not an appeals process right now in place that we can make use of. You have to hire a lawyer and go to court, or ask the lawyer to write on your behalf. That's expensive.

**Senator Plett:** Mr. Zuckerman, I agree with your comment that if we were to take all the cars off the streets, there would be no more car accidents and no more deaths by crazy automobile drivers.

I have a couple questions. It has been told to this committee that guns themselves are the alleged problem. This committee has heard from Professor Wendy Cukier, who has stated:

. . . the number of restricted and prohibited firearms has increased from about 350,000 in 2004 to over a million is a clear indication that we have a challenge, especially when you see some of the incidents involving legal firearms and the diversion from legal to illegal markets.

To any of our witnesses, can you comment on this assertion? How easy is it to divert legal firearms to the illegal market, in your experience?

**Mr. Zuckerman:** First, it is illegal to take your restricted firearm and pass it on to anyone else or sell it at all, because you have to have the registration for that. It's registered in your name, the serial number is registered in your name and you have a special number issued by the RCMP as the registration number for that firearm. For whomever is purchasing that firearm, the seller must notify the RCMP that they are getting it. They have to have a possession acquisition licence for restricted firearms, and an authorization to transport has to be issued to them to take the firearm from either your residence or a gun show back to their residence.

At the point you are giving a legally purchased firearm to someone who does not have the proper paperwork, you become a criminal. Therefore, you are passing a firearm from a criminal to a criminal.

**Mr. Demille:** To add to that, what are probably being referred to are things like theft, straw purchasing and some of the ways that domestic firearms may get into the illegal market. One of the things that we looked at a lot related to that is that the system is there, but we need the system to be high-functioning. We need ways of identifying where those illegal firearms are, where they

are coming from, how they are getting there and make sure there is coordination among agencies.

One of the biggest issues is that you have so many different people involved in this: the RCMP, the Canadian Firearms Program, chief firearms officers and you also have police agencies. You have to ensure everyone is talking to each other. Often the information is out there, but we have to make sure everyone knows and has the best information.

**Senator Plett:** Do you see anything in Bill C-71 that would take care of this, Mr. Zuckerman or Mr. Demille?

**Mr. Zuckerman:** Nothing is mentioned in the bill at all about this.

**Senator Plett:** Thank you. Can you talk about how shooting sports and the number of people now involved in shooting sports have changed in the past several years? When I say “talk about,” please be very brief, as we are limited for time.

**Mr. Zuckerman:** Yes, thank you, senator. In the Lower Mainland, of which I’m the president in Vancouver, we have had doubling and tripling of the number of recreational shooters going to the clubs. Some clubs have 4,000 to 6,000 members, and those increased numbers have limited the ability to join those clubs because there are so many.

Of all those recreational shooting participants, there has not been one accident or one fatality anywhere in the Lower Mainland since the doubling and tripling of the numbers. Those people are well-vetted, have all the proper licences and the shooting sport itself is well-regulated whereby a referee stands next to you as you shoot and move from station to station, making sure the firearm is always pointed downrange.

**Senator Plett:** I have a comment, but then I want your response to it. Between 2014 and 2017, 66 per cent of homicides by firearms were committed by people with criminal records. This tells us that at least two-thirds of gun homicides were the consequence of a failure to enforce our current gun laws, because it is already illegal for someone with a criminal record to possess a firearm. More regulation would have done nothing to save these lives.

Second, over the same period 68 per cent of all homicides were committed with a restricted or prohibited weapon. Since restricted and prohibited weapons are already registered and tightly controlled, it is clear, to me at least, that increasing gun control measures for non-restricted firearms will be equally ineffective in preventing gun crime.

I’d like a brief response from each of you.

**Mr. Zuckerman:** Thank you for the question. That’s absolutely correct. Where these people are getting the firearms is the first question to be asked, because they are not allowed to have possession acquisition licences to begin with. The background-vetting of someone, even today as it exists, can go back 20, 30 and 40 years. If they found a criminal record of a person, especially someone who has had some type of offence with a weapon of any kind, they should be denied the ability to own a firearm, in my opinion. So I would question how they even got those firearms to begin with.

If they got them illegally, because it was purchased and the serial number was rubbed off, I would be looking to gang activity. Licensed firearms owners only had 0.6 per 100,000 deaths with licensed firearms. The people you were talking about were criminals to begin with. They should never have had firearms.

**Mr. Demille:** Briefly, at the risk of repeating myself, we have a system and the system can work. But we have to make sure it is working as efficiently and effectively as possible. And the second part would be that criminals don’t care about additional regulations and rules, and that won’t stop them from doing what they are going to do.

**Senator Plett:** Thank you.

**Senator McIntyre:** Thank you all for your presentations. Last year, representatives of both your federations appeared before the house Committee on Public Safety and National Security on Bill C-71. A submission was made, accompanied by several recommendations. As we understand, you are both making the same recommendations today before this committee.

We've heard from a lot of witnesses and a lot of our questions have been answered. However, Mr. Zuckerman, in the submission submitted by your federation before the house committee last year, it made reference to the fact that the UN firearms marking will be issued in a technical amendment. And my understanding is that your federation sees the UN marking requirement as an unnecessary and expensive duplication that should be dropped.

Does the amendment add value to the existing regulatory framework?

**Mr. Zuckerman:** The answer would be no, senator, and thank you for that question. What that marking was supposed to have done in one phase is to put numbers on the ammunition itself, not so much on the firearm, therefore somehow you could trace the empty shell casings. And how that would help in any way, shape or form and the onerous cost on the ammunition to the purchaser as well to the manufacturers would, by default, absolutely bring in gun control to the point where no one could afford any type of firearms. The firearms markings that already exist are serial numbers on every single firearm.

That marking gets traced through the import duties, the dealers, wholesalers, the retailers. Restricted? That's registered with the RCMP today, registered there since prior to 1935, and the manufacturers themselves have their master lists. So it was an unnecessary addition that would be cost prohibitive for firearms users in Canada.

**Senator McIntyre:** Thank you for the answer.

Mr. Demille, would you like to add anything?

**Mr. Demille:** I don't have anything significant to add. I think Mr. Zuckerman covered it. Just to repeat, I think the existing serial numbers we have on firearms would suffice. Any additional markings would be cost prohibitive and that will be passed on to the consumer.

**Senator Pratte:** Welcome to our witnesses. Mr. Demille, in the brief that you presented to the committee in the House of Commons, your federation said that it is not opposed to background checks that look further into the past. And the impression that I got from your testimony today is that you are opposed to such deeper background checks. So would you clarify your position for us?

**Mr. Demille:** Yes, thank you for the question. Our comments today were mostly focused on — and you actually said this earlier in response to one of the other witnesses — the fact that we're not opposed to background checks that look back farther. We are saying that they already do. There are already background checks that are not stopped at five years and they can look for things beyond the criteria that people set or think within that five years. We are trying to get that information out there, better inform people that these won't really be enhanced background checks based on what the courts have already ruled, as you said earlier.

**Senator Pratte:** Thank you. You also said in the brief you presented that the federation is not opposed to mandatory retailer record keeping, which we discussed with earlier witnesses, but many firearms owners are concerned about the safe keeping and privacy of records as well as how records will be accessed by police. The concern is certainly legitimate, but I wonder whether it is valid considering what is in the bill. What is required to be recorded by the retailer is the PAL number on the information on the firearm, but no personal information, no name, no

address, so that even if someone hacked the computer system of a retailer, they would only get a list of PAL numbers were firearms, no address, no name.

Are these concerns that your members have, considering the privacy of those records, valid based on what is in the bill, or maybe on fears and distrust for the government?

**Mr. Demille:** I think it's less about distrust of the government. In this case, it's more about lived experience in a retailer, in some cases where there might and logbook or some sort of registry sheet that is just available on a counter where people may come upon it, see it or look at it from a disclosure stands and from a cellphone, take a picture. Depending on the information kept, there needs to be some sort of standard to ensure that for whatever information is collected, particularly if there is personal information, there will be security around that.

**Senator Pratte:** Thank you. You also commented in committee in the House of Commons about the statistics on crimes and suicides and so on, and you said that the government has overstated and misrepresented statistics to create a “post-2013 firearm crisis” that simply isn't true. Yet according to the latest data from the Statistics Canada, in 2017 the firearm homicide rate reached its highest level in 25 years. It's not a matter of only post-2013; it is the highest level in 25 years. Do you believe that Statistics Canada is misrepresenting statistics?

**Mr. Demille:** No, I think it was the way it was communicated, and using 2013 as the benchmark was the concern because it creates the absolute low point in a time series, and comparing to that, everything will be higher. And in some cases, it will be much higher. As we said in our testimony, I think the statistics are not as important as what we're trying to achieve. And what we are trying to achieve is whenever you have homicides, suicides or gun violence, domestic violence, those are all too high in Canada the thing that we are trying to do in these conversations, which doesn't happen enough, is that we need to talk about we tackle that.

The policies we are talking about with this bill and other firearms policy, unfortunately, it doesn't get there. We can't have those conversations because we talk more about the utility of those individual policies at such a specific level that they are not looking at root causes or why violence — doesn't matter if its gun violence or violence in general — is so high. And what do we do about that? Let's tackle that problem.

**Senator Pratte:** I certainly applaud your initiative of having a discussion, a dialogue. I do not know with which organization that will be, but is a great initiative. We do need to talk to each other to try and find solutions to these problems. Thank you very much.

(French follows — Senator Boisvenu: Bienvenue à nos témoins...)

(après anglais — Sen. Pratte: ... Thank you very much.)

**Le sénateur Boisvenu:** Bienvenue à nos témoins. J'ai un peu de difficulté avec la position du gouvernement dans le cadre de ce projet de loi. D'une part, on veut réduire la criminalité, mais on décrète des compressions à la GRC. En 2018, la situation était difficile et 2019 ne semble pas être meilleure. Les laboratoires de la GRC, qui sont frappés par des compressions, faisaient les évaluations des armes à feu lorsqu'elles étaient saisies sur les lieux du crime. En même temps, dans le territoire du Yukon et en Colombie-Britannique, il y a tout près de 2 092 dossiers en attente d'une réponse de la GRC en ce qui concerne des incidents liés à la violence et à la santé mentale. Dans les Territoires du Nord-Ouest et en Alberta, 3 188 dossiers sont en attente d'une réponse. On souhaite resserrer les règles du jeu pour les honnêtes chasseurs et d'autres propriétaires d'armes à feu, mais en même temps on fait des compressions à la GRC, qui doit faire des contrôles de qualité et des contrôles pour ce qui est des gens qui souffrent de problèmes de santé mentale. J'essaie de comprendre où va le gouvernement avec cette position, qui semble diamétralement opposée. Je ne sais pas quelle est votre position. Je pense aux

personnes qui sont propriétaires d'armes à feu et qui font l'objet d'une inspection par la GRC. Ce sont sans doute vos membres qui sont aux prises avec des retards indus. Quelle est votre position à cet égard?

(anglais suit — 1350 — Mr. Zuckerman: Thank you very much for the question...)

(Following French in 1340 — Senator Boisvenu — ...position à cet égard?)

**Mr. Zuckerman:** Thank you very much for the question. That is really an acute, intelligent observation to be had. I have had to do four five-year background checks since 1995 or 1997 when the bill originally came out. If I have passed four five-year background checks, why are you asking me, at 69 years old, to go back to when I was 18 years old and remember all the relationships I have been in, all the jobs I have had, and write down all this information? Some person that I was living with 50 years ago, I'm supposed to remember their names, addresses and phone numbers? Fine, but how are you going to get someone to check references? How much money will it cost? You will spend an entire day on me alone checking my background. Is that an efficient use of money? I really appreciate this question, because money can be spent more efficiently. If there are red flags from other background checks in the past or if there have been some kind of court orders done, that should show up on the computer system.

Further, the different police organizations do not speak to the RCMP. Here in British Columbia we have the Vancouver police, the North Vancouver police, the New Westminster police, the Abbotsford police — all who have separate files and it's only a phone call that connects them to the central database that is maintained by the CPIC computers in the RCMP. That needs to be better coordinated. It's not a matter of wasting money going through background checks and reclassification of firearms that have not proven to be crime-fighting techniques. That's what we need. It's the people using guns for criminal purposes. You need to have boots on the ground to do that, not people sitting in an office on the telephone checking pieces of paper and typing things into a computer.

**Mr. Demille:** Thank you for the question. I think that this is something we have been very interested in. Even though we've talked about some of the policies being benign in their ability to enhance public safety, not many of these policies are benign in what they will require from a capacity perspective. They are going to need to have good systems to ensure there are not delays, because those delays are being experienced now. Investment in that capacity is required. Whenever there are policy changes, particularly where there is a system, we need to have the capacity. Most of what we have heard from members is that they are very concerned about the delays that could occur.

**The Chair:** Senators, if there are no more questions. Mr. Demille, Mr. McRae, Mr. Zuckerman, we want to thank you very much for participating today. It has been very informative.

For our next panel, we have before us, from the Canadian Anti-Hate Network, Bernie Farber, Chair. We are working on a video conference connection, so we're hoping that Eleanore Sunchild, Counsel for Sunchild Law, will join us soon. For now, we will proceed with Mr. Farber.

Mr. Farber, I understand you have some opening comments.

**Bernie Farber, Chair, Canadian Anti-Hate Network:** Thank you, Madam Chair and honourable senators, for inviting me to speak here.

The Canadian Anti-Hate Network is a non-partisan non-profit that monitors hate groups and provides up-to-date information to media, researchers, law enforcement and community organizations on hate groups and hate crime. Our advisory committee is made up of Canada's

leading experts in hate crime and hate groups, including court-recognized experts, academics, journalists and lawyers.

We support Bill C-71 and measures to strengthen the bill to prevent access to firearms by members of hate groups that espouse racism and violence.

The Prime Minister, and Ministers Goodale and Freeland have all spoken about the growing threat of far-right extremism and terrorism in Canada, which already, very sadly, has a body count. In January 2017, Alexandre Bissonnette walked into a mosque in Quebec City and murdered six Muslims at prayer. This was Canada's first ever terror attack on a place of worship that was motivated by hatred. In April 2018, Alec Minassian killed another 10 with a van in Toronto.

What did they have in common? They were both radicalized online through various social media outlets. Bissonnette was consuming anti-Muslim propaganda, and both were consuming alt-right propaganda, which often glorifies mass killings and mass murder.

We know of other individuals, like Thomas White of Thunder Bay, who has an R-PAL, a restricted possession and acquisition licence, and restricted firearms. He is the host of Canada's largest neo-Nazi podcast and has boasted the following: "Basically, my kids are the one thing that keep me from calling for violence, 24/7. Otherwise, it would be massacres on the streets of Canada until I met an untimely end."

Law enforcement told us that they were unsuccessful in convincing the Chief Firearms Officer to take away White's firearms, partly on the basis that they no longer have a registry to demonstrate that he actually owns guns.

Canadians made up over 70 per cent of the traffic on a now-defunct openly fascist and neo-Nazi forum called Iron March. The same forum produced the Atomwaffen Division, the neo-Nazi terror group that killed five in the span of eight months in the United States.

On Iron March, users told a frustrated 17-year-old from Oak Bay, British Columbia to get his firearms licence and take a "permanent solution" to his school.

Dr. Barbara Perry, a member of the Canadian Anti-Hate Network advisory board and her research colleague, Ryan Scrivens, two of Canada's top academics into the advent of hate group phenomena, say we now have over 300 active hate groups in Canada. I can tell you that when I was working at the Canadian Jewish Congress back in the 1990s — and this was our last growth of anti-Semitism and neo-Nazism in Canada with the advent of a group called the Heritage Front — we had about seven active hate groups in Canada. The growth has been relatively remarkable. Many of these groups today focus on two groups: Muslims and Jews.

Tragically, both these faith groups have become recent targets for mass murder right here in North America.

As I noted earlier, it was a cold January night in St. Foie, Quebec, Alexandre Bissonnette opened fire at a local mosque where he murdered six Canadian Muslims peacefully praying. Many others were wounded, some seriously, and they carry those scars to this day.

Across the border in the United States, a white supremacist by the name of Robert Bowers entered the Tree of Life synagogue and murdered 11 American Jews at prayer.

Just recently, in Christchurch, New Zealand, whose firearms acquisition laws are similar to ours — at least until next week, if not even more stringent — a radicalized white supremacist acknowledging the murderous work of his terrorist in arms, Alexandre Bissonnette, strolled into the only two mosques in the city and committed one of the largest mass murders of its kind in the 21st century. Annihilating 50 men, women, and particularly focusing on children.

Together with other organizations, we have shared hundreds of examples of overt racism and death threats on the Yellow Vests Canada page. This would be the same yellow vests groups that showed up here on Parliament Hill only a few weeks ago with the United We Roll campaign, groups of anti-semites, Islamophobes and xenophobes. Based on social media pictures we know several of these individuals have guns.

In Alberta and elsewhere, the anti-Muslim 111 per cent militia group are stockpiling weapons, conducting paramilitary training, and staking out mosques. The leader of the group has posted on Facebook: “The only good Muslim is a dead Muslim.”

In April, a Kansas court found three members of the 111 per cent group guilty of plotting to bomb a building full of Somali refugees.

Back here in Canada, the Jewish Defence League, a hard-right anti-Muslim organization that has made common cause with English thugs and racists, such as the English Defence League and Tommy Robinson, have recently offered to provide firearms training to anybody who wishes, sending shivers of fear into the Muslim community.

Most disconcertingly of all, let us ask ourselves, where does someone have easiest access to firearms and training? The startling easy answer is the Canadian military.

According to a number of reports over the last year, neo-Nazis have eyed the Canadian military as a means to an end. Indeed, following a series on right-wing extremism in the *Toronto Star*, Canadian military authorities have admitted that neo-Nazis are, indeed, in uniform.

Amazingly, even following a media expose uncovering the fact that a Canadian reservist was a member of the right-wing terrorist group of Atomwaffen, there remains to the best of our knowledge no specific plan to address the entry of neo-Nazi terrorists into the Canadian Armed Forces where they will be finely trained on firearms and explosives.

Honourable committee members, many of you will know, as I mentioned earlier, that I spent over three decades working for the Canadian Jewish Congress, the last six years as its chief executive officer. I went to bed every night with a nightmare scenario that one day a violent neo-Nazi or white supremacist will walk into a synagogue and murder innocents. Alas, this is no longer a nightmare. In this early part of the 21st century, it has become a living and deadly reality. Silence, inertia and inaction are no longer options.

At CAN, we recommend that Bill C-71 be amended to add criteria to prevent individuals from receiving firearms licences if they associate with extremist hate groups and therefore pose a serious risk to themselves and to others.

Further, we support measures which make it possible, in the interest of public safety, for the Chief Firearms Officer to take weapons out of the hands of individuals espousing overt racism and support for violence. We urge, in the strongest possible terms, to provide this fence of protection for all Canadians and to do so with haste and with purpose.

Thank you for your time. I'll take any questions that I can answer.

**The Chair:** Thank you, Mr. Farber. We have Ms. Sunchild, who has been able to join us by video.

**Eleanore Sunchild, Counsel, Sunchild Law, as an Individual:** Good afternoon, committee members. Thank you for the opportunity to present to this standing committee. My name is Eleanore Sunchild, I am a lawyer in Battleford, Saskatchewan. I own and operate Sunchild Law. I come here as a member of the Treaty 6 territory and as an Indigenous mother who watched the events unfold in our province after the killing of Colten Boushie. I currently represent the Boushie family, whose son was shot —

**The Chair:** Ms. Sunchild, I'm terribly sorry to interrupt you. The translators can't hear you and therefore can't translate. Can we ask you to halt for now and we'll try to see if we can work it out. In the meantime, we'll take questions from Mr. Farber.

(French follows - Senator Dagenais - Monsieur Farber, vous avez souvent...)

(après anglais — The Chair: ... questions from Mr. Farber. )

**Le sénateur Dagenais:** Monsieur Farber, vous avez souvent mentionné le cas de M. Alexandre Bissonnette. Je suis au courant puisque je viens du Québec. En passant, M. Bissonnette a commis ses crimes avec des armes enregistrées.

Il y a un registre des armes au Québec, malgré que pas plus de 25 p. 100 des jeunes y adhèrent.

D'autres attentats terroristes ont eu lieu, notamment à Nice sur la promenade des Anglais et à Toronto sur la rue Yonge. Récemment, à L'oratoire Saint-Joseph de Montréal, un prêtre a été poignardé.

Cela dit, quelles dispositions du projet de loi C-71 auraient changé le cours des événements pour ce qui de l'attentat à la Mosquée de Québec — si le projet de loi C-71 avait été mis en place — et qu'est-ce que les policiers auraient pu faire de plus ou de mieux si cette loi avait existé?

(anglais suit — Mr. Farber: Thank you very much for the important question, senator ...)

(Following French - Senator Dagenais cont'g - ...mieux si cette loi avait existé?)

**Mr. Farber:** Thank you for the important question. From my point of view and the Canadian Anti-Hate Network, we want to make it as difficult as possible for those who are involved in promoting hatred to have access to firearms. Anything that puts those kinds of blockages in their way would be more than helpful.

Yes, he had legally obtained firearms, you're absolutely correct. But if our provisions were to be made into law, one of the things that the police might have been able to do in advance was to have determined, given Mr. Bissonnette's history online — and I think this is kind of an interesting thing to bear in mind because what we have found with Mr. Bissonnette, Robert Bowers in the United States, Alek Minassian who didn't use a gun but a truck to murder people, all of them were connected through social media and they left a footprint.

If you can find this footprint and determine that these people are involved in hateful activities, in promoting hatred, in gathering information that could lead to hateful activity and they apply for a licence for guns, potentially and possibly something could have been done.

For the future, I think what we need to do is look at a time when — and here's the thing that scares me more than anything else. My experience tells me that once something happens, as terrible as we have seen in St. Foie and as awful and horrible as we saw in Christchurch in New Zealand, that means it will happen again. I'm not saying it may happen again. I'm saying it will happen again.

If we can put obstacles in the way of those who hate, those who have been very obvious about their hatred because they've left this footprint online, we might be able to do something to stop it. We may not. We don't live in a perfect world. You can't create a thousand laws in order to protect society, but we can do as best we can to protect by at least having tools for police officers and authorities to use prior to crimes being actually committed.

(French follows — Senator Dagenais: Vous avez souleve ...)

(après anglais - M. Farber: ...being actually committed.)

**Le sénateur Dagenais:** Vous avez soulevé l'hypothèse que les policiers puissent faire des arrestations préventives — et je suis content de vous l'entendre dire, car ce sera l'objet du projet de loi C-59 visant justement à réduire le pouvoir des policiers en matière d'arrestations

préventives. Nous devons vous inviter à revenir témoigner dans le cadre de l'étude de projet de loi.

Revenons au sujet qui est devant nous. Vous avez donné de bons exemples en matière de radicalisation. La lutte contre la radicalisation ne devrait-elle pas passer par l'éducation plutôt que par le projet de loi C-71? Quand des événements se produisent et qu'on procède à une arrestation, on se rend compte bien souvent que le problème n'est pas lié à l'enregistrement d'une arme à feu mais se situe plutôt dans la tête de l'individu. Ce n'est pas l'arme qui est dangereuse, mais bien celui qui l'a dans ses mains.

(anglais suit - Mr. Farber: Frankly, I think it's both...)

(Following French — Senator Dagenais — dans ses mains.)

**Mr. Farber:** Frankly, I think it's both. You can't have one or the other. I think it's necessary to have both. Sadly, we've failed on both attempts. We have not done very well in terms of educating society in relation to radicalization. Police have not got the tools that they need.

Our intelligence community, at one point, had a desk that was specifically focused on right-wing terrorism and they dropped it in the mid-2000s. It has only been within in the last year where they have acknowledged they have not kept up-to-date on right-wing terrorism and have now restarted their intelligence work in there.

We'll get to schools in a moment, but as far as police are concerned, back after the days of the heritage front when neo-Nazism had risen to a point where even CSIS felt they had to do something, they put a mole into the organization, as you may recall, that ended up basically blowing it apart. We had a real lull for many years. And I think that's why, by the way, CSIS decided to pull back.

At that time we had what was known as anti-hate units in various of the urban police forces right across Canada. They had them in Toronto, Montreal, Vancouver, Ottawa, Calgary. These were specially trained police officers whose sole job it was to investigate areas of hate groups, hate crime, White supremacy. That has now gone.

Now, police may say to you, yes, we do have anti-hate units, when, in fact, they have intelligence units where they've appointed one or two officers to investigate hate crimes when and if they exist. But there's no prior work done whatsoever.

So we have a very dangerous boiling situation. We have poor intelligence. We have police officers who are not well trained in understanding the sophistication and the complexity of hate crime. Police are very good. If you have a bank robber and somebody robs a bank, they go after them and they are arrested. It's different when we are dealing with hate crimes because we're dealing with subjective matters that take a lot of training and understanding. We have none of that now. So all of that is gone.

On top of that, we clearly have not done our job within the education system. How is it that our young people have been turning today, in such large numbers, to groups like the Proud Boys, 111%, Sons of Odin. The numbers that we are seeing today far outmatch the numbers that we saw 20 and 30 years ago. So we've erred in our education system, within our criminal justice system and intelligence situation.

My view is — and I know not a lot of people share this — I understand the popularity of hunting and fishing. I've never hunted but I'm a great fisherman. I get it. But at the same time, for me, given my history, not just as a human rights advocate but as a child of Holocaust survivors, where guns were used before gas chambers to murder hundreds of thousands of my people, I come with an agenda. I'm the first to tell you this. I'm not a great gun enthusiast.

We need to find a balance. For me, the balance is finding proper legislation that ensures a fence of protection against those who will take up guns legally and illegally — and I understand there's a huge issue with illegal guns out there as well. The idea is to put enough roadblocks in the way to make it difficult, to make them stumble, to make them fall. We'll never ensure that everybody could be completely safe. I could walk out here at the end of the day and get hit by a bus. But we can ensure to the best of our ability that there are regulations in place that make it difficult for the bad guys to do bad things. I keep it as straight and simple as that.

(French follows — Senator Dagenais: J'en conclus qu ...)

(après anglais - M. Farber: ...straight and simple as that.)

**Le sénateur Dagenais:** J'en conclus qu'il faut donner plus d'outils aux policiers pour contraindre les extrémistes.

(anglais suit - Mr. Farber: I would agree with that...)

(Following French — Senator Dagenais — contraindre les extrémistes.)

**Mr. Farber:** I would agree with that.

**Senator Plett:** I really don't know where to begin. You know, Mr. Farber, I think the end goal that everybody around this table has is exactly the same thing. We are just so far apart on how to achieve that end goal. There isn't a person that is opposed to Bill C-71 in this Senate or indeed at most places in Canada that would promote hatred. The fact that we are opposed to this is because this targets innocent people, not hateful people.

You are suggesting that we penalize all law-abiding citizens, by the hundreds of thousands, because we have hate-filled people and hate groups in Canada. We do. We will never do away with that.

You suggested at the end of your comments that you were a child of Holocaust survivors. That's a horrific incident. But the fact of the matter is one of the first things Hitler did when he came into power was he registered guns, which is what you're now proposing. We're going in the wrong direction. We're saying we want to do this but yet we're doing this.

I want to correct one thing and I do have a question at the end of my rant here; I apologize, I'm not the witness, you are.

You alluded to the yellow vests here in Ottawa, and I was okay with that until you put them together with the truckers United We Roll and implied — you didn't say it but I got the implication — that somehow they were connected. Then you said “and some of them have guns.”

I'm sure a lot of them have guns. A lot of them were from Western Canada. They were hunters. You imply that they are hate-filled people because they came here protesting a horrible piece of legislation, Bill C-69 — one of the most horrific pieces of legislation that any government has ever brought in. To connect these people in any way with hate because they are here working for their livelihood is quite frankly offensive.

We have vans killing people. We have guns killing people. We have knives killing people. You said it: The largest terrorist killing in North America was 3,000 people when the twin towers got hit by airplanes. So we have airplanes killing people. We are not doing away with all of those things. The gang bosses in New Zealand say they are not giving up their guns. So they will have guns. All the innocent people won't have guns, but the gangs will still have their guns.

Mr. Farber, what your organization is proposing with respect to Bill C-71 is indeed quite radical. If I have understood you correctly, you seem to be suggesting that if someone associates with hate groups or espouses hate, they should be subject to legal sanctions before they are even found guilty in a court of law. "Let's sanction you right now because we think you are a hateful

person; you have the wrong haircut and that looks to us like you're a violent person." Am I understanding that correctly?

Considering that vehicles have also been used in hate crimes, would you also recommend that those who are suspected of possibly committing crimes due to their views should also lose their driver's licences? We don't even take their driver's licences away when they murder people. We put them in jail, but we don't take away their driver's licences. If so, have you considered the constitutional impact on the Charter of Rights and Freedoms?

**Mr. Farber:** You started off your question to me saying you don't know where to begin. I guess I don't know where to end. I'll get to your question, which is an important one, but I do want to make a couple of clarifications.

We are not targeting innocent people. We are looking at those who commit crimes, and when we talk about hate, there are legal definitions of hate. There are certainly implications that police use not to give people firearms before they ever go to a court. We know that there are such groups here in Canada; I've already stated the kind of groups we are looking at. We know there have been people who have made comments, who have gone very public on social media claiming, "The only good Muslim is a dead Muslim." I can go on with examples and I'm prepared to present them to you, senator, at any time.

The fact of the matter is — and I've said this at the beginning and I'll say it at the end and I'll keep on saying this — that I would prefer, if possible, to put whatever blockages we can against those who would take a human life. To me, the taking of a human life is the most disgusting thing that anybody can do. It may mean we have to impose certain restrictions based on the fact that certain individuals out there are hateful and, according to their very own words, are willing to go out there and commit acts of hate that may include violence. I think we have to take a look at that and give some very serious consideration to that because the next victim could be your grandchild or mine; it could be anyone's son or daughter. Today, going into a house of worship is almost akin to taking your life into your hands if you happen to be Muslim or Jewish. How can that be so in Canada or the United States? How is that possible? What we are trying to do is find a balance. I'm not saying we tilt completely one way or the other, but we should find a balance to make things as difficult as possible for those with hate in their hearts — hate as defined by law. We do have definitions of hatred. Chief Justice Brian Dickson has made an excellent description of hate, according to Canadian law, and I am happy to provide that to you.

The bottom line is that we are just trying to find that balance. I do want to respond in terms of the yellow-vest comment I made. There is no question that many who came with the "United We Roll" convoy — possibly the majority — were here with legitimate purposes in their hearts in terms of advocating for their beliefs, but we know, because we had people on the Hill and we saw it with our own eyes and we heard it, that there were some attached to the "United We Roll" convoy who were members of and associates of the yellow-vest movement. We know that the yellow-vest movement has engaged in some of the most despicable, hateful screeds that we have ever seen in this country. It happened over and over again in the few days that they were on the Hill.

I'm not saying they were all yellow-vesters. I didn't say that and I resent that you put those words in my mouth, with all due respect, because I know exactly what I said.

**Senator Plett:** I will check Hansard.

**Mr. Farber:** Please do; please do. If I did, I apologize, but my recollection is not that. There were many yellow-vesters there, without question. It was reported by various newspapers. We had people on the Hill who saw it and reported it themselves. I hope that that gives you some

indication. You and I will not agree in the long run as to what is needed in relation to guns. It's the position we have taken. It's the position our association has taken. In the end, we may just have to agree to disagree, but we feel very strongly about it.

**Senator Plett:** Both in your answer to me now and in your opening remarks, you alluded to social media. I agree with you on that. We agree on many issues. Social media can be a powerful tool for good, but it can also be a devastating tool for bad. It's the social media that's doing that; not the guns. People who want to kill people will find a way of killing people, whether they use a van, an airplane, or a gun — whatever it is. I agree in part with the witnesses earlier today who talked about suicides and impulse shootings. They may be right, but someone who wants to go and massacre people isn't going to go to Mr. Faulkner's store and say, "Will you sell me a gun so I can go and massacre people?" They will find machine guns or whatever, and they will go and massacre people. We are targeting the wrong people.

Anyway, you're right; we probably won't agree. I will check Hansard because I'm still of that mindset. You may not have called the yellow vests a criminal organization — fair enough — but you alluded to them being bad people. Should we then get rid of every bank that has a yellow-vest person working there? Come on; we don't do that either. You referenced the "United We Roll" convoy and that's when I took the offence, not the yellow vests. The "United We Roll" people were not "possibly" the majority of them good people; they were good people and they are good people, fighting for their lives.

**Senator Pratte:** One aspect of the disagreement between Senator Plett and me is the impression that this bill will penalize hundreds of thousands of legitimate gun owners. I disagree. I think the overwhelming majority of law-abiding, gun-owning, good citizens will see very little, if any, impact of this bill on their lives.

Mr. Farber, you mentioned you would like an amendment to the bill so that someone who is associated in some way with a hate group cannot get legal access to a gun. As you know, there were some changes made to the bill in the House of Commons. In one instance, they added a couple of criteria for persons who want to get a licence. One is the very wide criteria that asks if this person, for any other reason, poses a risk of harm to any person.

I'm wondering whether this wording does not, in a way, reach the objective that you want to reach? Obviously if someone puts up a website that is hateful toward specific groups of people, it could well be said that they pose a risk of harm to someone.

**Mr. Farber:** I agree. Thank you also for your words at the beginning in terms of the hundreds of thousands of gun owners in Canada who are basically decent, peaceful folk. They are not haters, and they are not going to be penalized.

The problem I have with general points in a bill is that it is general. Sometimes, when it comes to law enforcement, you really have to point things out. It's clear that we have been having problems over the last number of years even getting police to investigate hate crimes.

I'll give you an example: In Toronto, there was a newspaper by the name of "Your Ward News." It was awful. It was filled with neo-Nazi imagery. It had hundreds of complaints from people receiving it in various parts of Toronto. It was misogynistic; it counselled murder. It was a piece of junk.

We reported it. As a matter of fact, the first time it ever got reported, I was still working for the Canadian Jewish Congress. We are talking around 2010. But the actual investigation of "Your Ward News" came in 2012. It took six years for charges to be laid and for that to get to court. That only happened because a number of citizens stood up, and, as my father used to say, "They opened the mouth."

My only concern is if that general piece can be used by the police, and the police understand that hate could be very much part of that general piece, I would say to go for it. Sometimes, though, you need to spell things out.

**Senator Pratte:** I would like to go back to an argument made by Senator Plett and Senator Dagenais about the fact that some of the mass killings we saw recently were committed not with a gun but with airplanes or whatever. How do you respond to this argument? This is something we hear not only for mass murders but for suicides, where people say, “If they don’t have access to a gun, they’ll find something else.”

**Mr. Farber:** As I said at the beginning, we are not going to create a perfect society with legislation. We can’t legislate everything out of existence. In Toronto, there were a number of suicides. A number of people took their own lives by jumping off a huge bridge over the Don Valley Parkway. So what did they do? They put fencing over it so you couldn’t gain access to jump over. I would say, and those who are experts in societal behaviour did say that probably many lives were saved because it made people think a second time.

With this new advent of terrorism and using whatever you can get your hands on, it makes life difficult and dangerous. I was literally in London, England, during one the terrorist attacks with a van, and had I been there two minutes earlier, I would have been part of that carnage. I get it.

I have been in Israel on a number of occasions where suicidal bombs went off, and there but for the grace of God. You cannot fix everything, but you can fix some things. You can make it difficult. The only thing I’m trying to get across in the long run is not to hurt and penalize peaceful citizens. Those are not the people we are concerned about. However, I am concerned about Alexandre Bissonnette. And you’re right, Senator Plett, that he did go online and got radicalized online.

By the way, there are efforts in this country now to deal with online hatred and online radicalization. The Justice Committee is looking into development of new laws and potentially bringing back section 13 of the Canadian Human Rights Act that deals specifically with Internet hatred, another block that we can put in front of terrorists.

The bottom line is let’s make it as difficult as possible. Maybe, just maybe, had Alexandre Bissonnette not had a gun or did not have easy access to a gun, maybe he would have thought twice. Even that “maybe” is enough of a hindrance that we could have offered as a means by which to save one life or two lives. To me, it’s worth it.

(French follows — Senator Boisvenu - Merci, M. Farber. Vous savez ...)

(après anglais — Mr. Farber: ... it’s worth it.)

**Le sénateur Boisvenu:** Merci, M. Farber. Vous savez sans doute que dans le cas de la tuerie de Sainte-Foy, la vraie cause a été le fait que le demandeur de permis a fait une fausse déclaration aux policiers, qui n’ont pas vérifié les antécédents psychiatriques du tueur. En quoi cette loi — où l’on va vérifier la vie durant plutôt que cinq ans — va-t-elle éviter qu’il y ait des gens qui manquent à la police ou que des détenteurs légaux d’armes à feu développent en cours de route des maladies psychiatriques? En quoi ce projet de loi va-t-il rendre le travail des policiers plus efficace quand on sait qu’en Colombie-Britannique et Alberta, près de 5000 dossiers n’ont pas encore de réponse de la part des policiers?

Un psychiatre nous a dit que les policiers ne peuvent avoir de l’information en temps réel. Ne croyez-vous pas qu’afin d’éviter des suicides, la solution serait que les policiers qui autorisent les permis d’armes à feu aient un accès direct aux dossiers médicaux pour vérifier immédiatement si un individu a des antécédents plutôt que de passer à travers la machine bureaucratique, ce qui

peut prendre de trois à quatre ans? Plutôt que d'avoir un projet de loi qui ne va rien changer où l'on vérifie les antécédents sur cinq ans ou à vie, où des gens vont tricher ou vont développer des maladies mentales et deviendront dangereux. Si les policiers avaient accès en temps réel aux dossiers médicaux, s'il n'y avait pas cette barrière bureaucratique entre le monde médical et le monde policier, ne croyez-vous pas qu'on pourrait sauver des vies?

(anglais suit — Mr. Farber: Yes, I agree.)

(Following French — Senator Boisvenu - ... pas qu'on pourrait sauver des vies?)

**Mr. Farber:** Yes, I agree.

(French follows — Senator Boisvenu - La solution ne doit pas venir du ...)

(après anglais — Mr. Farber: Yes, I agree.)

**Le sénateur Boisvenu:** La solution ne doit pas venir du gouvernement fédéral, mais plutôt des provinces, qui gèrent ces patients qui ont des problèmes psychiatriques. On ne les soigne pas et on les laisse souvent en possession d'armes à feu, car on ne vérifie pas leurs antécédents. Ils finissent par commettre des crimes. Ne croyez-vous pas que la vraie solution est de ressort provincial et non fédéral?

(anglais suit — Mr. Farber: Thank you, Senator...)

(Following French — Senator Boisvenu - ... la vraie solution est de ressort provincial et non fédéral?)

**Mr. Farber:** Thank you, senator. I suppose this goes back to what I have been saying from the beginning. We need to do all we can, and that means having all the authorities working in concert with each other. I happen to agree with you. People who have —

(French follows — Senator Boisvenu - Dites-moi en quoi le projet de loi sera ...)

(après anglais — Mr. Farber: ... to agree with you. People who have —)

**Le sénateur Boisvenu:** Dites-moi en quoi le projet de loi sera plus contrôlant des gens avec des antécédents psychiatriques ou qui développent des troubles psychiatriques. Dites-moi en quoi ce projet de loi sera mieux que les cinq ans de contrôle actuel où l'on en échappe à gauche à droite.

(anglais suit — Mr. Farber: I can't tell you that because...)

(Following French — Senator Boisvenu - ... où l'on en échappe à gauche à droite.)

**Mr. Farber:** I can't tell you that because I'm not here to testify about that. I'm here to testify about what I know about, and that's dealing with hate. You did ask an important question. Had the police been investigating Mr. Bissonnette when he applied for his licence for a gun and had they gone online — by the way, it was not terribly difficult to find his footprint on social media in terms of the websites he was going on, what he was listening to and hearing. I would imagine, had they seen that, and with maybe a simple interview afterwards, it might have led the firearms officers to question whether or not this man should have been given a licence.

By the way, I would say exactly the same thing about those with mental illnesses and those with criminal records. I want to make it as difficult as possible for those who are prone to violence to have access to guns on a general level. But we do know, and we know it will happen more and more, and that's what our organization is about. I'm sure you're going to be hearing from many different organizations, some pro-gun and some anti-gun, and they will have all kinds of answers. I'm focused on the violent haters out there. I want to make it as difficult as possible for them to access guns. In my view, it won't stop everything, but it may stop some. To me, that is better than nothing at all.

**Senator McIntyre:** Mr. Farber, I understand that the mandate of your network is to provide information and education on hate groups to the public, the media, researchers, courts, law

enforcement and community groups. Over the years, how successful has your network been in providing this information?

**Mr. Farber:** Thank you very much for that question. I did not pay him to ask that question, but it is a good one.

We are coming into our first year of existence next week. We began a year ago last May. We work on very tight and limited budget. We are a non-profit. People make donations to us, so count on folks being generous and giving of their time and our advisory group is made up of those individuals.

We have three or four that work for us at very limited fees, and I chair as a pro bono piece of what I do. How effective have we been? I think that since we began last year, we have worked with four different school boards. We worked with teachers and students in presenting workshops on terrorism, hatred and how young people get involved in hate groups. We've probably done this in 15 schools in Ontario. We have just recently applied for a public security grant to extend the work that we do right across Canada and we are cautiously hopeful that we will be able to access that. We need 10 Canadian anti-hate networks in order to be as effective as we would like to be.

We've been training police officers at the York Regional Police and Toronto Police Service. We've worked with the York Region District School Board, Toronto District School Board and Peel District School Board. It's a drop in the ocean. Those who have taken our courses and workshops have been very grateful. They've learned a lot.

We have our first public workshop coming up in Newmarket, Ontario on April 8, where parents are actually invited to come and hear what we teach teachers. It's already booked completely. We can't get any more people into the gym.

There's a lot of work to do here, and we're scratching the surface, senator.

**The Chair:** Senators, if there are no more questions, let me take the opportunity —

**Senator Plett:** Could I ask one short question? It won't be argumentative.

**Mr. Farber:** It's okay if it's argumentative. We can agree to disagree.

**Senator Plett:** You alluded to Senator McIntyre about your non-profit organization. Do you take only personal donations or are there any corporations that give you money?

**Mr. Farber:** We take any money that people are willing to give us. We have taken personal donations such as from the CEO of Paramount Fine Foods in Toronto. If you've ever been to the Paramount Middle Eastern restaurant in Toronto, Mohamed Fakia gave us a corporate donation of \$25,000, which kept us going. The Slate family has given us a large donation and the Dan family in Toronto has given us a large donation. People are stepping up to the plate.

Really, senator, I think this might be something you and I do agree on. We're a non-profit, but we are the private sector. We pretty well have the greatest expertise on this issue that can be gathered in one place. It behooves government to work with the private sector to make these kinds of projects a reality.

**Senator Plett:** Do you have charitable status?

**Mr. Farber:** No, we don't, because we do advocacy so it would be difficult to get charitable status for an advocacy organization, but thank you.

**The Chair:** Thank you, Mr. Farber, for joining us. We appreciate you taking the time to come here.

Senators, for your information, we were unable to get Ms. Sunchild in by video, so we will try to make some other arrangements.

Senators, for our fifth panel today we have joining us by video conference, from the Canadian Association of Chiefs of Police, Chief Adam Palmer, President; and Chief Evan Bray, Co-chair, Special Purpose Committee on Firearms; and from the Government of British Columbia, Wayne Rideout, Deputy Director, Drugs and Organized Crime Awareness Services. They all join us by video conference and their names are at the end of the table in the order in which you see them on the screen. We will begin with Chief Palmer.

**Adam Palmer, President, Canadian Association of Chiefs of Police:** Thank you. Hello, Senate committee chair and members of the distinguished committee. As president of the Canadian Association of Chiefs of Police, I would like to express our appreciation for having us appear in front of you today.

I am the chief of the Vancouver police department. I am joined today by Regina Police Chief Evan Bray, who is co-chairing the CACP's Special Purpose Committee on Firearms. This group has been tasked by the CACP board of directors to study the growing concerns related to gun violence in Canada and the broader Canadian situation from a public safety perspective.

Realizing that our time is limited, allow me to speak to the broader issue of gun violence and the bill before this committee. I will then ask Chief Bray to briefly discuss the work of our committee.

This is a polarizing debate and can be a divisive and emotionally charged debate on all sides of the issue. Some law-abiding firearm owners are of the view that they are being criminalized for owning a gun. Some of these are hunters, sports shooters and collectors, who represent a love of the outdoors the sport and the history.

Our past CACP president, Mario Harel, made the following statement to the house committee on Bill C-71:

I can't speak to the extremes within this debate, where ultimately more guns and more firepower are somehow acceptable, while to others the only solution is to prohibit all firearms.

I can only speak to what I believe are a far majority of citizens who are law-abiding and who balance their individual privileges with the broader right of society.

They understand and support regulations which, as best as possible, place a priority on public safety and the protection of the most vulnerable amongst us.

To be clear, we place a priority on public safety. We place a priority on victimization. We will always speak from that voice.

Gun violence in Canada has undergone ebbs and flows of which there is currently a growing and understandable concern. I join in all that are calling for better data.

However, it is clear that there is a spike in gun violence, as we can see in a number of communities across Canada. We need to find ways of reducing gun violence in our communities using the best evidence-based practices. There is no one-size-fits-all approach to this. The disturbing trend in gun violence is largely related to gangs, both low-level street gangs and more sophisticated organized crime groups. To stop it requires a whole-of-society approach that starts with education and prevention early on to ensure that we address root causes which lead people to the gang lifestyle in the first place. It is also about exiting strategies for people in those lifestyles and leading them to a healthier path in life.

It is also about enforcement and ensuring we are going after the criminal elements who are perpetrating violence in our communities. We currently have a strict and responsible form of gun ownership laws in Canada, including registration of restricted and prohibited weapons, which includes all handguns. We also have strong education requirements for firearm owners.

Background checks are in place, although we think they can be strengthened with further checks done to help ensure responsible gun ownership.

The current regime is actually very good. However, there is room to enhance and improve the current system. We need to ensure that those with histories of criminal records, domestic violence, mental health issues, et cetera, do not have access to firearms. The issue is not law-abiding Canadians who want to own firearms, it is people who are involved in criminality obtaining firearms through illegal means, such as cross-border trafficking, theft from legal gun owners in Canada and straw purchases. To be clear, the CACP is not calling for a long-gun registry for rifles and shotguns. We want to ensure that we have proper investigative techniques in place and appropriate consequences for those who commit acts of violence.

We also want to better understand where these guns are coming from. We all agree that we need better data, which we are currently working on to improve. We cannot rely on anecdotal stories to make decisions. We support Bill C-71 from the perspective that it corrects some of the concerns that have been expressed in our current regulated environment. It is by no means a panacea to stop gun violence. We support it as part of an overall strategy to help prevent victimization by way of a firearm and correct, from a public safety perspective, some of the weaknesses in our current firearm regulations.

We need protections to help mitigate the impact of the worst outcomes of firearms, even if those protections place requirements on law-abiding firearm owners. Therefore, we agree there should be corrections relating to who is eligible to hold a firearms licence so that an applicant's full record, as it relates to violence and criminal behaviour, can be taken into account. We would also support calls for physicians to be required to advise authorities if, in their opinion, they felt that a person should not be in possession of a firearm for the safety of that person or the public. This is much like the concept of revoking a driver's licence for health concerns.

The requirement that when a non-restricted firearm is transferred, the buyer must produce his or her licence and the vendor must verify its validity is critical in our view. We support the need for record keeping by vendors. Most reputable businesses are already doing this for their own purposes. Since the end of the long-gun registry, the police have been effectively blind to the number of transactions by any licenced individual relating to non-restricted firearms.

It's important to note that judicial authorization must be used to obtain information about the buyer from the vendor. The CACP submits that the standard to obtain such a production order must be amended from reasonable grounds to reason to suspect. The absence of such records effectively stymies the ability of police to track a non-restricted firearm that has been used in a crime. The tracing of a gun can assist in identifying the suspect and criminal sourcing, such as trafficking networks. In the United States, it is interesting to note that they federally mandate each store to track and keep records of gun sales. We support restrictions with regard to the transportation of prohibited and restricted firearms. It is our view that the prior change that allowed authority to transport was too broad and allowed too much latitude for abuse. In practical terms, it allowed the licence holder to carry a firearm at times beyond the proper purpose and intent.

We support elected officials determining firearms classes. However, we must rely on the professional expertise provided by the RCMP to classify firearms and to do so without political interference or influence. Their impartiality lies in public safety, which I stated earlier must be given priority.

The CACP also welcomes clarification of section 115 of the Criminal Code relating to automatic forfeiture. This clarifies court orders to take firearms out of the hand of criminals and

unsafe persons include any of the firearms already held by law enforcement. On the greater issue of gun violence and what the CACP is doing, I would ask Chief Evan Bray to say a few words.

**Chief Evan Bray, Co-chair, Special Purpose Committee on Firearms, Canadian Association of Chiefs of Police:** — Issued its final report to the B.C. government on September 30, 2017. Included in this report is a number of recommendations, including asks of the Canadian Associations of Chiefs of Police. As such, given the growing concerns related to gun violence in Canada, the CACP has created a special purpose committee on firearms. This group is made up largely of police expertise, guns and gangs, investigative firearms tracing statistics, firearm officers, academics, et cetera, with national geographic representation. The group is co-chaired by Deputy Chief Bill Fordy of the Niagara Regional Police Service and myself.

The intention of this special purpose committee is to use the B.C. report as a basis to look at the wider array of firearm-related issues, of which handguns will be included. The CACP wants to understand the broader Canadian situation before making a policy position to be presented to our board of directors. Our goal is not to rush but focus our efforts under four quick themes that I will give you: Strategic approaches, legislative initiatives, education and prevention, and data collection and information sharing.

**Mr. Palmer:** Let me finish by saying we respect the debate occurring and understand the various positions on this issue. It is not our goal to punish law-abiding citizens for the actions of criminals. Our goal is simply to ensure the safety and security of all Canadians. Thank you.

**Wayne Rideout, Deputy Director, Drugs and Organized Crime Awareness Service, Government of British Columbia:** Good afternoon and thank you for the opportunity to contribute to this important body of work. British Columbia continues to experience troubling and highly dangerous incidents of firearms violence that resulted in deaths and injuries. Highly public and brazen acts, often linked to the illegal drug trade, organized crime and gangs, place members of the public at risk. They create fear, hardship and tragedy for the individuals and communities affected, and impose burdens on public resources.

In response, the government of B.C. announced in April 2016 several initiatives as part of an enhancement to B.C.'s guns and gangs strategy. Funding and other initiatives were provided to bolster safety in communities that have experienced spikes in violent gang activity. The government of B.C. also convened an illegal firearm task force to make recommendations for action to the B.C. Minister of Public Safety and Solicitor General. Many of the recommendations are based on an understanding of the way in which illegal firearms are central to organized crime groups, gangs and criminals. The unique circumstances of organized crime in B.C. confirmed the need to rely on strategies specific to B.C.'s problem. The task force, which built on existing programs and strategies, identified the risks and attempted to develop pragmatic solutions to the nexus between illegal firearms and organized crime and gang activity in the province. The illegal firearms task force report was provided to the government in the fall of 2017, and since that time the ministry and key stakeholders have been implementing a number of these recommendations that are within provincial control.

We have and continue to work with Public Safety Canada on those recommendations that are within federal jurisdictions. Many illegal firearms task force recommendations will work hard to change federal policy, legislation and strategy.

The final report of the illegal firearms task force contained 37 recommends that represent the need for a multi-faceted approach to the problem of illegal firearm possession, trafficking and use in British Columbia. The recommendations, as you've heard, fall into four overarching

themes: Strategic approaches, legislative initiatives, education and prevention, and data collection and information sharing.

Several of the recommendations that were made by the task force have strong links to the provisions of Bill C-71 and we are supportive of the bill.

I would like to speak to straw purchasing and firearms tracing. The forensic examination certification and tracing of recovered illegal firearms are fundamental to any illegal firearm strategy. All seized and recovered firearms should be traced in order to build intelligence and uncover evidence. Firearms tracing provides potential evidence on the sources of specific crime guns. It also develops strategic and tactical intelligence. Strategic intelligence provides understanding of the sources of illegal firearms and other vulnerabilities, as well as patterns related to the type and make that are related to smuggling and trafficking.

Domestically sourced firearms may be stolen in residential and commercial break-and-enters or illegally acquired by straw purchasers and diverted to illegal use. These illegal diversions or trafficking occur with registered, prohibited and restrictive weapons, as well as the largely unregulated long guns that can be purchased with only a PAL.

Point-of-sale recordkeeping that requires sellers of firearms to record the name and licence of the buyer, and information about the product sold, would help trace guns and deter illegal trafficking. Points-of-sale recordkeeping would help link straw purchasers and illegal firearms traffickers to crime guns. It would disrupt and deter illegal transfers by increasing the risk of detection to straw purchasers. It will also create deterrence.

Having those records would close intelligence gaps and assist investigators by creating opportunities to trace firearms, identify traffickers and focus strategic intelligence. This effort, particularly when completed in a timely fashion, significantly strengthens ongoing investigations and greatly assists in province-wide intelligence-gathering and analysis to identify firearms traffickers.

A national requirement for firearms sellers to keep record sales would provide uniform and effective standards across Canada. In our report, our recommendations included the same requirements being made for gun shows and private sales.

With respect to background checks, intelligence and the coordination of information is highly critical to the mitigation of damage done by illegal firearms. Chief firearms officers, or CFOs, rely primarily on information from police and the courts when applying eligibility provisions. Self-disclosure and non-solicited reports from family members, friends and colleagues may also bring relevant information to light.

The constantly evolving methods of organized crime and the ability of criminals to exploit vulnerabilities within firearms regulations require open and effective links between regulation and enforcement. Combining law enforcement intelligence and data with the expertise of firearms regulators will create the most effective approach to reducing illegal firearms violence in B.C. and throughout Canada.

Some members of organized crime groups and their associates are known to possess PALs, or possession and acquisition licences. Access to a PAL allows them to procure firearms and ammunition without having to resort to external sources. Often, these individuals do not have criminal records but are used by those who do to obtain firearms. They can be identified by queries and analysis of the police record management systems that are in the control of police agencies across this country.

Enabling key stakeholders like chief firearms officers and the Canada Border Services Agency to access regional and national police databases will have a positive and far-reaching effect for provincial and territorial jurisdiction that shares a land border with the United States.

The danger of failing to implement broader access to data across all provincial and territorial jurisdictions is that criminals will simply divert their cross-border entry points or jurisdictions to avoid detection.

One area of concern to the Illegal Firearms Task Force was the lack of access by the Canada Border Services Agency to police records management systems. It effectively constrains the CBSA's access to highly necessary tools containing information on persons under active police investigation who are known associates or proxies for organized crime but do not have criminal records and therefore do not appear in the other databases CBSA has access to, including CPIC, or the Canadian Police Information Centre. This gap fails to capture valuable criminal intelligence by CBSA, which could be gleaned from the police.

Limiting information-sharing results in incomplete pictures for both enforcement and regulators. Information held by both the Canadian Firearms Program and law enforcement can be critical to harm reduction, investigating illegal firearms traffickers and the supply of firearms to violent criminals. The Canadian Firearms Program needs greater access and ability to rely on the records, including access to police records management systems to meet its regulatory mandate. Police need access to regulatory information to identify those persons with criminal intent related to the possession, trafficking and use of illegal firearms. Effective information-sharing between the Canadian Firearms Program and law enforcement can identify individuals who represent a risk to public safety and limit their access to firearms.

**The Chair:** Mr. Rideout, if I can ask you to wrap up, please, within two more minutes.

**Mr. Rideout:** I'll only need more minute, please.

The overall priorities for the Province of British Columbia and the Illegal Firearms Taskforce is a synergistic, multifaceted approach that builds resilience in youth to the allure of gangs, crimes and firearms violence through prevention and education strategies will be our best investment to affect generational change.

While we work to build resilience, we must enhance and align destruction and enforcement strategies through the prioritization of efforts against legal firearms, gangs and organized crime. The alignment must come from leveraging all levels of law enforcement and enhancing operations with key source countries. Also, we must require a single owner with key deliverables at the national level — clear deliverables and performance metrics that are independently designed and validated.

We must dramatically improve data collection, and reduce barriers to key data- and information-sharing and intelligence. Given the tragic consequences that result from illegal firearms possession, trafficking and use, we must take steps to reduce privacy paralysis. Early awareness and threat mitigation of developing firearms violence is the best investment of resources.

Thank you for very much for your time.

**The Chair:** Thank you. We will now turn to questions.

(French follows — Sen. Dagenais: Merci à nos invités. Je suis . . .)

(après anglais — The Chair: Thank you very much. We will now turn to questions.)

**Le sénateur Dagenais:** Merci à nos invités. Je suis content de recevoir M. Palmer et M. Bray. M. Bray et moi étions membres de l'Association canadienne des policiers il y a plusieurs années.

Je vais poser ma question à M. Palmer. Auriez-vous aimé que le gouvernement libéral aille plus loin? Je m'explique: on constate que le projet de loi C-71 ne corrige pas une décision des tribunaux annulant les dispositions d'une loi antérieure qui imposait une peine minimum à toute personne qui commettait un crime avec une arme chargée. Pensez-vous que le gouvernement libéral aurait dû aller plus loin avec le projet de loi C-71?

(anglais suit — Mr. Palmer: My comments would be that...)

(Following French — Sen. Dagenais — . . . avec le projet de loi C-71?)

**Mr. Palmer:** My comments would be that we do support Bill C-71. We think they are important enhancements to the firearms laws of Canada, but there are also things we see that could be improved further. Things we have discussed that could call into that category are potentially more restrictions on certain specialized military weapons, like certain military rifles, and storage requirements for residential and commercial premises — potentially tightening up those requirements. The other thing is anything that goes toward the identification of unusual or large transactions. When we have a buyer or seller that continues to engage in numerous transactions, that needs to be flagged.

Medical professionals — a requirement for them to notify authorities when people come under their watch who are potentially a danger to themselves or others. Also, we call for more data.

Those are things we think could be strengthened in this bill.

(French follows — Sen. Dagenais: Ma deuxième question s'adresse . . .)

(après anglais — Mr. Palmer: ... strengthened in this bill.)

**Le sénateur Dagenais:** Ma deuxième question s'adresse à M. Bray. Le projet de loi C-71 va demander la vérification de plus de cinq ans d'antécédents des demandeurs de permis d'acquisition d'armes à feu. Ce sont sûrement les policiers qui vont devoir faire ces vérifications. J'aimerais vous entendre sur le fardeau de travail supplémentaire. Comment la police sera-t-elle capable de traiter ces demandes sans que cela se traduise par d'importants retards?

(anglais suit — Mr Bray: Thanks for that question. I think...)

(following French — Sen. Dagenais — . . . traduise par d'importants retards?)

**Mr. Bray:** Thanks for the question. It will depend somewhat upon the location, availability and ability to work with the national firearms group, as well. The ability to work with the Canadian Firearms Program will be essential through this. But ultimately, when we look at legislative change that might increase some workload, if it steps in the direction of community safety and a lot of things Chief Palmer has talked about whereby we support with Bill C-71, we think they're positive steps in the right direction.

Yes, there will be a bit of added work, but those are steps in the right direction and something that we are willing to dig into.

(French follows — Senator Dagenais: Ma prochaine question s'adresse...)

(après anglais - Mr. Bray : ... we are willing to dig into.)

**Le sénateur Dagenais:** Ma prochaine question s'adresse aux deux policiers. D'après moi, le projet de loi C-71 s'adresse aux personnes qui détiennent un permis et qui sont d'honnêtes chasseurs. Mais quand on parle des problèmes reliés à des gangs de rue, vous comme moi savons que lorsque des gangs de rue utilisent une arme à feu, c'est souvent une arme qui n'est pas enregistrée, dont le numéro de série a été effacé, et qui provient souvent d'un marché de contrebande. Le projet de loi C-71 ne corrigera donc pas nécessairement le problème auquel nous faisons face avec les gangs de rue, qui utilisent des armes de poing non enregistrées.

(anglais suit - Mr. Parlmer : I will jump in with a couple of comments...)

(Following French — Senator Dagenais — de poing non enregistrées.)

**Mr. Palmer:** I will jump in with a couple of comments.

What I would say is that I agree Bill C-71 is not going to be a final solution to solve all the problems of firearms issues in Canada. I agree with you on that.

It is an enhancement of an already strong firearms regime we have in Canada, and the chiefs of police in Canada are in favour of tightening up existing rules. And there are other things, education and prevention, dealing with cross-border issues, dealing with the broader gang and organized crime issues you referred to, and they may take different approaches. We are also in favour of anything that enhances the current laws and lessens the chance of legal firearms in Canada coming into the hands of people who should not possess them.

(French follows — Senator Dagenais: Vous avez quelque...)

(après anglais - Mr. Palmer : ... who should not possess them.)

**Le sénateur Dagenais:** Vous avez quelque chose à ajouter, monsieur Bray?

(anglais suit - Mr. Bray : I'll complement Chief Palmer ...)

(Following French — Senator Dagenais — ajouter, monsieur Bray?)

**Mr. Bray:** I'll complement Chief Palmer on what he said. Any time we can enhance that connection and nexus between regulation and enforcement, it's important. There is no one-size-fits-all solution and with respect, senator, I know your policing career; you know that's true. You look at big and complex issues. It's not one-size-fits-all, but any time we can work collaboratively and tighten up the linkages and communication pieces and, through better data collection and information sharing, make changes to address gaps, that's positive. So it is not one-size-fits-all, but it is a step in the right direction for sure.

**Senator Gold:** Welcome to the witnesses. The first question is for Chief Palmer. As you know, Bill C-71 would reintroduce the requirement for single use ATTs for locations such as border stations or gun shows.

Chief Palmer, in the House of Commons committee, your predecessor Mario Harel said that the association supported the change, the reintroduction of that, it was a step in the right direction. Could you elaborate on this and tell us why you think it's a step in the right direction? And you've already mentioned some of the other things you would like to see as well. I would like you to share your thoughts with us.

**Mr. Palmer:** I would say that the current way the laws are set up, they are open to interpretation and open to a little bit of a grey area where somebody transporting a firearm and, depending on the answers they give to the police when they have the firearms stored in their vehicle, they could actually get away with transporting the firearm in their vehicle for a long period of time for a number of different purposes beyond the intent and purpose for what that transport is actually intended.

By going to single use or going to more defined transportation rules, you actually hold people more accountable. Some of the issues that would come out of that or would stop people from transporting firearms in their vehicle as frequently, which only happens in certain cases, reduces the likelihood of theft from vehicles as well.

**Mr. Bray:** I don't think I have anything to add. I will defer to Chief Palmer on that.

**Senator Gold:** I will ask a question of Mr. Rideout. We've witnesses testify before this committee that it should be the cabinet, the Governor-in-Council, rather than the RCMP that should have the final say in firearm classification. As you know, Bill C-71 returns us to the situation before that was changed. As a former RCMP assistant commissioner, can you share your views on that subject with us, please?

**Mr. Rideout:** Yes, thank you for your question. I think that the ability to make those decisions within the RCMP makes for adaptation to gun traffickers, and the importation of guns makes it a bit more nimble in that we are not going to be burdened with long waits for firearms to be classified in certain ways, to be determined illegal or unlawful. And I think that we had, in our report and in our research, looked at a lot of challenges we are experiencing with gun parts coming into the country, firearms being assembled here in British Columbia and used in acts of violence.

Any work that can be done to make the system more nimble and adaptable to what the criminals are doing and importation trends is advantageous to law enforcement and to regulators when we are talking about firearms.

**Senator Plett:** Thank you, gentlemen, for being here.

My questions are going to be around the ATT as well. But Chief Palmer, I think you talked about tightening up existing rules. And I think we would all agree with tightening up existing rules. This is not tightening up existing rules; this is creating new legislation.

To many of us, and even further to Mr. Rideout's testimony here today, this just smacks of another gun registry. I know Senator Pratte and I don't agree on that, but I believe it smacks of another gun registry and I think all testimony we have heard just adds to that.

But to me, one of the most egregious parts of the bill is the ATTs, so I will spend a bit of time on that. And as Senator Gold already said, the government is removing the automatic authorization to transport a restricted firearm to a gun show, border crossing, police station or gunsmith. This amendment suggests there could be a situation where one of you, an officer, stops a vehicle and after confirming that the driver has a valid unexpired gun licence, has the licence on their person, has the firearm properly locked, unloaded and in a locked case, is travelling to an authorized destination and travelling by a reasonably direct route, still the police officer is uncertain whether the firearm is being transported for a legitimate purpose. However, if the licensed gun owner had an ATT, which is not automatic but rather issued that day, then all uncertainty would be gone.

If I'm not correct in that, I'm sure you will correct me. Can you tell me how often a criminal transports his weapons to a crime scene in a locked case, unloaded and trigger locked? And that's not hypothetical; that's a question.

**Mr. Palmer:** If you're asking me how often a criminal does that, I would say a criminal doesn't do that because a criminal is possessing the firearm illegally to begin with and transporting it unlocked, probably loaded and ready to go for the crime. This is not who these laws, in my estimation, are meant to address.

**Senator Plett:** I would agree with you there and that, of course, is the entire problem. We are addressing situations to law-abiding citizens while we are saying we are fighting gang violence and the gangs don't do that. A person is under no obligation to voluntarily tell a police officer they have a firearm in the vehicle. So unless the police officer can see a firearm in the vehicle, he has no way of knowing if one is present.

Again, how often does a criminal transport his firearm in plain sight, and can you walk me through a scenario where a police officer pulls over a driver, ends up asking them for their ATT paperwork, and how something like that would unfold? Because it seems to me absolutely ridiculous to suggest it would ever happen. Could you walk me through that, Chief Palmer.

**Mr. Palmer:** Sure, I'd be happy to. Under the circumstances you're talking about, you are correct, if it's a law-abiding citizen who is transporting a firearm that falls under the radar that

nobody knows about, then the chances are, if we pull that person over, we would have no idea that they had a firearm. I agree with you on that point.

The point that I was trying to make, though, with transporting permits and permissions is that if somebody is inclined to carry a firearm in their vehicle on a regular basis and there's enough latitude right now with the current regime that somebody going to a border, to a gun show, to a repair store, a gun range, that you could actually be carrying a firearm in your vehicle even as a law-abiding citizen on a very high number of occasions. Depending on the answer you give to a police officer, you could probably get away with it.

The reality is any time we have firearms being transported around in Canadian borders that is a risk when those firearms are not in a place of safety. Yes, they may be locked up in the vehicle, but if somebody is keeping a firearm in their vehicle on a regular basis, it is more prone to theft or being stolen from that vehicle.

We do have law-abiding Canadians in this country that do break the law in relation to firearms. When we do the background checks, they come up with somebody that would meet the requirements to get a firearms licence, but we also know that some of those people have been used in suspicious firearms transactions and straw purchases and have been involved in organized crime. I can tell you that definitely from my own situation in Vancouver and in British Columbia. They are people that have fallen under the radar and have not yet been arrested or have a criminal record by the police. Those people are of concern as well.

I'm not suggesting this is a total fix to our gang problems. I'm just saying it's one piece of the puzzle. A scenario where that might happen is quite plausible in Canadian policing where we receive source information on a regular basis from a number of people that will inform us about suspicious activity and an officer could be acting on that information.

**Senator Plett:** You spoke about law-abiding citizens and then you gave a number of illustrations about how the person was anything but law-abiding. Again, we have no issue with that.

Under Bill C-71, transporting a restricted or prohibited firearm to a border crossing will no longer be automatic. But if you want to transport the firearm across the border into the U.S. today, you need the following: A valid Canadian firearms licence, a proof of Canadian registration for each firearm, a permit for the temporary importation of firearms and ammunition from the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives and either a valid U.S. written hunting licence or written invitation to a U.S. shooting range.

Are you aware that a firearm owner is already required to have all of this paperwork in order to cross the U.S. border with a firearm? In light of this, could you explain how removing the automatic authorization to transport firearms to the U.S. border increases public safety?

**Mr. Palmer:** Yes, sir, I am aware of all the requirements that you mentioned. You are correct. Where I'm going with it, though, is it goes beyond the authorization to carry to a U.S. border, and it also includes things like gun shows, gun ranges, repair shops and things like that. So it's the broader picture of all the locations that you could transport a firearm in your community.

**Senator Plett:** Would you be prepared if we took that amendment out because that is already required? Would you as a police service support that amendment?

**Mr. Palmer:** What we're supporting is that individual permits are required for each transportation action.

**Senator Pratte:** My first question is for Chief Palmer. You said that the requirement for a retailer to verify the validity of the buyer of a non-restricted firearm is critical. Would you care to elaborate on why it is important?

**Mr. Palmer:** Yes. Thank you for the question. I think there are two aspects to that that are critical. One is to make sure that the person who is buying or selling the firearm is legally able to do that. So if a person is purchasing a firearm, you do look at their PAL to ensure it is valid.

In the case where we're talking about gun stores, it could be anything from Canadian Tire or any other type of store making sure records are kept of that transaction. So when police have to follow up on the history of the firearm there are records that are kept. We're not talking about a long-gun registry, we're not talking about records being kept by the government or by the police. We're talking about records being kept by a retailer and making sure they're doing their due diligence.

**Senator Pratte:** Do you understand this to be very different from what existed before the long-gun registry, which was called the "green book" in which no one had a real issue with?

**Mr. Palmer:** Yes. I think there were some people that were following those proper steps and were doing that, but I don't think it's been consistently applied across the country.

**Senator Pratte:** Thank you.

Mr. Rideout, in your report you indicated, as far as you know in B.C., that the provenance of crime guns had changed and that most are now domestically sourced. This statement was also made by other police forces in Toronto. These statistics have been challenged. Some experts are saying, in fact, nothing has changed and the large majority of guns that are used in crime in Canada are still smuggled from the United States. Can you give us an idea of where you stand on this issue?

**Mr. Rideout:** Yes. Thank you for your question. Data is very hard to come by, as you know. It is a big problem in the analysis of illegal firearms. We utilized data that was available to us for a two-year period, and at that time the data that existed in British Columbia showed about a 60-40 percentage for domestically sourced firearms, recovered firearms that could be traced to source.

In our continuing work, we have seen different jurisdictions report numbers that vary closer to the 50-50 range. There's an ebb and flow. Much like a prolific offender of crime, if you have one or two groups that are trafficking and moving firearms, they can change the statistics dramatically in a region or jurisdiction or even in a province. One firearms trafficker can change the landscape by trafficking 100 to 200 firearms. So there's an ebb and flow to the patterns of trafficking. That's why it's so incredibly important that we collect data and trace firearms.

It is clear that a lot of firearms are still smuggled in from our friends to the south, through the United States border. We do know that we have seen patterns of domestic firearms traffickers buy large quantities of long guns and then sell them to people who do not have PALs. We know even restricted weapons that are heavily regulated are sometimes falsely reported stolen and then sold for profit to organized crime and gangs. In my opinion, our strategy must contemplate both kinds of trafficking in order to be effective.

**Senator Pratte:** I will quickly ask Chief Palmer a question. I want to go back to the ATTs and make sure I understand your point. If I understand correctly, your concern is not so much with this destination or that destination, it's just the fact that with the changes brought in 2015, it really allows a gun owner to transport their gun anywhere because if you stop them they'll tell you, "I'm going to the gun range over there," or "I'm going to the border station over

there.” So you’re not concerned about a specific destination. It is more the overall impact of the changes that were brought forward.

**Mr. Palmer:** Yes, that is correct. That’s a good summary.

**Senator Pratte:** Thank you.

(French follows - Senator Boisvenu - Ma question s’adresse à M.Palmer et à ...)

(après anglais — Sen. Pratte: ... Thank you.)

**Le sénateur Boisvenu:** Ma question s’adresse à M.Palmer et à M. Rideout. Je regardais les statistiques de dossiers en suspens de la GRC pour votre province et le Yukon. Environ 5 000 dossiers sont non traités ou en retard dont à peu près les deux tiers touchaient des gens qui pouvaient avoir des antécédents médicaux ou criminels.

Avez-vous contacté la GRC pour connaître les raisons de ces retards pour ce qui est de votre province?

(anglais suit — Mr. Rideout: Thank you for your question. Part of the work of the province ...)

(Following French - Senator Boisvenu - ... ce qui est de votre province?)

**Mr. Rideout:** Thank you for your question. Part of the work of the province of British Columbia is to attempt to maintain some oversight and understanding of that process, although that process is entirely owned by the Canadian Firearms Program nationally.

We are aware of a number of delays at a variety of areas in the Canadian Firearms Program. As you will note from our report, we have made several recommendations related to enhancements within the Canadian Firearms Program to move some of these initiatives forward more comprehensively.

That includes the analysis of both police records and criminal records and, as you say, some of the medical histories of people that should or should not have firearms licences, but also in the revocation of licences as a result of criminal events, negative contact with the police or, as Chief Palmer has mentioned, medical circumstances that have changed and those permits have been revoked. There have been some delays in going out and revoking those permits. We are aware of that and we are certainly encouraging the national Canadian Firearms Program to close those gaps.

(French follows - Sen Boisvenu — Lorsque vous faites ... ).

(après anglais — M. Rideout: ... to close those gaps.)

**Le sénateur Boisvenu:** Lorsque vous faites une demande d’information aux services médicaux par rapport aux antécédents d’une personne, son permis est-il automatiquement révoqué ou attendez-vous une confirmation des services médicaux qu’effectivement, l’individu a des antécédents médicaux en matière de santé mentale?

(anglais suit — M. Rideout: Well, I think, sir ...)

(Following French — Senator Boisvenue — ... sante mentale?)

**Mr. Rideout:** Well, I think, sir, it depends on the circumstances. It often comes to the Chief Firearms Officer through a report, either through a medical practitioner or, more often, law enforcement who may encounter an individual in a variety of ways through a domestic disturbance or event or a call for assistance in deteriorating health in some regard. That forms information within police databases that is flagged. The analysis is done by the Chief Firearms Officer, who then goes out and try to do what they can to obtain information.

I am advised, however, that because of what I often refer to as privacy paralysis, gaining specific details about some of these events is very challenging for the Chief Firearms Officers.

(French follows - Sen Boisvenu — Voilà ce qui m’inquiète ... ).

(après anglais — M. Rideout: ... for the chief firearms officers.)

**Le sénateur Boisvenu:** Voilà ce qui m'inquiète le plus. Il s'agit d'un système très bureaucraté qui fait en sorte que lorsqu'un policier constate qu'un individu a une problématique, c'est envoyé au contrôleur des armes à feu qui fait une demande aux services médicaux. Cela peut prendre des mois avant d'avoir une réponse. Les retards qu'accusent votre province et l'Alberta en sont la preuve.

Ce délai quant à la décision de retirer les armes de détenteurs ayant des problèmes de santé mentale ne met-il pas à risque une partie de la population?

(anglais suit — M. Rideout: Sir, the police do have powers...)

(Following French - Sen Boisvenu — ... de la population?).

**Mr. Rideout:** Sir, the police do have powers under the Criminal Code based on their contact with individuals and can make decisions that can expedite and, in fact, immediately seize firearms, either with or without warrant depending on the circumstances. Those factors certainly come into play depending on the level of crisis and risk.

(French follows - Sen Boisvenu — J'ai compris par ... ).

(après anglais — M. Rideout: ... level of crisis and risk.)

**Le sénateur Boisvenu:** J'ai compris par rapport à ma première question que la confiscation de l'arme n'est pas automatique à la suite d'une demande d'information de nature médicale. Dans certains cas, vous allez attendre que les informations vous reviennent et qu'on vous confirme que la personne a un dossier médical récent, n'est-ce pas?

(anglais suit — M. Rideout: It's my understanding, sir ...)

(Following French - Sen Boisvenu — ... médical récent, n'est-ce pas?).

**Mr. Rideout:** It's my understanding, sir, that the Chief Firearms Officers conduct analysis and use the information that's immediately available to them to make decisions, both with restricted weapons and a possession and acquisition licence. The police have independent powers to make certain assessments and seizures.

I think it can happen in all ways. In other words, the police can remove the firearms. The Chief Firearms Officer can immediately revoke the licence if they feel they have substantial and significant enough grounds to do so. In some cases they do wait for more comprehensive information.

**Senator Griffin:** I want to go back to the ATT. Chief Palmer, you mentioned that in the absence of the ATT in recent years there had been abuses related to transport of restricted firearms. Could you give me some examples of this?

**Mr. Palmer:** My point is that there have been abuses in the current system. Many people are law-abiding firearms owners and possess firearms lawfully when you look at them on paper, and their records would show no prior incidents with the police. However, we have come to find that we do have individuals who, in fact, are committing criminal activity, and they may not have been caught prior to that so they look like a law-abiding citizen when they obtain their licence. However, we then find them engaged in activities such as straw purchases of firearms or purchasing long guns or ammunition and other items and providing those to organized crime. We do have examples in British Columbia where people have done that.

**Senator Griffin:** Okay, so if you required that they have an ATT to transport, how would that solve the situation?

**Mr. Palmer:** The ATT is a subset issue. That would be a different set of issues so I can't speak to you with specific examples of the ATT, but just the overall concept of how we see it at the CACP and how we see concerns as that being a loophole in the current system.

**Senator Griffin:** I'm trying to get my head around why having the ATT will actually help in the future. It strikes me that those people will continue to do things like that whether they're required to have an ATT. Lots of people have illegal guns now and requiring them to have an ATT isn't going to do anything for public safety.

**Mr. Palmer:** I know what you're saying. There are many people who would do all kinds of things in Canada whether there were laws or not. What we're saying is that in situations where people are law-abiding citizens and do possess firearms lawfully that they be held to requirements that require them to have strict transportation duties placed upon them; that it's not willy-nilly and that they can lock a gun up in their vehicle, drive around with it and say they're going wherever they're going, but that they need to be going to a specific point.

In 2019, the ability to get individual transportation permits through modern technology is not that onerous.

**Senator Griffin:** If they say they're going to a range, they're okay now and they don't need an ATT?

**Mr. Palmer:** What I'm saying now is it is so broad that it would include people basically throwing a locked gun into their vehicle and travel to the border, to a gun show, to a range or to someone who will do repairs. There are many different locations. That just creates the situation where a firearm is being transported in a vehicle for some people on a very regular basis where we might be able to reduce the number of times we're transporting firearms in vehicles and do it under strict circumstances.

**Senator Griffin:** The bill is proposing that they would not now need an ATT to go to a range. They could say they're going to a range. I'm trying to get at a better appreciation of why the ATT is going to result in better public safety.

**Mr. Palmer:** I think what it's doing is providing better accountability for Canadians when they're transporting firearms. The other thing you have to realize it depends on where in the country you're coming from. Everywhere in this country is vastly different. If you're in a farming community in Saskatchewan, that's different than downtown Vancouver or Toronto or up in the Yukon Territory. Every situation will be quite different.

I would suggest to you that sometimes the police perspective in the big cities will be different than in the prairies. I'll tell you that in Vancouver there are not a lot of situations where we need to see people carrying firearms around in their vehicles. I would probably guess that my fellow Chief Evan Bray in Regina would tell you a lot of situations in Saskatchewan where the situation might be quite different.

**Senator Griffin:** Okay. Thank you.

**Senator Kutcher:** Thank you very much for your testimony. I appreciate you highlighting the importance, in your words, of thoughtful balancing between individual privilege and the greater good of society. It's not always an easy balance to find, that's for sure.

You've suggested that Bill C-71 could be improved. One of the ways that you suggested was supporting physician duty to report, similar to what we do now with child abuse, driving safety and other such things, when individual and public safety is paramount.

If you had to choose one or two additional ways to improve Bill C-71, what would they be? Secondly, would you be able to provide wording or written argument as to how those should be considered?

**Mr. Palmer:** Maybe I'll start by saying, yes, you've already touched on one element. Another element I think worth considering is looking at some very specific weapons that are legal now in Canada, more of the military style, that perhaps could move into the prohibited

realm. Looking at storage requirements, it's an interesting prospect when we look in the country, depending on the region where you are — downtown, in a big city or in a rural area — and storage requirements for residence and commercial premiseses.

From a practical perspective, if it's a gun store in downtown Vancouver, or Toronto, or Regina, the police can get there quickly. If it's in a rural area or many of the territories or prairies, it will take a long time for the police to get there. Strict storage requirements on commercial premises and/or residential gun owners, especially people who have high volumes of firearms in their possession, storage requiremenets is an area that could be looked at.

Also, there are flagging systems for identifying large numbers of transactions or unusual transactions. Many of these things can be done now through modern technology as well, but flagging people that are engaged in multiple transactions is usually a red flag for a number of things.

Again, I think that it's quite evident from this information that we could all benefit, both in the policing and in the political community, for better data when it comes to firearms. There are regional differences across this country; there's differences depending on the class of firearm, for example, whether it's a handgun versus a long gun and the sourcing of the firearms. These are some of the things that our special-purpose committee is looking at right now.

**Senator Busson:** Thank you, all three of you, for being here. I know from my former life that Monday is usually a busy day and I thank you for taking the time.

In your presentations, one of the things that was focused on I think by you, Chief Palmer — and I think, Wayne, you as well spoke about it — were military-style weapons. There are two Swiss arms that are part of Bill C-71.

From your experiences specifically in your environment, and I think Chief Bray, you as well, could you give an example of how you believe that part of Bill C-71 would enhance public safety for Canadians?

**Mr. Palmer:** I'd be happy to join in. As a police officer who has spent over 30 years in Vancouver working in a number of positions — as a patrol officer, a gang investor, organized crime investigator and now a chief of police — the amount of firearms that we see in our streets in 2019 are a lot different than when I came on the job in 1987. Back then, it was unusual for a police officer to find a gun on a traffic stop or to pull a gun off of somebody in the commission of a crime. It's not that uncommon anymore. We have seized hundreds of guns off the streets of Vancouver from gang members and from people that are not supposed to be in possession of firearms. As I mentioned, even people that are supposed to be in possession of firearms, that legally possess a licence but are breaking the law but have just not been caught prior to that, we can find examples of all those types of things. The prevalence of firearms is more significant now.

With regard to your specific question about military assault rifles and those types of things, we are seeing more of those than we saw many years ago. It has become more of an issue than it was in Canada in years gone by. I think there is some good reason to look at that carefully.

**Senator Richards:** Thank you for being here. Eight members of my extended family are members of law enforcement, so I have the deepest respect for you guys. But I don't think this bill is going to do much. If I was a criminal, what does Bill C-71 have that would give me any concern over something I have not seen before by the police? I know what it does to the regulation of the ordinary guy with a PAL who is trying to get a licence or to go hunting. I know what it does to them because I live in a rural area and I have guns and I hunt. Once my PAL ran out and it took 45 days to get it. The hunting season was over by the time I got it. That's the way

it went. I also know the criminal element in my province. I don't think any of them would be worried too much about this bill.

I want you to put my mind at ease about what this bill does that the criminal element in our society would be concerned about.

**Mr. Palmer:** Sure. Maybe I'll open up with a couple of comments and I think Wayne Rideout might have a couple of comments.

I don't think it's the one-size-fits-all solution and I don't think it's the panacea. I don't think it's going to make everything great in Canada overnight when it comes to organized crime, or gangs, or firearms; definitely not. It's one part of a broader solution that we need to look at as politicians and as police leaders across this country in that we're trying to restrict access of deadly weapons to people, trying to provide prevention and outreach activities to youth and exit strategies for those involved in gang lifestyles. We want to see better parenting and all kinds of things happening in society. This is a much broader issue than just this specific bill. To answer your question, it's one piece of the puzzle, but it's not the final solution; absolutely not.

**Mr. Rideout:** If I could add, when we look at gang and organized crime activity, use of illegal firearms and the violence we see on our streets, we need to do a much better job of trying to identify those people who are importing firearms illegally and domestically giving them to the criminals to have access. At this time, given our ability to trace firearms, someone can buy 100 guns at a gun store and there's no record for the police to follow that up. We need to do a better job of improving the steps to a broader intelligence picture and tracing environment.

Equally, when it comes to to the research of persons and the ability to delve into their health and criminal past, we need to do a better job at how we mitigate risk for persons who could possess firearms and those firearms could be used for violent purposes, either in an act of instantaneous violence and/or planned diversion to criminal activities.

Again, to echo Chief Palmer's comments, it's part of an overall strategy. We still need an overarching strategy to be more effective against gun violence in Canada. There's a lot of work going on to make that happen.

A couple of the pieces, particularly around the research of people's histories and the recording of firearms licence and tracing and record-keeping will give the police greater tools to do a better job or against traffickers.

**Mr. Palmer:** I'm going to reiterate that point, namely, the issue of the proper recording of firearms transactions may not be preventive and it may not stop a criminal from thinking they're going to record this or this is recorded; I'm going to stop from doing a bank robbery or committing a violent assault. However, when the police do have to investigate that crime, we will have more tools at our disposal to bring that person to justice.

**Senator Richards:** One more quick question and it involves a yes or no answer. I know what the police think — especially in large urban centres — about profiling of certain visible minorities and whatever. Do you think, especially among rural Canadians who have so many of these guns — and I have guns; I have six of them that are all locked up and away — there's any profiling going on here with this bill?

**Mr. Palmer:** No.

**Mr. Rideout:** No.

**Senator Richards:** No? Thank you.

**The Chair:** Chief Palmer, Chief Bray and Mr. Rideout, we want to express our sincere thanks for you joining us today. It's been helpful to our deliberations. We appreciate you taking the time out of what we know are very busy schedules. Thank you very much.

**Mr. Palmer:** Thank you.

**Mr. Rideout:** Thank you.

**Mr. Bray:** Thank you.

**The Chair:** Senators, for our last hour today we have from the Alberta Arms and Cartridge Collectors Association Dr. Teri Bryant. Welcome.

**Dr. Teri Bryant, Alberta Arms and Cartridge Collectors Association:** Thank you very much for this opportunity to speak with you today. My name is Teri Bryant, I'm the secretary of the Alberta Arms and Cartridge Collectors Association, president of the Military Collectors' Club of Canada, president of — world museum institute and I wear several other hats. Since I have retired, I have become an active volunteer in my community.

My involvement with gun shows as an attendee, exhibitor, organizer and volunteer goes back five decades to my childhood visits with my father and as recent as last night; I literally went straight from a gun show to home, unpacked, repacked, went to the airport and came here.

My comments will focus on three issues related to Bill C-71's effect on gun shows and those who exhibit at them. First, issues related to authorizations to transport; second, issues related to licence verification; and third, why gun shows are vital social institutions.

First, authorizations to transport. Since, I believe, 2015, possession and acquisition licences have conditions that allow transport of restricted and prohibited firearms to and from gun shows, amongst other places. This in no way provides people *carte blanche* to drive around with guns. They still must be triple locked, unloaded and moved by the most direct route. Anyone who attempted to falsely claim they were taking guns to a gun show would be quickly undone by simple questions like which gun show and where. There is simply no way that saying you are going to a gun show is going to get you off from any police officer who has the astuteness I know they all possess.

Second, verification of possession and acquisition licences. In principle, this sounds reasonable and in an ideal world it would be a good idea, but the devil is in the details. With respect to gun shows, the key issue is that shows are almost always held on weekends when CFP offices are closed. You can't call in and verify because you need to talk to someone using the methods they currently have. I know this because I have tried to do it within the past couple of months.

Some are also held in small towns where self-service is spotty. In any case, only non-restricted firearms can be taken away immediately. Buyers of restricted and prohibited firearms still need to have their transfers authorized, a process that, in my recent experience, can take anywhere from two days to 10 months. Yes, I have that recent experience.

Before this can be made mandatory, the Canadian Firearms Program must develop a system and show that it works.

Third, the importance of gun shows. Contrary to the lurid speculations of those with little or no direct experience with them, gun shows serve a crucial social role in several respects. First, they help maintain a healthy gun culture that values guns for their role in recreation subsistence and as historical artifacts, and not as the instruments of violence that they are associated with in video games, movies and the imaginings of anti-gun activists. Second, they provide an organized, supervised forum for the exchange of firearms to ensure they continue to circulate only in legal channels. Third, they are vital to the social aspect of our firearms community, a place where diverse members come together in fellowship and camaraderie.

I respectfully urge you to retain the gun show clause on ATTs so that we don't require an individual one. I would be very happy to explain in great detail why getting individual ATTs is a

time-wasting process all around and a misdirection of resources. I would also urge you to postpone any possession and acquisition licence verification scheme until a proven system in place to safeguard the vital social institution that gun shows are. Thank you very much.

(French follows — Senator Dagenais — Merci, madame Bryant...)

(après anglais — Ms. Bryant: ... Thank you very much.)

**Le sénateur Dagenais:** Merci, madame Bryant, pour votre présentation. Serait-il avantageux pour les groupes ou les sites historiques si d'anciennes technologies étaient reclassifiées comme entre autres les pistolets à silex, comme le prévoit le projet de loi C-71?

(anglais suit — Ms. Bryant: Reclassification, of course, depends on ... )

(Following French — Senator Dagenais cont'g — ...le projet de loi C-71?)

**Ms. Bryant:** Reclassification, of course, it all depends on what is going to be reclassified and how. The problem with our current classification system is that the classifications bear absolutely no relationship whatsoever to any potential criminal misuse or other thing. For example, I have a couple of prohibited firearms that are extremely valuable, very rare, require ammunition you can't get and they are in the tightest category, whereas other items that would be of more interest to a criminal element were they to seek out something are in a lower category.

So the problem is not with the idea of classification per se but the fact that, in general, classifications are not really based on anything that has any relationship to potential harm to society.

(French follows — Sen. Dagenais: On sait que le transport des . . .)

(après anglais - Mme Bryant: ...to potential harm to society.)

**Le sénateur Dagenais:** On sait que le transport des armes de collection est déjà encadré. À quoi attribuez-vous les nouvelles dispositions beaucoup plus restrictives du projet de loi C-71, à part le fait de profiter aux politiciens?

(anglais suit - Ms. Bryant: The issue with respect...)

(Following French — Sen. Dagenais — . . . le fait de profiter aux politiciens?)

**Ms. Bryant:** The issue with respect to these authorizations to transport — we used to have a system where you had to call in and get an authorization to transport for each specific occasion, for each specific firearm, and this raises quite a number of issues. First of all, I was fortunate, because as a university instructor and associate professor of international business, I had a great deal of flexibility with my time, but you often have to call in many times just to get through. In some cases, you can't even be put on hold. They simply say, "Well, we have too much of a backlog, so call again another time." For people who have more regular work schedules, this is a major obstacle to compliance.

Then, when you actually do get through to someone, you have to list every single firearms' registration certificate number. If you happen to make a mistake, then you would, in effect, be in violation of the law. You would be unlikely to be caught, but I don't like the idea of relying on not being likely to be caught. I want to make sure that I'm in compliance with the law at all times, because the penalties are very severe.

In some cases, I have transported upward of 40 firearms to an extensive historical exhibit on Japanese military firearms, which is my specialty, when you recite 40 numbers over the phone, each with eight or 10 digits, the chances of error are quite high.

There are better uses of people's time. This is a serious obstacle for people in terms of practicalities of just getting it done. I can't tell you how relieved I was when I no longer had to do that. I transported several restricted and prohibited firearms to my display on the weekend, and not having to do that also relieves you of problems such as planning on putting certain guns in

and then finally getting the transfers authorized of a gun that would be a better specimen for this exhibit. But if I already have my permit, then I would have to call my authorization transport again.

It made practical problems.

**Senator Plett:** Thank you, Dr. Bryant, for being here this afternoon.

I have a brief comment in regard to the ATTs. I'm not sure whether you were watching when we had the President of the Canadian Association of Chiefs of Police on just before you.

**Ms. Bryant:** Yes, I was.

**Senator Plett:** I have never been more convinced after that testimony how useless the ATTs are in this legislation. I think they were trying to tell us how good they were, and they failed miserably in that. I think you have a lot of support around your issues with ATTs.

The problem with not always paying attention as one should is that you sometimes miss certain things. I know Senator Dagenais asked you a question about reclassification while I was talking to my staff behind me. I'm not sure whether this was the question, but I do want to have the answer to this. As you know, the government is removing the ability of cabinet to override a decision by the RCMP to reclassify a non-restricted firearm as restricted or prohibited. Is this a concern to you, and if it is, why?

**Ms. Bryant:** Yes, it is a concern to me. It is not so much specifically related to gun shows, which is why I didn't raise it, but as a gun owner and collector, it is of considerable importance to me. We have a democratic society, and we all have to live with decisions we don't necessarily like. But we can take some comfort if those decisions are made by people who have been elected by a process. The process provides some justification and comfort, even when we don't like the decisions that happen to come out of it.

But the RCMP — and I certainly have great respect for the institution of the RCMP — but they are not elected. They are not responsible to the people. With respect to classification, there are several examples that I believe have been raised by previous witnesses of cases where they have changed their minds about something; it's one thing one day, it's another thing another day and it's a third thing on a third day.

When you have many thousands or, in my case, hundreds of thousands of dollars invested in a collection, the idea that something you have could suddenly be changed by a stroke of a pen or if somebody changes their mind one day. We need to have safeguards against that, and the best safeguard is the process of having an elected body with subsequent review by people who have a longer-term view, perhaps because they are not elected. That provides a good balance to ensure we have decisions we can live with.

**Senator Plett:** Would a balance be — and I'm not in any way suggesting it would be — if the RCMP were allowed to do this and there would be an appeals process?

**Ms. Bryant:** Certainly, it's better to have an appeals process than not to have an appeal process. My concern, as an individual of modest means — the reason I have a big collection is that I have spent all of my resources, practically my entire life, on this topic; it is not because I was wealthy — is that appeals tend to be costly. Unless you are a lawyer, the legal process is essentially inaccessible in all respects, civil and criminal, to the average middle-class individual. So having an appeals process would certainly be better than not having one, but I would still have concerns.

**Senator Plett:** Currently, if someone is to apply for a firearms licence, there is a background check of the last five years. Bill C-71 extends it to a lifetime. Do you have a concern about that, and if so, what would be the right amount of time?

**Ms. Bryant:** I would be very interested to see any evidence that anything beyond five years would be useful. People's lives take a variety of turns. People have marital breakdowns and various other issues, and their lives settle down after those events. People have a fear that an ordinary life event like a marital breakdown would result in long-term consequences.

Once somebody starts digging into people's pasts, you can find something about almost everybody, such as you lost your temper and shouted at somebody in traffic or something. The question is simply: Where will it end?

My main point with respect to some of these questions is this: What is the cost? Whenever we are doing something, if there is a one in 10 million chance that you might get a better decision by looking at person's entire life, are you going to review 10 million cases to find that one? Meanwhile, the resources would perhaps be better used in another fashion that could save more lives and make society safer, as well as juster.

**Senator Plett:** Finally, between 2014 and 2017, one-third of all homicides by firearms were unsolved. That's 280 out of 823. This tells us that we could have in the neighbourhood of 280 murderers walking around free in Canada and yet this government is trying to convince Canadians that this bill will increase public safety by tweaks to the Firearms Act, which murderers will obviously ignore.

In your opinion, should Canadians feel safer if Bill C-71 passes?

**Ms. Bryant:** The short answer is no, and the reason for that is, again, the issue of resource allocation.

**Senator Plett:** I'm okay with the short answer. Thank you.

**Senator Pratte:** Thank you, Dr. Bryant. Welcome to the committee. You just mentioned the concern of some gun owners over the change from a five-year period to a whole life story. People are concerned about some event that may have happened in the past; maybe they got angry at another car driver or whatever. However, the bill does make clear that the chief firearms officers will be looking at violent incidents, criminal incidents, domestic violence or suicide attempts that could have occurred more than five years ago but which are still significant — not depressions or marital breakdowns which have nothing to do with violence. The bill is clear in that respect.

**Ms. Bryant:** The issue still remains of whether there is anything to add value to that decision. If these matters resulted in a person being deemed unfit to own firearms for the rest of his or her life, then surely it would be incumbent on the judicial process to enact a firearms prohibition order on such a person.

**Senator Pratte:** Maybe that doesn't happen. In any event, the person whose application is rejected for a reason that they see as arbitrary can appeal to the provincial court; right?

**Ms. Bryant:** Yes, and if the authorities know that this person should not have firearms, it's my opinion that they should not be afraid to reject an application. Law-abiding gun owners do not want to be infiltrated by people who should not have firearms. We fully recognize there are people who should not have firearms. Many people have refused to sell firearms to someone who had a licence because they just did not feel comfortable selling to that guy.

We are not in favour of just throwing all the rules to the wind, okay? We want to be sure that whatever resources we are expending on gun control are spent in an efficient fashion and not on wild goose chases.

**Senator Pratte:** Regarding both ATTs and licensing verifications, your concerns are in part related to the practical implementation of these measures?

**Ms. Bryant:** Yes.

**Senator Pratte:** That is based on your experience. The RCMP came here and assured us they are in the process of making changes to their systems. The minister committed to providing the resources for changes so that, for instance, licence verification would be done rapidly on a website so that people wouldn't have to wait on the phone and that the service would be available during weekends. The RCMP said they would adjust so that their services would be available on the weekends which is when most gun shows happen.

Are you in any way reassured by this or do you simply not believe that those changes will happen? By the way, these provisions of the bill will not come into force before the changes are made. That may address one of your concerns.

**Ms. Bryant:** Perhaps I'm an overly cynical person, being a Windows 10 user, as well as reading the news reports of our Phoenix pay system, and having personal experience with the former long-gun registry and so on. You will have to excuse me if I am somewhat reticent to take assurances about very sophisticated technological systems being able to actually solve our problems. It would be very nice if all these things worked, but my experience is that it's seldom the case.

**Senator Pratte:** If we take for granted that anything the government attempts will fail because of the Phoenix pay system failed, then we would be paralyzed. We would not try to do anything as a government and a Parliament; right?

**Ms. Bryant:** I certainly don't think that everything the government does is bad. Please don't assume that I'm making an overly broad assertion of that nature. However, as someone who has to live with the consequences of failures and who has seen many such failures, I would like to see the proof first and then act, rather than act and hope that the proof will come.

**Senator Pratte:** Thank you.

**Senator Oh:** Thank you, Dr. Bryant, for being here. In your opening remarks, you said you and your dad have been going to collector shows. Can you tell us a bit about the ATT? If ATT comes in, what will be the impact on the gun show? How does it impact the economics? What number of people are normally involved in gun shows, big or small?

**Ms. Bryant:** Well, that is a fairly broad question. The gun show which we just held is the biggest gun show in Canada. It has approximately 1,000 tables, 350 exhibitors and, over the space of two days, somewhere between 7,000 and 10,000 visitors come in. It is a very substantial undertaking, virtually all on a volunteer basis. People come to this event from as far away as Europe, Africa and Asia. This is a very substantial event. You will have to excuse me if I express a very personal concern. I believe it was the third point that I made earlier. Gun shows play a very important role in creating a positive culture around guns. That is how we transmit to the younger generation how they should view guns.

I do historical displays. I often stand in front of my display and talk to people. I explain the history of things. A lot of young people may come to a gun show only because they have an interest. They may have seen or played first-person-shooter games. I don't think that is a good way for people to form views about firearms. They should be exposed to responsible people who are involved in serious pursuits like target-shooting, like hunting, like historical collecting, all of which are well represented at our show. My fear is that the more difficult you make it for people to do things like historical displays, the fewer the people who will be involved in that type of activity and then the less transmission of positive culture there will be.

We should be encouraging people who are the responsible leaders of the firearms community to help socialize the younger generation into having proper, respectful attitudes toward firearms.

We should not leave it to the broader society where all that people see is the first-person-shooter games and lurid portrayals in the media.

**Senator Oh:** In your experience — I know you have been involved with gun shows for so long — have any of your members or the gun collectors you have come across committed a crime by using a gun or has anyone committed suicide or whatever? Are there any numbers that you are aware of?

**Ms. Bryant:** My experience goes back, as I said, about 50 years.

I still have on the wall of my gun room the 1972 junior membership in the Ontario Arms Collectors Association that my father bought me. Of course, I was only -- years old at that time.

In that entire time, I'm not aware of anyone who has committed a crime, other than the unrecognized aspects of people who have probably at one point or another made a mistake and come to a gun show and they didn't have the registration certificate for their gun or something like that. But none of them were ever caught.

So I'm not aware of any crimes. I do recall one person in that time who committed suicide using a firearm.

**Senator Oh:** Thank you.

**Senator McIntyre:** Thank you, Dr. Bryant, for being here today. You've talked about gun shows. My question is one of clarification on the issue of ATT and gun collection.

Section 28 of the Firearms Act basically states that a Chief Firearms Officer may approve the transfer to an individual of a restricted firearm or a handgun only if the Chief Firearms Officer is satisfied, amongst other things, that the individual needs the restricted firearm or handgun to form part of a gun collection of the individual, in the case of an individual who satisfies the criteria in section 30.

When you look at section 30, the criteria in that section are that "the individual has knowledge of the historical, technological, or scientific characteristics that relate or distinguish the restricted firearms or handguns that he or she possesses," and so on and so forth.

Now, Bill C-71 amends the Firearms Act by removing certain ATT prohibited or restricted firearms unless the transfer of the firearm was approved for the purpose of having it form part of a gun collection.

My question is this: In your opinion, what impact will Bill C-75 have on gun collection? Do you see any major changes from what we have in the Firearms Act?

**Ms. Bryant:** The main issues I think are related to the problems of taking your guns for exhibition at a gun show. That's why I put that front and centre, the whole ATT issue.

I would point out, however, that the idea that there is a complete bifurcation or distinction between owning firearms for collection and owning firearms for target shooting or hunting purposes is really quite a false distinction. Many people who own firearms for the purposes of collection enjoy shooting those firearms as a historical experience, very similar to the way that, for example, people want to drive a Model T on Sunday as a historical experience. Anything that creates some kind of a distinction based on are you going to target shoot, are you going to collect, I think is a false dichotomy.

Even with hunting, for example, there are a number of people at the gun show I was just at whose historical exhibits are based on hunting firearms. These are firearms they may have used for hunting and now are using for the purposes of collecting. They got interested in Marlin rifles. They enjoyed hunting with them. That was what their dad always liked. The same way there are Ford families and Chevy families, there are Winchester families and Colt families, and so on.

Anything that makes things more difficult for people to come to gun shows, bring their guns, whether for sale or for exhibit, I think will have negative consequences for gun shows; and the things that are bad for gun shows will be bad for society because gun shows are a social good.

**Senator McIntyre:** Thank you.

**Senator Plett:** I have one very short question. I have accused Senator Pratte and others that this is a gun registry by a back door — and, he thinks, unfairly. If you were to be the arbiter here, would you believe that this is a gun registry by the back door?

**Ms. Bryant:** I think there's a provision that says that it's not. If it says it's not, then it might not be one in name, but in effect it certainly provides a great deal of material that could be used as such. So is a duck a duck if you don't call it a duck?

**Senator Plett:** Thank you.

**The Chair:** Dr. Bryant, I think those are all the questions. We want to thank you very much for appearing before our committee and for helping us in our deliberations. Thank you very much.

**Ms. Bryant:** Thank you for the opportunity to be here.

(The committee adjourned.)