



**WHATEVER HAPPENED TO THIS LIBERAL PLAN TO DECRIMINALIZE
ALL FIREARMS ACTIVITIES WHERE NO CRIMINAL INTENT OR ACTIVITY OCCURS?**

Documentation compiled by Dennis R. Young – Updated May 17, 2019

**JANUARY 31, 2003 - [MINISTER'S USER GROUP ON FIREARMS RECOMMENDATION ON
DECRIMINALIZATION](#)**

EXCERPT: *Legislative Amendments:* *Decriminalize all firearms activities where no criminal intent or activity occurs, such as the possession of unregistered firearms by a licenced person. This will do more to gain credibility and remove the belief of "questionable activity" than anything else can do at this time. This removes law abiding firearms owners from the category of true criminal activity, allowing law enforcement to concentrate on true criminals.*

**NOVEMBER 3, 2003 - [MEMORANDUM TO THE MINISTER, BILATERAL MEETING BY WILLIAM V.
BAKER, COMMISSIONER OF FIREARMS "POTENTIAL IMPROVEMENTS – FIREARMS PROGRAM"](#)**

EXCERPT: With respect to the Firearms Commissioner's "decriminalization" proposal:

(1) The Canadian Police Association recommendation went much further. In a letter dated March 27, 2001 and sent to all MPs by Grant Obst, President of the Canadian Police Association wrote: *"Consequences of simple non-compliance with the administrative requirements of the program, such as failing to notify CFC of change of address, should be treated in a remedial regulatory manner and not normally subject to criminal sanctions and/or licence revocation."*

(2) The recommendation from the Minister's User Group on Firearms went much further: On January 31, 2003, the User Group recommendation to the Minister of Justice stated: *"Decriminalize all firearms activities where no criminal intent or activity occurs."*

**FEBRUARY 10, 2004 - [NATIONAL POST - FORMER SOLICITOR-GENERAL - TAKING GUN REGISTRY
OUT OF CRIMINAL CODE](#)**

EXCERPT: *Mr. Easter advised Mr. Martin the government should "amend the Criminal Code to remove the offence for simple possession of an unregistered firearm and place it in the Firearms Act [and] federal prosecutors will have primary responsibility to act and exercise their discretion in these cases." Mr. Easter said in an interview yesterday that decriminalizing registration would be a more lenient way to treat gun owners who have not followed the law or who have refused to register to make a political point. "I do think it would make sense to just keep the changes simple, just decriminalize the front end, and legitimate gun owners, a grandmother who happens to have not registered or somebody who's really offended with the system and hasn't registered, they would get a fine and not a criminal record," Mr. Easter said.*

**FEBRUARY 24, 2004 - [NATIONAL POST COLUMN ETAL - "DECRIMINALIZE OFFENCES" REGARDING
UNREGISTERED FIREARMS](#)**

EXCERPT: *As an opening shot of pre-election damage control, it's low-calibre ammunition. But a plan up for discussion at the inner Cabinet in the next week or so puts that crime-busting joke of a billion-dollar federal firearms registry into full legal farce. Sources confirm the feds will decriminalize the firearms registry before the election. It will remove fail to-register violations from the federal Criminal Code and place them under the kinder, gentler Firearms Act. It is not expected to encounter serious objections from Paul Martin's top ministers. It means duck hunters, gun collectors and self-governed natives would no longer risk a criminal record if convicted of possessing an unregistered rifle or face the theoretical, but very unlikely, spectre of a jail sentence for non-compliance. In lieu of a court date, they'd get a ticket with a modest fine attached.*

MARCH 4, 2004 - [TORONTO SUN - MARTIN MAY TINKER WITH HATED GUN REGISTRY](#)

EXCERPT: *Conservative MP Garry Breitkreuz told me yesterday Martin's point woman on the registry, Toronto-area Grit Albina Guarnieri, has "hinted" to him she will recommend decriminalization as part of her just-finished review. That*

is, those who possess unregistered rifles and shotguns would get the same courtesy as all those pot smokers the Liberals are so concerned about - they would no longer be burdened with a criminal record. Instead, they'd face fines under a revamped Firearms Act - which would still make them register their guns.

MAY 19, 2004 – [A FRONT-PAGE STORY IN THE GLOBE AND MAIL REPORTED:](#) “A package of reforms aimed at revamping the \$1-billion gun registry has been before cabinet for more than a month, stalled by ministerial wrangling, although a last-minute push is under way to try to announce changes within days. Sources say the reform package recommends decriminalizing registry offences, reducing the registry's bureaucracy and dramatically strengthening sanctions against those who commit crimes using guns. Deputy Prime Minister Anne McLellan is responsible for the reform package and it is sitting on her desk, according to sources, although it was written by Albina Guarnieri, associate minister of National Defence. Ms. Guarnieri spent more than three months traveling the country listening to groups and individuals on the issue. Sources say Ms. Guarnieri has delivered a substantial package that focuses on public safety -- targeting the criminal use of guns rather than law-abiding owners such as hunters and farmers.”

Note: Copies of former Minister Albina Guarnieri's report are not available to the current government or the public as they are still protected as a Cabinet secret until 2024.

JANUARY 25, 2007 - LIBRARY OF PARLIAMENT LEGISLATIVE OPTIONS TO DECRIMINALIZE UNAUTHORIZED POSSESSION OF A FIREARM

This paper reviews legislative options to decriminalize unauthorized possession of a firearm where an individual merely fails to hold the necessary licence or registration certificate, without any real criminal intent or unsafe activity. If a particular option were chosen, a legislative drafter would need to be consulted in order to confirm and properly frame the proposed amendments.

- A. Repeal Sections 91 and 112*
- B. Repeal All Three Sections: 91, 92 and 112*
- C. Introduce Additional Exceptions to Liability*
- D. Replace the Current Provisions with a Different Offence*
- E. Make Unauthorized Possession an Aggravating Factor*
- F. Replace Current Penalties with Non-Criminal Fines*