

**Motion Number (i.e., CPC-14)**

**Clause: 3**

**Pages in bill: 3-5**

**Bill C-71, *An Act to amend certain Acts and Regulations in relation to firearms***

**Amendments**

Deletes the following from Clause 3:

- (a) lines 8 to 16 on page 3.
- (b) lines 23 to 25 on page 3.
- (c) lines 14 to 35 on page 4.

Replaces, in the French version, line 4 on page 5 with the following:

« b) était enregistrée comme arme à feu à »

**Effect of Amendments:**

The amendment would remove the listed CZ-858 models (subclause 3(11)) and Swiss Arms models (subclause 3(14)). It would also delete subclause 3(12) which provides that, for greater certainty, the firearms listed in 3(11)(a) include only those firearms that are prohibited on the commencement day. It also makes an amendment to the French version of 3(13)(b).

**Analysis of Amendment:**

By removing the references to the CZ and Swiss Arms firearms, the amendment would in essence render these provisions inoperative since there are no listed firearms to grandfather.

**Talking Points**

- **This motion should not be supported.**
- **Our intent is to have the grandfathering provisions apply specifically to certain CZ-858 and Swiss Arms models, most of which were deemed to be restricted or non-restricted by the Governor in Council in July 2015.**

## Guénette, Christine (PS/SP)

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**From:** Syme, Christina (PS/SP)  
**Sent:** Friday, May 25, 2018 12:32 PM  
**To:** Daly, Robert (PS/SP)  
**Cc:** Guénette, Christine (PS/SP); Gallant, Benjamin (PS/SP); Roy, Natasha (PS/SP)  
**Subject:** FW: For Policy review: MO Request: c-71  
**Attachments:** C-71 Business\_1.docx; C-71 Grandfathering\_1.docx; C-71 Individuals\_1.docx; C-71 landing page\_1.docx

Hi Rob,

Nothing substantive but a couple of comments:

- 1) The conditional should be consistent throughout as should 'transfer' rather than 'traded'
- 2) The documents briefly refer to CZ's that may become restricted – but does not elaborate further in terms of how to deal with that situation – they only deal with grandfathering
- 3) In the 'individuals' document, it may be helpful to explain why the restricted safety course is required for prohibited firearms (i.e., why there is no 'prohibited' course) – we have been asked that question in the past.

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**From:** Levert, Jean-Philippe (PS/SP)  
**Sent:** Tuesday, May 22, 2018 1:06 PM  
**To:** Gobeil, Renée (PS/SP); Daly, Robert (PS/SP); Gallant, Benjamin (PS/SP); Syme, Christina (PS/SP); Guénette, Christine (PS/SP)  
**Cc:** Martel, Karine (PS/SP); Duval, Jean Paul (PS/SP); O'Brien2, Judith (PS/SP); Bruneau, Véronique (PS/SP)  
**Subject:** For Policy review: MO Request: c-71

Good afternoon Robert,

CFP (RCMP) has updated their web content in relation to C-71, based on some confusion around the current content (from the media and the Minister's Office). They're hoping to have this posted later this week, but would like to share with the department to make sure we are comfortable with the amendments.

Could your team please let us know in writing if these amendments are acceptable?

Many thanks,

**Jean-Philippe Levert**

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 Public Safety Canada | Sécurité publique Canada

<https://pre.pub.rcmp-grc.gc.ca/cfp-pcaf/pol-leg/bill-c71-projet-de-loi/c71-business-entreprise-eng.htm>

## **How would Bill C-71, ~~An Act to amend certain Acts and Regulations in relation to firearms~~ Upcoming Changes affect my business?**

Information for clarification

Bill C-71 proposes changes that would impact firearms ownership in Canada. The information outlined below is intended to provide guidance to firearms owners should Bill C-71 become law.

### **Special Business Bulletin No. 93**

Bill C-71 ~~will~~would affect the Česká Zbrojovka (CZ) firearms in your inventory in one of three ways:

- they may become prohibited,
- they may become restricted, or
- the classification may stay the same.

Because not all CZ firearms will be impacted by changes in their classification, businesses will need to determine if their firearm(s) will be affected by these changes.

Bill C-71 also lists a number of specific Swiss Arms (SA) firearm that ~~will~~would also become prohibited.

If you own CZ/SA firearms, the steps below can help you identify whether your inventory of firearms ~~is~~would be affected by Bill C-71. They explain the grandfathering requirements and how to avoid potentially being in illegal possession of a firearm.

### **Step 1: Determine the classification of your business's firearms**

Refer to the self-assessment guide to determine if Bill C-71 would affects your CZ firearm.

If your SA firearm was listed in Bill C-71, it ~~will~~would be classified as a prohibited firearm. Please proceed to **Step 2**.

## Step 2: Transfer, disposal or destruction of your CZ/SA firearm

If, due to Bill C-71, your CZ/SA firearm is expected to be classified as prohibited, you should consider, by **June 30, 2018**, whether you wish to transfer, dispose of or destroy the firearms in your inventory. Once the firearms become prohibited, only businesses with prohibited licence privileges would be able to keep them, and only for a prescribed purpose.

### If you choose to transfer your CZ/SA firearm:

- Business owners will continue to be authorized to transfer any and all impacted CZ or SA firearms in their inventory to properly licenced individuals, until the relevant provisions of Bill C-71 come into force. For an individual owner to be eligible for grandfathering certain requirements must be met by **June 30, 2018**.

### If an individual does not wish to grandfather their CZ/SA firearm, they may:

- transfer (i.e., sell, trade, give) their CZ/SA firearm to an individual or business (including museum) with the appropriate licence privileges,
- export the firearm to another country (in accordance with legal requirements), or
- have the firearm turned in for disposal (i.e., destruction).

\*Please note that only individuals, **not businesses**, are eligible for grandfathering.

The proposed changes to classification status for CZ/SA firearms listed in Bill C-71 ~~will~~would come into force on a date to be determined by Governor in Council. This date is yet to be determined. As such, businesses will be permitted to continue to sell any and all CZ/SA firearms in their inventory up until these provisions are brought into force. Prior to the provision being brought into force, all CZ/SA firearms continue to be classified as they currently are. An individual who purchases an affected CZ/SA firearm after June 30, 2018 will not qualify for grandfathering privileges (unless they possessed the same class of firearm on June 30, 2018) and will have to legally dispose of the firearm after Bill C-71 provisions come into force.

# Grandfathering of the Česká Zbrojovka (CZ) Model CZ858 Tactical Series of Rifles

## Information for clarification

Bill C-71 proposes changes that would impact firearms ownership in Canada. The information outlined below is intended to provide guidance to firearms owners should Bill C-71 become law.

## Background

1. The purpose of this guide is to help owners of CZ858 rifles determine which group their firearm or firearms fall into. The guide applies only to the four affected models: CZ858 Tactical-2P, CZ858 Tactical-2V, CZ858 Tactical-4P, and CZ858 Tactical-4V.
21. The Česká Zbrojovka (CZ) model CZ858 Tactical series of firearms, hereafter referred to as the "CZ858 rifle", has been available in Canada since 2005. Four distinct models ~~are~~would be affected by the legislative changes proposed in Bill C-71, the CZ858 Tactical-2P, 2V, 4P and 4V, which differ in barrel length and stock configuration.
23. The CZ858 rifle is derived from the Soviet era Czechoslovakian selective fire Vz58 assault rifle by modifying the internal firing mechanism and re-marking the firearm. Consequently the rifle may bear original Czechoslovakian markings as well as modern Czech Republic markings.
43. Most CZ858 rifles ~~would~~would become prohibited firearms and ~~would~~would be eligible for grandfathering. However, some early models of CZ858 rifles ~~would~~are not ~~be~~ affected by the legislation and ~~would~~would remain restricted or non-restricted firearms according to barrel length, and ~~would~~would not require grandfathering.
54. The two groups of firearms are identified by the pattern of proof marks present on the rear sight block of the rifle. In general, CZ858 rifles with a proof mark dated 2005 or 2006 ~~are~~would not be affected by the legislation and ~~would~~would remain restricted or non-restricted firearms. Those CZ858 rifles with a proof mark dated 2007 or later ~~would~~would become prohibited firearms.
65. The legislation provides a three month period from March 20 to June 30, 2018 during which all CZ858 rifles ~~would~~would remain restricted or non-restricted firearms and ~~could~~can be traded between licensed individuals according to the existing rules. This creates an opportunity for those owners who wish to enter the grandfathering class to acquire one or more of the affected firearms before June 30, 2018. After June 30, 2018 until coming into force of the relevant provisions, the firearms ~~would~~would remain restricted or non-restricted and ~~could~~can be transferred to licensed individuals. However, individuals who acquire an affected firearm after June 30, 2018 will not qualify for grandfathering privileges (unless they possessed the same class of firearm on June 30, 2018).

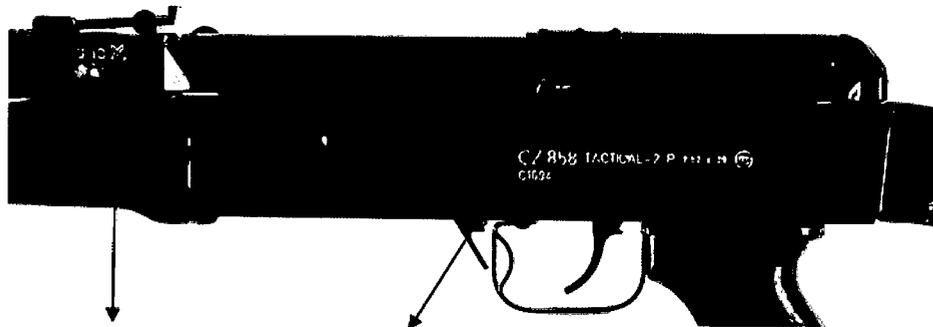
~~6. The purpose of this guide is to assist owners of CZ858 rifles with the determination of which group their firearm or firearms fall into. The guide applies only to the four affected models: CZ858 Tactical-2P, CZ858 Tactical-2V, CZ858 Tactical-4P, and CZ858 Tactical-4V.~~

## Step 1: Determine whether your rifle is a CZ858 Tactical rifle

7. The left side of the CZ858 rifle is marked with the serial number, model designation, caliber and manufacturer's logo on the left side of the receiver above the trigger. The model designation must be one of the following:

CZ858 Tactical-2P  
CZ858 Tactical-2V  
CZ858 Tactical-4P  
CZ858 Tactical-4V

**Figure 1**



Left side of the receiver of a CZ 858 Tactical-2P rifle depicting the make and model markings at the lower right, and the rear sight block at the upper left.

8. The rear sight block is located forward of the receiver (action). The relevant proof marks are present on the left side of the rear sight block just below the rear sight.

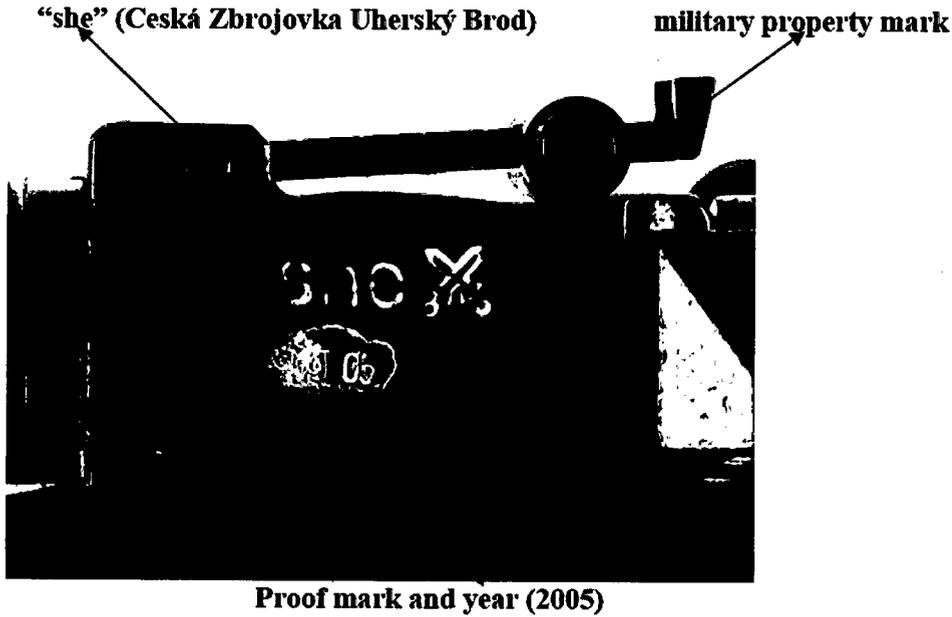
## Step 2: Determine whether your rifle is an affected model

### Generation #1 (Unaffected)

9. If the markings on the left side of the CZ858 rifle sight block follow the pattern below, the CZ858 rifle would be unaffected by the legislation and would remain a restricted or non-restricted firearm. The "she" code for the manufacturer (Ceská Zbrojovka Uherský Brod) is visible at the upper left of the sight block. The military property mark (crossed

swords) is to the right. Below those markings are the modern Czech Republic proof mark and date, in this case, 2005. A 2006 date is also possible.

**Figure 2**

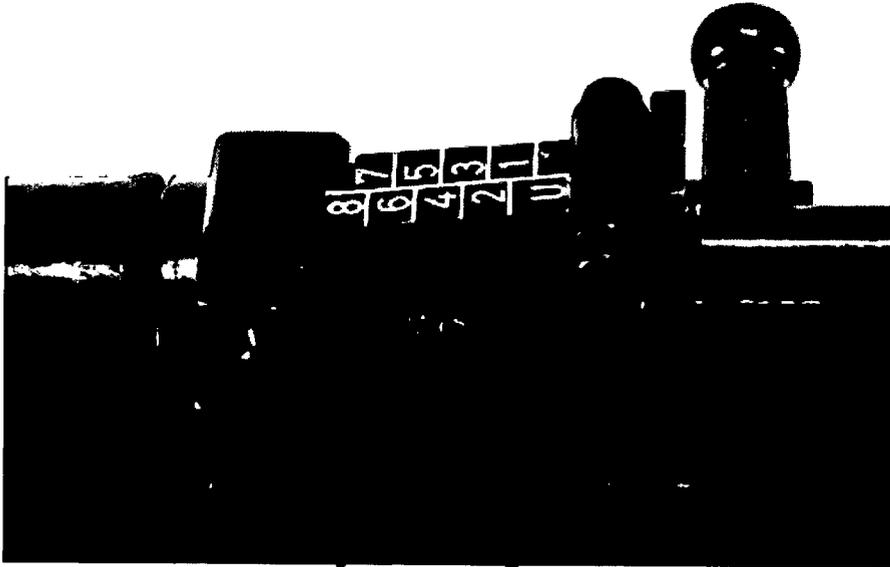


Left side of the rear sight block showing the former Czechoslovakian and modern Czech Republic proof marks.

## Generation #2 (Unaffected)

10. The markings on the left side of the second generation CZ858 rifle sight block, illustrated in figure 3 below, differ in that the original manufacturer's markings have been removed. The upper portion of the left side of the sight block has been machined, removing the surface metal where the code for the manufacturer and the military property mark would have been located. The machined space is now occupied by the modern proof mark and date, in this case, 2006. Note the machined space occupies approximately half the surface of the left side of the rear sight block.

**Figure 3**



**Proof mark and Year (2006)**

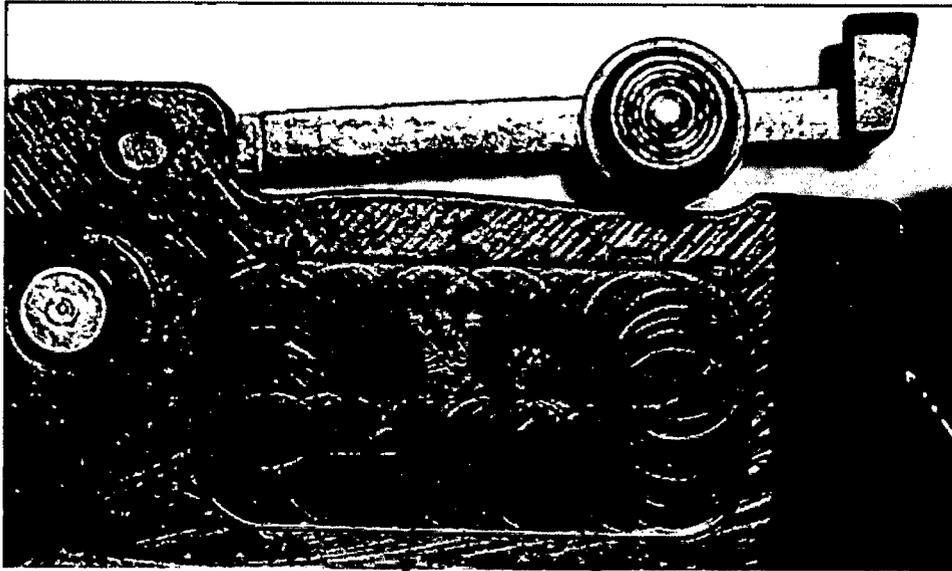
Left side of the rear sight block showing the small machined depression containing the modern Czech Republic proof.

### **Generation #3 (Affected)**

11. The markings on the left side of the third generation CZ858 rifle sight block below, differ from the first and second generation rifles in that nearly all the surface of the left side of the rear sight block has been machined to create a depression. The machined space is now occupied by the modern Czech Republic proof mark and date, in this case, 2011. CZ858 Tactical rifles with this kind of marking would become prohibited and eligible for grandfathering.

12. Although this generation of CZ 858 rifle is typically associated with a proof mark dated 2007 or later, it is possible that some late production 2006 proof dated rifles will follow this pattern. These rifles would also become prohibited and eligible for grandfathering.

**Figure 4**

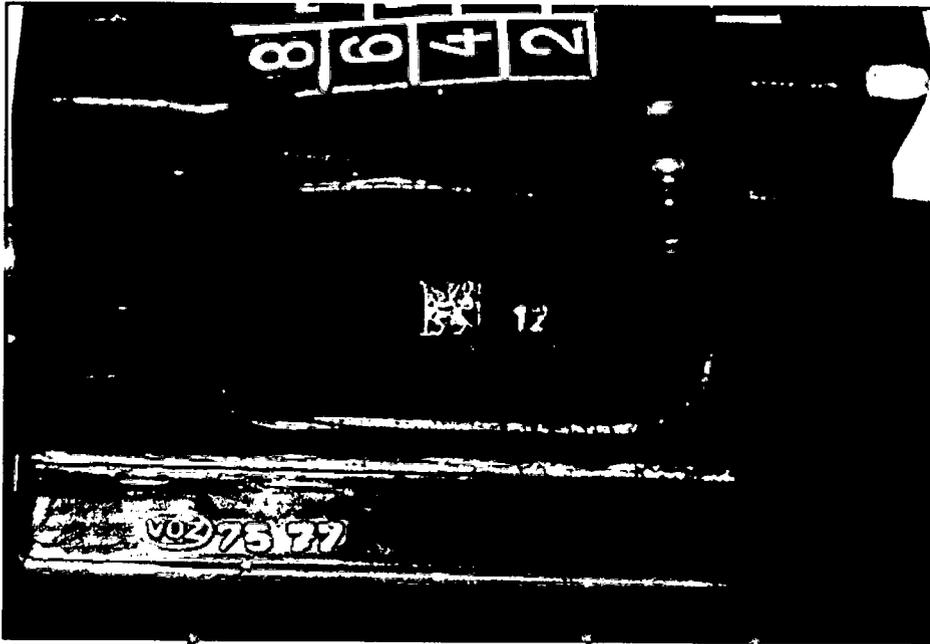


**Proof mark and Year (2011)**

Left side of the rear sight block showing the large machined depression containing the modern Czech Republic proof marks.

20. Third generation CZ858 rifles may also bear an arsenal repair code, in this case indicating the original Vz58 assault rifle was returned to the arsenal for repairs in 1975 and 1977.

**Figure 5**



**Repaired in 1975 & 1977**

**Proof mark and Year (2012)**

Left side of the rear sight block showing the former Czechoslovakian arsenal repair code.

<https://pre.pub.rcmp-grc.gc.ca/cfp-pcaf/pol-leg/bill-c71-projet-de-loi/c71-individuals-personnes-eng.htm>

## **How ~~does~~would Bill C-71 affect individuals?**

Information for clarification

Bill C-71 proposes changes that would impact firearms ownership in Canada. The information outlined below is intended to provide guidance to firearms owners should Bill C-71 become law.

Bill C-71 ~~will~~would affect your Česká Zbrojovka (CZ) model 858 firearms in one of three ways:

- they may become prohibited,
- they may become restricted, or
- the classification may stay the same.

Because not all CZ firearms will be impacted by changes in their classification you will need to determine if the firearm you own will be affected by these changes.

Bill C-71 also lists a number of specific Swiss Arms (SA) firearms that ~~will~~would also become prohibited.

If you own a CZ/SA firearm, the steps below can help you identify how Bill C-71 would affect you. They explain the grandfathering requirements and how to avoid potentially being in illegal possession of a firearm.

### **Step 1: Determine the classification of my firearm**

Refer to the [self-assessment guide](#) to determine if Bill C-71 would affect your CZ firearm.

If your SA firearm was listed in Bill C-71, it ~~will~~would be classified as a prohibited firearm. Please proceed to **Step 2**.

### **Step 2: Do I want to apply to have my prohibited CZ or SA firearm grandfathered?**

If, due to Bill C-71, your CZ/SA firearm is expected to be classified as prohibited, you should consider **(by June 30, 2018)** if you want to have it grandfathered.

If you **do** wish to grandfather your prohibited CZ/SA firearm proceed to **Step 3** to determine whether you are eligible, and **Step 4** to identify the steps that need to be taken.

If you do **not** wish to grandfather your prohibited CZ/SA firearm, you may:

- transfer (i.e., sell, trade, give) your CZ/SA firearm to an individual or business (including museum) with the appropriate licence privileges,
- export the firearm to another country (in accordance with legal requirements), or
- have the firearm turned in for disposal (i.e., destruction).

## Step 3: How do I qualify for grandfathering?

### Currently Restricted CZ/SA firearms

If your CZ/SA firearm is currently classified as restricted, it must be registered with the Registrar of Firearms (as required by existing legislation). ~~If you have not done so it is not registered, the registration must be completed~~ you must register it by **June 30, 2018** in order for your firearm to be eligible for grandfathering. You must have a PAL with restricted privileges in order to register a restricted firearm.

Provided that your currently restricted CZ/SA firearm is properly registered, please see additional criteria below which must be met for you to qualify for grandfathering.

### Currently non-restricted CZ/SA firearms

For CZ/SA firearm that are currently non-restricted, but are anticipated to become prohibited due to Bill C-71, you will be required to take the Canadian Restricted Firearms Safety Course (if not already taken) and have your licence appropriately upgraded.

The Registrar of Firearms will assess your licence situation when you submit your registration application (upon coming into force) and advise you accordingly.

Please see additional criteria below which must be met for you to qualify for grandfathering.

### Criteria for all CZ/SA firearms

To qualify for grandfathering of your currently non-restricted or restricted CZ/SA firearm\*, the following criteria must be met:

- you must possess one or more such firearms on June 30, 2018, **and**
- you must hold a valid registration certificate on June 30, 2018 (for firearms previously classified as restricted), or apply for a registration certificate (in cases

where the firearm was not previously classified as restricted) for your firearm within one year of the grandfathering provisions coming into force, **and**

- you must continuously be the holder of a registration certificate for one or more such firearms beginning on June 30, 2018 (for firearms previously classified as restricted) or beginning on the date a registration certificate is issued (in cases where the firearm was not previously classified as restricted).

**\*PLEASE NOTE:** For grandfathering purposes, listed CZ firearms are treated as a different class from listed SA firearms. In other words, possession of a listed CZ firearm on June 30, 2018 does not allow an individual to be considered for grandfathering privileges for a listed SA firearm, and vice-versa.

**\*ADDITIONAL NOTE:** Non-restricted and restricted CZ firearms which do not meet the Criminal Code definition of a prohibited firearm at the time the provisions come into force cannot be used as the basis for obtaining grandfathering privileges.

If you do not want to keep a non-restricted or restricted firearm that will become prohibited, properly transfer or dispose of your firearm in one of the approved methods noted in **Step 2**.

## Step 4: How do I apply for grandfathering?

To have your CZ/SA firearm considered for grandfathering, you must submit an application to the Registrar of Firearms. Your application must be submitted to the Registrar **within one year** of the grandfathering provision of Bill C-71 coming into force.

You can apply for grandfathering even if you have not yet obtained the required restricted privileges on your PAL, but you will need to complete the Canadian Restricted Firearms Safety Course and upgrade your licence privilege.

**PLEASE NOTE:** Your application to have your firearm grandfathered will not be processed until you have completed the Canadian Restricted Firearms Safety Course and upgraded your licence. **It is advisable to take these steps as soon as possible.**

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<https://pre.pub.rcmp-grc.gc.ca/cfp-pcaf/pol-leg/bill-c71-projet-de-loi/index-eng.htm>

## How would ~~Bill C-71: An Act to amend certain Acts and Regulations in relation to firearms~~ affect firearm owners and businesses?

Information for clarification

Bill C-71 proposes changes that would impact firearms ownership in Canada. The information outlined below is intended to provide guidance to firearms owners should Bill C-71 become law.

### For Individual owners:

- I'm a CZ/SA firearm owner. Should Bill C-71 become law, how would it affect me?

### For Businesses:

- I'm a business owner who has CZ/SA firearms in my inventory. Should Bill C-71 become law, how would it affect my business?

### General Information:

- On March 20, 2018, further to the proposed legislation, *Bill C-71*, the Government enacted an *Amnesty Order* for the Swiss Arms - Four Seasons models and Classic Green Sniper Rifle. The Amnesty Order will protect **only** persons and businesses who were in lawful possession of one or more of these firearms on the day before the Amnesty Order was registered. The Order will provide protection from criminal prosecution for illegal possession of these firearms until February 28, 2021, while the **Government implements measures to address continued possession and use.**

## **Guénette, Christine (PS/SP)**

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**From:** Gallant, Benjamin (PS/SP)  
**Sent:** Tuesday, July 24, 2018 11:29 AM  
**To:** Gallant, Benjamin (PS/SP)  
**Subject:** Firearms Stats - origin of crime guns - domestically sourced

### **Coverage of domestically sourced crime guns**

#### **Regina**

[On crime guns] "They're not being brought in by the United States, in fact most of them are not even being brought across a border to come here. **They're coming from break and enters,**" Regina Police Chief Evan Bray said. "**We see quite a lot of break and enters happening in rural Saskatchewan where firearms are stolen and then those end up in the city. Quite often they're modified,**" Bray said. "A barrel will be sawed off or something will be done to make them easier to conceal, but ultimately they're being adapted so that they can be used easier to commit crime." ("The source of guns on Regina's streets", Global Regina, July 25, 2017)

#### **Calgary**

The CPS says analysis shows about 30 per cent of the guns seized come from the U.S. It says the rest are likely taken during break and enters, specifically targeted for firearms. ("Calgary police join with RCMP to tackle city's gun violence", CBC, November 13, 2015)

Calgary police Chief Roger Chaffin: "Once, it would be rare for us to ever see a gun. If you pulled someone over in an arrest, a gun would be a pretty unique situation - now it's a pretty common situation. Now, if you stop a stolen vehicle, there'll be guns inside that car. If you're going to be inside a house where there's drugs, there'll be guns inside that house." ...Despite a common belief the firearms are being smuggled north across the border from the United States, Chaffin said many of the guns police see used in violent crime are sourced locally. "**A lot of them are being obtained through break-and-enters in homes that are being targeted for their presence of weapons,**" he said. According to the RCMP, **gun thefts have spiked over the past three years, increasing 66 per cent during that period.** The force reports **more than 4,500 firearms were stolen across the province** in the past four years. That averages out to about **three firearms taken per day in Alberta.** As well, Mounties came into contact with nearly 8,000 firearms last year, seizing more than half of them. ("Large increase in gun seizures, shootings concerns police chief", Calgary Herald, January 2, 2018)

#### **Toronto**

A Toronto police memo prepared for city staff...Not long ago, an estimated 70 per cent of guns used in Toronto crimes were smuggled from the United States, while 30 per cent were domestically sourced, the memo says. Over the past couple of years that has shifted, with **Toronto thugs now getting 50 per cent of their illicit guns in Canada,** either stolen from legal owners or through "straw purchases," when a licensed buyer sells a gun on the black market usually for an inflated price... Toronto police Chief Mark Saunders..."**Most of the firearms are coming from Canada,** into bad guys' hands. So, I think we've got some opportunities to fill those gaps," he said. ("Toronto police memo flags surge in domestic handgun trafficking", Toronto Star, November 19, 2016)

#### **BC/Vancouver**

"Historically, most **crime guns** were smuggled into Canada from the U.S. Over the past three years in B.C., however, approximately **60 per cent were sourced in Canada**, according to data from the National Weapons Enforcement Support Team (NWEST). NWEST attributes this trend to changes in firearms legislation in states such as Washington and Oregon requiring recordkeeping at the point of sale for all firearms, which allows tracing to identify a purchaser (**BC Task Force on Illegal Firearms**)

Former B.C. solicitor general Kash Heed. For a few hundred dollars, even street-level drug dealers can buy guns, creating the potential for deadly violence like the shootout that led to the death of 15-year-old Coquitlam student Alfred Wong in Vancouver Saturday, Heed said. "The **access to firearms is relatively easy** for anyone that is motivated to get one. These firearms are from outside of Canada or they are taken during burglaries here in Canada," said... Heed said that years ago, police would only find guns to seize in mid-level gangs or in the upper echelons of organized crime." But what we have found **in the last few years is that people at all levels of the crime structure have access to guns now**," he said. "These individuals, once they have a gun strapped to their hip, they feel invincible and they don't have any qualms whatsoever using that gun to settle disputes."... [CFSEU Sgt. Brenda Winpenny] Police have seen a shift in the origin of B.C. guns over the years. At one point, most firearms in the province were smuggled in from the United States. **As of 2016, most B.C. criminals were getting their guns in Canada**. Some were stolen from individuals or businesses. Others were bought by "straw purchasers" - people not on police radar who are paid to get a gun licence and make legal firearm purchases on behalf of a criminal. ("Street level criminals have easy access to firearms", Vancouver Sun, January 19, 2018)

According to the most recent data available from the RCMP's National Weapons Enforcement Support Team, **61 per cent of crime guns in the province were domestically sourced**. "And the balance, about **39 per cent, were believed to be smuggled from the United States or elsewhere**. The source was not domestic," said Insp. Chris McBryan, the officer in charge of NWEST's western region. ("Criminals now getting their guns in Canada: police", Vancouver Sun, April 16, 2016)

### **Ottawa**

Insp. Chris Renwick told a recent Crime Prevention Ottawa board meeting that **half the crime guns recovered are from within Canada, usually legally registered but stolen**. The other half are coming in from the United States, especially the "higher-end" handguns, he said. Renwick said there's an increased demand for handguns, but police intelligence, as officers say, suggests the firearms are still hard to come by. ("Illegal guns sparking bidding wars on Ottawa's streets", Ottawa Citizen, October 14, 2016)

### **Edmonton**

Edmonton cops are running into more guns on city streets, a troubling trend police officials and **observers attribute to a spike in gun thefts** and lean times for the city drug trade. Between 2012 and 2015, police saw an 80 per cent increase in the use of guns in the commission of crimes, according to the Edmonton Police Service's 2017 Annual Policing Plan, presented at last month's police commission meeting. ("Gun crime spike 'quite concerning', Edmonton Police say", Edmonton Sun, April 15, 2017)

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## **BACKGROUND:** **FIREARM BANS AND BUYBACKS**

Academic and government literature was reviewed for information on firearm bans and buyback programs. Information on key jurisdictions is summarized below, including the United Kingdom, Australia, and the United States, as well as Canada. An overview of these programs is presented first, followed by consideration of the impact and the total costs of these initiatives. There is no compelling evidence that bans or buyback programs have been successful in reducing firearm-related crime. In addition, buyback programs are very costly.

### **I. Overview**

Gun bans and buyback programs are sometimes viewed as options in response to firearm-related crime given that they provide a means of creating a sense of public security by reducing guns in circulation. Certain jurisdictions have created outright bans of certain types of firearms deemed dangerous, and have required the surrender of said type of firearm, sometimes with the option of compensation (e.g. Australia, Canada, and the United Kingdom). Other jurisdictions have opted for optional buyback programs, with monetary incentives to surrender unwanted or illegally owned firearms (e.g. certain American states). The majority of optional gun buyback programs have had good participation.

### **II. Jurisdictions' Approaches**

#### **CANADA**

Canada has engaged in two small-scale buy-back programs. Between October 2006 and November 2007, 60 Type 97A firearms were imported in two separate shipments from China. The firearms were classified at the time as non-restricted and restricted based on information provided by the importing company's verifier and technical specifications from the Chinese manufacturer. Forty of the firearms, which were distributed to 35 individuals and one business, were subsequently physically inspected by the Royal Canadian Mounted Police (RCMP) and determined to be purpose-made fully automatic firearms that had been temporarily modified to be semi-automatic, and therefore were prohibited.

Revocation notices were issued by the Registrar of Firearms on March 23, 2010 and recipients had 30 days to file for a reference hearing before a provincial court judge or lawfully dispose of their firearm(s) (e.g., surrender to law enforcement, transfer the firearm, or deactivate it). On April 19, 2010, the Government decided, in the interest of public safety, to offer reimbursement of up to \$1,400 per firearm to those who surrendered their firearms to law enforcement.

Separately, in February 2007, the RCMP Canadian Firearms Program identified the Sport-Systeme Dittrich BD38 and BD3800 semi-automatic firearms as restricted based

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on the manufacturer's specifications. A physical inspection was conducted in 2012 and it was determined that they could easily and quickly be converted into automatic firearms, and therefore were prohibited.

In 2012, the Registrar of Firearms revoked the registration certificates for 74 Sport-Systeme Dittrich BD38 and BD3800 models belonging to 71 individuals and three businesses. Up to \$3,500 was offered as compensation to those who surrendered their firearms to law enforcement.

## **UNITED KINGDOM**

In 1997, following a school shooting in Dunblane, the Parliament of the United Kingdom introduced the *Firearms (Amendment)(No.2) Act* which banned all handguns. The previous government had introduced the *Firearms (Amendment Act) 1997* which banned handguns greater than .22 caliber. The *Firearms (Amendment)(No.2) Act* further banned the private possession of all cartridge ammunition handguns, regardless of the caliber. Individuals in possession of handguns were granted a one year amnesty to turn over their now illegal handguns to the police in return for compensation from the government of the UK. As a result of the amnesty, 162,198 handguns were surrendered<sup>1</sup>.

## **AUSTRALIA**

Australia had two mandatory buyback programs, in 1996 and 2003; the *National Firearms Agreement (1996)* and the *National Handgun Buyback Act (2003)*. Introduced in the wake of the Port Arthur shooting, among the changes to firearms legislation, the *National Firearms Agreement (1996)* prohibited the ownership of automatic and semi-automatic firearms unless required for military purposes. The agreement also included a national gun buyback scheme to remove these now prohibited firearms from circulation. In particular, this program sanctioned a buyback on semi-automatic rimfire rifles, shotguns, and pump-action shotguns. In total approximately 660,000 firearms were bought back.

The *National Handgun Buyback Act* followed in 2003 after a shooting incident in which the perpetrator was a licenced pistol owner. New handgun laws introduced as a response to the shooting made target pistols of greater than .38 caliber and semi-automatic handguns with barrels less than 120 mm illegal. As part of the buyback, handgun owners with a target shooting licence were compensated for their prohibited and non-prohibited handguns. Under this scheme approximately 70,000 handguns and more than 278,000 parts and accessories were surrendered.

From July to October 2017, Australia declared a national gun amnesty in which individuals were able to hand in unregistered weapons without fear of prosecution and without compensation. The amnesty was instituted as a result of the growing influx of illegal arms in the country. Australia's Department of Home Affairs reported 57,324 firearms and 2,432 parts and accessories were surrendered as a result of the amnesty.

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<sup>1</sup> Select Committee on Home Affairs Second Report on The *Firearms (Amendment) Act 1997*.

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## **UNITED STATES**

### **Arizona**

Four optional buybacks were held in Arizona in 2013, each of which focused on removing unwanted firearms from circulation. One of these buybacks took place in Tucson and three in Phoenix. In Tucson a total of 200 firearms were surrendered (primarily shotguns and rifles) in exchange for \$50 gift cards<sup>2</sup>. In three buybacks in Phoenix, gift cards ranging from \$100 to \$200 were given to participants in exchange for unwanted firearms. A grand total of 1,916 firearms were surrendered as a result of the three buybacks in Phoenix<sup>3</sup>.

The State of Arizona was deterred from any future buyback programs, after House Bill 2455 was passed in late 2013 which required guns obtained in buyback programs to be sold back into circulation rather than destroyed. It was felt that this defeated the purpose of gun buyback programs which was to remove firearms from circulation.

### **California**

California began its annual buyback program in 2009, in response to the growing number of firearm-related deaths in the state. Participants of the program were offered \$200 cash for every assault weapon surrendered, and offered \$100 for handguns, rifles and shotguns. In 2017, Los Angeles set a goal to remove at least 20,000 firearms from the street by 2022. This goal has seen success so far with 7,300 guns collected in 2017 alone. As of 2018, 16,483 firearms have been surrendered to the Los Angeles Police Department<sup>4</sup>.

### **Connecticut**

In response to the 2012 Sandy Hook Elementary School shooting, the State of Connecticut introduced Bill 1160 which prohibited the selling and ownership of any assault weapons (referring to selective fire firearms) except for military and law enforcement purposes<sup>5</sup>. Such weapons owned prior to the enactment of the law were grandfathered, but required registration.

In relation to the Bill, Connecticut also held optional gun buybacks the following year with a focus on removing unwanted firearms from circulation. In the weeks after the shooting until the end of 2013, the Bridgeport Police Department held five gun buyback programs in which a total of 477 guns were collected. The Hartford Police Department held four buyback events in which a total of 169 guns were collected.<sup>6</sup> All participants in

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<sup>2</sup> Tucson Police Department press release (2013).

<sup>3</sup> Phoenix Police Department press release (2013)

<sup>4</sup> Los Angeles Police Department Media Relations (2018).

<sup>5</sup> Bill No. 1160, *An Act Concerning Gun Violence Prevention and Children's Safety*. LCO No. 5428.

<sup>6</sup> Baumann, Laura et al. (2017). *Suicide, guns and buyback programs: An epidemiologic analysis of firearm-related deaths in Connecticut*

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the buyback programs were compensated with gift cards ranging from \$25 to \$200 based on the type of firearm surrendered.

### **Washington**

The city of Seattle held two gun buyback programs in 1992 and 2013. Both programs were temporary and optional, with individuals being given the incentive of a cash voucher and/or a gift card when relinquishing firearms.

Seattle's 1992 buyback program was initiated in response to a string of shootings in a local neighbourhood. The Seattle Police Department provided the incentive of a \$50 cash voucher to each participant for relinquishing a firearm. In total 1,172 firearms were relinquished, of which 95% were handguns.<sup>7</sup> Seattle introduced another gun buyback program in 2013. A total of 712 guns were bought back, with 364 of that number being rifles and the other 348 pistols. Mirroring the 1992 buyback, the incentive of an Amazon gift card worth up to \$200 was provided to each participant of the buyback program. The Seattle Police Department experienced some difficulties with the 2013 buyback when private gun collectors set up a booth during the buyback and offered to purchase firearms from the participants for more than the police were offering. Consequently, the total number of firearms bought back by police was lower than the total number of firearms exchanged that day.

### **III. Impact**

Despite a lack of evidence both domestically and internationally that ban and buyback programs succeed in reducing violent crime, these initiatives have gained legitimacy as a policy for dealing with violent crime, especially in the USA.

#### **CANADA**

Buybacks in Canada were for the purpose of compensating firearms owners who had purchased firearms legally, after which they were re-determined to be prohibited. In addition, the number of firearms was relatively small. As such, these buybacks were not expected to have a large impact on firearm-related crime statistics.

#### **UNITED KINGDOM**

Following the handgun ban in 1997, statistics in 1999 showed that there had been no significant decrease in the number of firearms offences<sup>8</sup>. Criminologists at Brighton found that in the four years after the handgun ban in 1997, the general crime rate in the UK actually went up by 105%. Further, between 1996 and 2002 the firearm-related homicide rate in the UK doubled. However, many academics attributed this rise to the too wide-ranging definition and scope of gun crime in the UK (i.e. toy handguns were included in statistics) which was later refined in 2003. In April 2018 it was reported by

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<sup>7</sup> Callahan, Charles et al. (1994). *Money for Guns: Evaluation of the Seattle Gun Buy-Back Program*.

<sup>8</sup> Home Office *Criminal Statistics*, 1998

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the Office for National Statistics that in the preceding year the UK had seen an 11% increase in gun crime. However, the UK still remains widely viewed as significantly lower in gun crime in comparison to other jurisdictions.

## **AUSTRALIA**

In the two decades following the two legislative changes, there was a reduction in the annual rate of gun deaths – from 2.9 per 100,000 in 1996 to 0.9 per 100,000 in 2016. However, statistics in Australia do also show that firearm death rates began falling before the legislative changes and buybacks took place. The Australian Bureau of Statistics data show that the annual rate of gun deaths fell from 4.8 deaths per 100,000 in 1980 to 2.6 deaths per 100,000 in 1995. While the academic literature is not perfectly consistent in conclusions, the general consensus of most academic research is that it is impossible to attribute any incremental decrease in gun crime to the firearm bans imposed by the Australian Government<sup>9</sup>.

## **UNITED STATES**

### **Arizona**

According to the Centers for Disease Control and Prevention, Arizona still remains one of the highest ranking States in total number of gun deaths per year. In the three years following the gun buybacks the total number of gun deaths increased from 941 in 2013 to 1,094 in 2016<sup>10</sup>.

### **California**

The annual gun buyback programs have had no statistically significant impact on firearm-related crime in California. According to the California Department of Justice, California's gun related homicide rate has continued to increase slightly with 3,184 firearm-related deaths in 2016 as opposed to the 2,997 in 2012. Further, in 2016 the Centers for Disease Control and Prevention rated California third in comparison to other States for firearm-related deaths.

### **Connecticut**

Since tighter gun laws were introduced in 2013, Connecticut has remained lower compared to other US States in terms of gun crime. However, statistics show that Connecticut has remained steady in gun crime rates since 2005, showing no statistical significant results that point to an effect buybacks had on gun crime<sup>11</sup>.

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<sup>9</sup> Alpers, Philip and Amélie Rossetti. 2018. *Guns in Australia: Total Number of Gun Deaths*. Sydney School of Public Health, The University of Sydney

<sup>10</sup> National Center for Health Statistics. *Firearms Mortality by State* (2016).

<sup>11</sup> National Center for Health Statistics. *Firearms Mortality by State* (2016).

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## **Washington**

In one study, analysis of the short-term effect of the 1992 buyback on firearm-related crime (robberies, assaults, and homicides) revealed no statistically significant change, comparing the 12 months before the program to the 6 months following the program<sup>12</sup>. The number of firearm-related homicides actually increased 67%, but the increase was not viewed as statistically significant by researchers due to the low overall base rate. Similarly, the year following the 2013 buyback, Seattle had 18 homicides related to firearms compared to the 9. However, the total person crimes recorded by the Seattle police department declined slightly from 89 in 2013 to 82 in 2014. Researchers concluded that the effect of the 2013 buyback was not statistically significant.

## **IV. Costs**

Both mandatory and optional federally funded gun buybacks tend to be costly. Due to the cost associated with administering a gun buyback, some jurisdictions such as the United States have opted for privately funded buyback programs. Many jurisdictions have faced further costs from litigation challenging the buybacks. Costs associated with firearm destruction were not readily available and are not included in this analysis. All costs in this section are reflected in Canadian currency.

## **CANADA**

As a result of the revocation of 40 Type 97A firearms, the Government decided, in the interest of public safety, to offer reimbursement up to \$1,400 per firearm to those who surrendered their firearms to law enforcement. The total cost came to \$56,000.

As a result of the 2012 buyback of the Sport-Systeme Dittrich BD38 and BD3800 models, up to \$3,500 was offered as compensation to those who surrendered their firearms to law enforcement. The RCMP provided a total of approximately \$223,000 to 72 owners who surrendered their firearms; of the remaining two owners, one exported and the other deactivated their firearms.

## **UNITED KINGDOM**

A total of \$203 million was paid in compensation to gun owners as a result of the UK handgun bans. Further, there were 748 litigation cases by individuals challenging the ban. No mention of the cost of these litigations to the United Kingdom Government was found<sup>13</sup>.

## **AUSTRALIA**

In terms of cost for the 1996 buyback program, the Commonwealth provided \$423.2 million<sup>14</sup> to the states and territories for compensation for the purchase of semi-automatic

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<sup>12</sup> Callahan, Charles et al. (1994). *Money for Guns: Evaluation of the Seattle Gun Buy-Back Program*.

<sup>13</sup> Select Committee on Home Affairs Second Report on *The Firearms (Amendment) Act 1997*.

<sup>14</sup> Attorney General's Department Annual Report 2005/2006

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weapons and \$67 million for administering the program. The total cost of the 1996 buyback program was approximately \$550.3 million. For the 2003 buyback program, \$88.7 million was paid in compensation, and the Government of Australia also provided just over \$64.2 million in reimbursements to jurisdictions for administrative procedures. The total cost of the 2003 buyback program was approximately \$153 million. There were no costing details available for the 2017 amnesty.

## **UNITED STATES**

### **Arizona**

Buyback programs in Arizona were funded by anonymous donations. No public figures are available as to the cost of these buyback programs.

### **California**

The majority of the buyback programs in California were funded by private donations. No public figures are available as to the cost of these buyback programs.

### **Connecticut**

The total cost of the gun buybacks for the city of Bridgeport was \$67,956.72. Other cities were funded by private donations.

### **Washington**

Financing for the 1992 and 2013 buyback was from private donations rather than the State of Washington. It was reported that no public money was expended on either buyback program.

## Background Information on the Effectiveness of Firearm Bans and Regulations in Jurisdictions

J. Santaella-Tenorio, M. Cerda, A., Villaveces, & S. Galea (2016). What Do We Know About the Association between Firearm Legislation and Firearm- Related Injuries? *Epidemiologic Reviews*, 38(1), 140-157.

The following information is taken from a systematic literature review of empirical studies directly assessing **the association between firearm related laws at the local, regional, and national levels and the rate of firearm-related homicides, suicides, and unintentional injuries/deaths**. The search was restricted to peer-reviewed and non-peer-reviewed published studies between 1950 and 2014.

Evidence from 130 studies in several countries (including the United States, Australia, New Zealand, Switzerland and Austria) suggests that in certain nations the simultaneous implementation of laws targeting multiple firearms restrictions is associated with reductions in firearm deaths. Laws restricting the purchase of (e.g., background checks) and access to (e.g., safer storage) firearms are also associated with lower rates of intimate partner homicides and firearm unintentional deaths in children, respectively.

### Laws Targeting Firearms Sales

#### 1. The United States

**The association between background checks/waiting periods and firearm deaths** – Cross-sectional studies provide mixed results. Kleck and Patterson (1993) used data from 170 US cities (1979–1981) and found no association between waiting periods and homicides or suicides; however, firearm purchase bans for those with mental health conditions were associated with fewer homicides. Ruddell and Mays (2005) using a scale to rate the state's ability to screen individuals found that more stringent background checks were associated with reductions in firearm homicides. Sumner et al. (2008) wrote that local checks (as opposed to federal) for local mental health and court restraining records were associated with lower suicide rates, but not with homicide rates, among adults aged 21 years or older.

Longitudinal studies have also examined these laws. Lott and Mustard (1997) using time-series analyses and UCR data from counties and states in the United States found no associations between waiting periods and homicide rates at the state level (inconsistent results at the county level). Similar findings were previously reported by McDowall et al. (1995) using data from 5 cities. Ludwig and Cook (2000) compared 32 "treatment" states directly affected by the Brady Act against 18 "control" states that already had similar restrictions (NCHS data, 1985–1997). No associations between the Brady Act and firearm homicides among adults (aged 21 years or older and 55 years or older) were observed. However, in states that included changes in waiting periods, the law was associated with fewer firearm suicides only among those aged 55 years or older. More recently, Lott (2010) using state-level data found no significant associations between the Brady Act and homicide rates. In contrast, La Valle (2007), comparing 20 large cities in the United States by using UCR data (1990–2000), found that the Brady Act was associated with reductions in all and firearm homicide rates.

Other studies examined specific aspects of these laws. Vigdor and Mercy (2000, 2006), using UCR data (1982–1998), found that states with **laws preventing subjects with domestic violence restraining orders from owning/purchasing firearms** had a 9% reduction in the rates of intimate partner, female intimate partner, and female intimate partner firearm homicides; however, there was no association

between these outcomes and restrictions for those convicted of domestic violence misdemeanors. Zeoli and Webster (2010) also described similar findings using data from 46 of the largest cities in the United States (1979–2003). In addition, Rodríguez Andrés and Hempstead (2011), using NCHS data from 1995 to 2004, found that **purchasing restrictions for mental health issues and domestic violence convictions** were associated with lower rates of male suicides in some age groups. Sen and Panjamapirom (2012), using NCHS data from 1996 to 2005, found that, compared with states checking for criminal backgrounds only, there were lower homicide rates in states additionally checking for restraining orders and lower suicide rates in states also checking for mental conditions, fugitive status, and misdemeanors.

Particularly on **laws regarding licensing of dealers**, Kleck and Patterson (1993) in a cross-sectional study found an association between these laws and reductions in homicide rates but not in suicide rates. Moreover, Irvin et al. (2014), using NCHS data (1995–2010) in adjusted models, found that licensing requirements for dealers were associated with firearm homicide reductions.

### Laws Targeting Specific Firearms and Ammunition

#### 1. The United States

*1994 Federal Assault Weapons Ban, United States* – **This law banned the manufacture, transfer, sale, and possession of certain semiautomatic weapons and large-capacity ammunition magazines.** Semiautomatic weapons fire a bullet each time the trigger is squeezed, loading the next bullet after each shot. Weapons already in possession at the time of the law's enactment were grandfathered. The law was enacted in 1994 and expired in 2004. None of the attempts to renew it has prospered

FINDINGS: Koper and Roth (2001) using UCR data (1980–1995) found no association between the law and homicide rates in 15 states after adjusting for the presence of other firearm laws and crime laws in New York and California. A recent study by Gius (2014) showed that the federal assault weapons ban was associated with higher rates of firearm homicides.

*Gun Control Act of 1968: Saturday Night Specials* – Part of this law **banned the sale of Saturday night specials (inexpensive poor-quality hand guns commonly used in crime activity).**

FINDINGS: In a cross-sectional study, Kleck and Patterson (1993) found no associations between these laws and homicide rates. Webster et al. (2002) studied the 1988 Maryland law banning these firearms in time-series analyses using 2 neighboring states as controls and NCHS data (1975–1998). These authors found the law was associated with a 6.8%–11.5% reduction in homicide rates when assuming a delayed effect model but not an immediate and constant model. Rosengart et al. (2005) found no association of the law with reductions in firearm or all homicides rates when assuming an immediate and constant model. A reduction in suicide rates, but not in firearm suicide rates, was associated with the law.

#### 2. Australia

*The 1988 Victoria State Law, Australia* – This law **tightened restrictions on semiautomatic long-arms and pump action guns**

FINDINGS: Ozanne-Smith et al. (2004) examined the Victoria law by comparing pre- versus post-trends of annual death rates in Victoria compared with other states in Australia. The law was associated with a

17.3% decrease in the rate of firearm deaths and lower rates of firearm suicides, but not with firearm homicides.

### Simultaneous Implementation of Laws Targeting Multiple Elements of Regulations

#### 1. The United States

*US Gun Control Act of 1968* – This law banned the sale of Saturday night specials (handguns), blocked the importation of firearms that did not meet criteria for being classified for sporting or scientific purposes, prohibited dealers from shipping firearms to other states and prohibited the sale of firearms to buyers without state identification, implemented license requirements for firearm sellers and owners, and banned possession and purchasing of firearms by minors (under 18 years for rifles and 21 years for handguns) and high-risk-group individuals (persons convicted of a felony, mental health problems, or illegal drug users).

FINDINGS: Magaddino and Medoff (1984), using data for the period 1947–1977 in structural models adjusted by state characteristics, found that the law was not associated with changes in homicide rates.

*District of Columbia 1976 Law* – This law required that every person who owned and had firearms should register them under the provision of the 1968 law and should reregister them with the Metropolitan Police Department 60 days after the effective date of the Act. New rifles and shotguns could be registered if purchased from a licensed dealer and after passing a background check for criminal records and history of substance use or mental health problems. The law also strengthened safe storage requirements, including keeping firearms unloaded or bound by a trigger-locking device.

FINDINGS: Loftin et al. (1991), using NCHS data (1968–1987) from the District of Columbia and adjacent metropolitan areas of Maryland and Virginia, found an abrupt reduction in homicide and suicide rates with no similar changes in control areas. Similar results for suicides were found by McDowall et al. (1996) comparing the District of Columbia with Boston, Massachusetts, Memphis, Tennessee, and Baltimore, Maryland. Britt et al. (1996a; 1996b) questioned the selection of controls in the study by Loftin et al. (1991), given the differences in homicide rates in the prelaw period; using Baltimore as the control area, Britt et al. found that the law was not associated with abrupt or gradual changes in homicide rates (no estimates for the law-suicide rates association were reported).

*1996 Maryland Gun Violence Act* – This law set stronger restrictions to prevent firearm purchases including background checks and registration of handguns sold by private gun owners, 1 handgun purchase per month, and greater authority given to police and judges to confiscate firearms from domestic violence offenders.

FINDINGS: Webster et al. (2002) examined the law in models adjusted for socio-demographics and trends in neighboring states (1975–1998 NCHS data) and found that the law was associated with reductions (from 10.3% to 11.4%) in firearm homicide rates in Maryland, assuming an immediate or delayed start, and constant/gradual effects.

#### 2. Australia

*The 1996 National Firearms Agreement* – This agreement included banning the importation, ownership, sale, transfer, possession, manufacture, or use of all self-loading center rifles, all self-loading and pump

action shotguns, and all self-loading rim fire rifles. The law included the following: implementation of a buyback program for prohibited firearms; mandatory registration of all firearms; licensing requirements proving genuine reason for owning a firearm; being at least 18 years of age to buy guns; a 28-day waiting period to purchase a firearm; requirement of a separate permit for each firearm purchased; certification of being mentally and physically fit to own, possess, and use a firearm; required background checks for gun sales; for recreational and hunting purposes, required membership of an authorized shooting club or permission from a hunting land owner; strict firearm storage requirements; licenses for firearm dealers and all records of sales to be provided to the police; restrictions to purchase ammunition (quantities within a time period) and only for the licensed firearms owned by the buyer; and an accredited training course certificate in firearm safety for new applicants.

**FINDINGS:** In regards to homicide rates, Ozanne-Smith et al. (2004) examined the NFA using Victoria as a control group, given that this state had previously enacted firearm restrictions in 1988. The authors found a reduction (14%) in overall firearm death rates in states implementing NFA restrictions relative to Victoria. Another study by Chapman et al. (2006), analyzed data from 1979 to 2003 and found evidence of an acceleration in the reduction in firearm deaths and all homicides after the passing of the law; although there was also a steeper reduction in firearm homicides, the trend ratio was not significant. In addition, no firearm mass shootings occurred in Australia after the NFA compared with 13 in the prelaw period. In contrast, Baker and McPhedran (2007) compared observed versus predicted homicide rates after the NFA (1979–2004 data) in autoregressive integrated moving average models and found no association between the law and homicide rates, although the downward trend was observed to continue in the years after the law. Neill and Leigh (2007) criticized Baker and McPhedran (2007) for not using the log of death rates (which made expected rates become negative). Adjusting for new model specifications, they found a reduction in the firearm homicide rates associated with the NFA.

Lee and Suardi (2010), using data from 1915 to 2004 and tests of unknown structural breaks, found no evidence suggesting that the NFA was associated with reduction in homicides or suicide rates. In contrast, Chapman et al. (2006) showed reductions in the rate of firearm and total suicide rates after the implementation of the NFA. Similar results were observed by Neill and Leigh (2007) and by Baker and McPhedran (2007) for firearm suicides. McPhedran and Baker (2012), using an approach similar to that of Lee and Suardi (2010), also identified a breakpoint in 1997 for firearm suicide rates but only for individuals aged 35–44 years (although no association was found in other models). Klieve et al. (2009), examining data from the Queensland suicide register (1990–2004) and national data (1968–2004), found that the NFA was associated with negative trends in firearm suicide rates at the national level, but not with suicides among males in Queensland.

Finally, in regard to unintentional firearm death rates, Baker and McPhedran (2007) and Chapman et al. (2006) showed an increment in the rate of unintentional firearm deaths associated with the NFA, although they conclude that rates can be greatly affected by small changes in the number of annual cases given that unintentional firearm deaths are rare events.

*The 1977 South Australia Firearms Act* – This regulation required a license for firearm purchases; new owners were required to pass an examination on the handling and safety of weapons. The law also included increments in the severity of penalties for firearm offenders and registration of all firearms.

**FINDINGS:** Snowdon and Harris (1992) using data from Australian states (1968–1989) observed that the law was associated with lower rates of firearm suicides.

### 3. New Zealand

*The New Zealand Amendment to the Arms Act* – The law required licensing for dealers and licensing for firearm owners that included the following: passing a test on knowledge of the Firearms Code and rules of firearm safety; police assessments of the applicant and the applicant's home that include checks for firearm storage, security, and social arrangements; and interviews with 2 referees of whom one was a partner or parent in a process that could take 8–12 weeks. The law also included stricter safe storage requirements with ammunition being kept separately from firearms

FINDINGS: Beautrais et al. (2006), using Poisson models and interrupted time-series analyses (1985–2002 data), found that the amendment was associated with reductions in the rate of firearm suicides among those aged 15–24 and 25 years or older, but not with reductions in all suicides.

### 4. Austria

*The 1997 Austrian Firearm Law* – This law included background checks for category B weapons (handguns, semiautomatic firearms, repeating firearms, or single shot firearms with center fire percussion) in addition to psychological testing; also, the law required a 3-day “cooling-off” waiting period for category C and D weapons including long firearms with a smooth bore and rifled barrels and other semiautomatic long firearms. The law increased the minimum age to purchase to 21 years and also included safer firearm storage regulations.

FINDINGS: Kapusta et al. (2007), using data from 1985 to 2005, found that the law was associated with reductions in firearm homicide (percent change in trends in pre/post-law periods = -4.8) and firearm suicide (percent change = -9.9) rates in models adjusted for unemployment and alcohol consumption. Moreover, Niederkrotenthaler et al. (2009) found that the law was associated with a long-term reduction in the rate of firearm suicides and the proportion of firearm suicides among adolescents (aged 10–19 years).

### Conclusion

Three general observations emerge from the above analysis, as identified by the authors:

1. The simultaneous implementation of laws targeting multiple elements of firearms regulations reduced firearm-related deaths in certain countries.

A variety of longitudinal studies describe the association between the simultaneous implementation of laws targeting multiple elements of regulations and firearm deaths. Despite their limitations, specifically on the identification of which laws are more likely to be effective, these studies inform on the potential synergistic effects, or the aggregated individual effects of multiple laws, when they are simultaneously implemented within a narrow time window. The Australian National Firearms Act (NFA) provides a good illustration of this. Following the implementation of the NFA, a decline in firearm deaths and firearm suicides, as well as an absence of mass shootings, occurred. The authors found similar findings in other studies examining legislation targeting multiple elements of regulations in other countries, although, except in the case of Austria, findings have not been replicated. Moreover, studies from New Zealand and Australia (at least for the first post-NFA years) show that observed reductions in firearm suicides, after the implementation of these laws, were compensated by substitution methods that resulted in no significant changes in overall suicide rates.

2. Some specific restrictions on purchase, access, and use of firearms are associated with reductions in firearm deaths.

There is also compelling evidence of specific laws being associated with reductions in the rate of firearm deaths. Studies on background checks suggest that the quality of systems used to review applicants, in terms of the access to local and federal information on mental health conditions and criminal and domestic violence history, is a critical component of these laws. However, in some longitudinal studies, little attention is given to whether states conducted local checks and how results would vary after adjusting models for this. US studies examining more detailed aspects of background check laws describe how requiring checks on restraining orders is associated with reductions in intimate partner female firearm homicides, and how checking local mental health facility records is linked to fewer firearm suicides.

In contrast, evidence suggests that laws restricting the sales of certain firearms are not associated with variations in all or firearm homicides. In this regard, it is possible that because of the fact that studies examine short periods after the laws are implemented, studies may not be able to identify a significant association, as the effects of these laws are more likely to be gradual and delayed given the already high rate of firearms ownership and the availability of firearms in secondary markets.

3. Challenges in ecological design and the execution of studies limit the confidence in study findings and the conclusions that can be derived from them.

One potential problem of studies on firearms laws is the way in which the author's affiliations and personal interests bias study results and influence what is to be published. This can be particularly problematic when researchers are funded by for-or-against firearms groups and when these organizations have control of what material is publishable and what is not, and also when researchers purposely select to present only the results that match their interests.

In addition, the studies reviewed here may suffer from validity problems that are common in observational ecological studies. In this regard, cross-sectional studies are of least design suitability, and although useful for hypothesis generation, they offer little information on which laws are more likely to work in certain settings. Alternatively, longitudinal studies, especially those examining changes in outcomes before and after the legislation and those including control groups, offer stronger evidence. Longitudinal studies looking at local policy changes, although less generalizable, may provide more precise information on factors necessary for interventions to work compared with those using national aggregated data. However, the authors observe that incomplete or missing data or problems in quality of the data challenge the evaluation of laws at local levels. Additional concerns of validity, even in longitudinal designs, include the lack of robustness of findings to modeling specifications, such as regarding the use of more years of data or moving the expected point of the intervention effect. Also, particular challenges in study execution include specifications that control for potential confounders that can also be mediators (e.g., firearm ownership). Researchers adjusting for these variables without acknowledging the presence of mediating effects can wrongly conclude that these laws are not associated with the outcomes.

Opportunities for future research:

While identifying the limitations of designs and the execution of studies reviewed here, the authors also identified opportunities for future research. Studies focusing on the association between the relaxation

of firearms laws and firearm-related deaths provide an alternative angle to evaluate firearm legislation. Research in this direction may be able to identify more abrupt changes in firearm mortality compared with research on the implementation of new laws, which in theory would have more gradual and delayed effects.

Second, limited availability and quality of injury data have driven most research to focus on firearm deaths, the most extreme outcome. Better data to assess changes in firearm injuries at both the national and local levels could improve our knowledge on the consequences of firearm laws with a broader scope.

Third, the authors found that few studies have examined how these laws are associated with outcomes among particular ethnic/racial or lower socioeconomic groups; focusing on subgroup outcomes would help to identify which laws may be most beneficial to those at greater risk.

Fourth, research is needed to understand how the enactment or repeal of firearms laws is associated with changes in social attitudes, norms, and behaviours and how this in turn is associated with firearms deaths.

Fifth, there is little research using complex systems approaches to identify or predict variations in firearm deaths when single or multiple laws are implemented and how the magnitude of associations would vary in the presence of other factors (e.g., enforcement). As these methods evolve, they may become an avenue to explore the benefits and disadvantages associated with firearms laws and other alternatives in different population contexts. There are also unanswered questions on whether new alternatives, not directly targeting firearm rights, such as increments in firearm taxation, safer manufacturing of firearms, or background checks for all private sales, can be effective in reducing firearm-related death rates.

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## Great Britain – Assault Weapons Ban and Ammunition Regulation

Great Britain has a restrictive approach to firearm sale and acquisition. The primary firearm legislation is the Firearms Act of 1968, which was amended due to public support for more stringent regulations in the wake of ASEs in 1988 and 1997. The Firearms Act of 1968 prohibits a number of firearms and makes illegal the possession, purchase, acquisition, manufacture, sale, or transfer of those prohibited firearms. Prohibited firearms include military-style weapons, firearms that can discharge two or more bullets without repeated pressure on the trigger, self-loading or pump action rifled guns, firearms with barrels less than thirty centimeters in length or less than sixty centimeters in length overall, and any self-loading or pump action smooth-bore gun that is not an air weapon. Additionally, rocket launchers, air rifles, and air guns with self-contained gas cartridge systems are also prohibited. After the Hungerford massacre in 1987, Great Britain passed the Firearms (Amendment) Act 1988 and banned the ownership of high power self-loading rifles and burst-fire weapons. Great Britain later passed the Firearms (Amendment) Act 1997 in response to tremendous public support for a ban on firearms after the tragedy in Dunblane, Scotland. That act prohibited the ownership of handguns by private citizens in Great Britain.

Since implementing the Firearms (Amendment) Act 1997, there has only been one mass shooting in Great Britain. In comparison, the United States saw seventeen ASEs in 2013 alone. The ban on certain categories of weapons has contributed to the reduced number of mass shootings in Great Britain. By restricting the types of weapons available to citizens, Great Britain has successfully limited the number of high-powered firearms that fall into potential shooters' hands.

The precise impact of the handgun ban on the complex pattern of gun crime would be impossible to quantify. The gun lobby, rightly pointing out that criminals were unlikely to surrender illegal handguns, claimed a handgun ban could have no effect on criminal activity. It was inevitable that it would take some time to reduce the pool of illegal handguns after the ban, but there is plenty of anecdotal evidence, for example from the National Ballistics Intelligence Service (Nabis), that there are now fewer guns on the street. In England and Wales gun crime did continue to rise during the period immediately following the ban, but after reaching a peak in 2003 and 2004 the total number of firearm offenses has fallen in every subsequent year (Lau 2012).

In Scotland gun crime has decreased in almost every year since 1998 and is now less than a third of the 1996 level (Anon. 2012). Gun homicides are even rarer.

In 2012 there were only six gun homicides in London reported in the media and a total of 32 across Great Britain. This is not the picture of a country in the grip of gun violence, and the risk for most of the British population remains extremely low. If there had been a drift towards an "American-style" gun culture in the 1990s the handgun ban stopped it.

Some concerns do remain, not least the difficulty some policy makers still have in recognizing any problems with other legal guns. There has been no other mass shooting involving handguns, but Britain did suffer another tragedy in 2010 when a man killed 12 people in Cumbria before killing himself. Derrick Bird's weapons, a shotgun and a rifle, were legally owned, raising questions about remaining inadequacies in Great Britain's gun laws.

**Guénette, Christine (PS/SP)**

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**From:** O'Brien2, Judith (PS/SP)  
**Sent:** Wednesday, September 19, 2018 2:34 PM  
**To:** PS.O CSCCB PPD FOPPD / SSCRC DGPP DAFPO O.SP  
**Subject:** FW: Media Snapshot | Aperçu médiatique : Potential Handgun Ban | Interdiction potentielle des armes à feu - 2018-08-28 – 2018-09-19  
**Attachments:** PS-SP-#2785757-v1-  
Media\_Snapshot\_|Aperçu\_médiatique\_\_Potential\_Handgun\_Ban\_|Interdiction\_potentielle\_des\_armes\_à\_feu\_-\_2018-08-28\_-\_2018-09-19.docx  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** PSPMediaCentre / CentredesmediasPSP (PS/SP)  
**Sent:** Wednesday, September 19, 2018 2:32 PM  
**To:** PSPMediaCentre / CentredesmediasPSP (PS/SP)  
**Subject:** Media Snapshot | Aperçu médiatique : Potential Handgun Ban | Interdiction potentielle des armes à feu - 2018-08-28 – 2018-09-19

Good afternoon,

Please see attached for the Potential Handgun Ban snapshot covering the period of August 28<sup>st</sup> to September 19<sup>th</sup>, 2018.

Please let us know if you have any questions or comments.

Regards,

*PSPMediaCentre / CentredesmediasPSP (PS/SP)*

Sent to: CBSA Breaking News; INTERNAL; INTERNAL 2; RCMP Breaking News

## Potential Handgun Ban / Interdiction potentielle des armes à feu

2018-08-28 – 2018-09-19  
RDIMS : 2785757



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### Overview / Vue d'ensemble



Media coverage regarding the potential of a handgun ban since the release of Bill Blair's mandate letter as the newly appointed Minister of Border Security and Organized Crime Reduction (2018-08-28) was high during the period covered (2018-08-28 - 2018-09-19). Media coverage varied from national to regional in scope and peaked in the days following the release of Bill Blair's mandate letter (2018-08-28), with most articles mentioning the Toronto Danforth Shooting that occurred on July 22<sup>nd</sup> and the Fredericton Shooting that occurred on August 10<sup>th</sup>.

#### Key issues:

- On August 28<sup>th</sup>, A mandate letter from the prime minister officially tasked Bill Blair, the new minister responsible for border security and organized crime reduction, with leading the charge on irregular migration and looking at whether Canada should ban handguns and assault weapons. The letter says Blair will examine a "full ban on handguns and assault weapons in Canada" while taking care not to impede the lawful use of firearms. The publication of the mandate letters comes about one month after Justin Trudeau shuffled his cabinet, creating a new portfolio for Blair. Opposition MPs have criticized Blair's appointment and accused him of not being able to clearly define his new role;
- An analysis from *CBC News* examined the latest stats on firearm deaths, injuries and crime in the wake of the mass shooting in downtown Toronto and the federal

government's plans to explore a potential "full ban" on handguns and assault weapons. More precisely, *CBC News* explored if gun crime was actually on the rise and exactly how often are Canadians getting shot - and why. By gathering decades' worth of numbers from various sources and compiling them into a handful of charts, *CBC News* discovered that stabbings and shootings have consistently been the two most common forms of homicide in this country, but it varies from year to year which one leads the way. Shootings have been on the rise for the past few years, and in 2016 there were more people killed by guns than by knives in Canada. The use of handguns, specifically, has also been on the rise. There were 130 homicides committed with a handgun in 2016, Statistics Canada said in a recent report, which was the most in more than a decade. Handguns accounted for 21 per cent of the total homicides that year, and 58 per cent of the shooting homicides. In the United States, by comparison, the report notes there were 7,105 homicides committed with a handgun in 2016, accounting for 47 per cent of all homicides south of the border that year;

- *Postmedia* published an article exploring previous attempts at handgun bans in Canada, why they were never set, and what a handgun ban would look like today. Handgun bans have been proposed before, most notably by then prime minister Paul Martin in 2005. Canada bans guns relatively frequently. In 1998, the same federal law that introduced the gun registry also banned pistols with a muzzle length of less than 4.1 inches (105 mm). The RCMP also has unilateral power to ban the sale of any firearm for any reason, such as in 2014 when it did so with a semiautomatic rifle called the Swiss Arms Classic Green, or in February when it did so with the CZ Bren. In both those cases, guns are simply reclassified as being "prohibited," which means that they were banned for sale or import, but could still be possessed by people who already owned them. (...) But Canada almost always takes the less-controversial "grandfathering" route. Thus, if the federal government ever engineered a total handgun ban, the likely result is that handguns would disappear from store shelves while existing handgun owners would be able to hold on to their collections. The article then goes on to theorize how a ban wouldn't make it any more or less illegal to carry a gun around. (...) With open or concealed carry legal across much of the United States, it's difficult for American police to immediately determine if a man with a gun is simply an armed citizen or a criminal. But Canadian police don't have that problem: Any handgun is a "restricted" firearm, which subjects it to way tougher rules than for a standard hunting rifle. The only legal place to fire a handgun in Canada is on a registered range — and the gun can't be transported to the range unless it's unloaded, fitted with a trigger lock and the owner has been granted an "Authorization to Transport" by the RCMP. Thus, ban or no ban, anybody walking around a Canadian city with a handgun on them is almost always a certifiable criminal. Lastly, a handgun ban does not mean that crime rates will drop. Mike McCormack, president of the Toronto Police Association, is a vocal opponent of the recent push for a handgun ban, saying last week that it would have "no impact." McCormack isn't a gun nut by any means; he told the *National Post* he's "not against banning or prohibiting firearms in a way that's going to impact public safety." But when most of Toronto's shootings are obviously gang-related, McCormack said the more immediate and effective strategy is more preventive police paired with programs to steer youth out of gangs;
- Wes Winkel, president of the Canadian Sporting Arms and Ammunition Association (CSAAA) was interviewed by the *Toronto Sun*, in regards to a potential handgun ban in Canada. Winkel stated that "it's essential that our business owners be included in the current and future conversations about firearms in Canada to ensure the effectiveness of proposed regulations, to facilitate communication to end users - our customers - and to minimize unnecessary negative impact on our small business owners". The firearms industry also said that handgun ban wasn't the answer to curb shootings and will only put jobs at risk. There are 4,500 sporting arms business owners in Canada that employ 25,000 workers, according the Canadian Sporting Arms and Ammunition Association. Handguns represent 35% of their business. Mayor John Tory has recently called for a

handgun ban in Toronto. Winkel says his organization has the expertise of offer government and law enforcement agencies which will help eliminate illegal firearm transactions. "Recently we have offered to meet with the Minister of Public Safety Office to provide our expertise in dealing with the issue of straw purchasing and firearms marking and are optimistic the minister will be open to our input," Winkel said. "While we don't represent firearms owners, we have reviewed the elements of Bill C-71 that will directly impact out business owners and hope to have an opportunity to consult the government on those elements." C-71 would see increased background checks and improvements to record keeping";

- On September 12<sup>th</sup>, Liberal MPs flooded into Saskatoon to plot strategy for the fall parliamentary sitting, which Prime Minister Justin Trudeau says will not include resetting the government's agenda. But at the caucus retreat, gun violence and border crossers are going to be the main issues raised by Liberal MPs, based on what they are hearing in their ridings. Toronto Liberal MP Rob Oliphant said that at townhalls he's held over the summer, "People tend to start out by saying they're generally happy ... and then, from the general happiness, they have things that we could do better, which feels like a good place to be in right now." He said gun violence is a big concern in his Don Valley West riding and a handgun ban is the No. 1 issue he will raise at the caucus meetings;
- Bill Blair, the newly named minister of border security and organized crime reduction who is to study the implications of a handgun ban and to recommend effective measures to combat gun violence, acknowledged there are concerns in caucus. Blair said police officers have asked the government to legislate gun markings, a move that would bring Canada into compliance with a UN treaty, but one the government has repeatedly delayed. Gunmakers and owners argue it would increase the cost of firearm production at no real gain in public safety. Police argue that regulations requiring Canadian-made firearms to carry a CA mark would help trace guns used in crimes. Blair said he has heard their complaints but has not decided the best way forward, and said any list of options would likely include anti-poverty and anti-gang measures. He hopes to bring forward recommendations by year's end;
- On September 17<sup>th</sup>, MPs and senators returned to Parliament Hill. With just a year left until the next federal election, Liberals say they are feeling good about their legislative agenda. A new minister, Bill Blair, is studying whether there should be a federal ban on handguns and assault weapons. The city councils of Toronto and Montreal have already asked for one, following high-profile incidents of gun violence including a July shooting rampage along the Danforth in Toronto;
- The federal Conservative Party immediately condemned the idea of a handgun ban. Conservative Shadow Minister for Public Safety and Emergency Preparedness, Pierre Paul-Hus, and his deputy shadow minister, Glen Motz, asserted that "whenever Liberals attempt to crackdown on gun violence, they end up going after lawabiding firearms owners" and that the Conservatives "will vigorously oppose a blanket firearms ban." The Liberals and Conservatives thus assumed the pro- and antigun-control positions that have helped define each party since the passage of the 1995 Firearms Act. But this strict polarization over handguns is historically unusual in Canada. The availability of cheap, mass-produced revolvers first sparked calls in the late 19th century for federal action to limit the possession or use of pistols. For decades, both the Conservative and Liberal parties passed laws to reduce handgun violence. John Diefenbaker, Canada's Progressive Conservative prime minister from 1957 to 1963, provides one historical example of this bipartisan support for handgun regulation. In 1945, Mr. Diefenbaker expressed his view in Parliament that private handgun ownership was an "evil." His words will sound familiar to people worried today about the presence of perhaps one million handguns in Canada;

- Toronto's mayor maintains a handgun ban can help stem the bloodshed because it may "save one life." But in the three years since Toronto Police suspended carding and then disbanded Toronto's Anti-Violence Intervention Strategy (TAVIS), the city has endured an average of 10 more gun murders annually. Yet the leaders of the city, including John Tory, refuse to talk about resurrecting some version of the Toronto Anti-violence Intervention Strategy program or taking the handcuffs off police so they can do the job they are paid to do - enforcing the law. "If the service announced today it was bringing back some form of TAVIS, the impact on gun violence in the city would be profound and immediate," one Toronto cop, who asked not to be named for fear of repercussions from his employer, told the Toronto Sun recently;
- Further coverage also includes opinion pieces, both for and against a potential Canadian handgun ban. These articles can be found under the "Print and Online Media" section.



## Selected Quotes / Citations choisies



- *We do not endorse the banning of firearms here in the province,* ~ Saskatchewan Premier, Scott Moe ([Saskatoon Star Phoenix](#); Regina Leader-Post; Hamilton Spectator 2018-09-15)
- Bill Blair, Minister of Border Security and Organized Crime Reduction, said he has been instructed to *"conduct a very thorough review of all of the measures that could be taken with respect to making our communities safer."* ([Saskatoon Star Phoenix](#); Regina Leader-Post; Hamilton Spectator 2018-09-15)
- *"I don't think I speak out of turn when I say that there is no tolerance for people having guns in Toronto, period -- long guns, short guns, in-between guns, fast guns, slow guns,"* ~ Toronto MP, John McKay ([Brunswick News](#); St. John's Telegram; Charlottetown Guardian Cape Breton Post 2018-09-11)
- *"It's essential that our business owners be included in the current and future conversations about firearms in Canada to ensure the effectiveness of proposed regulations, to facilitate communication to end users - our customers - and to minimize unnecessary negative impact on our small business owners"* ~ Wes Winkel, president of the Canadian Sporting Arms and Ammunition Association (CSAAA) ([Toronto Sun](#) 2018-09-10)
- *"While we don't represent firearms owners, we have reviewed the elements of Bill C-71 that will directly impact out business owners and hope to have an opportunity to consult the government on those elements."* ~ Wes Winkel, president of the Canadian Sporting Arms and Ammunition Association (CSAAA) ([Toronto Sun](#) 2018-09-10)
- *"If the service announced today it was bringing back some form of TAVIS, the impact on gun violence in the city would be profound and immediate,"* ~ a Toronto cop, who asked not to be named for fear of repercussions from his employer ([Toronto Sun](#) 2018-09-09)
- *"Blair is probably the best person in the cabinet to take this on,"* ~ Alok Mukherjee, Former chair of the Toronto Police Services Board. ([Toronto Star](#) 2018-09-07)
- *"There's no way in my world or any world I know that this would have an impact on somebody who's going to go out and buy an illegal gun and use it to kill another person"*

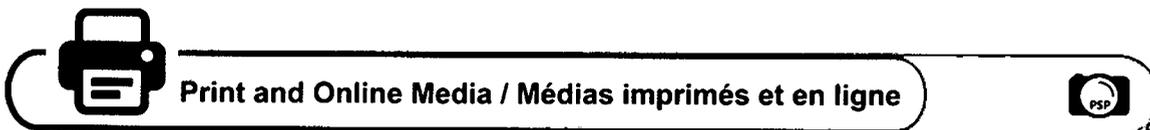
*or shoot another person," ~ Mike McCormack, President of the Toronto Police Association. (CBC News 2018-09-03)*

- *"It's not really a weapon for self-defence. It's not even a weapon for hunting. So why is it permitted?" ~ Marvin Rotrand, Montreal city councillor. (Vancouver Province 2018-09-01)*
- *"Whenever Liberals attempt to crackdown on gun violence, they end up going after law-abiding firearms owners," ~ Pierre Paul-Hus and Glen Motz, two Conservative MPs (Toronto Star (2018-08-31)*
- *"If Ottawa follows through with a ban on handguns, we're outta business...What are we going to do? Number one, how are they going to pick up everybody's handgun? And does that mean that we're not going to have any recreational shooting at all?" ~ Gordon Hunt, owner of the Hunt Indoor Gun Range in Truro. (CBC News 2018-08-29)*
- *"And we're looking at things that have been done around the world, things that have been done in other jurisdictions, looking at the best evidence, the best data, to make the right decisions to make sure that we are ensuring our citizens, our communities are safe into the future," ~ Justin Trudeau, Prime Minister of Canada. (CBC News; Globe and Mail 2018-08-28)*



### **Minister of Border Security and Organized Crime Reduction Mandate Letter (August 28, 2018)**

Dear Mr. Blair: I am honoured that you have agreed to serve Canadians as Minister of Border Security and Organized Crime Reduction. (...) As Minister of Border Security and Organized Crime Reduction, your goals are to ensure that our borders remain secure and to lead cross-government efforts to reduce organized crime. You will work to ensure Canada's borders are managed to promote legitimate travel and trade while keeping Canadians safe and treating everyone fairly, in accordance with our laws. You will also play a leading role in our efforts to reduce gun violence. You will lead the legalization and strict regulation of cannabis, and are the Minister responsible for our strategy to manage the challenge of irregular migration. In particular, I will expect you to work with your colleagues and through established legislative, regulatory, and Cabinet processes to deliver on your top priorities: Support the Minister of Public Safety and Emergency Preparedness on the passage of Bill C-71, and work together on additional policy, regulations or legislation that could reduce crime involving the use of firearms and keep Canadians safe. You should lead an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians.(...) Lead work across the government to develop new policies and legislation to reduce organized crime and gang activity in Canada. You will be expected to work closely with provinces, territories, and municipalities, as well as community organizations, law enforcement and border agencies. This work should include a focus on cutting off money laundering which, as we have seen recently in British Columbia, supports our efforts to counter guns, gangs and opioid distribution. [News Release / Communiqué \(2018-08-28\)](#)



## September

### **Six things to watch as parliament returns**

On Monday, MPs and senators return to Parliament Hill after a not-veryrestful summer break. With just a year left until the next federal election, Liberals say they are feeling good about their legislative agenda. Bills ratifying a new trade agreement, changing firearms rules and adjusting elections law will all be debated in the Commons. A dozen others are making their way through the Senate. (...) A new minister, Bill Blair, is studying whether there should be a federal ban on handguns and assault weapons. The city councils of Toronto and Montreal have already asked for one, following high-profile incidents of gun violence including a July shooting rampage along the Danforth in Toronto. [Regina Leader-Post](#); Vancouver Sun; Montreal Gazette; Ottawa Citizen; National Post) (2018-09-17)

### **Moe, Scheer line up against proposed handgun ban**

The federal government is forging ahead with its plan to study a complete ban on handguns - but don't expect Saskatchewan Premier Scott Moe to line up behind Ottawa's latest gun control initiative. "We do not endorse the banning of firearms here in the province," Moe told reporters Wednesday afternoon, after emerging from a 45-minute meeting with Prime Minister Justin Trudeau during which gun control did not come up. Asked if he thought a blanket ban on pistols and revolvers would help reduce Saskatchewan's crime rate - which is among the highest in the nation - the premier responded with a simple "No." "In this province of Saskatchewan, the challenges that I've seen when there's been firearms, they're actually not always handguns. They're quite often long rifles that have been utilized (in crime)," Moe said. In late July, after a spate of shootings, Toronto city council voted overwhelmingly in favour of asking Ottawa for a nationwide ban on handguns and "assault" rifles, except for police and military uses. Public Safety Minister Ralph Goodale signalled he was open to considering the proposal, and Organized Crime Reduction Minister Bill Blair was subsequently ordered to "lead an examination" on the subject. Speaking to reporters in Saskatoon earlier this week, Blair said he has been instructed to "conduct a very thorough review of all of the measures that could be taken with respect to making our communities safer." [Saskatoon Star Phoenix](#) (Regina Leader-Post; Hamilton Spectator) (2018-09-15)

### **NAFTA looms over PM's pep talk**

(...) But on gun violence, it's less clear there is any unanimity. Former Toronto police chief Bill Blair, the newly named minister of border security and organized crime reduction who is to study the implications of a handgun ban and to recommend effective measures to combat gun violence, acknowledged there are concerns in caucus. Blair said police officers have asked the government to legislate gun markings, a move that would bring Canada into compliance with a UN treaty, but one the government has repeatedly delayed. Gunmakers and owners argue it would increase the cost of firearm production at no real gain in public safety. Police argue that regulations requiring Canadian-made firearms to carry a CA mark would help trace guns used in crimes. Blair said he has heard their complaints but has not decided the best way forward, and said any list of options would likely include anti-poverty and anti-gang measures. He hopes to bring forward recommendations by year's end. [Toronto Star](#) (2018-09-13)

### **As Liberals contemplate handgun ban, an urban-rural caucus divide emerges**

(...) City councils in Toronto and Montreal have already passed resolutions demanding federal action on the file. In response, the Liberals have tasked Bill Blair, the newly minted minister of border security and organized crime reduction, with studying a full ban on handguns and "assault weapons" in Canada. Debate on a ban will begin in earnest at the Liberal caucus retreat in Saskatoon on Wednesday, with a number of MPs expected to raise the issue directly with Prime Minister Justin Trudeau and his cabinet. Critics maintain new federal action will be nothing more than a symbolic sop for gun control advocates that will penalize lawful gun owners by burdening

them with unreasonable regulations. Advocates say troubling crime stats demand action. Blair told CBC News on Tuesday "there's an urgency" to the gun control issue and he is prepared to look at "any measure" to reduce violence. "We are absolutely resolved to do what is necessary to keep communities safe," he said. 'I'm tired of stepping over blood in my riding.' - Liberal MP Adam Vaughan But, speaking to CBC News on the sidelines of the retreat, one MP from rural Newfoundland said she's not sold on the usefulness of a ban on restricted firearms like handguns. [CBC News](#) (2018-09-12)

### **Guns, border crossers top concerns for Liberal MPs**

Liberal MPs are flooding into Saskatoon to plot strategy for the fall parliamentary sitting, which Prime Minister Justin Trudeau says will not include resetting the government's agenda. (...) But at the caucus retreat, gun violence and border crossers are going to be the main issues raised by Liberal MPs, based on what they are hearing in their ridings. (...) Toronto Liberal MP Rob Oliphant said that at townhalls he's held over the summer, "People tend to start out by saying they're generally happy ... and then, from the general happiness, they have things that we could do better, which feels like a good place to be in right now." He said gun violence is a big concern in his Don Valley West riding and a handgun ban is the No. 1 issue he will raise at the caucus meetings. [Postmedia](#) (Vancouver Sun; St. John's Telegram; Hamilton Spectator; Toronto Star; Windsor Star; Ottawa Citizen); [iPolitics](#) (2018-09-12)

### **Will a gun ban work in Toronto? Yes**

An opinion piece states: (...) From 2013 to 2016, criminal incidents involving firearms in Canada were up 30 per cent, and gun homicides increased 60 per cent. Intimate partner and gender-based violence involving the use of a firearm was up by one-third. This year, gun violence is on track to surpass the "Year of the Gun" that panicked Toronto in 2005. We can't allow this to be the new normal. It's not acceptable for Torontonians to fear gun violence in playgrounds, on busy shopping streets, on patios and in restaurants. That's why I moved the motion for our city to call on the federal government to ban handguns in Toronto. City council supported my motion and also called on the government to ban assault weapons across Canada. Montreal has since followed suit. Now, it's time for the federal government to act. We need to ban handguns in Canada. Full stop. Would a ban get every gun off the streets or address the root causes of gun violence? Of course not. But contrary to the common belief that gun crime is mainly committed with guns smuggled across the border, 50 per cent of crime guns traced by police originate in Canada. A handgun ban would remove a significant portion of the guns on our streets. Every illegal gun begins as a legal gun. With almost 1 million legally owned, we have created opportunities for theft and illegal sales. A ban is one essential element of an effective strategy to decrease gun violence. [Toronto Star](#) (2018-09-11)

### **Will a gun ban work in Toronto? No**

An opinion piece states: "The GTA has recorded more shootings and victims so far this year as for all of 2016 and 2017. They have been attributed to everything from dysfunctional families with a history of domestic violence to the proliferating drug trade. While these problems are equally prevalent in Canada's two other large cities, Montreal and Vancouver, a comparable surge in gun violence is not. (...) Relatives and friends in the social network of criminals are still about 15 times more likely to get shot than "ordinary" people because they tend to be present when shootings happen. So-called "stray bullets" or domestic shootings are unusual, except for terrorism: 2 per cent of the population are the targets of 98 per cent of the shootings and this 2 per cent are targeted mostly because of their own criminal activity. Earlier this summer a now discredited story by The Canadian Press spawned talk of making it harder to own handguns. This suggestion, however, is largely irrelevant. Canada borders the largest weapons market in the world. It is no surprise, then, that two-thirds of the firearms seized and traced by Toronto Police have come across the border. [Toronto Star](#) (2018-09-11)

### **Guns, border crossers top list of concerns Liberal MPs bring to caucus retreat**

Liberal backbenchers are pushing for action on gun violence and irregular border crossers as they prepare for the resumption of Parliament next week -- and an election one year from now. Banning handguns and assault weapons and faster processing of border crossers' refugee claims are among the top recommendations Liberal MPs say they intend to raise with Prime Minister Justin Trudeau and his ministers in Saskatoon, where they'll be gathering today at a caucus retreat to plot strategy for the fall parliamentary sitting. (...) "People in Don Valley West ... are concerned about handguns and want them off the streets," said Oliphant, adding that a handgun ban is the "No. 1 issue" he'll be taking into the caucus meetings. City councils in Toronto and Montreal have passed motions calling for a ban on hand guns and assault weapons. Trudeau has said the government is considering the matter, along with other ways to beef up legislation that would impose stricter background checks on firearms buyers and new mandatory record-keeping practices for vendors. The Conservatives are already trying to turn the legislation into a reprise of the pitched battle over the controversial long-gun registry, a Liberal creation that was ultimately scrapped by Stephen Harper's government. McKay, for one, doesn't relish a repeat of those kinds of "fun and games with the Conservatives," but said his constituents are virtually unanimous about wanting to ban handguns." "I don't think I speak out of turn when I say that there is no tolerance for people having guns in Toronto, period -- long guns, short guns, in-between guns, fast guns, slow guns," he said. Brunswick News (St. John's Telegram; Charlottetown Guardian Cape Breton Post) (2018-09-11)

#### **RE: Handguns**

An opinion piece states: "As a senior citizen of this great country called Canada, I am very concerned about the use of guns owned both legally and illegally. As we all have heard, in recent months there have been way too many innocent people killed. This despicable act must be stopped, and soon. My hope is that folks will stand up and be heard regarding the ban on guns. I fear for future generations if we do not take this stand now. It will only get worse with time. Contact your member of Parliament and Mr. Bill Blair, who has been appointed by Prime Minister Justin Trudeau to head this issue. Also let your local councillors and newspaper editors know you are for this ban. Let's all do our part in making people of our country feel and be safe." Hamilton Spectator (2018-09-11)

#### **Yes. It's a key element in reducing gun violence**

An opinion piece states: "It wasn't long ago that I was helping a constituent of my downtown ward clean his neighbour's front walk with a mop. It should have been a simple, happy scene of Toronto neighbours lending each other a hand. But the man I was with needed a mop because he was cleaning his 18-year-old neighbour's blood off the steps. The teenager, who luckily survived, had been shot in the back while taking out the garbage. He had no involvement with the shooters; he was simply outside in a neighbourhood the shooters were targeting. The worst part of that heartbreaking incident was how common similar stories have become. From 2013 to 2016, criminal incidents involving firearms in Canada were up 30 per cent, and gun homicides increased 60 per cent. Intimate partner and gender-based violence involving the use of a firearm was up by one-third. This year, gun violence is on track to surpass the "Year of the Gun" that panicked Toronto in 2005. We can't allow this to be the new normal. It's not acceptable for Torontonians to fear gun violence in playgrounds, on busy shopping streets, on patios and in restaurants. That's why I moved the motion for our city to call on the federal government to ban handguns in Toronto. Toronto Star (2018-09-11)

#### **Firearms industry shoots down handgun ban**

A handgun ban isn't the answer to curb shootings and will only put jobs at risk, warns Canada's firearms industry. There are 4,500 sporting arms business owners in Canada that employ 25,000 workers, according the Canadian Sporting Arms and Ammunition Association. Handguns represent 35% of their business. "It's essential that our business owners be included in the current and future conversations about firearms in Canada to ensure the effectiveness of proposed regulations, to facilitate communication to end users - our customers - and to minimize unnecessary negative impact on our small business owners," said Wes Winkel, president of the CSAAA. Mayor John Tory has recently called for a handgun ban in Toronto. Winkel says his

organization has the expertise of offer government and law enforcement agencies which will help eliminate illegal firearm transactions. "Recently we have offered to meet with the Minister of Public Safety Office to provide our expertise in dealing with the issue of straw purchasing and firearms marking and are optimistic the minister will be open to our input," Winkel said. "While we don't represent firearms owners, we have reviewed the elements of Bill C-71 that will directly impact out business owners and hope to have an opportunity to consult the government on those elements." C-71 would see increased background checks and improvements to record keeping." [Toronto Sun](#) (2018-09-10)

### **Violent City- Deadly toll of killing proactive policing**

With the city plagued by ever-increasing murder and mayhem, Toronto's mayor maintains a handgun ban can help stem the bloodshed because it may "save one life." But in the three years since Toronto Police suspended carding and then disbanded TAVIS, the city has endured an average of 10 more gun murders annually. That's 30 mothers who might have been spared the pain of losing their sons, and in some cases daughters, if the city still had cops dedicated to proactive policing and if community engagement had not been significantly scaled back. Yet the leaders of the city, including John Tory, refuse to talk about resurrecting some version of the Toronto Anti-violence Intervention Strategy program or taking the handcuffs off police so they can do the job they are paid to do - enforcing the law. "If the service announced today it was bringing back some form of TAVIS, the impact on gun violence in the city would be profound and immediate," one Toronto cop, who asked not to be named for fear of repercussions from his employer, told the Toronto Sun recently. [Toronto Sun](#) (2018-09-09)

### **Blair listens, but already has answers**

An opinion piece states: "There is no reason to believe Liberals would pay at the polls in next year's federal election if they take plans for a national ban on handguns and assault weapons to the people. But if the plan is to send Bill Blair out on a consulting tour, a charade to give the impression of action without a definitive commitment, further damage will be done to these perpetually listening Liberals. And the damage would extend to Blair, the minister of border security and organized crime reduction. Although politics can often mean sublimating principles in a bid to be the good team player and follow the mandated strategy, treading the political waters would be a poor fit for the former Toronto police chief. His years as the top cop in Canada's largest city get mixed reviews with carding, police budgeting and the G20 fiasco weighing down much of his legacy. But he earns high-profile praise when it comes to his commitment to cutting gun crime and his understanding of the desperation and alienation at play leading to gang membership. You won't hear Blair utter the words "long gun registry" but he was a strong advocate of the former Liberal government's registry and he backed a previous call for a handgun ban by former Toronto mayor David Miller. He can listen, but Blair already knows the answers. The government can start by plainly stating that a ban is not a magic solution, that it cannot pertain only to cities and that results will take years to become clear. It must push back against those who say this is too late. Blair knows all this as well. "Blair is probably the best person in the cabinet to take this on," says Alok Mukherjee, who worked - and occasionally clashed - with Blair during a decade as chair of the Toronto Police Services Board. Wendy Cukier, the longtime gun control advocate, has also worked with Blair for years, calling him "tough ... strong, with a commitment to the importance of prevention and a comprehensive approach to this issue." But anyone who has watched the chequered history of gun control in this country knows a study can buy time until other issues fill the news void. The pro-gun lobby is organized and effective while the majority of voters who would back a ban do not take to the streets." [Toronto Star](#) (2018-09-07)

### **Don't penalize gun owners**

An opinion piece states: "As a result of the latest spate of big-city shootings, particularly involving handguns, there has been a hue and cry to ban their acquisition or possession altogether. Canadian firearms laws provide a reasonable balance between the rights of law-abiding firearms owners and the laws designed to protect the general public. Legitimate firearms owners must abide by licensing, registration, safe storage and lawful transportation requirements. In addition,

they must undergo strict background and other safeguard checks. Any violations can result in refusals and revocations of licences or outright prohibitions in addition to fines and/or imprisonment. Why should these law-abiding citizens be unnecessarily penalized when individuals bent on crime continue to access any firearms they can manage through the usual method of either the black market or underworld? The old adage outlaw guns and only outlaws will have guns could become true here." Ottawa Citizen (2018-09-06)

### **Not so long ago, gun control was a bipartisan issue**

(...) The federal Conservative Party immediately condemned the idea of a handgun ban. Conservative Shadow Minister for Public Safety and Emergency Preparedness, Pierre Paul-Hus, and his deputy shadow minister, Glen Motz, asserted that "whenever Liberals attempt to crackdown on gun violence, they end up going after lawabiding firearms owners" and that the Conservatives "will vigorously oppose a blanket firearms ban." The Liberals and Conservatives thus assumed the pro- and antigun-control positions that have helped define each party since the passage of the 1995 Firearms Act. But this strict polarization over handguns is historically unusual in Canada. The availability of cheap, mass-produced revolvers first sparked calls in the late 19th century for federal action to limit the possession or use of pistols. For decades, both the Conservative and Liberal parties passed laws to reduce handgun violence. John Diefenbaker, Canada's Progressive Conservative prime minister from 1957 to 1963, provides one historical example of this bipartisan support for handgun regulation. In 1945, Mr. Diefenbaker expressed his view in Parliament that private handgun ownership was an "evil." His words will sound familiar to people worried today about the presence of perhaps one million handguns in Canada. Globe and Mail (2018-09-06)

### **Don't be so dismissive**

An opinion piece states: "I'm a liberal, but recognize that, given how many guns are out there, this is no time to cut back on surveillance cameras and relatively invasive police tactics. I'm ambivalent about the old practice of carding, but it does seem like more frequent, brazen shootings are up since the practice, and programs like TAVIS, were discontinued. But there is no reason for Joe Warmington to dismiss the idea of an urban gun ban. The population is aging, and there is nothing about being a gun owner that makes you immune to the psychological problems that potentially afflict all of us, such as drug dependency and other major psychiatric disorders, including the character changes that precede dementia. Gun owners want society to trust them, but so did those who owned exotic animals, or lawn darts. No, sorry, Joe, it's time to lock up the guns for a year and see how it goes. They can live at state-of-the-art firing ranges outside the city. The government needs to get into the gun business, the way the governments of the U.K., France, Belgium and Australia are. And yes, it will cost." Toronto Sun (2018-09-06)

### **Longer prison sentences better than banning guns, reader argues**

An opinion piece states: "Assault weapon" is a propaganda term used by gun-phobic politicians, academics and journalists who don't want to deal with crime realistically. No weapon commits an assault, people do, using a variety of means, including knives and vehicles. Should those also be banned? Where does it end? Confiscating guns from law-abiding citizens makes gun-phobes feel better but will do nothing to reduce crime. Passing harsher laws for violent crimes will. Surrey mayoral candidates Tom Gill and Doug McCallum and others want to ban handguns in Surrey, saying it will help to solve the gang problems there. Gill points out that Japan and Australia have bans and have been successful in stopping the flow of illegal handguns into their countries. But those two countries are islands and don't share an 8,891-kilometre border with the U.S., a country with more guns per capita than any other country in the world. Guns can cross the border with ease. If you aren't familiar with or fear guns, before you vote, please attend the Historical Arms Collector's Society gun show on Sept. 23 or one of the monthly shows in Chilliwack. There, you can talk to gun experts, target shooters, fast draw shooters, cowboy action shooters, gun collectors and gunsmiths who make their living working on firearms. Then make an informed decision before casting your ballot in the federal election. Vancouver Province (2018-09-06)

### **How a handgun ban would look**

Bill Blair, the new federal minister of organized crime reduction, is studying a "full ban on handguns and assault weapons in Canada." The assignment follows weeks of calls from Toronto and Montreal for a total handgun ban. More than one million Canadian handguns are legally held in private hands, the vast majority of which will spend their entire lives cutting tiny holes in paper targets. Canadian handgun bans have been proposed before, most notably by then prime minister Paul Martin in 2005. But what would it look like if the government ever did it for real? Canada bans guns relatively frequently. In 1998, the same federal law that introduced the gun registry also banned pistols with a muzzle length of less than 4.1 inches (105 mm). The RCMP also has unilateral power to ban the sale of any firearm for any reason, such as in 2014 when it did so with a semiautomatic rifle called the Swiss Arms Classic Green, or in February when it did so with the CZ Bren. In both those cases, guns are simply reclassified as being "prohibited," which means that they were banned for sale or import, but could still be possessed by people who already owned them. [Postmedia](#) (National Post; London Free Press; Ottawa Citizen; Vancouver Sun; Calgary Herald; Regina Leader-Post; Saskatoon Star Phoenix; Windsor Star; Montreal Gazette; Edmonton Journal) (2018-09-05)

### **Focus on real ways to fight gun crime**

An opinion piece states: "Politicians love to propose "banning" handguns to combat violent, urban, gun crime. The problem is that while calling for a ban is easy and popular - since most Canadians don't own handguns, it's not surprising most support banning them - it's also impractical, simplistic and counter-productive. It's counter-productive because the inevitable political fight over imposing a handgun ban - which Prime Minister Justin Trudeau's government is considering, supported by municipal politicians in Toronto and Montreal - distracts from real-world solutions. Those include: bolstering police forces when it comes to fighting urban gun crime - as Ontario Premier Doug Ford did by earmarking \$25 million to Toronto police. toughening penalties for gun crime, including mandatory minimum sentences. reinstating a workable form of street checks (a.k.a. carding), because gathering intelligence from the public is one of the most important functions of policing. improving mental health care and funding effective programs that offer young people living in urban slums a realistic opportunity for a better life. As for a handgun ban, we agree with the previous position of Toronto Mayor John Tory, who now advocates banning handguns and the sale of bullets." [Ottawa Sun](#) (Toronto Sun) (2018-09-05)

### **Handgun ban would have 'no impact,' police union head warns**

Toronto and Montreal city councils have called for it, Toronto's mayor has demanded it, the federal government is examining it, but the head of Toronto's police union says a handgun ban won't stop shootings.(...) Bill Blair, the new minister of organized crime reduction, told CBC News the Liberals were open to exploring all options, but stopped short of revealing what that list of possibilities included. Then at the end of August, a section on a handgun ban appeared in Blair's mandate letter." You should lead an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians," it read. That passage has Toronto Mayor John Tory celebrating, but not everyone is praising the move. "There's no way in my world or any world I know that this would have an impact on somebody who's going to go out and buy an illegal gun and use it to kill another person or shoot another person," Mike McCormack, the president of the Toronto Police Association, said Friday. [CBC News](#) (2018-09-03)

### **National handgun ban won't improve public safety**

An opinion piece states: "(...) If you, too, wonder whether a national handgun ban might improve public safety, consider this: Back in 1995, then-Liberal justice minister Allan Rock made the most drastic changes to Canada's firearms laws in a generation. Those changes - still remembered as Bill C-68 - are best recalled for imposing the \$2-billion long-gun registry on firearms owners. However, another part of C-68 was a massive confiscation of legally owned handguns. Over half of all the handguns in the country (the ones with short barrels that made them easier to conceal) had to be turned over to federal authorities and their owners were paid no compensation for the seizure of their private property. Now here's the relevant point for the current debate over a total ban: Confiscating hundreds of thousands of legally owned firearms did nothing - absolutely

nothing - to cut down on murders and robberies committed with handguns. Back in the 1960s and 1970s, the relatively few firearms murders Canada has every year were committed two-thirds with rifles and shotguns, one-third with handguns. By the 2000s, that ratio had flipped. Even after Rock's large-scale confiscation, firearms murders (which we still have mercifully few of in Canada) were two-thirds or more by handguns, just one-third by long guns. That's because firearms murders were no longer mostly crimes of passion - one angry spouse killing the other - but rather crimes stemming from the drug trade and gang activity. The government can grab all the guns it wants from law-abiding Canadians (who we know have a lower crime rate than the population as a whole) and such a ban will not prevent another Danforth. The theory behind a ban is that somehow legally acquired handguns are getting into criminal hands. Take handguns away from law-abiding owners, and they won't be sold to or stolen by criminals. Postmedia (Toronto Sun; Winnipeg Sun; Ottawa Sun; Edmonton Sun; Calgary Sun) (2018-09-01)

### **Gun debate rages across Canada, really hits home in Surrey**

With a year to go before a federal election, Canada has suddenly plunged into a full-on gun-control debate that could emerge as a key election issue. But, before that happens, the struggle over gun control is already stirring up the fall municipal election in Surrey, where rival council candidates are debating a proposed handgun ban. "We have a gang problem in Surrey that's devastating families," said Councillor Tom Gill, who is running for mayor. "We owe it to those families to make changes. A handgun ban is part of that. This is an opportunity to take away the tools of the trade." But the issue has divided the ruling Surrey First party. And now national advocates on both sides of the gun-control debate are weighing in as the issue heats up across the country. The debate erupted after the July 22 shooting rampage on Toronto's Danforth Avenue, where Faisal Hussain killed two people and wounded 13 using a semi-automatic pistol. Toronto city council called on Justin Trudeau's federal Liberal government to ban handguns. Montreal city council quickly followed suit, calling for a national ban on handguns and "military-style assault weapons." "Who needs an assault rifle anyways?" asked Montreal city councillor Marvin Rotrand. "It's not really a weapon for self-defence. It's not even a weapon for hunting. So why is it permitted?" Vancouver Province (2018-09-01)

## **August**

### **Daytime shooting causes shoppers to flee**

Toronto's Yorkdale Shopping Centre - one of the busiest malls in the country - was packed with back-to-school shoppers when gunshots rang out Thursday afternoon, sending thousands of panicked customers ducking into clothing racks and running for safety. (...) Bill Blair, the Minister of Border Security and Organized Crime Reduction, has been tasked with studying the possibility of a full ban on handguns and assault weapons. On Thursday, Mr. Tory lamented that there are "too many guns available to criminals in the city" and said he is determined to end that with the help of police and government partners. With TTC bypassing service to the mall - which spokesperson Brad Ross said was done at the request of police, and is typical after such an event - the parking lot was chaotic. It took an hour for some people to get out of the parking lot as traffic jammed up in the area and along the nearby Highway 401. Globe and Mail (2018-08-31)

### **Entrenched positions won't resolve gun debate**

An editorial states: "With the possible exception of "reproductive rights," there likely isn't a two-word combination that has become more divisively politicized in the current societal conversation. Those who are committed to addressing firearms-related violence in Canada - including both homicides and suicides - tend to favour greater restriction on the types of weapons available to the public and the manner in which they can be legally obtained. Of particular interest to gun-control advocates are handguns and military-style assault rifles, neither of which have any real practical application for civilians, hunters or rural residents who keep firearms at hand to protect their livestock from predation. Those who oppose gun control are inclined to fly into a bit of a tizzy at the mere utterance of the words, retreating to familiar cries that any discussion of weapons restriction represents "the thin edge of the wedge" in a process that will inevitably lead to the

government "coming for your guns." There is, as evidenced by reactions to this week's report that the federal government will consider an outright ban on certain firearms, simply no middle ground on which to have a measured, collaborative and hopefully productive conversation about guns. On Tuesday, Prime Minister Justin Trudeau released the mandate letters given to new cabinet ministers; among the assignments for Border Security and Organized Crime Reduction Minister Bill Blair is the direction to "lead an examination of a full ban on handguns and assault weapons in Canada..." Winnipeg Free Press (2018-08-31)

### **A national handgun ban? Don't expect a quick trigger**

Prime Minister Justin Trudeau's government took its first solid steps this week toward a total, national ban on handguns. But will such a ban be in place by next year's election? Don't bet on it. (...) "You should lead an examination of a full ban on handguns and assault weapons in Canada," Trudeau said in his mandate letter to Blair, "while not impeding the lawful use of firearms by Canadians." (...) Conservatives profited immensely from that fury - politically and financially. Historically, whenever Conservatives tell their supporters that Liberals are coming to take away their guns, loyal partisans seem happy to open up their wallets. In fact, it's said that guns and the CBC (as in abolishing it) are the most lucrative pitches in the Conservatives' fundraising arsenal. We're about to see another wave of such pitches, no matter how much Trudeau and his ministers insist they're not interested in sequels to fights of Liberal governments past. The handgun-ban conversation is a relatively new one in Canada, but the language opposing it borrows heavily on the hot-button phrases from the political battles over the long-gun registry in the 1990s, particularly this idea of the government picking on law-abiding citizens. "Whenever Liberals attempt to crackdown on gun violence, they end up going after law-abiding firearms owners," two Conservative MPs, Pierre Paul-Hus and Glen Motz, said this week in a statement reacting to Blair's mandate letter. Toronto Star (2018-08-31)

### **Canada gun facts: Here are the latest stats on firearm deaths, injuries and crime**

Guns have been thrust back into the national discourse recently, in the wake of the mass shooting in downtown Toronto and the federal government's plans to explore a potential "full ban" on handguns and assault weapons. But is gun crime actually on the rise? And exactly how often are Canadians getting shot - and why? There are various measures of these things and you've likely heard some statistics thrown around, in isolation. But these numbers don't always paint a particularly clear picture. Taken together, however, the data provides a more nuanced perspective. So, to that end, we've gathered decades' worth of numbers from various sources and compiled them into a handful of charts you can explore below. Let's start with homicides. Stabbings and shootings have consistently been the two most common forms of homicide in this country, but it varies from year to year which one leads the way. Shootings have been on the rise for the past few years, and in 2016 there were more people killed by guns than by knives in Canada. The use of handguns, specifically, has also been on the rise. There were 130 homicides committed with a handgun in 2016, Statistics Canada said in a recent report, which was the most in more than a decade. Handguns accounted for 21 per cent of the total homicides that year, and 58 per cent of the shooting homicides. In the United States, by comparison, the report notes there were 7,105 homicides committed with a handgun in 2016, accounting for 47 per cent of all homicides south of the border that year. Of course, not all shootings are fatal, and guns can be used in a variety of criminal ways. So, has gun crime, in general, been rising or falling? It depends where you look. CBC News (2018-08-30)

### **Gun owners recoil at ban study**

Manitoba gun owners say a Liberal proposal to study a ban on all handguns misses the mark, believing it will threaten shooting sports without putting a dent in Winnipeg gun crime. "It's a stopgap; it doesn't fix the problem at hand," said Brenden Roemich, who is head of the Winnipeg Revolver and Pistol Association but was only speaking for himself. "It's becoming a knee-jerk reaction: 'We can't fix whatever it is, so we're looking instead to just ban things.' (...) Roemich says that would effectively kill his West St. Paul club, which numbers 300 people and has held shooting events, including with pistols, at both the 1967 and 1999 Pan American Games. Trudeau's suggestion has not led to legislation, though Montreal and Toronto city councils have

both asked for restrictions after urban shootings involving handguns. [Winnipeg Free Press](#) (2018-08-30)

### **Gun shop owner says 'we're outta business' if Ottawa passes handgun ban**

A Nova Scotia gun shop owner fears he'll have to close his operation if Ottawa moves ahead with a full ban on handguns. Gordon Hunt, who owns the Hunt Indoor Gun Range in Truro, has been closely following the debate surrounding gun control in Canada. Earlier this week, Prime Minister Justin Trudeau sent a mandate letter to Bill Blair - the minister for border security and organized crime reduction - tasking him with working alongside Public Safety Minister Ralph Goodale on policy, regulations or legislation on gun control. The letter said Blair should also "lead an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians." If Ottawa follows through with a ban on handguns, said Hunt, "we're outta business." "What are we going to do? Number one, how are they going to pick up everybody's handgun? And does that mean that we're not going to have any recreational shooting at all?" said Hunt. "People that come in to my store, we talk about it every day. A lot of people are worried." Dale Macdonald, a member of Hunt's club, said she doesn't want to see a ban put in place. [CBC News](#) (2018-08-29)

### **A buyer offered twice asking price for a Hamilton handgun-here's what shows about gun control**

When a Hamilton-area gun owner trying to sell a used handgun online was offered more than double the asking price by an anonymous buyer, red flags went up. The GunPost.ca ad for the 9mm Sig Sauer P320 X-Series lists some information about the firearm: It's considered restricted, has only fired about 300 rounds and comes with two 10-round magazines. The price is listed as \$825. But No1jewels, the owner of the handgun, said last week she received a text message offering up to \$1,800 for it. Then she asked why they were willing to pay so much, the potential buyer replied to No1jewels that he or she didn't have the proper licence. "Sorry not a chance," she texted back.(...) The potential purchase exposes loopholes in Canadian gun control laws, according to an expert, who said the country doesn't do enough to track where its crime guns are coming from. It also comes as officials say more and more firearms used in illegal activities start out as legally purchased guns in Canada. [CBC News](#) (2018-08-29)

### **Bill Blair asked to lead talks on Safe Third Country Agreement with the U.S.**

Bill Blair, the new minister responsible for border security and organized crime reduction, has been officially tasked with leading the charge on irregular migration and looking at whether Canada should ban handguns and assault weapons. A mandate letter from the prime minister says Blair's work will be supported by the departments of Public Safety, Immigration and Foreign Affairs. It says Blair must lead conversations with the United States on the Safe Third Country Agreement on asylum seekers, working closely with Foreign Affairs Minister Chrystia Freeland and Immigration Minister Ahmed Hussen. The letter also says Blair will examine a "full ban on handguns and assault weapons in Canada" while taking care not to impede the lawful use of firearms. The Canada-U.S. relationship pops up in other mandate letters being made public today, including issues around trade and energy. The publication of the mandate letters comes about one month after Justin Trudeau shuffled his cabinet, creating a new portfolio for Blair. Opposition MPs have criticized Blair's appointment and accused him of not being able to clearly define his new role. [Canadian Press](#) (Charlottetown Guardian; Montreal Gazette; Edmonton Journal; Ottawa Citizen; Calgary Herald; Saskatoon Star-Phoenix; Toronto Sun; London Free Press; Red Deer Advocate; Hamilton Spectator; Windsor Star; Ottawa Sun; Victoria Times-Colonist; Kingston Whig Standard; Vancouver Sun; Vancouver Province; National Post; St. John's Telegram; Regina Leader-Post; Halifax Chronicle Herald; Toronto Star; Cape Breton Post) (2018-08-28); [iPolitics](#) (2018-08-28); [Globe and Mail](#) (2018-08-29)

### **Liberals to look at 'full ban' on handguns, assault weapons**

The federal government will launch a study of a full ban on handguns and assault weapons in Canada. A mandate letter to Border Security and Organized Crime Reduction Minister Bill Blair from Prime Minister Justin Trudeau outlines a number of tasks for the new portfolio, including

leading the government's plan to deal with illegal migration, overseeing the legalization of marijuana and cracking down on opioids. He is also charged with working on policy, regulations or legislation on gun control." You should lead an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians," the mandate letter reads. The issue of gun control arose after the July 22 mass shooting in Toronto's Greektown. Trudeau promised the government would take steps to ensure Canadians are safe, but did not say if the government was considering a handgun ban. "And we're looking at things that have been done around the world, things that have been done in other jurisdictions, looking at the best evidence, the best data, to make the right decisions to make sure that we are ensuring our citizens, our communities are safe into the future," he said at the time. [CBC News](#); [Globe and Mail](#) (2018-08-28)



## Broadcast Media / Médias télédiffusés



Broadcast media regarding the potential of a handgun ban in Canada from 2018-08-28 – 2018-09-19 has been minimal. There were over 300 English radio and 50 English television pieces reporting on the potential handgun ban. Additionally, there were at least 30 French radio pieces and 10 French television pieces regarding this topic. Broadcast coverage also echoed the print/online news reported by the media on increased shootings. Tone of coverage was mixed with some broadcasters illustrating both pros and cons of the potential of a handgun ban. Radio broadcasters included Radio-Canada, CB Radio-Two, CFRB, CJBK, CFGO, CKKQ, CKXA, CFPL, CFMJ, CKLW, CHLK, CIWW, CKFR, CHNL, CHML and CTV News Channel and CBC News Network led the coverage for television.

### Transcripts of note:

- *CBC News' Power & Politics* interviewed Minister Bill Blair regarding his new task of studying a full ban on handguns and assault weapons in Canada, asylum seekers and the safe third party agreement. [Rough Transcript](#) (2018-08-29)
- *CBC News Network Power & Politics* with Minister Bill Blair on gun legislation and asylum seekers. [Rough Transcript](#) (2018-09-12)



## Social Media / Médias sociaux



Due to technical difficulties with our social media analytical platform, we are unable to provide graphs depicting frequency of coverage and frequently-used words during the time periods of August 28, 2018 to September 19, 2018.

### Tweets of Note:

[TheGunBlog](#)

More Than a Third of Toronto Police 'Crime Guns' Aren't Firearms

TheGunBlog

We know that violent criminals tend to be: - men - under 30 - certain ethnicities - certain neighbourhoods - certain dress code - high school diploma or less - low/no legal income - illegal drugs - no firearm licence So let's blame guns. [#ThingsThatMakeYouGoHmm](#) [#CdnPoli](#)

TWilsonOttawa

Join [@bobzimmermp](#) for a C-71 Town Hall Meeting in Fort St John and the North Peace Gun Club!! Be heard! Speak up!! Show up!! [@CCFR CCDAF](#)

ThirteenCanuck

The time to act is now! Come learn about Bill C71 and what you can do to save our sport, hobbies, heritage and hard earned personal property. Join leaders of the [@CCFR CCDAF](#) [@CSSA CILA](#) [@VFGPA](#) [@BCWildlife](#) in Victoria, BC this Sat 15th 2pm. [#firearms](#) [#guns](#) [#yyj](#) [#Canada](#) [#C71](#) [#showup](#)

TWilsonOttawa

Join [@bobzimmermp](#) for a C-71 Town Hall Meeting in Fort St John and the North Peace Gun Club!! Be heard! Speak up!! Show up!! [@CCFR CCDAF](#)

TWilsonOttawa

Join me LIVE today at 1:04pm EST on 570 News when I join Brian Bourke to discuss the federal government's study on a national ban on handguns.

TWilsonOttawa

SPECIAL EVENT \*\* C-71: Join MP [@GlenMotz](#), Deputy shadow Minister for Public Safety for an afternoon of debate and dialogue surrounding Bill C-71. Sunday, September 9, 2018 1:00-3:00pm Nutana Curling Club - 2nd floor 2002 Arlington Avenue Saskatoon, Saskatchewan [#sayNOtoC71](#)

TWilsonOttawa

The more I watch politicians and media scramble to take guns from sport shooters the clearer it is that they have given up on the fight against crime. What has happened to our Canada?

MichelleRempel

Michelle Rempel Retweeted \* W. Brett Wilson \*

All legally obtained handguns have already been registered in a very thorough registry for decades.

Canada Gun Club

Toronto Sun: Firearms industry shoots down handgun ban "handgun ban isn't the answer to curb shootings and will only put jobs at risk - There are 4,500 sporting arms business owners in Canada that employ 25,000 workers"

WindsorMorning

The federal government is considering a ban on handgun and assault weapons.

[@CCFR CCDAF](#)'s [@TWilsonOttawa](#) discusses why she would oppose a ban. That's at 7:50 Tune to 97.5fm or 91.9fm or stream live here - [http://www.cbc.ca/listen/live/radio1/windsor ...](http://www.cbc.ca/listen/live/radio1/windsor...)

Wolvin4Council

Ottawa, and Mayor [@JohnTory](#), Councillors like [@kristynwongtam](#) say it's time to ban legally licenced [#GunOwners](#) from having [#Guns](#) in Toronto, perhaps in all of Canada. This doesn't address a problem of illegally obtained guns or the issues that spawn [#GunViolence!](#) [#TOpoli](#) [#CDNpoli](#)

CCFR CCDAF

@TWilsonOttawa said, "A ban on legal civilian handgun use literally does nothing to target the real issues, crime, violence and gang activity. Once again the government has failed to target crime and instead has focused on target shooters"

CCFR CCDAF

Official statement from the CCFR on C-71, @BillBlair mandate letter. @TWilsonOttawa  
@RodGiltaca [https://firearmrights.ca/en/ccfr-official-statement-on-c-71-blair-mandate-letter/ ...](https://firearmrights.ca/en/ccfr-official-statement-on-c-71-blair-mandate-letter/)

*Prepared by the Public Safety Portfolio Media Centre / Préparé par le Centre des médias du  
portefeuille Sécurité publique. We can be reached at / Vous pouvez nous contacter à:  
PS.PSPMediaCentre-CentredesmediasPSP.SP@Canada.ca*

**Pages 52 to / à 58  
are not relevant  
sont non pertinentes**



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## *Questions and Answers*

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### **Bill C-71: Grandfathering**

**Q1. Can any type of firearm be added to Section 12(9)?**

A1. The proposed legislation would give the Governor in Council authority to grandfather individuals to possess prohibited firearms of a prescribed class under certain circumstances. In the future, this authority may be used to grandfather owners of prohibited firearms where the Government determines the circumstances warrant it.

**Q2. Who can make the decision to add firearms to Section 12(9) and under what legislative authority?**

A2. The Governor in Council, pursuant to the proposed subsection 12(9) of Bill C-71, would be authorized to prescribe that particular individuals and firearms be grandfathered.

**Q3. What criteria are used to include a firearm in Section 12(9)?**

A3. In the future, grandfathering owners of prohibited firearms through the Governor in Council would be examined on a case-by-case basis.

**Q4. What new legislative authority grants the RCMP the power to prohibit or restrict firearms?**

A4. The Government has committed to allow firearms classification determinations to be made by technical experts, who are in the best position to make these determinations based upon the criteria set out in the *Criminal Code* and the *Regulations Prescribing Certain Firearms...as Prohibited, Restricted or Non-Restricted*. As such, the characteristics that determine a firearms classification have been set out by Parliament in the *Criminal Code* and its associated regulations, not by the RCMP. This is unchanged from the current approach.

**Q5. Will there be a communication sent to all firearms owners every time a firearm is classified as prohibited under 12(9)? Or will the RCMP continue to secretly add firearms to the Firearms Reference Table (FRT) without informing the owners of this classification change?**

A5. The Canadian Firearms Program's technical experts make classification determinations based on criteria set out in the *Criminal Code*, and the *Regulations Prescribing Certain Firearms... as Prohibited, Restricted or Non-Restricted*. The Canadian Firearms Program will employ a communications strategy to assist in informing clients. Where the Government determines that the circumstances warrant the grandfathering of prohibited



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## *Questions and Answers*

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firearms, proposed regulations would be communicated to Canadians through the Canada Gazette process, which could allow Canadians the opportunity to comment.

**Q6. Why are firearms owners not informed of firearm classification changes under the current system?**

A6. When a firearms classification changes in the FRT, firearms owners and businesses are informed through various RCMP communications products (e.g., the RCMP website, the firearms business web portal, etc).

**Q7. Why are licenced firearms owners not permitted to access the FRT to determine if legally-acquired firearms were re-classified as prohibited firearms, inadvertently turning them into criminals?**

A7. If an individual is unsure about the classification of their firearm, the RCMP has services available to help determine its class. RCMP communications provide notification to firearms owners and businesses in circumstances where the classification determination of a firearm changes.

**Q8. Is there an appeal process to 12(9), and, if not, why not?**

A8. Subsection 12(9) of Bill C-71 proposes to provide the Governor in Council with the authority to make regulations in the future that would grandfather individuals to possess certain prohibited firearms. A regulation is a form of law (subordinate legislation) and can normally only be challenged in court on the basis that it is not authorized by statute or that it violates the Constitution. It is important to remember, however, that proposed regulations are subject to public consultation through the Canada Gazette process and that regulations made under the *Firearms Act* must normally be tabled in Parliament before they can be made. In this way, there is an opportunity for stakeholders to provide input and debate proposed regulations before they become law.



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

DOC. GDL-018891
OP/EPB CSCCB
D.D/D.E. 31 July 2018
ACTION REPLY
FILE #/# DOSSIER T100-2
MO, DMZ

July 9, 2018

Hon. Ralph Goodale, P.C., M.P.  
Minister of Public Safety and Emergency Preparedness  
House of Commons  
Ottawa, Canada K1A 0A6

Dear Minister Goodale,

As you know, Bill C-71 has caused a great deal of concern among law-abiding gun owners in Canada for a variety of reasons.

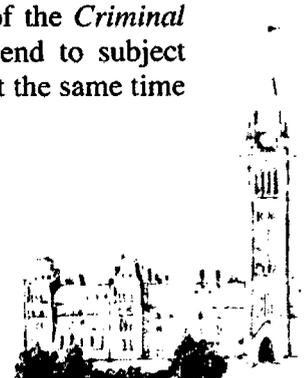
However, we write today regarding Clause 3 of the proposed legislation. To refresh your memory, this is the reclassification to prohibited status of certain Swiss Arms and Česká Zbrojovka firearms. As you are undoubtedly aware, these firearms have been lawfully owned in good faith by tens of thousands of Canadians for many years.

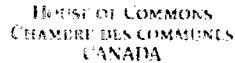
Specifically, this Clause allows the grandfathering of current owners of these firearms so that they can keep and use their property, albeit in a much more limited way. However, it requires individuals to establish that they owned this property prior to June 30, 2018 in order for them to be eligible for grandfathering. I have been told that individuals calling the Canadian Firearms Program seeking clarity as to how they might go about establishing this proof of their possession have been told by frontline staff that there is no mechanism for them to do this. One staff member even mused that perhaps the Senate will remove this requirement.

This confusion is precisely why we introduced amendments at the Standing Committee on Public Safety and National Security to remove the references to June 30, 2018 and rather establish a date to be prescribed by the Governor in Council. Unfortunately, the Liberal majority on the committee opposed this amendment.

It is a great concern to us that those who are lawfully and in good faith in possession of these firearms could find themselves inadvertently in contravention of section 91(2) of the *Criminal Code* simply due to a lack of clarity in legislation. What message does it send to subject otherwise law abiding gun owners to a sentence as severe as five years in prison at the same time as your government is reducing the sentences for gang crime to as little as a fine?

MC/...  
Rec  
JUL 16 2018





HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

As you also know, the RCMP has been found to have committed a *prima facie* breach of Parliamentary privilege for operating as though C-71 was the law. We believe that the retroactivity of the provisions in Clause 3 compounds this problem.

Canadians ought to be able to understand and comply simply with the laws passed by Parliament, particularly those which impact their property rights. I would ask that you listen to the advice of the frontline workers in the Canadian Firearms Program call center and work with your colleagues in the Senate to amend this problematic provision in C-71.

If you plan to go ahead with legislation that does nothing to target criminals, the very least you can do is ensure that it does not criminalize law-abiding gun owners.

Thank you for your attention to this matter.

Sincerely,

Pierre Paul-Hus, M.P.  
Charlesbourg – Haute-Saint-Charles  
Shadow Minister for Public Safety

Glen Motz, M.P.  
Medicine Hat – Cardston – Warner  
Deputy Shadow Minister for Public Safety



## **Guénette, Christine (PS/SP)**

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**From:** Cameron Scobie <Cameron.Scobie@rcmp-grc.gc.ca>  
**Sent:** Friday, April 22, 2016 3:26 PM  
**To:** Guénette, Christine (PS/SP)  
**Subject:** Fwd: S223 Overview

Christine,

Here are Murray's comments.

C.

### **Cameron Scobie**

Senior Policy Analyst/analyst principal des politiques  
Firearms Management & Strategic Services/Services de gestion et de stratégie des armes à feu  
Canadian Firearms Program/Programme canadien des armes à feu  
Royal Canadian Mounted Police/Gendarmerie royale du Canada  
73 Leikin Drive/73 ch. Leikin  
Ottawa, ON, K1A 0R2  
613-843-4891

>>> Murray Smith 2016/04/22 12:47 PM >>>

Cameron,

Here are my views thus far concerning the effect of the Senate bill.

Firearms Act Amendments

Terminology

The terms "restricted", non-restricted, and "registration certificate" are replaced (with some modifications) by "circumscribed", "hunting" and "inscription certificate" respectively. The bill creates a new subsection 12(9) in the Firearms Act which specifically links registration certificate to inscription certificate.

Most of the proposed amendments to the Firearms Act and Criminal Code simply change the terminology without changing the meaning of the amended section.

Storage and Movement of Circumscribed Firearms

Circumscribed firearms which are "inscribed" for the purpose of collecting may be stored at the owner's residence. All other circumscribed firearms must be stored at a shooting club or storage facility recorded in the CFR.

The amended section 19 of the Firearms Act permits circumscribed firearms to be moved to essentially the same venues as identified in the existing law but the transport of the circumscribed firearms can be effected only by a courier. Individuals would no longer be permitted to transport circumscribed or prohibited firearms.

Storage and Movement of Prohibited Firearms

Section 12(6.1) handguns with a declared purpose of target practice would follow the same (new) rules as circumscribed firearms. Section 12(6.1) handguns with a declared purpose of collecting would follow rules very similar to what is done today for such firearms.

Other grandfathered prohibited firearms could not be transported to or stored at a shooting range, and could be stored only at a storage facility. There would be limited reasons to move these firearms, much the same as it is today. Although the proposed provisions do not permit transfer to a shooting club, it is unclear whether they could be transferred to a storage facility co-located with a shooting club and be used on the range, a privilege not available today.

CSSA has claimed that prohibited grandfathered firearms cannot be transferred from one grandfathered individual to another, as is the case today. I do not see this as accurate since the new section 19(1)(b)(iii) permits sale and the new section 23.2(1) permits transfer of all prohibited firearms. The difference would be that such firearms can be stored only at a storage facility, so transfers would be on paper only and at most would involve shipping the firearm by courier from one storage facility to another. Perhaps the storage facilities would have visiting rights; there does not appear to be any legal impediment to that.

#### Importation of Prohibited and Circumscribed Firearms by Businesses

The new Section 42.2 closes the loop on the 30 day post importation window for business importation of prohibited and circumscribed firearms.

#### Transition provisions

Section 114.1 requires all circumscribed and prohibited firearms (other than collectables) to be moved to a shooting club or storage facility on the day the new provisions come into force. This would be a very busy moving day.

#### Criminal Code Amendments

##### Firearm Classification

The new default becomes prohibited firearm.

Circumscribed firearms are defined explicitly. Hunting firearms are all prescribed, with limitations. Those hunting style firearms which are not prescribed default to prohibited, which would create a steady demand for prescription as new hunting firearms enter the marketplace.

There are gaps and overlaps in the definitions:

There is no way to prescribe centrefire hunting rifles to fit within the "hunting" class. These firearms do not fit within the envelope defined by the definition of "hunting firearm" because (a) the barrel is not smoothbore; (b) they are not rimfire calibre and; (c) they do not have folding stocks. So big game hunters would be limited to the use of shotguns with slug ammunition. A possible exception would be combination guns which are generally two barrel firearms, one smoothbore and the other rifled, and could be made to fit subparagraph (a) for prescription as a hunting firearm.

Likewise, 22 calibre rimfire rifles with action types other than semiautomatic, such as bolt action and lever action, would all be prohibited. The same would apply to rimfire rifles chambered for calibres other than 22 calibre, such as 17 HMR rimfire.

Subparagraph (c) of the definition of hunting firearm and subparagraph (d) of the definition of circumscribed firearm describe exactly the same kinds of firearms, and since a circumscribed firearm cannot be prescribed as a hunting firearm, subparagraph (c) appears to do nothing.

The definitions of prohibited firearm and circumscribed firearm each use the other in their definitions which creates a circular reasoning conundrum and uncertainty as to exactly which classification would apply in any given circumstance.

Semiautomatic 22 calibre rimfire firearms with barrel lengths over 470 mm would be eligible for prescription as hunting firearms, including 22 calibre copies of M16 and similar military firearms.

In the definition of circumscribed firearm, firearms captured by subparagraph (b) include those captured by subparagraph (a) as all handguns have a barrel length less than 470 mm.

The power to prescribe firearms in Section 117.15 becomes unconditional for prohibited firearms. The ability to prescribe firearms as restricted is eliminated since the replacement category of circumscribed firearm has no such provision. This could affect the AR-15 family of firearms in a minor way; the centrefire versions would be circumscribed (subparagraphs b and c); but the centrefire versions with a barrel length exceeding 470 mm and having an action type other than semiautomatic, and the 22 calibre rimfire versions, would be eligible for prescription as hunting firearms, and otherwise prohibited.

The deeming provisions in Section 117.15 are repealed which would affect the classification of the Swiss Arms and CZ rifles.

Murray A. Smith  
Manager,  
Specialized Firearms Support Services  
Firearms Investigative and Enforcement Support Services Directorate  
Canadian Firearms Program  
Specialized Policing Services  
Office: (613) 993-0139

2016-2017 Supplementary Estimates (A)

**PRIVATE MEMBERS' BILL C-230,  
AN ACT TO AMEND THE CRIMINAL CODE  
(FIREARM – DEFINITION OF VARIANT)**

**PROPOSED RESPONSE:**

- **Our Government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **While I appreciate the sponsor's intent, the practical effect of the bill will be to both subject firearms owners to unfair treatment, and to make our communities less safe.**
- **Under the new definition of a variant proposed by C-230, many law-abiding firearms owners would suddenly find themselves in illegal possession of their firearms. At the same time, weapons very similar to the AK-47 assault rifle would become non-restricted.**
- **Our Government has made clear that we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

## Backgrounder:

### Firearms Classification

Firearms are classified in two ways, either (a) by way of definitions in subsection 84(1) of the *Criminal Code*; or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class i.e., *Regulations Prescribing Certain Firearms and Other Weapons* (the Classification Regulations). The *Criminal Code* defines “**non-restricted firearm**” as firearms that are neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while “**restricted firearm**” (e.g., handguns; certain rifles and semi-automatics) and “**prohibited firearm**” (e.g., small handguns; fully automatic firearms; sawed-off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class.

The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and include, with the exception of the Swiss Arms (SA) and Ceska Zbrojovka (CZ) 858 models, all variants or modified versions of the firearms within the same classification.

The term “variant” is not currently defined in statute. The RCMP interprets “variant” to mean a firearm of the same lineage as the firearm listed in the Classification Regulations - a firearm that differs slightly from one listed in the Regulations, but is generally the same make and type. Firearms that are variants are restricted or prohibited based on the classification of the “parent” firearm.

However, considering that there are approximately 4,000 variants (RCMP estimate) that are not listed in the Classification Regulations, these regulations are not sufficiently transparent to firearms owners who must rely on the RCMP to determine which firearms are “variants” of restricted and prohibited firearms.

### Private Member’s Bill C-230

PMB C-230, *An Act to amend the Criminal Code* (firearm – definition of variant) was introduced in the House of Commons on February 24, 2016, sponsored by Mr. Larry Miller (Conservative Party of Canada). The Bill would add a definition of variant to the *Criminal Code* as follows: “variant, in respect of a firearm, means a firearm that has the unmodified frame or receiver of another firearm.” The Bill also includes variants in the definitions of “restricted firearm” and “prohibited firearm” in the *Criminal Code*. This means that any firearm that has the same unmodified frame or receiver of a firearm described in the classification definitions would have the same classification.

The RCMP has advised that, if Bill C-230 is passed, absent any other amendments, it would reclassify tens of thousands of firearms, because the proposed definition does not reflect the long-standing, consistently applied criteria used by the RCMP to assess whether a firearm is a “variant”.

Under Bill C-230, many firearms would be reclassified from their present classification to a more controlled class (e.g., some non-restricted hunting rifles and shotguns would become restricted; certain handguns, presently used for target shooting, would become prohibited). This means that thousands of firearms owners would be in illegal possession of firearms, because they would not have the firearms licence privileges to own a restricted or prohibited firearm.

In addition, thousands of firearms would be reclassified to a less controlled class (e.g., most of the currently prohibited variants of AK47s would become non-restricted or restricted). As non-restricted firearms, they could be imported into the country, transferred to anyone with a firearms licence with non-restricted privileges, transported more freely, and would be untraceable, given that there is no registration of non-restricted firearms. This reclassification of firearms would occur in the absence of a comprehensive analysis of the impacts on public safety and on firearms owners.

Second Reading of the Bill in the House of Commons occurred on May 16, 2016.

#### CONTACTS:

Prepared by  
Christine Guénette, Senior  
Policy Advisor

Tel. no. 613-949-6415

Approved by  
Kathy Thompson, ADM,  
CSCCB

Tel. no.  
Office: 613-990-2703  
Cell: 613-203-3306

2015-2016 Supplementary Estimates (C) / 2016-2017 Main Estimates

**PMB C-230, *AN ACT TO AMEND THE CRIMINAL CODE***

**(FIREARM – DEFINITION OF VARIANT)**

**PROPOSED RESPONSE:**

- **Our Government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **Our Government has made clear that we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**
- **My officials are analyzing Bill C-230 to identify its impacts on public safety and firearms owners.**

## Backgrounder:

### Firearms Classification

Firearms are classified in two ways, either (a) by way of definitions in subsection 84(1) of the *Criminal Code*; or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class (i.e., *Regulations Prescribing Certain Firearms and Other Weapons* (“the Classification Regulations”). The *Criminal Code* defines “**non-restricted firearm**” as firearms that are neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while “**restricted firearm**” (e.g., handguns; certain rifles and semi-automatics) and “**prohibited firearm**” (e.g., certain handguns; fully automatic firearms; sawed-off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class.

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The term “variant” is not currently defined in statute. The RCMP interprets “variant” to mean a firearm of the same lineage as the firearm listed in the Classification Regulations - a firearm that differs slightly from one listed in the Regulations, but is generally the same make and type. Firearms that are variants are restricted or prohibited based on the classification of the “parent” firearm.

However, considering that there are approximately 4,000 variants (RCMP estimate) that are not listed in the Classification Regulations, these regulations are not sufficiently transparent to firearms owners who must rely on the RCMP to determine which firearms are “variants” of restricted and prohibited firearms.

### Private Member’s Bill C-230

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The RCMP has advised that the Bill would result in the reclassification of thousands of firearms. For example, some firearms would be reclassified from non-restricted to restricted. This could impact thousands of firearm owners who may not have the appropriate licence privileges to own a restricted firearm, and who would then have to have their firearms registered. These impacts are at odds with the stated purpose of the Bill to limit the application of the term “variant” to certain firearms.

This kind of amendment, a definition of the term “variant”, would benefit from extensive analysis in the broader context of a review of the firearms classification system as a whole.

#### CONTACTS:

Prepared by  
Christine Guénette, Senior  
Policy Analyst

Tel. no. 613-949-6415

Approved by  
Kathy Thompson, ADM,  
CSCCB

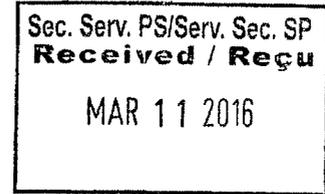
Tel. no.  
Office: 613-990-2703  
Cell: 613-203-3306

**Montpetit, Francine (PS/SP)**

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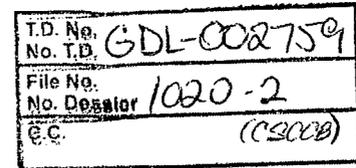
**From:** Bouraoui, Lynda (PS/SP)  
**Sent:** Friday, March 11, 2016 1:25 PM  
**To:** Secretariat Services / Services de secrétariat (PS/SP)  
**Subject:** FW: gun control news - Meeting request  
**Attachments:** List\_Coalition\_EndorsersSupporters.pdf; MPs\_Letter\_March2016.pdf; Summary\_report\_guncontrol\_CA\_with\_history.pdf

**Categories:** LOG



Meeting request (not personalized).  
Please log it in the system and send the pink docket my way.  
Many thanks  
Lynda  
613-991-2859

**From:** Goodale, Ralph E. - M.P. [mailto:ralph.goodale@parl.gc.ca]  
**Sent:** Friday, March 11, 2016 1:21 PM  
**To:** Swan, Jennifer (PS/SP); Bouraoui, Lynda (PS/SP)  
**Subject:** FW: gun control news - Meeting request



**From:** Coalition for Gun Control [mailto:coalitionforguncontrol@gmail.com]  
**Sent:** March 11, 2016 11:06 AM  
**Subject:** gun control news - Meeting request

Good morning,

Please see the attached letter and documents.

Thanks,  
Best Regards,

---

Bonjour,

Veillez s'il vous plaît prendre connaissance de la lettre joint à ce message, ainsi que des documents.

Merci,  
Bien à vous,

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**COALITION for Gun Control**  
[www.guncontrol.ca](http://www.guncontrol.ca)

Sec. Serv. PS/Serv. Sec. SP  
Received / Reçu  
MAR 11 2016

# COALITION

for Gun Control / pour le contrôle des armes

www.guncontrol.ca

March 10, 2016

Parliament Hill  
Ottawa, ON K1A 0A2

T.D. No. GDL-002759  
No. F.D.  
File No. 1020-2  
No. Dossier  
C.C. (OSCCB)

Dear Sir/Madam,

Canada's gun laws work. Or rather, *used to* work. While in power, the **Conservatives steadily eroded the controls on firearms that were in place and had long proven their effectiveness.** *Canada's Firearms Act* has always been an important piece of our national strategy to prevent gun crime and injury and to support law enforcement. Considerable research has shown that effective regulation of firearms is linked to decreases in firearm homicides and suicides.

When in power, the Conservatives eliminated many of the controls on Canada's restricted firearms – handguns and assault weapons – and undermined the ability of RCMP to take action against new types of military weapons. **The number of legally owned restricted weapons – handguns and assault weapons – has almost doubled in the last decade.** These guns are not used for hunting, and increasing dramatically their numbers increases the risks they will be misused or diverted to illegal markets.

Over the last 10 years, our licensing provisions have been constantly weakened, prompting an Alberta judge to argue in last January 2016 that **stricter reviews of gun licence applications are necessary.**

Not only did the Conservatives eliminate the need to register rifles and shotguns, and destroy the data on more than 5 million guns that were registered, but they also eliminated sales records for those firearms, a requirement that had been in place since 1977. **Currently, the State of New York has better controls on gun sales than we do, and Canada is no longer compliant with international agreements to combat illegal gun trade.**

In the meantime, gun violence, death and injury remain critical public safety issues in Canada. Urban violence, domestic violence, murders of police officers, suicides and even "accidents" with firearms continue to make the news on a regular basis. **More than 150 were killed with guns in 2014** – a 15% increase from last year in the rate of firearm-related homicides, most with rifles and shotguns.

Gun violence knows no boundaries. Stopping the violence is a complex issue that requires multifaceted solutions, but **strong controls on all firearms are part of it.** Its more than two years

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Toronto (Ontario) M6K 3K3

1301, Sherbrooke East  
Montreal (Quebec) H2L 1M3  
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coalitionforguncontrol@gmail.com • www.guncontrol.ca • Twitter: CGCguncontrol

since the UN Security Council passed Resolution 2117 encouraging states to fulfil their international commitments to stop illicit gun trafficking, noting that the **illegal trade is closely connected to terrorism, transnational organized crime, drug trafficking and many other illegal activities around the globe.**

For more than 25 years, the Coalition for Gun Control – representing more than 300 public safety and community organizations – has worked to reduce gun violence and injury in Canada. The Canadian Association of Chiefs of Police, the Canadian Public Health Association, the Canadian Association of Emergency Physicians, the YWCA of Canada, victims of gun violence, and more have defended our gun control laws. Now, more than ever, the Coalition needs your support.

I know that this debate has beard difficult and contentious issues at times, but we have seen south of the border how the gun lobby can hijack the public debate. Today, the gun lobby has been increasingly influential in Canada, dominating formal policy processes through the Firearms Advisory Council and Canadian delegation to the United Nations. **What is even more concerning is the extent to which the legal chill has attained research and discussion on gun control.**

The following critical changes (among others) have been brought to *the Firearms Act* and the *Criminal Code* through Bill C-42:

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

After watching the Conservatives take apart our gun control law piece by piece we have a chance to reverse at least some of the damage. The new Government made promises to restore modest measures and we need to work to ensure that they follow through, as quickly as possible.

We need the government to move quickly to:

- 1) Repeal C-42 – restore authorizations to transport handguns, strict screening and routine licensing checks and verification when firearms are purchased
- 2) Eliminate the amnesties for failure to renew licenses and reinstate strict screening measures on renewal as well as continuous eligibility checks
- 3) Ban military assault weapons – update the prohibited and restricted lists consistent with the advice of police experts.
- 4) Strengthen controls on handguns and other restricted weapons
- 5) Establish as quickly as possible, a system to track all gun sales, reestablishing and modernizing measures that were introduced in 1977 but eliminated in 2005.

s.19(1)

- 6) Ratify important international agreements – the OAS Inter-American Convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, the 2001 Program of Action, the Marking and Tracing Convention.
- 7) Invest in an evidence based strategy to combat the illegal gun trade
- 8) Along with restoring the long form census, restore detailed analysis and sharing of justice statistics including firearms death, injury and crime; imports/exports, firearms used in crime.
- 9) Bring experts on violence prevention back into the policy development process.
- 10) Embark on a national awareness program to highlight the risks associated with firearms in suicide, homicide and unintentional injuries, extending our firearm violence prevention initiative piloted in Quebec with cross sectoral support. "Save a Life. Ask the question. Is there a gun?"

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

Please find attached a **summary report regarding gun control in Canada**. It discusses further the issues related to Canada's gun control legislation and how it has been eroded these last years, as well as a **list of groups that publicly opposed the last Conservative plan to scrap the gun registry**.

I would also like to take this opportunity to **request a meeting with you and your staff**. We are always willing to collaborate and discuss in detail the positive impact gun control has on public safety. Please contact us at [coalitionforguncontrol@gmail.com](mailto:coalitionforguncontrol@gmail.com) to schedule a meeting.

Yours truly,



Wendy Cukier  
President, Coalition for Gun Control

*Selected as one of 25 Transformational Canadians (2010), recipient of the Canadian Labour Congress Making a Difference in People's Lives Award (2011), Prix des policiers du Québec (2007), Canadian Criminal Justice Public Education Award (2000), Canadian Public Health Association Award of Merit (1996), YWCA Woman of Distinction (1996)*

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# COALITION

for Gun Control / pour le contrôle des armes

[www.guncontrol.ca](http://www.guncontrol.ca)

## Summary report regarding gun control in Canada

### **Traceability of Guns Used in Crime**

Despite police associations expressing that the data was a useful investigative tool for tracing purposes firearms and its destruction will cripple the ability to trace unrestricted firearms to their rightful owners if they last end up being used in crimes, records on the ownership of 5.6 million rifles and shotguns (outside Quebec) were destroyed in October 2012. This information provided a valuable tool to help bring criminals to justice, supporting the prosecution of firearms-related crime to the supply of nearly 18,000 affidavits between 2003 and 2008. The deleted data included ownership records on guns like the Ruger Mini-14, nicknamed the 'poor man's assault rifle', that in the hands of an unbalanced individual killed fourteen women at Montreal's Ecole Polytechnique and 77 people, mainly youth, in the 2011 massacre in Norway, as well many .50 calibre firearms designed for military use and banned in some US states.

With this and other measures, the Conservative's government has made it easier for individuals who want to stay under the radar — including organized crime and terrorists — to acquire an unlimited number of guns such as powerful semiautomatics and some sniper rifles, without any flags being raised. There are no means to know who owns these powerful guns, who sold them or how many are owned. When long guns are recovered in crime, police are not able to trace them back to their owners, losing an important investigative tool. Toronto Police Chief Bill Blair reported that in 2012 year alone, gun seizures were down by nearly 40% in his force, in part because information his officers relied on is no longer available. With the adoption of these regulations: the destruction of the registry, the suppression of the mandatory check for the validity of the license for a purchase and the suppression of the registration, it is now impossible to retrieve those weapons if they are found on the illicit market or recovered from a crime scene.

### **Records of Gun Sales**

On April 5, 2012, the Conservative adopted one its most radical project legislation, clearly ignoring the recommendations of the majority of Canadians, including victims of gun violence, women's groups, experts in suicide prevention, police and trade unions, which are all in favour of gun control, including of the registry of long guns. Bill C-19 required only voluntary verification of the validity of the buyer's licence, which increases the chances of unauthorized persons, including those under restraining orders, to have access to rifles and shotguns.

Then, in July 2012, regulations forbidding provinces from requiring gun dealers to maintain sales records on non-restricted firearms were quietly passed, undoing a measure in place since 1977. This way, the Conservative's government went along with getting rid of any

requirement for importers, distributors or dealers in Canada to maintain records on the non-restricted guns in their possession. In 2011, 33% of all guns reported stolen in Canada were non-restricted guns stolen from businesses. These records are crucial to allowing police to trace the origins of guns used in crime and to efficiently inspect gun dealers to ensure they follow the law and are responsible for their inventory. Requiring dealers to maintain records at the point of sale is the norm internationally<sup>1</sup> and has been proved as an important method to prevent and investigate illegal arms trafficking - even the United States has a federal requirement for their dealers. The Canadian Police Association, the Canadian Association of Chiefs of Police, Project Ploughshares, the Federal Ombudsman for Victims of Crime, the victims advocate Priscilla de Villiers and Poly Remembers Group were among those who filed statements against these regulations.

### **Gendered Gun Violence**

Gun control legislation is essential as it has two components:

- The reduction of domestic homicides
- The reduction of family violence in rural communities

While there has been considerable focus on the problems of illegal guns, most women killed with guns are killed with legally owned guns, particularly rifles and shotguns<sup>2</sup>. The Toronto Schlifer Clinic, which supports women victims of violence, filed a challenge to Bill C-19 based on the violation of the life, liberty and security of women under section 7, and on the violation of women's equality rights under section 15 of the Charter of Rights and Freedom. The Clinic based in Toronto, filed thousands of pages of evidences including affidavits of many experts on the subject, including police officers, health experts and academics.

A recent Small Arms Survey from 2013 explored the relation between guns and domestic violence. Among other things, they indicated that while the majority of the victims and perpetrators of firearms-related homicides are male, many more women than men are killed, injured and intimidated by firearms, particularly in the context of domestic violence. The firearms legislation passed over the last 10 years jeopardize public safety and makes women even more vulnerable.

### **Firearms Control and Injury Prevention**

As firearms have been recognized as a threat to public health in industrialized countries, Canadian public health experts have long advocated preventive measure to reduce preventable firearm injuries and deaths. Gun control indeed saves lives. The debate over licensing firearm owners and registering guns rages on, in spite of the strong evidence about its contribution to Canadians' safety. The costs of firearms licensing and registration are only one part of the equation. The bulk of the investment to date, it is important to note, has been made in developing the systems and processes necessary to screen firearms owners for risk factors, which health professionals identify as being critical.

Licensing firearm owners is critical to reduce the chances guns will be obtained by those who are a threat to themselves and others. Evidences show that the vast majority of firearm deaths in Canada occur when an ordinary law abiding citizen becomes suicidal or violent often

<sup>1</sup> UN Arms Trade Treaty (on small arms) entered into force on September 25, 2014.

<sup>2</sup> Recently, Camille Runke's death in a rural property in Winnipeg.

under the influence of toxic substances. This why health professionals have repeatedly fought to pass improvements and counter the erosion of our legislation.

Having a sensible and strict legislation on gun control brings Canada in line with most industrialized countries<sup>3</sup>. We know that on an international basis and within Canada there is a strong relationship between rates of firearms ownership and firearm death rates in industrialized countries. Switzerland, for example, with one of the highest rates of firearm ownership in Europe also has one of the highest rates of firearms deaths. It is true that one cannot easily measure prevention, but we can certainly measure the effects of ignoring it.

### **Illicit Trafficking of Firearms**

Registration is also essential to encourage accountability and to reduce the illegal gun trade. Dealer inspections are a critical tool to prevent and investigate illicit trafficking, as inventory discrepancies and high numbers of lost or stolen guns are key indicators of potential illegal sales. The last years saw the creation of many loopholes in Canada that together, police warn is making illegal trafficking easier to do and harder to prosecute - including no records on long-guns (either at dealers or the registry), the lack of mandatory licence validation before gun sales, the elimination of the gun show regulations and deferral of marking regulations.

The majority of illegal guns used in crime in Canada are firearms that have been purchased in U.S. states with loose gun laws and are trafficked north. Toronto and Calgary police have said that approximately 70% of handguns recovered from their crime scenes are illegal guns smuggled from the US. Despite this fact and continuing high rates of gun crime in urban centres, the government appears to put little effort into fighting this scourge and seizures of illegal guns have actually decreased. In 2009, the CBSA seized 460 firearms, which is less than half of the 1,099 firearms seized in 2004. And most of those guns seized at the border are not actually guns intended for crime, but are from US visitors attempting to bring their personal guns with them when coming to Canada. It was recently reported in the Toronto Star that in 2009, CBSA in Ontario seized just 9 guns they believed were headed for the criminal market. That year, Toronto police seized 861 crime guns in the city, at least 70% of which were smuggled in from the U.S.

### **International Obligations to Curb Illicit Trafficking of Firearms**

The Coalition for gun control published a report last year comparing Canada's current firearm licensing, ownership, transfer and sale requirements to those in ten other countries, as well as the European Union. Most countries studied, each tackle the question of gun control and curbing illicit trafficking at different levels. The resounding observation is that Canada (United States being excluded) has been standing alone in weakening its controls on rifles and shotguns.

Nonetheless, Canada has a proud history of international engagement and working to prevent illegal firearms trafficking worldwide but this position has been slipping away these recent years. It is, therefore, important to restore the country's position as a global model regarding its citizens' public safety.

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<sup>3</sup> Such as the 1997 resolution of the United Nations Crime Prevention and Criminal Justice Commission.

# Coalition for Gun Control

E-mail: coalitionforguncontrol@gmail.com

## POSITION:

### Overview:

#### Support legislation which includes:

- Possession permits which are periodically renewed
- A cost-effective system to register all guns
- A total ban on assault weapons and large capacity magazines
- Controls on the sale of ammunition
- tougher restrictions on handguns.

### Related issues:

- Strict safe storage requirements
- Education countering the romance of guns and the myth of arming for self protection
- ban on replica firearms
- Measures to reduce the illegal importation of guns
- effective implementation of the law
- Deterrence and prevention in the justice system.

## ENDORSERS OF THE POSITION OF THE COALITION

(July 2012)

### NATIONAL

- Act To End Violence Against Women
- Association of Universities and Colleges of Canada
- Canada Safety Council
- Canadian Association of Chiefs of Police
- Canadian Association of Emergency Physicians
- Canadian Auto Workers
- Canadian Bar Association
- Canadian Criminal Justice Association
- Canadian Federation of University Women
- Canadian Labour Congress
- Canadian Public Health Association
- Canadian Teachers' Federation
- Church Council on Justice and Corrections
- Evangelical Lutheran Church in Canada
- Federation of Canadian Municipalities Big City Mayors' Caucus
- Humanist Association of Canada
- Mennonite Central Committee
- National Union of Public and General Employees
- Quaker Committee on Jails and Justice (*now Canadian Friends Service Committee*)
- Trauma Association of Canada
- United Church of Canada
- YWCA of Canada

### POLICE

#### (Provincial:)

- Association des chefs en sécurité incendie du Québec
- Fédération des policiers et policières municipaux du Québec
- Nova Scotia Chiefs of Police Association
- Ontario Association of Chiefs of Police
- Ontario Senior Officers' Police Association

#### (Regional:)

- Ascot/Lennoxville Police Inter-municipal Authority
- Belleville Police Services Board
- Brandon Police Service
- Brantford Police Services Board
- Calgary Police Service

- Delta Police Services Board
- Edmonton Police Service
- Fraternité des policiers et policières de Montréal
- Glen Abbey Community Policing Services
- Halton Regional Police Services Board
- Hamilton-Wentworth Regional Police
- Hawkesbury Police Services Board
- International Police Association, Région 7, Montréal
- London Police Services Board
- Service de Police de la ville de Montréal
- New Westminster Police
- Niagara Regional Police Services Board
- Ottawa Police Service (*Formerly Ottawa-Carleton Regional Police Services Board*)
- Peel Regional Police Services Board
- Peterborough Lakefield Community Police Service
- Port Moody Police Board
- Sarnia-Clearwater Police Services Board
- Sault Ste. Marie Police Service
- Service de la sécurité publique de Trois-Rivières
- Service de Police de la ville de Québec (*including the formal Service de Police de Ste-Foy*)
- Strathroy-Caradoc Police Services Board
- Greater Sudbury Police Services Board
- Victoria Police Board
- Winnipeg Police Service

### MUNICIPAL COUNCILS

- Anjou
- Baie-James
- Beaconsfield
- Beaupré
- Beloeil
- Blainville
- Boucherville
- Brampton
- Bridgewater
- Burnaby
- Cabano (*today part of the City of Témiscouata*)

- Charlemagne
- Châteauguay
- Cornwall
- Cupar
- Esquimalt
- Gatineau
- Goderich
- Granby
- Guelph
- Hamilton (*include the former Regional Municipality of Hamilton-Wentworth*)
- Hawkesbury
- Huntingdon
- Joliette
- Kirkland
- Kitchener
- La Tuque
- Lac-Etchemin
- Lachenaie (*today part of the larger Terrebonne municipality*)
- Lachute
- Lac-Mégantic
- L'Ancienne Lorette
- Laval
- Lennoxville (*today part of the City of Sherbrooke*)
- L'Île Perrot
- Lorraine
- Louiseville
- Magog
- Malartic
- Matagami
- Mississauga
- Mont-Royal
- Montréal.
- Mont-Tremblant
- Murdochville
- Nackawic
- Nicolet
- Oakville
- Oshawa
- Ottawa
- Papineauville
- Port Moody
- Prévost
- Québec City
- Repentigny
- Richelieu
- Rivière-du-Loup
- Roberval
- Saint-Basile
- Sainte-Julie
- Saint-Félicien
- Saint-Georges
- Saint-Hubert (*today part of City of Longueuil*)
- Saint-Hyacinthe
- Saint-Joseph-de-Beauce
- Saint-Joseph-de-Sorel
- Saint-Romuald (*today part of City of Lévis*)
- Sarnia
- Senneterre
- Senneville
- Shawinigan
- Sherbrooke
- St. John's

- Stratford
- Sutton
- Thurso
- City of Toronto
- Union des municipalités du Québec
- Vaudreuil-Dorion
- Waterloo
- Westmount

### HEALTH CARE

#### **(Provincial:)**

- Alberta Centre for Injury Control and Research
- Association québécoise d'établissements de santé et de services sociaux (*Formerly Association des hôpitaux du Québec*)
- Association of Local Official Health Agencies (Ontario)
- Association pour la santé publique du Québec
- BC Injury Prevention Centre
- Conférence des Régions régionales de la Santé et des Services sociaux du Québec
- Directrices et Directeurs régionaux de santé publique du Québec
- Manitoba Child Care Association
- New Brunswick Nurses Union
- Ontario Public Health Association
- Ordre des Chiropraticiens du Québec
- Réseau de la santé publique du Québec, Comité de prévention des traumatismes

#### **(Regional:)**

- Association canadienne de la santé mentale, Filiale de Montréal
- Calgary Board of Health
- Calgary Injury Prevention Coalition
- CLSC de Longueuil-Ouest Département de médecine sociale et préventive du Centre Hospitalier Universitaire de Montréal (Pavillon St-Luc)
- Toronto Public Health and the Board of Health
- Eastern Ontario Health Unit
- Elgin-St. Thomas Health Unit
- Halton Regional Health Department
- Hamilton Trauma Prevention Council (*include the former Hamilton-Wentworth Trauma Prevention Council*)
- Harambee Centres Canada
- Hôpital Maisonneuve-Rosemont
- JEVI Centre de prévention du suicide - EstrieKlinik Community Health Centre (Winnipeg)
- Montréal Children's Hospital
- Montréal General Hospital Surgical Intensive Care\Trauma Unit
- Montréal Jewish General Hospital
- Niagara Health Services Department
- Ontario Medical Association, Community Action and Injury Prevention
- Ottawa Public Health Department (*include the former Ottawa-Carleton Health Department*)
- Perth District Health Unit
- Agence de la santé et des services sociaux de l'Outaouais
- Agence de la santé et des services sociaux de Montréal
- Agence de la santé et des services sociaux de la Capitale-Nationale
- Agence de la santé et des services sociaux des Laurentides

- Agence de la santé et des services sociaux du Saguenay—Lac-Saint-Jean
- Agence de la santé et des services sociaux de l'Abitibi-Témiscamingue
- Agence de la santé et des services sociaux de la Côte-Nord
- Agence de la santé et des services sociaux de la Gaspésie—Îles-de-la-Madeleine
- Agence de la santé et des services sociaux de Laval
- Royal Victoria Hospital
- Sandy Hill Community Health Centre
- Sudbury General Hospital Trauma Program
- Toronto Board of Health
- Virage Santé Mentale
- Wellington-Dufferin-Guelph Public Health - Board of Health

#### UNIVERSITIES

- Concordia University
- Conférence des recteurs et des principaux des universités du Québec
- École Polytechnique
- Lakehead University
- McGill University
- Mount Saint Vincent University
- Nova Scotia College of Art and Design
- Ryerson University
- Saint Mary's University
- Université de Montréal
- Université du Québec
- Université du Québec à Montréal
- Université Laval
- Saint Paul University
- Wilfrid Laurier University

#### BOARDS OF EDUCATION

- Board of School Trustees of School District no. 39 (Vancouver)
- Brant County Board of Education
- Commission des Écoles Catholiques de Montréal (*today part of the Commission scolaire de Montréal and the English Montreal School Board*)
- Commission des Écoles Catholiques de Verdun (*today part of the Commission scolaire de Montréal and the English Montreal School Board*)
- Commission scolaire d'Aylmer (*today part of the Commission scolaire des Portages-de-l'Outaouais*)
- Commission scolaire de Huntingdon (*today part of the Commission Scolaire New Frontiers*)
- Commission scolaire de la Chaudière-Etchemin (*today part of the Commission scolaire de la Beauce-Etchemin*)
- Commission scolaire Jérôme-Le Royer (*today part of the English Montreal School Board*)
- Dufferin Peel Catholic District School Board
- Kent County Board of Education
- Labrador Catholic School Board
- Manitoba Association of School Trustees
- Niagara South Board of Education
- Ottawa Board of Education (*today part of Ottawa-Carleton District School Board*)
- Peel Board of Education Board of Education of the Regina School Division no.4
- Scarborough Board of Education (*today part of Toronto District School Board*)

- Stormont, Dundas & Glengarry Public School Board
- Sudbury Board of Education
- Toronto District School Board Waterloo Region District School Board
- Waterloo Region Catholic School Board
- York Region Board of Education (*today part of Toronto District School Board*)

#### OTHER EDUCATIONAL ORGANIZATIONS

- Alumni Association of Marianopolis College
- Association des Diplômés de Polytechnique
- Association des Etudiants de Polytechnique
- Centrale des syndicats du Québec (*Formerly, Centrale de l'enseignement du Québec*)
- Collège Saint-Bernard
- Coronation School
- ESC School Inc.
- Etobicoke Home and School Council
- Federation of Women Teachers' Associations of Ontario
- Laurentian University Students' General Association
- Montreal Teachers' Association
- Ontario Federation of Home and School Association
- Ontario Teachers' Federation
- Pine Grove Parent-Teacher Organization
- Prince Edward Island Teachers' Federation
- Quebec Federation of Home and School Associations
- University of Prince Edward Island Alumni Association
- University of Prince Edward Island Student Union
- University of Toronto Graduate Students Union
- Women's Studies, John Abbott College

#### CRIME & JUSTICE

- Association des services de réhabilitation sociale du Québec
- Burnaby Family Court & Youth Justice Committee
- Citizens Crime Prevention Association of Newfoundland & Labrador
- Conseil des églises pour la justice et la criminologie (Québec)
- Elizabeth Fry Society of Mainland Nova Scotia
- Glen Abbey Community Policing Committee
- John Howard Society of Manitoba
- Manitoba Criminal Justice Association
- Toronto Safe City Committee
- Willowdale Community Legal Services

#### LABOUR

- Public Service Alliance of Canada's Regional Women's Committee
- CSN (Conseil fédéral)
- SCEP Section locale 84Q
- Syndicat des employés-es de l'Université de Montréal
- Syndicat des professeures et professeurs de l'Université de Sherbrooke

#### DOMESTIC VIOLENCE AND WOMEN'S ORGANIZATIONS

- Acadia Women's Centre
- ACTEW (Advocates for Community Based Training and Education for Women)
- Alberta Council of Women's Shelters
- Association féminine d'éducation et d'action sociale
- Calgary Action Committee Against Violence
- Peer Support Services for Abused Women (*Formerly Calgary Society for Women Plus*)
- Carrefour des femmes de Rosemont

- Carrefour des femmes de Saint-Léonard
- Centre d'éducation et d'action des femmes de Montréal
- Centre des femmes de Laval
- Centre des femmes de Montréal
- Centre des femmes de Verdun
- Centre des femmes Memphrémagog
- Cercle des dames d'Acadie de Shippagan
- Cercle des fermières de St-Benoît Lâbre
- Cercles des fermières du Québec
- Comité de coordination en matière de violence faite aux femmes de Prescott-Russell
- East Prince Committee on Family Violence
- Edmonton Sexual Assault Centre
- Edmonton Women's Shelter
- Family Transition Place (Dufferin County)
- Fédération des femmes du Québec
- Gender Status of Women Council
- Golden Women's Resource Centre
- Halton Rape Crisis Centre
- Interval House (Ottawa)
- La Chambrée, maison d'accueil et d'hébergement
- L'Escalade de l'Estrie Inc.
- London Sexual Assault Centre
- Maison des femmes de la région de Rimouski
- Maison des femmes des Bois-Francs
- Manitoba Action Committee on the Status of Women
- METRAC (Metro Action Committee on Public Violence Against Women and Children)
- Montreal Assault Prevention Centre
- Na'amat Canada
- New Brunswick Advisory Council on the Status of Women
- North Shore Crisis Service Society
- North Shore Women's Centre
- Nova Scotia Advisory Council on the Status of Women
- Ottawa Rape Crisis Centre
- PEI Advisory Council on the Status of Women
- P.E.I. Rape and Sexual Assault Centre
- Portage Women's Shelter
- Premier's Action Committee on Family Violence (P.E.I.)
- Prince Albert Emergency Shelter for Women
- Public Service Alliance of Canada, Ottawa Regional Women's Committee
- Regroupement provincial des Maisons d'Hébergement et de transition pour femmes victimes de violence conjugale
- Rosewood Shelter (Midland)
- Service d'Entraide Passerelle
- SOS Violence Conjugale
- South Asian Women's Centre
- South Surrey / White Rock Women's Place
- University of Calgary Status of Women Committee
- University Women's Club of Moncton
- Vancouver Rape Relief and Women's Shelter
- Victoria Faulkner Women's Centre
- Canadian Voice of Women for Peace
- Woman A.W.A.R.E (Abused Women Advocating for Rights and quality)
- The Center for Women and Trans People at the University of Toronto
- Women's Place (St. Catharines)
- YWCA Calgary
- YWCA Hamilton
- YWCA Toronto

- YWCA Montréal
- YWCA of Peterborough, Victoria and Haliburton

#### COMMUNITY ORGANIZATIONS

- Artistes pour la Paix
- Association of United Ukrainian Canadians
- Beaurepaire United Church
- Centre for Spanish-speaking peoples
- Chalmers-Wesley United Church
- Comité Justice sociale des Soeurs Auxiliatrices
- Comité Solidarité franciscaine (Québec)
- Czech and Slovak Canadian Senior Club
- Dawson College Committee for Gun Control
- Évêché de Sainte-Anne-de-la-Pocatière
- Fédération de la famille Richelieu-Yamaska
- Golden Age Association (Formerly the Golden Age Association (GAA), today part of the Cummings Jewish Centre for Seniors)
- Gower Street United Church
- Hamilton Conference of the United Church of Canada
- Greater Vancouver Japanese Canadian Citizen's Association
- Kingston Operation Dismantle
- Lakehead Unitarian Fellowship
- Mile-End Citizens Committee
- North Okanagan Unitarian Fellowship
- Olivet United Church
- Ontario Coalition of Senior Citizens Organizations
- Parksville/Qualicum KAIROS
- Paroisse Sainte-Brigide de Montréal
- PEI Victim Services Advisory Committee
- Physicians for Global Survival
- Poly se souvient
- TANDEM Montreal

## OTHER ORGANIZATIONS, WHICH HAVE ENDORSED BILL C-68 (Firearms Act)

### NATIONAL:

- Canadian Association for Adolescent Health
- Canadian Association of Occupational Therapists
- Canadian Association of Police Boards
- Canadian Federation of Nurses Unions
- Canadian Federation of Students
- Canadian Nurses Association
- Canadian Paediatric Society
- Canadian Police Association
- National Association of Women and the Law
- National Crime Prevention Council
- Association internationale d'Echanges scientifiques sur la violence et la coexistence humaine
- Canadian Advisory Council on the Status of Women
- Canadian Association for the Advancement of Women and Sport
- Canadian Association of Emergency Physicians
- Canadian Association of Sexual Assault Centers
- Canadian Centre for Occupational Health and Safety
- Canadians Concerned about Violence in Entertainment
- Canadian Conference of Catholic Bishops
- Canadian Council of Muslim Women
- Canadian Federation of Business of Professional Womens' Clubs
- Canadian Network of Women's Shelters & Transition Houses
- Canadian Research Institute on the Advancement of Women
- Canadian Union of Public Employees
- Catholic Women's League of Canada
- Communications, Energy and Paperworkers Union of Canada
- Council of Canadians
- Étudiants francophones- Canadian Association of Students
- Humane Society of Canada
- International Action Network on Small Arms (IANSA)
- Lawyers For Social Responsibility
- National Action Committee on the Status of Women
- National Council of Women of Canada
- National Emergency Nurses Affiliation
- National Federation of Nurses Unions
- National Liberal Women's Commission
- Public Safety Alliance of Canada
- Santé Canada – Direction de la protection de la santé
- White Ribbon Campaign

### POLICE:

- PEI Association of Chiefs of Police
- Association des directeurs de police et pompiers du Québec
- Edmonton Police Commission
- Halifax Regional Police Service
- New Westminster Police Board
- Ontario Provincial Police (Commissioner)
- Service de Police de Sherbrooke
- Toronto Police
- Waterloo Regional Police Services Board
- Windsor Police Service
- Saskatchewan Association of Chiefs of Police
- Alberta Association of Chiefs of Police
- Manitoba Association of Chiefs of Police

- British Columbia Association of Chiefs of Police
- New Brunswick Association of Chiefs of Police
- Nova Scotia Association of Chiefs of Police
- Cape Breton Regional Police
- Royal Newfoundland Constabulary and RCMP, Province of Newfoundland and Labrador
- Saskatoon Police Service
- Charlottetown Police Services
- Kingston Police Officers Association
- Chatham-Kent Police Services Board
- Timmins Police
- Woodstock Police Service
- Greater Sudbury Police Service
- North Bay Police
- Service de la sécurité publique de la Ville de Saint-Eustache

### MUNICIPAL COUNCILS:

- Arrondissement Sud-Ouest (Montréal)
- Union des municipalités régionales de comté du Québec et des municipalités locales du Québec
- City of Calgary
- City of Coquitlam
- City of Delta
- City of Edmonton
- City of Kanata
- City of New Westminster
- City of Niagara Falls
- City of North Vancouver
- City of Port Coquitlam
- City of Regina
- City of Richmond
- City of Rockland
- City of Surrey
- City of Toronto
- City of Vancouver
- City of Waterloo
- City of Winnipeg
- District of North Vancouver
- District of West Vancouver
- Mayors of the Lower Mainland of British Columbia
- Municipalité de La Plaine
- Municipalité Régionale de Comté de Témiscamingue
- Municipality of Gatineau
- Municipality of Gloucester (*today part of City of Ottawa*)
- Municipality of Metropolitan Toronto
- Town of Amherstburg
- Ville d'Acton-Vale
- Ville de Bernières-Saint-Nicolas (*today part of Ville de Lévis*)
- Ville de Cap-de-la-Madeleine (*today part of Trois-Rivières*)
- Ville de Charny (*today part of Ville de Lévis*)
- Ville de Jonquière (*today part of Ville de Saguenay*)
- Ville de Montréal
- Ville de Pierrefonds (*today part of City of Montréal*)
- Ville de Verdun (*today part of City of Montréal*)

### HEALTH CARE:

- Agence de la santé et des services sociaux de la Montérégie
- Alberta Centre for Injury Control and Research

- Association pour la santé publique du Québec
- Association médicale du Québec
- Association québécoise de la prévention du suicide
- Champlain Local Health Integration Network
- Centre de santé publique de Québec
- City of Toronto Public Health
- Council on Suicide Prevention, Ontario
- New Brunswick Committee on Suicide Prevention
- Ontario Medical Association, Paediatrics Section
- Association des services de réhabilitation sociale
- Atlantic Health Sciences Corporation
- Boundary Union Board of Health
- Calgary Regional Health Authority
- Calgary Suicide Services Committee
- Centre de prévention du suicide (Directeur – Général)
- Centre de prévention du suicide de la région du Saguenay-Lac-Saint-Jean
- Centre hospitalier de Saint-Jean-de-Magamic
- Children's Home of Winnipeg
- Clarke Institute of Psychiatry, Injury Prevention Committee
- Community Services Population Health
- Conseil d'intervention pour l'accès des femmes au travail
- Council on Suicide Prevention
- Direction de santé publique d'Abitibi-Témiscamingue
- Direction de santé publique de Bas-St-Laurent
- Direction de la santé publique de la Capitale Nationale
- Direction de santé publique de Côte-Nord
- Direction de santé publique de l'Estrie
- Direction de santé publique de la Gaspésie-Îles-de-la-Madeleine
- Direction de santé publique de Lanaudière
- Direction de santé publique des Laurentides
- Direction de santé publique de Laval
- Direction de santé publique de Mauricie-Centre-du-Québec
- Direction de santé publique de Montérégie
- Direction de santé publique de Montréal
- Direction de santé publique de Nord-du-Québec
- Direction de santé publique de l'Outaouais
- Direction de santé publique de Saguenay-Lac-Saint-Jean
- Fondation pour la prévention du suicide chez les jeunes
- Hamilton-Wentworth Health Department
- Hôpital Saint-Luc, département de médecine préventive
- Institut national de santé publique du Québec
- CSSS du Témiscouata
- Nova Scotia Nurses' Union
- Office des personnes handicapées du Québec
- l'Ordre des psychologues du Québec
- Peel Health Department
- Prévention Suicide de la Rive
- Public Health Association of Nova Scotia
- Québec Association of Emergency Physicians
- Regional Strategy Committee for Action on Suicide of Bas St-Laurent
- Registered Nurses of Ontario Association
- Conseil Cri de la santé et des services sociaux de la Baie-James
- Agence de la santé et des services sociaux de Chaudière-Appalaches
- Agence de la santé et des services sociaux de l'Estrie
- Agence de la santé et des services sociaux de Lanaudière

- Agence de la santé et des services sociaux de la Mauricie et du Centre-du-Québec
- Régie régionale de la santé et des services sociaux du Nunavik
- Agence de la santé et des services sociaux de la Montérégie
- Royal University Hospital Emergency Services, Regina
- St. Mary's Hospital Centre
- Suicide Prevention Information and Resource Centre
- University of Alberta, Faculty of Medicine
- Women's College Hospital

#### **EDUCATION:**

- Manitoba Teachers' Society
- Acadia Student's Union
- Association des étudiants de cycle supérieur de Polytechnique
- Association générale des étudiantes et étudiants du cégep de Jonquière
- BC Teachers' Federation
- Calgary Board of Education
- Commission scolaire de Coaticook
- Commission scolaire de la Jonquière
- Commission scolaire de la Vallée des Tisserands
- Commission scolaire de Montréal
- Commission scolaire des Portages-de-l'Outaouais
- Concordia Student Union
- Conseil des Écoles Catholiques de langue française du Centre-Est (formerly d'Ottawa Carleton)
- Dawson College
- Dawson Student Union
- École St-Georges de Montreal
- Elementary Teachers' Association of Ontario
- English and French Language Centre, McGill University
- Fédération des Étudiant(e)s du Centre universitaire de Moncton
- Grand Erie District School Board
- Marianopolis College, Student Services
- Metropolitan Toronto Separate School Board
- North Vancouver School District 44
- Ontario Secondary School Teachers' Federation
- Rainbow District School Board
- Rothesay Board of School Trustees
- Université de Montréal, Comité de vie en résidence
- University of King's College of Nova Scotia
- University of Regina Young New Democrats
- Vanier College Social Justice Committee
- Waterloo Catholic District School Board

#### **CRIME AND JUSTICE:**

- Action surveillance Verdun
- Barreau du Québec
- Calgary John Howard Society
- Centre justice et foi
- Crime Prevention Council of Ottawa
- Fondation le silence des armes
- Gainer and Company, Barristers
- North York Crime Concern
- North York Neighbourhood Watch
- Ruby and Edward, Barristers
- Saskatoon John Howard Society

**LABOUR:**

- Centrale des syndicats du Québec (CSQ)
- Comité national des femmes
- Fédération des travailleurs et travailleuses du Québec
- Le syndicat des enseignants de l'ouest de Montréal
- Newfoundland and Labrador Canadian Union of Public Employees
- PEI Federation of Labour
- PSAC Atlantic Region
- Syndicat de la Fonction Publique du Québec
- Teamsters Women's Caucus

**DOMESTIC VIOLENCE AND WOMEN'S ORGANIZATIONS:**

- The Ad Hoc Coalition for Women's Equality and Human Rights
- AFEAS
- Alberta Council of Women's Shelters
- L'Autre chez soi
- L'Autre-Toit du KRTB
- B.C. Institute on Family Violence
- B.C./Yukon Society of Transition Houses
- B.C. Voice of Women
- Catholic Women's League of Alberta
- Coalition of Visible Minority Women (Ont.) Inc.
- Disabled Women's Network Ontario
- L'R des centres de femmes du Quebec
- New Brunswick Federation of University Women
- Nova Scotia Association of Women and The Law
- Provincial Association Against Family Violence (St. John's)
- Provincial Association of Transition Houses of Saskatchewan
- Saskatchewan Action Committee on the Status of Women
- Saskatchewan Provincial Council of Women
- Antigonish Women's Association
- Appleton Women's Association
- Barrie and District Rape Crisis Line
- C.I.R. Femmes de Lac Mégantic
- CALACS
- Calgary Status of Women Action Committee
- Canadian Federation of University Women - Lethbridge
- Carleton University Status of Women
- Centre Communautaire des Femmes Sud Asiatique
- Centre de documentation sur l'éducation des adultes et la condition féminine
- Centre de femmes l'ÉRIGE
- Centre Femmes d'aujourd'hui
- Centre for Women and Trans People, University of Toronto
- Le Centre Louise-Amélie inc.
- Centre pour femmes immigrantes de Sherbrooke
- La Clé sur la Porte, maison d'aide et d'hébergement pour les femmes victimes de violence conjugale et leurs enfants
- Coalition of Provincial and Territorial Advisory Councils on the Status of Women
- Community Development Halton
- ConcertAction Femmes - Estrie
- Cornwall Family Violence Coordinating Committee
- Cranbrook Women's Resource Society
- Cythera Transition House Society
- Dr. Margaret Savage Crisis Centre
- East Prince Women's Information Centre
- Échange entre femmes de Saint-Laurent
- Edmonton Working Women
- Elizabeth Fry Society of Saskatoon
- Elk Valley Family Society
- Family and Children's Services Waterloo Region
- Family Crisis Shelter
- Family Violence Project
- Faye Peterson Transition House (Thunder Bay)
- Fédération de ressources d'hébergement pour femmes violentées et en difficulté du Québec
- Fédération des associations de familles monoparentales et recomposées du Québec
- Fédération provinciale des Fransaskoises Inc.
- Feminist Alliance on New Reproductive and Genetic Tech.
- Femmes du monde à Cote-des-neiges
- Femmes on Mouvement
- Focus for Ethnic Women, Waterloo Region
- Fondation Pleins Pouvoirs
- Fort Garry Women's Resource Centre
- Grande Cache Transition House Society
- Halton-Peel Humanist Community
- Halton Women's Place
- Herspectives
- Hope Haven Transition House
- Indo Canadian Women's Association of Edmonton
- Institut féminin francophone du Nouveau-Brunswick
- Isabel Johnson Shelter
- Issues Surrounding Sexism, Imagery and Language Task Group
- Italian Women's Centre of Montreal
- Jewish Women International of Canada, Montreal
- Jewish Women International of Canada, Toronto
- Kelowna Women's Resource Centre
- Kingston Sexual Assault Centre
- Kitchener-Waterloo Counselling Services
- Kenora Sexual Assault Centre
- Korean YMCA
- L'Accueil
- Madame prend congé
- Maison des femmes de Drummondville
- Manitoba Association of Women's Shelters (Nova House Inc)
- Manitoba Research Centre on Family Violence and Violence Against Women
- Manitoba Women's Advisory Council
- Moose Jaw Transition House
- Multi-Femmes Inc.
- Muskoka-Parry Sound Sexual Assault Services
- Newfoundland and Labrador Advisory Council on Status of Women
- Norfolk Women Teachers' Association
- North Island Women's Services Society
- Northwestern Ontario Women's Centre
- Okanagan University College- Status of Women Committee
- L'Ombre-Elle
- Ontario Association of Interval and Transition Houses - OAITH
- Ontario Coalition of Rape Crisis Centres
- Parkland Status of Women
- PasserElle
- Peel Women Teacher's Association
- Peer Support Services for Abused Women
- Phoenix Rising Non-Profit Homes Inc.
- Pictou Women's Centre
- Point d'appui Centre d'aide et de prévention des agressions à caractère sexuel
- Port Albert Women's Resources Society

- Port Coquitlam Area Women's Centre Society
- Prairie Lily Feminist Society
- Prince Albert Council of Women
- Quesnel Women's Resource Centre
- RebELLEs Movement - Mouvement RebELLEs
- Regroupement des femmes sans emploi du Nord de Québec (ROSE du Nord)
- Regroupement des maisons pour femmes victimes de violence conjugale
- Regroupement québécois des CALACS
- Réseau des tables régionales de groupes de femmes du Québec
- Réseau des lesbiennes du Québec
- Regroupement Naissance-Renaissance
- Réseau québécois d'action pour la santé des femmes
- Fédération du Québec pour le planning des naissances
- Revelstoke Women's Shelter Society
- Rexdale Women's Centre
- Saskatoon Council of Women
- Sault Ste Marie Business and Professional Women's Club
- Sexual Assault Center for Hamilton
- Sexual Assault Crisis Centre
- Sexual Assault Support Centre
- Sexual Assault Support Centre of Waterloo Region
- South Okanagan Women in Need, Penticton, BC
- St. Albert Stop Abuse in Families Society
- St. Mary's Hospital – Sexual Assault/Domestic Violence Treatment Centre
- Sudbury Women's Centre
- Table de concertation des groupes de femmes (Estrie)
- Table de concertation locale en violence familiale
- Times Change Women's Employment Service
- Toronto Women Teachers' Association Executive
- Toronto Women's Health Network
- Transition House Association of Nova Scotia
- University of Alberta Sexual Assault Centre
- University of Regina Women's Centre
- University of Toronto, Women's Centre
- University Women's Club of Vancouver
- Western's Council on Women's Issues
- Wilmot Family Resource Centre
- Women Aware
- Women's Crisis Services of Waterloo Region
- Women's Incentive Centre Windsor
- Women's Network of P.E.I.
- Women's Place St. Catharines
- Women's Action Centre Against Violence
- Women's Habitat
- Women's Health Clinic
- Women's Health in Women's Hands
- Women's Sexual Assault Centre of Renfrew County.
- Women's Sexual Assault Helpline
- Yukon Status of Women Council
- YMCA-YWCA Guelph
- YWCA of Cambridge
- YWCA Durham
- YWCA of Edmonton
- YWCA of Halifax
- YWCA of Hamilton
- YWCA of Kitchener-Waterloo
- YWCA of Lethbridge
- YWCA of Moncton

- YWCA of Niagara Falls
- YWCA Peterborough, Victoria and Haliburton
- YWCA of Prince Albert
- YWCA of Québec
- YWCA of Regina
- YWCA of Saskatoon
- YWCA of St. Catharines
- YWCA of St. Thomas-Elgin
- YWCA of Sudbury
- YWCA Toronto
- YWCA of Yellowknife

**OTHER COMMUNITY ORGANIZATIONS:**

- Antennes de Paix
- Association québécoise des plaidoyers-victimes
- United Church of Canada (Man. and Northwest Ontario)
- United Church of Canada (Alberta and Northwest)
- Archevêché Catholique Roman de Moncton
- Aspen Valley Wildlife Sanctuary
- Blairmore United Church
- Calgary Pastoral Institute
- Centre de la Mauricie des jeunes
- Cercle de fermières d'Asbestos
- Conférence mondiale des religions pour la paix, Montreal
- Cordée Transit de Jour
- COMSEP organisme de lutte à la pauvreté de Trois-Rivières
- Glebe - St. James United Church
- Jeunesse du Monde Montréal
- Kitchener-Waterloo Multicultural Centre
- La maison du réconfort
- La Méridienne
- La Passerelle
- MATCH International
- Parkdale United Church
- Poly se Souvient
- Prévention Sud-Ouest
- Project Ploughshares
- Regroupement des organismes communautaires (l'Estrie)
- Roman Catholic Archdiocese of Regina
- Roman Catholic Episcopal Corporation
- Service pastoral du diocèse
- Simons Foundation
- Société Québécoise pour la défense des animaux
- Table de concertation jeunesse Lac St-Jean est
- United Church of Canada, All-Native Circle Conference
- United Church of Canada, Bay of Quinte Conference
- United Church of Canada, British Columbia Conference
- United Church of Canada, London Conference
- United Church of Canada, Maritime Conference
- United Church of Canada, Montreal and Ottawa Conference
- United Church of Canada, Newfoundland and Labrador
- United Church of Canada, Sherbrooke
- United Church of Canada, Toronto Conference
- Victim Foundation, Newmarket, Ontario
- Victim Services Waterloo Region
- Woolwich Community Services

**Page 85**  
**is not relevant**  
**est non pertinente**

s.19(1)

**Montpetit, Francine (PS/SP)**

**From:** Public Safety MCU / Sécurité publique UCM (PS/SP)  
**Sent:** Thursday, March 31, 2016 9:30 AM  
**To:** Montpetit, Francine (PS/SP)  
**Cc:** Secretariat Services / Services de secrétariat (PS/SP)  
**Subject:** FW: The UN Firearms Marking Regulations  
**Attachments:** UN Marking 2016.doc

Sec. Serv. PS/Serv. Sec. SP  
**Received / Reçu**  
MAR 31 2016

Meeting request. Over to Sec. Services for appropriate action.

Nathalie

**From:** Goodale, Ralph E. - M.P. [mailto:ralph.goodale@parl.gc.ca]  
**Sent:** Thursday, March 31, 2016 7:13 AM  
**To:** Public Safety MCU / Sécurité publique UCM (PS/SP)  
**Subject:** Fw: The UN Firearms Marking Regulations

T.D. No. GDL-003105  
No. T.D.  
Fire No. 1020-2  
No. Dossier  
C.C.

**From:** CSSA / CILA National Office <abernardo343@rogers.com>  
**Date:** March 30, 2016 at 11:39:34 PM EDT  
**To:** Goodale, Ralph E. - M.P. <ralph.goodale@parl.gc.ca>, scott.bardsley@canada.ca <scott.bardsley@canada.ca>  
**Subject:** Fw: The UN Firearms Marking Regulations

Dear Minister Goodale,

I have written to you several times requesting a meeting regarding issues of importance to Canada's recreational firearms community. I have received no response.

As you may know, I have served as a resource through the auspices of the Firearms Advisory Committee under a number of Ministers from both sides of the House. I have served every Minister of Public Safety and Justice all the way back to the Honourable Anne McLellan. I have always striven to serve each Minister to the best of my knowledge as an accredited expert court witness, an original member of the Firearms Experts Technical Committee under Minister McLellan and as the voice of the Canadian Shooting Sports Association for 25 years. I still currently serve on the Hunting and Angling Advisory Panel. [REDACTED] and that continues to this day. I have also occasionally advised several Ministers of Foreign Affairs, Natural Resources Canada and provided knowledge to the Prime Minister's office at various times.

An item of great consequence remains the Firearms Marking Regulations, a regulation passed into law 12 years ago and deferred by three consecutive governments because it appeared to accomplish little benefit and posed the risk of great harm to a lawful, licensed industry.

These regulations are due to implement on June 1, 2017. As in days past, it will accomplish little by marking the 300,000 - 350,000 firearms imported each year into Canada with exactly the same marking, particularly in light of a lack of regulation mandating a serial number. Indeed, one is lost to understand how such a marking could assist in anything at all, aside from creating unnecessary expense for the thriving civilian firearms industry. Please find attached, a document outlining some of the issues inherent in the implementation of these regulations.

I would like the opportunity to speak with you and your staff regarding the Firearms Marking Regulations at your earliest convenience.

Respectfully,

Tony Bernardo  
Executive Director

---

**CSSA / CILA**

***Preserve. Promote. Protect.***  
P. 905-571-2150 F. 905-436-7721



# Canadian Shooting Sports Association Association des Sports de Tir du Canada

*Share the Passion... Partageons notre Passion!*



## The United Nations Firearms Marking System

On December 23rd, 2004, the Government of Canada introduced the new regulations on Firearms Marking. By their own admission, they were intended to comply with the *United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*.

This law, postponed for 12 consecutive years by three consecutive governments, will come into force **June 1, 2017** and its effect on the Canadian firearms industry could be disastrous. This program will require ALL imported guns to be marked with the country and year of import. Canada's marking regulations (**passed into law** but not yet in force) are the following:

### MARKING OF IMPORTED FIREARMS (Bill C-10A Regulations)

3. (1) Every individual, business or public service agency that imports a firearm shall ensure that the **firearm is marked in accordance with section 4 before the 60th day after its release as defined in subsection 2(1) of the Customs Act or before transferring the firearm, whichever occurs first.**

(2) Subsection (1) does not apply to

(a) a firearm imported by an individual under section 35 or 35.1 of the Act;

(b) a specially imported firearm;

(c) a protected firearm;

(d) a firearm that was initially exported from Canada by an individual or business if the individual or business retained ownership of the firearm while the firearm was outside Canada; or

(e) a firearm that was initially exported from Canada by a public service agency and that was retained by that agency as an agency firearm while the firearm was outside Canada.

### MANNER OF MARKING

4. (1) The firearm shall be marked by permanently stamping or engraving on the **firearm's frame or receiver** the word "Canada" or the letters "CA" and

(a) in the case of a manufactured firearm, the name of the manufacturer and the firearm's serial number; and

(b) in the case of an imported firearm, the last two digits of the year of the importation.

(2) The markings shall

(a) be legible;

(b) have a depth of at least 0.076 mm and a height of at least 1.58 mm; and

(c) subject to subsection (3), be visible without the need to disassemble the firearm.

(3) In the case of an imported firearm, the Registrar, on application by the individual, business or public service agency that is importing it, shall grant the applicant an exemption from the requirement set out in paragraph

(2)(c) if

(a) marking the firearm in a place that is visible only by disassembling the firearm is consistent with the current practices of the manufacturer of that model of firearm;

(b) the firearm does not provide a visible space suitable to stamp or engrave the markings;

(c) the firearm is rare;

- (d) the firearm is of a value that is unusually high for that type of firearm and that value would be significantly reduced if the markings were visible without disassembly; or
- (e) the firearm is imported by a business that holds a licence for the purpose of using the firearm in respect of motion picture, television, video or theatrical productions or in publishing activities.

\*\*\*\*\*

The above appears in Canada's Marking Regulations. The intention of the Canadian Regulations is to put "CA-15" on the frame or receiver of all newly imported guns. It doesn't sound like much, but in truth, its impact on Canadian industry is somewhat different and considerably darker than what appears by a simple reading of the above text. It may spell the end for much of Canada's gun industry.

The first issue is that the marking of firearms imported into the United States has been addressed for a long time in one form or another; imports represent a small portion of their domestic consumption, and several foreign manufacturers such as Beretta, SIG and Glock have built production facilities in the U.S. to obtain a stronger market base. In Canada, this situation does not exist and we have a very small production industry for domestic consumption and precious few imports due to our restrictive legislation and smaller population base. This significantly differs from the practices of the world's largest producer / consumer of firearms.

Canada represents between 1% and 4% of the world market for firearms. The vast majority of our firearms imports are new firearms which the manufacturers have refused to mark especially for Canada, a very small percentage of their world market. Indeed, many of the world's largest manufacturers have already told us that we will have to put the U.N. Marking on ourselves.

#### **The next issue is, How do we apply the Marking?**

Canada does not have a large firearms manufacturing industry for domestic consumption, and Canadian importers do not have an existing setup that could be modified for this purpose, since they do no manufacturing. The time and cost to do this would be borne by the importers who would then have to pass these costs on to the Canadian consumer.

The only practical method of adding markings is by Computer Numerically Controlled (CNC) Laser Engraving. Firearms are made out of many different materials with different finishes( case hardened, camouflage film, plating etc.) and only the computerized laser has the versatility to engrave different grades of steel, aluminum, titanium, alloys, brass, case hardening, plated metals and polymer frames/receivers. High grade engraved receivers are another issue entirely.

However, the specialized laser engraving units are expensive, with costs approaching \$100,000. Also, the jigs, fixtures and retainers for each make and model of manufactured firearm will be different from each other, and **can cost as much as \$30,000 each**. There are literally thousands of different models required.

This costly process is also time consuming if attempted in Canada. Each importer would have to prepare a proper "factory area", something they do not have in terms of sufficient space in existing facilities, or the profit margins to move to larger single purpose premises. In addition, specifically trained CNC employees would be needed solely for the purpose of marking imports with "CA 15".

The actual marking process, if the necessary fixtures and laser equipment were available, entails that each firearm be removed from inventory, removed from its packaging, cleaned, disassembled if necessary, placed into a specific type fixture, engraved as required, refinished as needed and re-greased, repackaged and returned to inventory.

All of this must also, of course, be scrupulously paper worked. A time/cost analysis conducted with a major Canadian importer of firearms showed a best time of **20 minutes per firearm** to do these tasks, or some 24 guns per eight hour shift. Factor this into the hundreds of thousands of firearms imported into Canada every year and the problem is obvious. Major importers will need several skilled full time employees (specifically trained CNC operators) doing nothing but applying the cursed U.N. mark to the guns, with expensive CNC machines, using expensive fixtures for each model of gun, in expensive new premises.

To stay in business, this enormous cost can only be absorbed by being passed on to the consumer, and **the cost of a new firearm in Canada will skyrocket, perhaps more than \$200 per firearm in the first five years**, per CSAAA (Canada's industry organization) estimates. **This is the average cost applicable to any firearm regardless of retail price. It also makes the assumption that the importer can withstand the astronomical set up costs and is still in business.**

This means a new firearm retailing at \$150 will rise to about \$350, while one retailing at \$1,000 will rise to about \$1,200. Based upon recent imports, this could result in a net cost to Canada's firearms industry of approximately \$60 million per year after the set up costs.

As if that isn't enough, how will sellers of these firearms deal with the chronic corrosion problems (the laser burns through the firearm's finish, of course). Marking the guns this way will certainly invalidate the factory warranty, and repair costs will therefore fall upon the Canadian industry. There may even be serious metallurgical issues caused by the application of intense heat to certain materials. Certainly any collector's value will be destroyed and the resale value will be correspondingly reduced.

It is the considered opinion of the CSSA that the Canadian firearms industry cannot survive such a debilitating situation. Recovery would be highly doubtful at best.

The U.N. Marking System cannot be allowed to proceed forward in Canada. The livelihoods of thousands of Canadians and the economic health of a thriving industry depend upon its repeal.

For more information please contact us at 905-571-2150 or email [abernardo343@rogers.com](mailto:abernardo343@rogers.com)

**Pages 91 to / à 94  
are not relevant  
sont non pertinentes**

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**UNIFOR**  
the Union lesyndicat

**New Westminster Office**  
326 - 12<sup>th</sup> Street 2<sup>nd</sup> Floor  
New Westminster, British Columbia  
V3M 4H6

**Bureau de New Westminster**  
326 - 12<sup>e</sup> rue, 2<sup>e</sup> étage  
New Westminster (Colombie-Britannique)  
V3M 4H6

**JERRY DIAS**  
National President  
Président national

**RENAUD GAGNÉ**  
Quebec Director  
Directeur québécois

**PETER KENNEDY**  
National Secretary-Treasurer  
Secrétaire-trésorier national

May 10, 2016

The Honourable Ralph Goodale  
Minister of Public Safety  
House of Commons  
Ottawa, ON, K1A 0A6

Via Email [ralph.goodale@parl.gc.ca](mailto:ralph.goodale@parl.gc.ca)

Dear Minister Goodale,

RE: Safety in the Armored Car Industry

We write further to our introduction on April 30<sup>th</sup> during the Unifor Prairie Council in Regina, Saskatchewan.

As you may recall during our brief discussion, I raised Unifor's concerns regarding the Armoured Car Industry in Canada, specifically the fact that there are no national standards for the transport of currency and valuables by armoured car.

This fundamental factor has the potential to escalate the incidences of armed robbery and gun crime, which in our view will increase the risk of harm to armored car employees and the public.

Therefore, in furtherance to Unifor National President Jerry Dias' letter to you of April 15, 2016, as well as Unifor National Representative Mike Armstrong's letter dated April 26, 2016, we urgently request to meet with you to discuss matters related to gun crime, public safety and regulatory issues surrounding Canada's armoured car sector

We look forward to a positive response and a chance to discuss with you these important issues as soon as possible.

Sincerely,



Bruce Snow  
National Representative  
Email: [bruce.snow@unifor.org](mailto:bruce.snow@unifor.org)  
Cell: 604-816-1607

BS:dn/cope343

Sec. Serv. PS/Serv. Sec. SP  
**Received / Reçu**  
MAY 11 2016

T.D. No. No. T.D. *GDL-004032*  
File No. *1020-2*  
C.C.

- cc. Bob Orr, Assistant to the President, Unifor;
- Roland Kiehne, Unifor Director Membership Mobilization & Political Action;
- Angelo Dicaro, Unifor National Representative, Research Department;
- Mike Armstrong, Unifor National Representative

**Page 96**  
**is not relevant**  
**est non pertinente**

THE HONOURABLE MR. JUSTICE D.F. MCLEOD  
ONTARIO COURT OF JUSTICE



COURT HOUSE  
SUITE 100  
7755 HURONTARIO STREET  
BRAMPTON, ONTARIO L6W 4T6  
CANADA

L'HONORABLE JUGE D.F. MCLEOD  
COUR DE JUSTICE DE L'ONTARIO

PALAIS DE JUSTICE  
BUREAU 100  
7755, RUE HURONTARIO  
BRAMPTON (ONTARIO) L6W 4T6  
CANADA

TELEPHONE/TÉLÉPHONE (905) 456-4830  
FAX/TÉLÉCOPIEUR (905) 456-4829

May 26, 2016

VIA FAX: 1-613- 952-2240

EMAIL: justine.villeneuve@canada.ca

Sec. Serv. PS/Serv. Sec. SP  
Received / Reçu  
MAY 26 2016

The Honourable Ralph Goodale  
Minister of Public Safety and Emergency Preparedness  
269 Laurier Avenue West  
Ottawa, Ontario  
K1A 0P8

T.E. No. 4DL-004456  
FII No. 1020-2  
C.C.

Dear Minister:

**Re: Summit of African Canadian Leaders**

I am writing to request your attendance at a Summit of African Canadian Community Leaders to address the escalation of fatal gun violence that is devastating our community throughout the Greater Toronto Area. This violence is seriously impacting on the safety and security of the Black community. Over 98% of the violent shootings this year have involved African Canadian young men as the intended targets and in many instances the persons of interest associated with the alleged crime are also African Canadian. On May 15, 2016, Candice Rochelle Bobb, a pregnant African Canadian woman was tragically killed by gun violence.

This Summit is being organized by African Canadian Leaders in an attempt to consider, address and recommend concrete solutions with realistic checks and balances to a problem that requires attention from all levels of government. This Summit will deal with an issue that strikes at the very core of the African Canadian community. As such, there will be no press release or media scrum prior to or after the meeting. The intention of this community Summit is to bring together all levels of government with Community Leaders, the Judiciary, Crown Attorneys, Defence Counsel, Educators, Mental Health Clinicians, Social Workers, Media Personalities, as well as those who have lived and worked in the various communities impacted by the violence for a constructive solution focused dialogue. The Summit is an effort by African Canadian Community Leaders to address the increasing gun violence and the underlying problems associated with it.

As the Minister for Public Safety and Emergency Preparedness, your presence is integral to the discussion and solution and demonstrates that the safety and security of African Canadians and the Black community is important to the federal government of Canada.

-2-

The Summit will be held on Sunday June 19, 2016, from 1:00 to 5:00 p.m. at the Regent Park Community Centre located 402 Shuter Street, Toronto M5A 1X6. We would like to use this opportunity to outline critical concerns and develop a proactive and holistic approach, to a problem that continues to rob our community of social capital while further stigmatizing the African Canadian community.

Please contact Marty Starkman at [Martin.Starkman@ontario.ca](mailto:Martin.Starkman@ontario.ca) or 905-456-4700 ext. 5152 to confirm your attendance.

We look forward hearing from you and to your participation at the Summit on June 19, 2016.

Yours truly,

Justice Donald F. McLeod

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## Recommendation – GDL-004456

**Name of ADM who approved the recommendation:** Kathy Thompson

**Date recommendation approved:**

### **Issue:**

You have been invited to attend the Summit of African Canadian Community Leaders in Toronto on June 19, 2016 (**TAB A**).

### **Background:**

- The Summit has been organized to consider, address and recommend concrete solutions to the escalation of gun violence affecting the African Canadian community in the Greater Toronto Area.
- It is anticipated that in attendance will be representatives from all levels of government, community leaders, members of the judiciary, Crown Attorneys, Defence Counsel, educators, mental health professionals, social workers, media as well as members of the community.
- The goal of this Summit is to understand gun violence in the African Canadian community in an effort to develop a proactive and holistic solution.

### **Considerations:**

- Public Safety Canada officials are currently developing a strategy on how the federal government can best support jurisdictions in their ongoing efforts to reduce guns and gang violence in their communities.

### **Recommendation:**

Given your schedule does not permit your participation, it is recommended that you send a senior official (i.e., Deputy Minister or Assistant Deputy Minister) to attend on your behalf. It is also recommended that you indicate your interest in obtaining a copy of the findings and recommendations that may come from the Summit. This will help to inform work on the platform commitment to support the provinces and territories in their efforts to take illegal guns off our streets and reduce gang violence (**TAB B**).

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THE HONOURABLE MR. JUSTICE D.F. MCLEOD  
ONTARIO COURT OF JUSTICE

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SUITE 100  
7755 HURONTARIO STREET  
BRAMPTON, ONTARIO L6W 4T6  
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L'HONORABLE JUGE D.F. MCLEOD  
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May 26, 2016

VIA FAX: 1-613- 952-2240

EMAIL: justine.villeneuve@canada.ca

The Honourable Ralph Goodale  
Minister of Public Safety and Emergency Preparedness  
269 Laurier Avenue West  
Ottawa, Ontario  
K1A 0P8

Add-to  
CNDL-004456  
[Stamp: Serv. Sec. SP  
Reçu  
MAY -9 2016]

hard copy.

Dear Minister:

**Re: Summit of African Canadian Leaders**

I am writing to request your attendance at a Summit of African Canadian Community Leaders to address the escalation of fatal gun violence that is devastating our community throughout the Greater Toronto Area. This violence is seriously impacting on the safety and security of the Black community. Over 98% of the violent shootings this year have involved African Canadian young men as the intended targets and in many instances the persons of interest associated with the alleged crime are also African Canadian. On May 15, 2016, Candice Rochelle Bobb, a pregnant African Canadian woman was tragically killed by gun violence.

This Summit is being organized by African Canadian Leaders in an attempt to consider, address and recommend concrete solutions with realistic checks and balances to a problem that requires attention from all levels of government. This Summit will deal with an issue that strikes at the very core of the African Canadian community. As such, there will be no press release or media scrum prior to or after the meeting. The intention of this community Summit is to bring together all levels of government with Community Leaders, the Judiciary, Crown Attorneys, Defence Counsel, Educators, Mental Health Clinicians, Social Workers, Media Personalities, as well as those who have lived and worked in the various communities impacted by the violence for a constructive solution focused dialogue. The Summit is an effort by African Canadian Community Leaders to address the increasing gun violence and the underlying problems associated with it.

As the Minister for Public Safety and Emergency Preparedness, your presence is integral to the discussion and solution and demonstrates that the safety and security of African Canadians and the Black community is important to the federal government of Canada.

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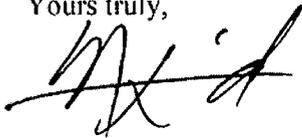
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**The Summit will be held on Sunday June 19, 2016, from 1:00 to 5:00 p.m. at the Regent Park Community Centre located 402 Shuter Street, Toronto M5A 1X6. We would like to use this opportunity to outline critical concerns and develop a proactive and holistic approach, to a problem that continues to rob our community of social capital while further stigmatizing the African Canadian community.**

Please contact Marty Starkman at [Martin.Starkman@ontario.ca](mailto:Martin.Starkman@ontario.ca) or 905-456-4700 ext. 5152 to confirm your attendance.

We look forward hearing from you and to your participation at the Summit on June 19, 2016.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. McLeod', written over a horizontal line.

Justice Donald F. McLeod

**Page 105**  
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**est non pertinente**

## Recommendation – GDL-004456

**Name of ADM who approved the recommendation:** Kathy Thompson

**Date recommendation approved:**

JUN 08 2016

### **Issue:**

You have been invited to attend the Summit of African Canadian Community Leaders in Toronto on June 19, 2016 (TAB A).

### **Background:**

- The Summit has been organized to consider, address and recommend concrete solutions to the escalation of gun violence affecting the African Canadian community in the Greater Toronto Area.
- It is anticipated that in attendance will be representatives from all levels of government, community leaders, members of the judiciary, Crown Attorneys, Defence Counsel, educators, mental health professionals, social workers, media as well as members of the community.
- The goal of this Summit is to understand gun violence in the African Canadian community in an effort to develop a proactive and holistic solution.

### **Considerations:**

- Public Safety Canada officials are currently developing a strategy on how the federal government can best support jurisdictions in their ongoing efforts to reduce guns and gang violence in their communities.

### **Recommendation:**

Given your schedule does not permit your participation, it is recommended that you send a senior official (i.e., Deputy Minister or Assistant Deputy Minister) to attend on your behalf. It is also recommended that you indicate your interest in obtaining a copy of the findings and recommendations that may come from the Summit. This will help to inform work on the platform commitment to support the provinces and territories in their efforts to take illegal guns off our streets and reduce gang violence (TAB B).

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March 27, 2017

The Hon. Ralph Goodale  
Minister of Public Safety and Emergency Preparedness  
House of Commons  
Ottawa, Ontario K1A 0A6

Dear Minister,

Although completely preventable, many children and teens are still injured or killed by guns each year. Canada continues to have one of the highest rates of youth death from guns in the developed world, including a shocking rate of suicides.

Impulsivity is an important factor in teen suicide. Most individuals who fail a suicide attempt do not attempt it again. Because firearms carry the highest case-fatality rate of all suicide methods, it is not surprising that the availability of a firearm in the home presents a strong risk factor for teen suicide completion – an issue that your colleague, Minister Philpott is very concerned with.

Our Adolescent Health Committee released a position statement today entitled, *The prevention of firearm injuries in Canadian youth* (also attached), urging all levels of government to legislate stricter controls on the acquisition, transport, ownership and storage of firearms.

To reduce the availability of firearms to youth, the CPS specifically recommends:

- Measures to reduce the illegal importation of firearms into Canada, especially from the United States.
- Tighter restrictions on semi-automatic (military style) firearms.
- Evidence-based, appropriately funded gang prevention initiatives in communities where youth are at high risk for gang involvement.
- Research on risk factors for targeted school violence, along with evidence-based programs to prevent bullying in schools and improve access to mental health services for children and youth at risk.
- Classifying air guns and BB guns whose projectile velocity is great enough to cause eye or skin penetration as firearms under Canada's *Firearms Act*. Regulate air guns and BB guns with lower projectile velocities under the *Canada Consumer Product Safety Act*.

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File No. 1020-2  
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The CPS is keen to support the government's initiatives to decrease access to dangerous weapons. We commend the government for adding members of public health to the membership of the Canadian Firearms Advisory Committee. Our leadership would welcome the opportunity to meet with you to discuss our specific recommendations for keeping Canada's children and youth safe.

Your office can contact Marie Adèle Davis, Executive Director at 613-526-9397 or [madavis@cps.ca](mailto:madavis@cps.ca) to schedule a meeting at your earliest convenience.

Sincerely,



Jonathan Kronick, MD, PhD, FRCPC  
CPS President



Marie Adèle Davis, MBA  
CPS Executive Director

c. Hon. Jody Wilson-Raybould, Minister of Justice  
Hon. Dr. Jane Philpott, Minister of Health  
Hon. John C. Major, Chair, Canadian Firearms Advisory Committee  
Jean-Marie David, Clerk of the Standing Committee on Public Safety and National Security



# The prevention of firearm injuries in Canadian youth

Katherine Austin, Margo Lane; Canadian Paediatric Society  
Adolescent Health Committee  
Posted: Mar 27 2017

## Abstract

Firearm injuries are a significant and preventable cause of death in Canadian youth. Adolescent and young adult males are disproportionately affected; however, firearm-related deaths occur in youth of all ages. Canada's rate of firearm ownership is lower than that of the United States, but high compared with many other upper-income countries. The availability of firearms to youth is an important factor in adolescent suicide, unintentional firearm deaths, gang homicide and school shootings. Guns should not be kept in homes or environments where children and adolescents live or play. Screening for the presence of a firearm in the home is an essential part of the safety assessment of a depressed or suicidal youth, and removal of the firearm from the home must be recommended in this situation. Legislative measures to strictly control the acquisition, transport, ownership and storage of firearms, and to reduce smuggling of firearms, are also recommended.

**Key Words:** Adolescent; Child; Firearm; IPV; Non-powder firearm; Targeted school violence

Firearm injuries are a significant and preventable cause of death in Canada, both in the general population and in youth. This statement reviews the burden of

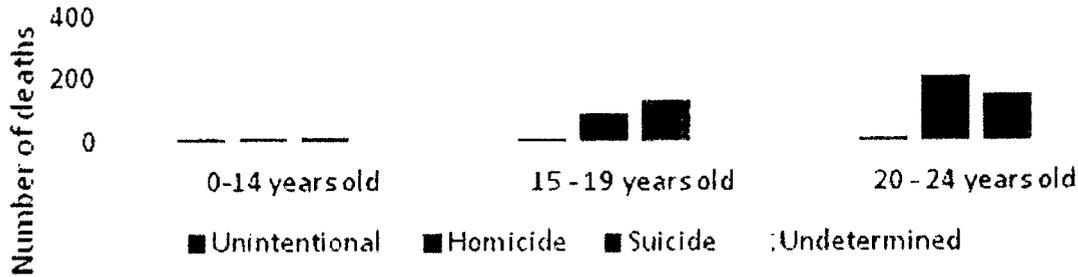
firearm-related injuries in Canadian youth and the elevated risk of completed suicide associated with the presence of a firearm in the home. It also examines the issues of homicide and gang violence, and the risk factors for school shootings. The dangers of non-powder firearms (such as BB guns and air guns), are also reviewed.

## Scope of the problem and international comparisons

From 2008 to 2012, 3,688 Canadians of all ages died from firearm injuries.<sup>[1]</sup> This number includes injuries from unintentional (accidental) and intentional (suicides and homicides) firearm injuries. A total of 635 of these deaths occurred in youth age 24 and under. Young males, in particular, are at disproportionate risk of firearm injuries: of all firearm deaths among 15- to 24-year-olds, 94% were in males. In the same time period, males in this cohort were more likely to die from firearm injuries (601 deaths) than from fires, falls and drowning combined (350), or from cancer (511).<sup>[2]</sup>

Risk for various types of firearm death changes with age (Figure 1). From 2008 to 2012, among adolescents (15 to 19-year-olds), the majority (56%) of firearm deaths were suicides, whereas among young adults (20 to 24-year-olds), homicides comprised the majority of firearm deaths (55%). In the same time period, in younger children (under 15 years of age), there were 15 suicides, 10 homicides, 7 unintentional deaths and 2 whose type was undetermined.

**Figure 1: FIREARM DEATHS BY TYPE AND AGE GROUP  
2008-2012**

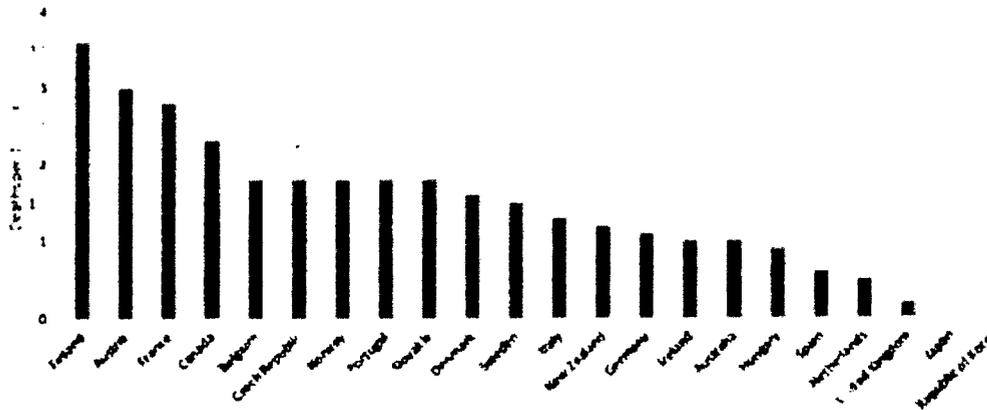


Data from reference 1

The firearm death rate (for all ages) in the United States (10.2/100,000) is much greater than in Canada (2.3/100,000).<sup>[3]</sup> However, it should not be assumed that a lower rate of firearm deaths in Canada means there is no problem. A study of firearm mortality rates in the United States and 22 other high income countries,

using WHO data, showed that Canada ranked fifth overall in firearm death rate. To demonstrate important differences among the non-US countries, US data were removed from chart. When the US data are removed, Canada is seen to be fourth among the non-US countries in firearm mortality rates (Figure 2).

**Figure 2: FIREARM DEATH RATES OECD COUNTRIES  
2010**



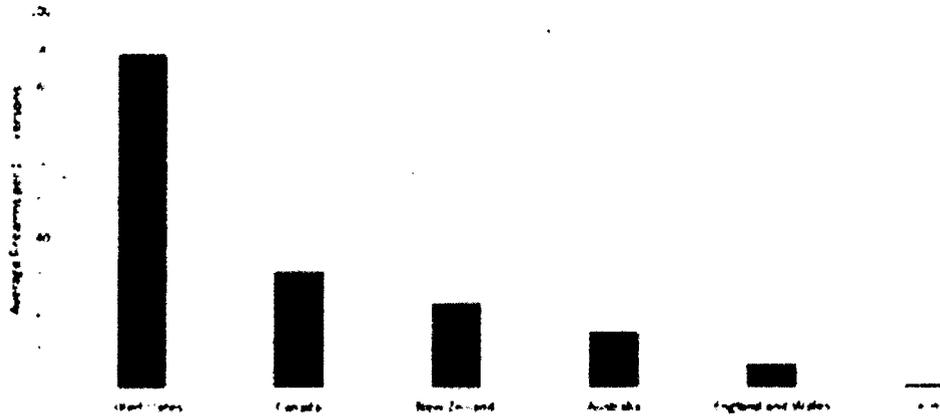
Data from reference 3

In the 2007 Small Arms Survey, Canada ranked 13th (out of 178 countries studied) for civilian firearm own-

ership (Figure 3). While the Canadian rate of guns owned/100 persons (30.8) is well below that of the United States (88.8), it exceeded those of New

Zealand, Australia, England and Wales and Japan (0.6).<sup>[4]</sup>

**Figure 3: Firearm Ownership International Comparisons**

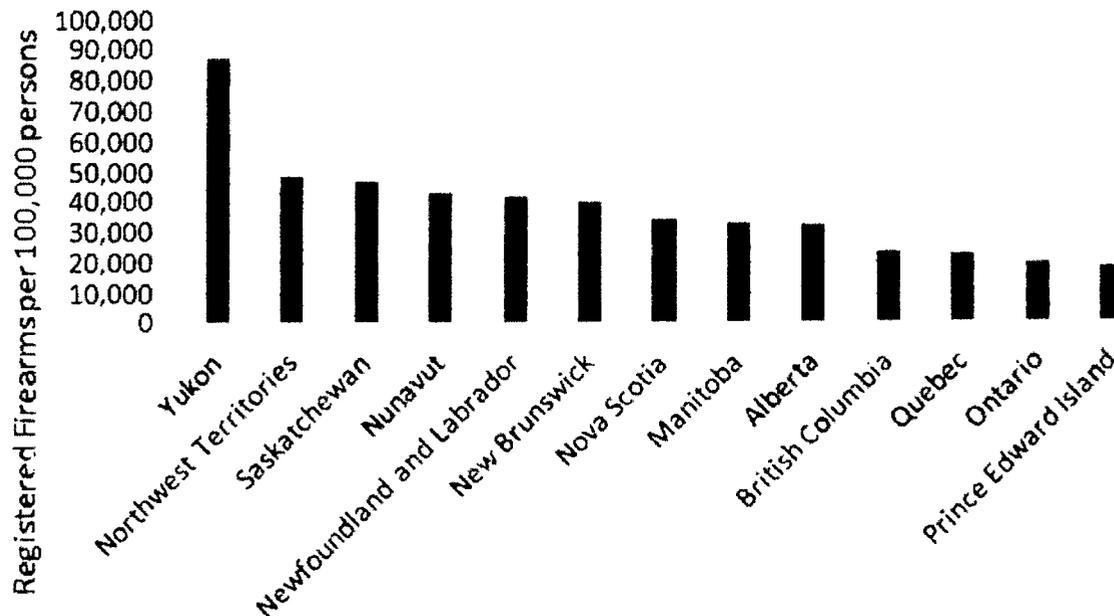


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The most recent estimate of home ownership of firearms in Canada (2002), based on survey findings, was that 17% of households in Canada owned a gun. While the mean number of guns owned by an individual gun-owner was 3.22, the top 3% of firearms owners owned 15% of all guns. These 3% owned, on average, 15.5 guns per owner.<sup>[5]</sup>

In September 2011, the RCMP released the last report which was able to utilize data from registration of firearms. At that time, there were 7,865,994 firearms registered in Canada. The Canadian Firearms Program data show a wide variation in firearm ownership by province/territory (Figure 4). The Yukon had the highest per capita number of registered guns (87,278/100,000 persons) and Prince Edward Island had the lowest (18,029/100,000).<sup>[6]</sup>

**Figure 4: Registered Firearms by Province/Territory  
Canada, 2011**



Data from reference 6

The majority of firearms in Canada are long guns (rifles and shotguns). Of the 7,865,994 firearms registered in Canada in 2011, 7,137,386 (91%) were rifles or shotguns.

### **Child and adolescent development and the risk of a firearm in the home**

Children and adolescents have developmental characteristics that put them at increased risk for firearm injury. Children lack the experience, cognitive development and impulse control to distinguish a toy gun from a real one, to understand the consequences of gun handling, and to consistently avoid doing something they have been told not to.<sup>[7]</sup> While adolescents have more advanced cognitive capacity than children, they remain vulnerable to injury because they have incompletely developed self-regulation skills, such as impulse control. Self-regulation skills can be particularly impaired in situations involving peers, high levels of emotion and substance use.<sup>[8]</sup>

### **Suicide, homicide and unintentional death in the home**

**Suicide and homicide:** There is a strong positive correlation between the availability of a firearm in the home and the risk of completed suicide and homicide. A 2014 meta-analysis of 15 studies from the United States, New Zealand and Ireland analyzed the relationship between access to a firearm in the home and the risk of suicide and homicide for family members. The odds ratio (O.R.) for a completed suicide of a family member with access to a firearm, versus no access to a firearm, was 3.24. The O.R. for being a victim of homicide was 1.94.<sup>[9]</sup>

**Intimate partner violence:** Family violence and intimate partner violence cause suffering, physical harm and long-lasting behavioural consequences for youth.<sup>[10]-[12]</sup> Intimate partner violence (IPV) is the most common form of violence against women in Canada.<sup>[13]</sup> In 2014, there were 83 intimate partner homicides in Canada.<sup>[14]</sup> A Canadian report on family murder-sui-

cides from 2001 to 2011 found that firearms were the most common cause of death in spousal murder-suicides and in murder-suicides involving child and youth victims.<sup>[15]</sup> The availability of a firearm to a perpetrator is a risk factor for fatal IPV.<sup>[16]</sup> Compared with other methods, such as knives or bodily force, the use of a firearm in a family or intimate assault is associated with a higher likelihood of a fatal outcome.<sup>[17]</sup> The Society of Obstetricians and Gynaecologists of Canada, in their Intimate Partner Violence Consensus Statement, recommended that: "[health care] providers should include queries about violence in the behavioural health assessment of new patients, at annual preventive visits, as part of prenatal care, and in response to symptoms or conditions associated with abuse".<sup>[18]</sup> When there is concern regarding IPV or family violence, the presence of a firearm in the home must be determined and, if present, should be considered a risk factor for homicide of a family member.

**Unintentional deaths:** A Canadian study of mortality from unintentional firearm injury found a strong positive correlation between death rates from unintentional firearm injuries and provincial rates of firearm home ownership.<sup>[19]</sup>

Adolescents are especially vulnerable to the risks of having a lethal method accessible in the home. Impulsivity is an important factor in adolescent suicide and most people who fail a suicide attempt do not repeat.<sup>[20]-[22]</sup> Because firearms carry the highest case-fatality rate of all suicide methods, it is not surprising that the availability of a firearm in the home has been shown to be a strong risk factor for adolescent suicide completion.<sup>[23]-[27]</sup>

### **Anticipatory guidance**

Considering the risks associated with a firearm in the home of children and adolescents, anticipatory guidance on this issue by health care providers is essential. Every family, rural and urban, should be screened for gun ownership. Physicians must make parents aware of the risks of firearms availability, and counsel that firearms not be kept in environments where children and adolescents live and play. Parents who decide to keep a gun in the home should be counselled to store firearms unloaded, with a trigger lock or in a locked container, and separate from ammunition. There is evidence to indicate that physician guidance can be effective. A randomized clinical trial involving an office-based violence prevention intervention showed that physician counselling was associated with

a substantial increase in the percentage of families reporting the use of cable locks for storing firearms.<sup>[28]</sup>

Screening for the presence of a firearm in the home should be done as a part of a routine safety assessment in all children or youth struggling with – or at risk for – mood disorders, substance abuse or self-harm behaviours (including a history of suicide attempt). In those cases, a strong recommendation must be made to remove any firearms that are present.

### **Youth and gangs and guns**

In a 2008 report to the Toronto District School Board, the School Safety Advisory Panel found a strong correlation between exposure to firearms and gang involvement.<sup>[29]</sup> In this survey, only 1% of students who had never been involved in a gang reported having had a gun pointed at them at school in the past two years, compared with 11% of former gang members and 19% of current gang members. Gang involvement is an important risk factor for firearm-related youth homicide perpetration. Youth accused of homicide are more likely to be involved in gang-related homicides than adults. According to Statistics Canada, almost one-third (30%) of youth accused of murder in 2012 were involved in a gang-related homicide compared with 13% of adult accused.<sup>[30]</sup> Gang-related homicides are much more likely to involve a firearm, usually a handgun. In 2012, 75% of gang-related homicides involved a firearm, compared with 21% of homicides that were not gang-related. And handguns were used in 80% of gang-related homicides compared with 48% of non-gang-related homicides. The origin of the majority of guns considered by Canadian police to be "crime guns" is the United States.<sup>[31]</sup> The flow of illegal handguns over the border results in availability of firearms to Canadian youth who are gang-involved, increasing their risk of being the perpetrator or victim of firearm-related injury.

Public Safety Canada's National Crime Prevention Centre provided funding to community-based organizations for youth gang intervention projects in communities across Canada from 2007 to 2012. These projects were evaluated for effectiveness. The youth who received the interventions showed improvements in attitudes (e.g., understanding crime-associated risks), risk factors (e.g., unemployment) and behaviours (e.g., gang involvement, police contact).<sup>[32]</sup>

### **School shootings (targeted school violence)**

On January 22, 2016, a 17-year-old student shot and killed two fellow students in a private home before going to La Loche Community School, in La Loche,

Saskatchewan, and fatally shooting two teachers and wounding seven other persons. Responding police officers arrested the suspect on the school premises. He later pleaded guilty to four counts of murder and seven counts of attempted murder. According to news reports, the suspect was bullied for his physical appearance and before arriving at the school, had sent a social media message stating his intention to shoot at the school.

Since 1975, the following incidents of youth-perpetrated targeted school violence have also occurred in Canadian schools:

- 1975: At Centennial Secondary School, in Brampton, Ontario, a 16-year-old male shot and killed a student and a teacher, injured 13 students and committed suicide.
- 1975: At St. Pius X High school, in Ottawa, Ontario, an 18-year-old male killed one student and injured five, and committed suicide. He also killed a 17-year-old friend just before the school shooting.
- 1989: At École Polytechnique, in Montreal, Quebec, a 25-year-old male killed 13 students and one school employee, injured 14, and committed suicide.
- 1999: At W.R. Meyers High School, in Taber, Alberta, a 14-year-old male killed one student, injured another and was arrested.
- 2006: At Dawson College, in Montreal, Quebec, a 25-year-old male killed one student and injured 19, and committed suicide.

In all, there have been six incidents of youth-perpetrated targeted school violence in Canada since 1975, resulting in 25 dead and 59 injured.

While school shootings represent only a small fraction of homicides, they have a tremendous impact on the schools and communities in which they occur, as well as the nation. "Targeted school violence" is a term that was developed to describe homicidal violence in which a school is specifically selected as the site of attack, while the target may be a specific individual or a group or category of individuals.<sup>[33]</sup>

Youth who perpetrate targeted school violence are usually male; however, they otherwise show a wide range of demographic, family and social characteristics.<sup>[33][34]</sup> Some common findings are:

1. Two-thirds of adolescent perpetrators had experience with weapons use and had a firearm available to them in their own home or that of a relative.
2. Many attackers felt bullied or persecuted by others.
3. Many had depressive symptoms or suicidal ideation before the incident, though only a minority had received a mental health evaluation or diagnosis.
4. The incidents were preceded by advance planning and were usually not impulsive. Most of the adolescents made one or more peers aware of their plans in advance.

Strategies to prevent targeted school violence have been instituted in a number of countries. Considering the infrequent nature of these incidents, it is impossible to evaluate programs for effectiveness in preventing further incidents. However, based on typical characteristics of targeted school violence, the following interventions have been suggested:

- The removal of firearms from the homes of adolescents and children, and prohibition of the sale or possession of semi-automatic (military style) firearms to reduce the lethality of incidents.
- Training students and teachers to identify and report threats of and planning for school violence.
- Addressing bullying in schools.
- Providing mental health services which can identify and respond to students experiencing depression and suicidal ideation.

It must be emphasized that mental illness is not a root cause of gun violence. The majority of mentally ill persons do not commit violent acts, and most violent individuals do not have a mental illness.<sup>[35][36]</sup> Clinicians who assess youth for risk of violence should be guided by use of evidence-based risk-assessment tools, which focus on individual risk factors for violence as opposed to the presence or absence of mental illness.<sup>[37][38]</sup>

## **Non-powder firearms: Air guns, BB guns, paintball and airsoft guns**

Air guns and BB guns that shoot a projectile at speeds less than 182 metres per second are not considered 'firearms' for the purposes of the licensing, storage and transportation regulations of Canada's Firearms Act.<sup>[39]</sup> They are also not regulated by the Canada Consumer Product Safety Act. However, some modern-day air guns and BB guns have projectile velocities only slightly under 182 metres per second. Many of these weapons achieve velocities adequate to penetrate the eye and skin.<sup>[40]-[42]</sup> Multiple case series of air and BB gun injuries have shown that they can cause serious injuries to the heart, head, brain, eye and neck, and may result in death.<sup>[43]-[47]</sup> Non-powder firearms should not be considered as toys, and their injuries should be as promptly assessed and managed as for gunshot wounds.

Considering their potential to cause serious bodily harm or death, non-powder firearms that have projectile velocity adequate for skin and eye penetration should be classified as firearms and regulated as such, while non-powder firearms with lower projectile velocities should be brought under the control of the Canada Consumer Product Safety Act.

The sport guns used in airsoft and paintball are also associated with ocular injuries, which can be particularly severe and complex and lead to permanent visual deficits or blindness.<sup>[48]-[52]</sup> The use of masks and eye gear is generally protective, and most injuries occur either when goggles are removed prematurely or during informal recreational play, when eye protection is not worn. Youth should only use paintball and airsoft guns in reputable arenas, with adult supervision. Informal use of paintball or airsoft guns by youth should be strongly discouraged.

### **Recommendations for the clinician**

Health care providers can help reduce risk for firearm-related injuries and deaths by using the following best practices:

- Counsel families that firearms should not be present in homes or environments in which children and adolescents live and play. When a firearm is present, it must be stored according to the regulations of Canada's Firearms Act: unloaded, locked and separate from its ammunition.

- Ask routinely about the presence of a firearm in the home and inform parents of the risks of home ownership if one is present. Highlight the developmental characteristics that make children and youth particularly vulnerable to death by firearm.
- Screen for the presence of a firearm in the home as part of routine safety assessment for all children or youth struggling with or at risk of mood disorders, substance abuse issues or self-harming behaviours (including a history of suicide attempt). In such cases, a strong recommendation must be made for the removal of any firearms that are present.
- Inform parents that non-powder firearms (e.g., air guns and BB guns) are dangerous weapons; children and adolescents must never use these weapons unless they are supervised closely by an adult. Inform parents that paintball and airsoft guns must be used only in supervised arenas with proper safety gear.
- When assessing children with injuries caused by non-powder firearms, be aware that the pellets can cause significant internal injury.
- When there is concern regarding intimate partner or family violence, inquire about the presence of a firearm in the home and if one is present, recommend its removal.

### **Recommendations for government**

The Canadian Paediatric Society urges all levels of government to legislate stricter controls on the acquisition, transport, ownership and storage of firearms. To reduce the availability of firearms to youth, the CPS specifically recommends the following:

1. Measures to reduce the illegal importation of firearms into Canada, especially from the United States.
2. Tighter restrictions on semi-automatic (military style) firearms; their use increases the lethality of mass shooting incidents.
3. Evidence-based, appropriately funded gang prevention initiatives in communities where youth are at high risk for gang involvement.

4. Research on risk factors for targeted school violence, along with evidence-based programs to prevent bullying in schools and improve access to mental health services for children and youth at risk.
5. Classify air guns and BB guns whose projectile velocity is great enough to cause eye or skin penetration as firearms under Canada's Firearms Act. Regulate air guns and BB guns with lower projectile velocities under the Canada Consumer Product Safety Act.

## Acknowledgements

This position statement has been reviewed by the CPS Action Committee for Children and Teens (ACCCT), as well as by the the Injury Prevention, Community Paediatrics and Mental Health and Developmental Disabilities Committees of the Canadian Paediatric Society.

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# La prévention des blessures par balle chez les jeunes Canadiens

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Comité de la santé de l'adolescent  
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## Résumé

Les blessures par balle sont une cause importante et évitable de décès chez les jeunes Canadiens. Les adolescents et les jeunes adultes de sexe masculin sont beaucoup plus touchés, mais des jeunes de tout âge meurent par balle. Le taux de possession d'armes à feu est plus faible au Canada qu'aux États-Unis, mais il est supérieur à celui de nombreux autres pays à revenu élevé. Chez les jeunes, la présence d'armes à feu est un facteur important de suicide à l'adolescence, de décès accidentel par balle, d'homicide par les gangs et de fusillade dans les écoles. Les armes à feu ne devraient pas être conservées dans des domiciles ou des milieux où des enfants et des adolescents habitent ou jouent. Les questions sur la présence d'armes à feu au domicile d'un adolescent dépressif ou suicidaire constituent un aspect essentiel de l'évaluation de sa sécurité, et dans un tel cas, il faut recommander de retirer les armes à feu de son milieu. Des mesures législatives pour assurer un contrôle rigoureux de l'acquisition, du transport, de la possession et de l'entreposage d'armes à feu et pour en réduire le trafic sont également recommandées.

Les blessures par balle sont une cause importante et évitable de décès au Canada, tant dans l'ensemble de la population que chez les jeunes. Le présent document de principes décrit le fardeau des blessures par balle chez les jeunes Canadiens et le risque élevé

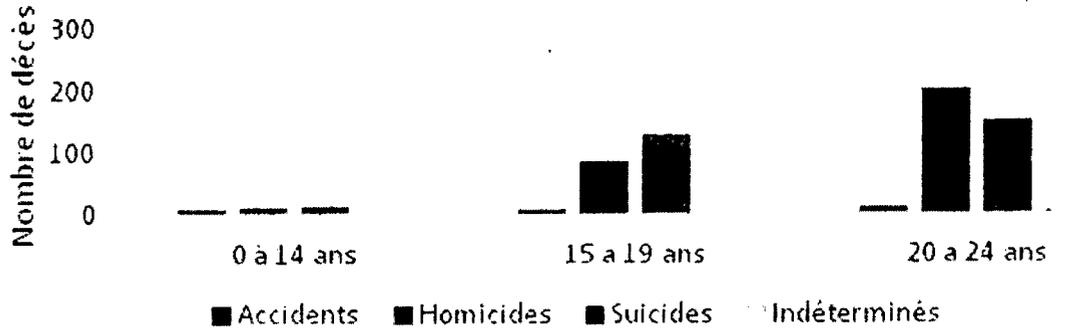
de décès par suicide associé à la présence d'armes à feu au domicile. On y aborde également la question des homicides et de la violence des gangs, de même que les facteurs de risque de fusillades dans les écoles. On y traite enfin des dangers des armes sans poudre (telles que les armes à balles BB et les armes à air comprimé).

## L'étendue du problème et les comparaisons internationales

De 2008 à 2012, 3 688 Canadiens de tout âge sont décédés de blessures par balle<sup>[1]</sup> accidentelles ou intentionnelles (suicides et homicides). Au total, 635 jeunes de 24 ans et moins en ont été victimes. Les jeunes hommes, notamment, courent un risque démesuré de blessures par balle. En effet, 94 % des jeunes de 15 à 24 ans décédés d'une blessure par balle étaient de sexe masculin. Pendant la même période, les hommes de ce groupe d'âge étaient plus susceptibles d'être morts d'une blessure par balle (601 décès) que d'avoir perdu la vie à cause d'un cancer (511) ou d'un incendie, d'une chute ou d'une noyade combinés (350).<sup>[2]</sup>

Les divers types de décès par balle changent en fonction de l'âge (figure 1). De 2008 à 2012, chez les adolescents de 15 à 19 ans, la majorité des décès par balle (56 %) étaient des suicides, tandis que chez les jeunes adultes de 20 à 24 ans, les homicides prenaient la première place (55 %). Pendant la même période, chez les enfants de moins de 15 ans, on a recensé 15 suicides, dix homicides, sept décès accidentels et deux décès de type indéterminé.

**Figure 1 : DÉCÈS PAR BALLE SELON LE TYPE ET LE GROUPE D'ÂGE, DE 2008 à 2012**

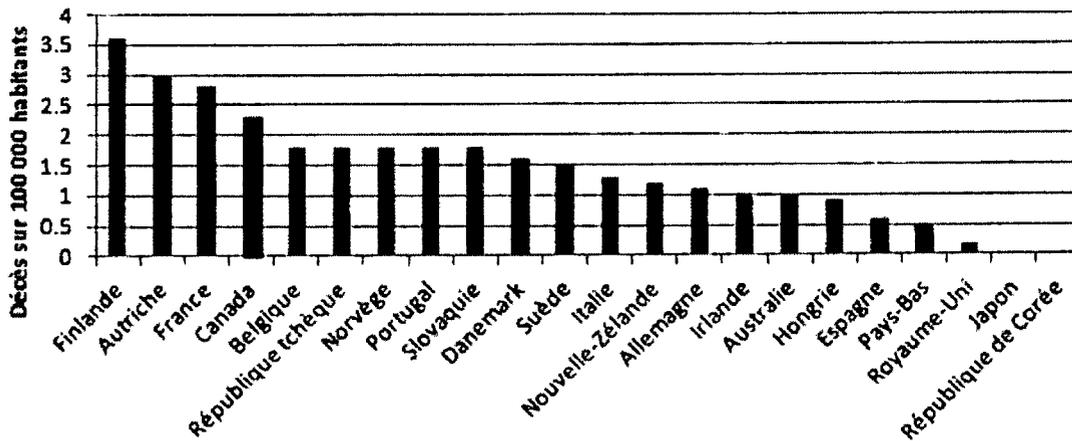


Données tirées de la référence 1

Le taux de décès par balle (à tout âge) est beaucoup plus élevé aux États-Unis (10,2 décès sur 100 000 habitants) qu'au Canada (2,3 décès sur 100 000 habitants).<sup>[3]</sup> Cependant, il ne faut pas présumer qu'en raison de ce taux moins élevé, le Canada n'a pas de problème à cet égard. Une étude du taux de mortalité par balle effectuée aux États-Unis et dans 22 autres pays à revenu élevé à l'aide de données de l'OMS

révèle que le Canada arrivait au cinquième rang en matière de décès par balle. Pour démontrer les différences importantes entre les autres pays que les États-Unis, les données des États-Unis ont été retirées du tableau. Le Canada occupait alors le quatrième rang parmi les autres pays que les États-Unis en matière de taux de mortalité par balle (figure 2).

**Figure 2 : TAUX DE DÉCÈS PAR BALLE DANS LES PAYS DE L'OCDE EN 2010**



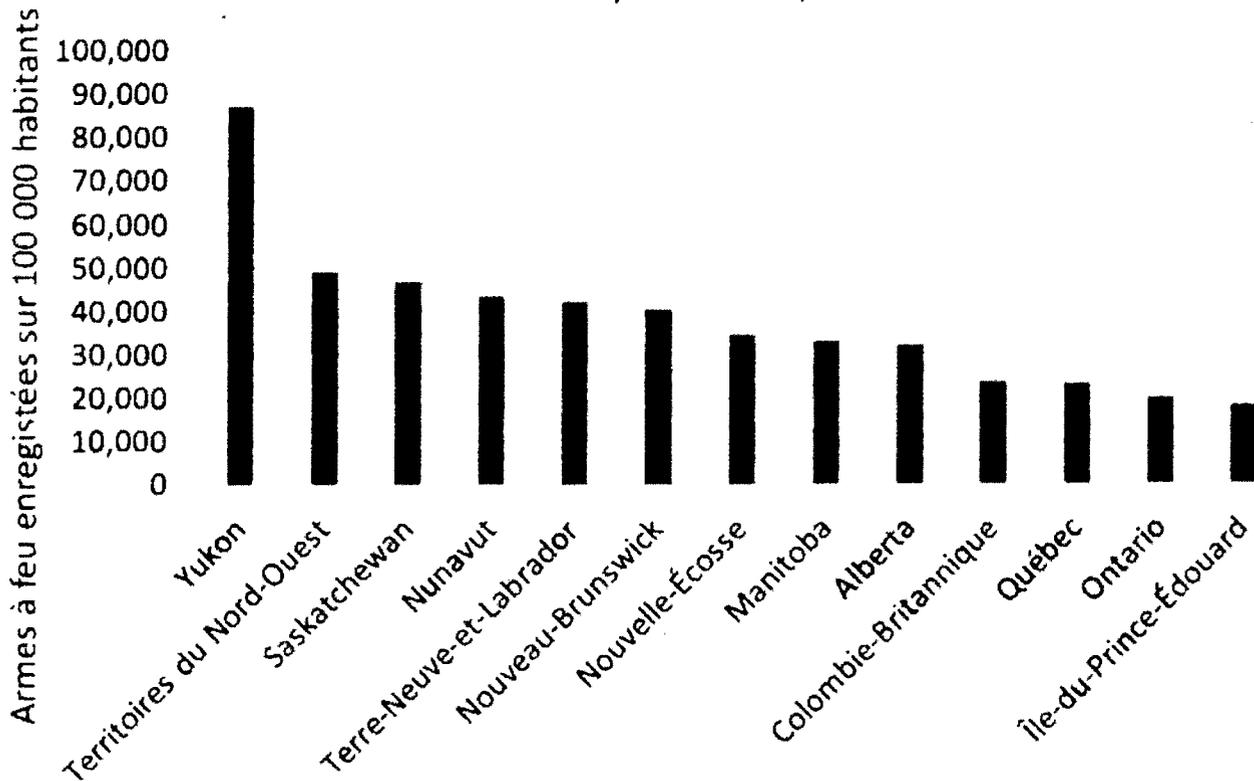
Données de la référence 3

Dans le sondage de 2007 sur les armes de petit calibre, le Canada est arrivé au 13<sup>e</sup> rang en matière de

possession d'armes à feu par des civils sur les 178 pays à l'étude (figure 3). Bien que le taux de possession d'armes (30,8 détenteurs sur 100 000 habitants) se situe bien en deçà de celui des États-

Unis (88,8 détenteurs sur 100 000 habitants), il dépassait les taux de la Nouvelle-Zélande, de l'Australie, de l'Angleterre et du pays de Galles ainsi que du Japon (0,6 détenteurs sur 100 000 habitants).<sup>[4]</sup>

**Figure 4 : Armes à feu enregistrées par province ou territoire, Canada, 2011**



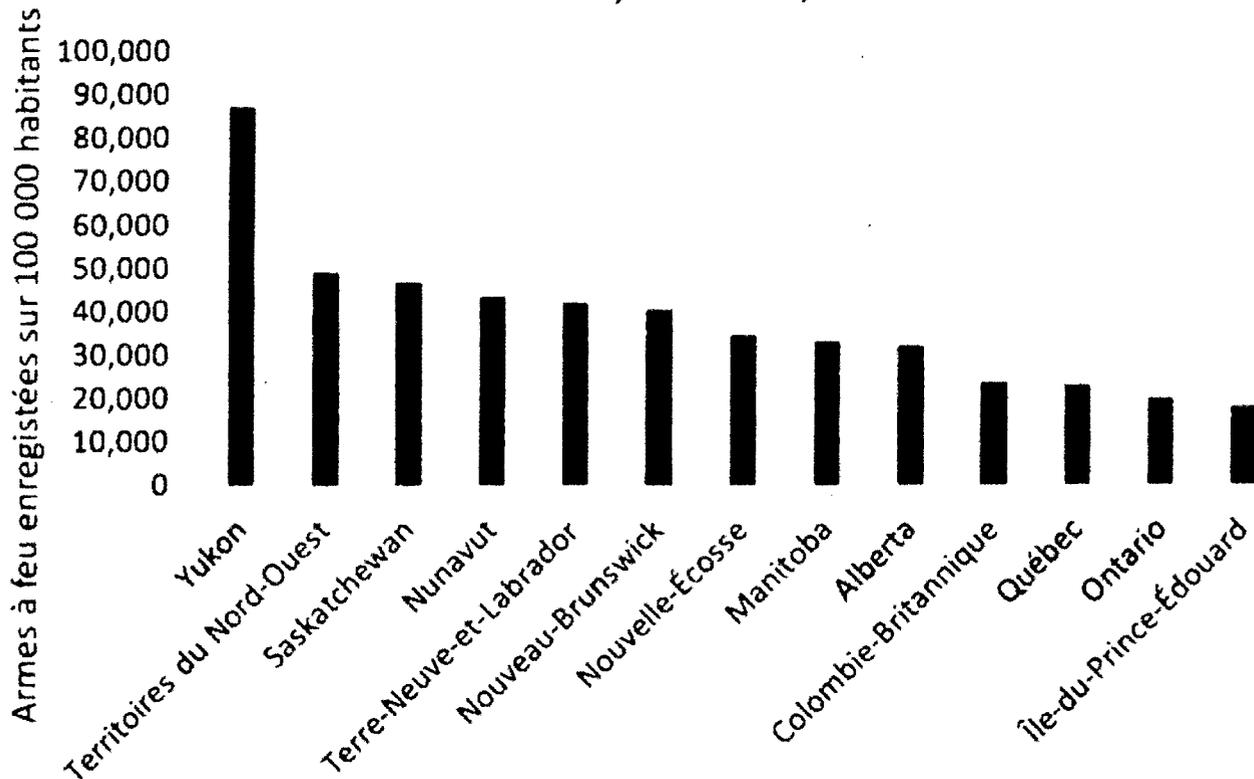
Données tirées de la référence 4

Selon les plus récentes évaluations de possession d'armes à feu à domicile au Canada (2002), qui s'appuient sur les résultats de sondages, 17 % des ménages du Canada possédaient une arme à feu. Chaque propriétaire en détenait en moyenne 3,22, et 3 % d'entre eux possédaient 15 % de toutes les armes à feu en circulation. En moyenne, chacune des personnes formant ces 3 % était propriétaire de 15,5 armes à feu.<sup>[5]</sup>

En septembre 2011, la Gendarmerie royale du Canada (GRC) a publié le dernier rapport qui a pu reposer sur

les données relatives à l'enregistrement des armes à feu. À l'époque, 7 865 994 armes à feu étaient enregistrées au Canada. Les données relatives au Programme canadien des armes à feu révèlent des écarts importants en matière de détention selon la province et le territoire (figure 4). C'est au Yukon qu'on recensait le nombre le plus élevé d'armes enregistrées per capita (87 278 armes sur 100 000 habitants) et à l'Île-du-Prince-Édouard, le plus faible (18 029 armes sur 100 000 habitants).<sup>[6]</sup>

**Figure 4 : Armes à feu enregistrées par province ou territoire, Canada, 2011**



Données tirées de la référence 6

La majorité des armes à feu au Canada sont des armes d'épaule (carabines et fusils de chasse). Ainsi, des 7 865 994 armes à feu enregistrées en 2011 au Canada, 7 137 386 (91 %) étaient des carabines ou des fusils de chasse.

### **Le développement de l'enfant et de l'adolescent et le risque lié à la présence d'une arme à feu au domicile**

Les caractéristiques du développement des enfants et des adolescents les exposent à un risque plus élevé de blessure par balle. Les enfants ne possèdent pas l'expérience, le développement cognitif ni le contrôle de l'impulsivité nécessaires pour distinguer une arme jouet d'une arme véritable, pour comprendre les conséquences de la manipulation des armes et pour éviter systématiquement un interdit.<sup>[7]</sup> Les capacités

cognitives des adolescents sont plus avancées que celles des enfants, mais les adolescents demeurent vulnérables aux blessures parce qu'ils n'ont pas encore complètement développé leurs aptitudes d'autorégulation, telles que le contrôle de l'impulsivité. Ces capacités peuvent régresser considérablement lorsque des camarades, de fortes émotions et la consommation de substances psychoactives entrent en jeu.<sup>[8]</sup>

### **Le suicide, l'homicide et les décès accidentels au domicile**

**Le suicide et l'homicide :** Il y a une forte corrélation entre la présence d'une arme à feu au domicile et le risque de décès par suicide et d'homicide. Une méta-analyse de 15 études provenant des États-Unis, de la Nouvelle-Zélande et de l'Irlande, réalisée en 2014, a

porté sur la relation entre l'accès à une arme à feu au domicile et le risque de suicide et d'homicide chez les membres de la famille. Le rapport de cotes (RC) de décès par suicide chez un membre de la famille qui avait accès à une arme à feu, par rapport à quelqu'un qui n'y avait pas accès, était de 3,24. Quant au RC d'être victime d'homicide, il était de 1,94.<sup>[9]</sup>

**La violence conjugale :** La violence familiale et conjugale provoque des souffrances et des préjudices physiques et a des conséquences comportementales à long terme chez les jeunes.<sup>[10]-[12]</sup> La violence conjugale est la principale forme de violence faite aux femmes au Canada.<sup>[13]</sup> En 2014, on a recensé 83 homicides entre conjoints au Canada.<sup>[14]</sup> Un rapport canadien sur les meurtres-suicides familiaux entre 2001 et 2011 a démontré que les armes à feu étaient la principale cause de décès dans les cas de meurtres-suicides conjugaux et de meurtres-suicides impliquant des enfants et des adolescents.<sup>[15]</sup> Ainsi, l'accès à une arme à feu est un facteur de risque de violence conjugale entraînant la mort.<sup>[16]</sup> Par rapport à d'autres méthodes, telles que les couteaux ou la force physique, l'utilisation d'une arme à feu lors d'une agression familiale ou conjugale s'associe à une plus forte probabilité d'issue fatale.<sup>[17]</sup> Dans la Déclaration de consensus sur la violence exercée par le partenaire intime, la Société des obstétriciens et gynécologues du Canada recommande ce qui suit : « Les fournisseurs de soins de santé devraient inclure des questions au sujet de la violence dans le cadre de l'évaluation de la santé comportementale de leurs nouvelles patientes, à l'occasion des consultations préventives annuelles, dans le cadre des soins prénatals, ainsi qu'en réaction à des symptômes ou à des états pathologiques associés à la violence ». <sup>[18]</sup> En cas de crainte de violence conjugale ou familiale, il faut s'informer de la présence d'une arme à feu au domicile et, le cas échéant, la considérer comme un facteur de risque d'homicide d'un membre de la famille.

**Les décès accidentels :** Une étude canadienne sur les décès causés par des blessures accidentelles a révélé une forte corrélation entre les blessures accidentelles par balle et les taux provinciaux de possession d'armes à feu au domicile.<sup>[19]</sup>

La présence d'un moyen de mettre fin à leurs jours à leur domicile rend les adolescents particulièrement vulnérables. L'impulsivité est un facteur important de tentative de suicide à l'adolescence, et la plupart de ceux qui y survivent ne récidivent pas.<sup>[20]-[22]</sup> Puisque, de toutes les méthodes de suicide, les armes à feu s'associent au plus fort taux de mortalité, il n'est pas

surprenant que la présence d'une arme à feu au domicile soit un facteur de risque élevé de décès par suicide chez les adolescents.<sup>[23]-[27]</sup>

### Les conseils anticipés

Compte tenu des risques associés à la présence d'une arme à feu à domicile pour les enfants ou les adolescents, il est essentiel que les dispensateurs de soins donnent des conseils anticipés à

cet égard. Chaque famille, qu'elle soit de milieu rural ou urbain, devrait se faire demander si elle détient une arme à feu. Les médecins doivent faire comprendre aux parents les risques liés à la présence d'une arme à feu et leur expliquer l'importance de ne pas la conserver dans le milieu où les enfants et les adolescents vivent et jouent. Les parents qui décident de conserver une arme au domicile doivent être avisés de la décharger, d'en verrouiller la gâchette ou de l'entreposer dans un endroit fermé à clé et de la conserver dans un lieu différent des munitions. Selon certaines données, les conseils des médecins peuvent être efficaces. En effet, selon un essai aléatoire et contrôlé sur une intervention faite en cabinet en vue de prévenir la violence, les conseils des médecins s'associent à une augmentation substantielle du pourcentage de familles qui affirment utiliser des câbles antivol pour entreposer leurs armes à feu en toute sécurité.<sup>[28]</sup>

Il faut s'informer de la présence d'armes à feu au domicile lors de l'évaluation systématique de la sécurité de tous les enfants et adolescents aux prises avec des troubles de l'humeur, une consommation de substances psychoactives ou des comportements d'automutilation (y compris des tentatives de suicide) ou qui y sont à risque. Dans de telles situations, il faut recommander fortement de retirer toutes les armes à feu du domicile.

### Les jeunes, les gangs et les armes à feu

Dans un rapport déposé en 2008 au conseil scolaire du district de Toronto, le comité consultatif sur la sécurité dans les écoles a constaté une forte corrélation entre l'exposition aux armes à feu et la participation à un gang.<sup>[29]</sup> Dans ce sondage, seulement 1 % des étudiants qui n'avaient jamais fait partie d'un gang a déclaré s'être fait menacer par une arme à feu à l'école au cours des deux années précédentes, par rapport à 11 % des anciens membres de gang et 19 % des membres actuels. Chez les jeunes, la participation à un gang est un important facteur de risque de perpétration d'homicide par balle.

Ainsi, les homicides qu'ils commettent sont plus susceptibles d'être liés à un gang que chez les adultes. Selon Statistique Canada, près du tiers (30 %) des jeunes qui ont été accusés de meurtre en 2012 ont commis un homicide lié à un gang, par rapport à 13 % des adultes accusés.<sup>[30]</sup> Dans les gangs, les homicides sont beaucoup plus susceptibles d'être commis avec une arme à feu, généralement une arme de poing. En 2012, 75 % des homicides liés à un gang avaient été perpétrés à l'aide d'une arme à feu, par rapport à 21 % de ceux qui n'étaient pas liés à un gang. Lorsque l'homicide était commis à l'aide d'une arme à feu, une arme de poing était privilégiée dans 80 % des homicides liés à un gang, par rapport à 48 % des homicides qui n'étaient pas liés à un gang. La majorité des armes que les services policiers canadiens considéraient comme des « armes à feu liées à un acte criminel » provenaient des États-Unis.<sup>[31]</sup> En effet, les jeunes Canadiens membres de gangs ont accès à des armes de poing illégales en raison du trafic transfrontalier d'armes de poing illégales. Ils risquent donc davantage de blesser quelqu'un à l'aide d'une arme à feu ou d'être victimes d'une blessure de ce type.

De 2007 à 2012, le Centre national de prévention du crime de Sécurité publique Canada a financé des organismes communautaires pour qu'ils réalisent des projets d'intervention auprès des gangs de jeunes dans les localités du Canada. L'efficacité de ces projets a fait l'objet d'une

évaluation. L'attitude des jeunes qui ont profité de ces interventions s'est améliorée (p. ex., comprendre les risques associés aux crimes), tandis que les facteurs de risque (p. ex., chômage) ont diminué et les comportements (p. ex., participation à un gang, contact avec la police) se sont améliorés.<sup>[32]</sup>

### **Les fusillades dans les écoles (la violence ciblée dans les écoles)**

Le 22 janvier 2016, un élève de 17 ans muni d'une arme à feu a tué deux élèves dans une maison privée avant de se rendre à l'école communautaire de La Loche, Saskatchewan, de tuer deux enseignants et de blesser sept autres personnes. Les policiers qui sont intervenus l'ont arrêté sur les terrains de l'école. Ce jeune a ensuite plaidé coupable à quatre chefs d'accusation de meurtre et à sept chefs d'accusation de tentative de meurtre. D'après les manchettes, il avait souffert d'intimidation à cause de son apparence physique. Avant d'arriver à l'école, il avait publié un

message dans les médias sociaux annonçant son intention de procéder à cette fusillade.

Depuis 1975, les incidents de violence suivants perpétrés par des jeunes armés d'une arme à feu sont également survenus dans des écoles canadiennes :

- 1975 : À; l'école secondaire Centennial de Brampton, en Ontario, un jeune homme de 16 ans a abattu un élève et un enseignant, a blessé 13 élèves et s'est suicidé.
- 1975 : À; l'école secondaire St. Pius X d'Ottawa, en Ontario, un garçon de 18 ans a tué un élève et en a blessé cinq, puis s'est suicidé. Auparavant, il a également tué un ami de 17 ans.
- 1989 : À; l'École Polytechnique de Montréal, au Québec, un homme de 25 ans a tué 13 étudiantes et une employée de l'université, a blessé 14 autres étudiantes et s'est suicidé.
- 1999 : À; l'école secondaire W.R. Meyers de Taber, en Alberta, un garçon de 14 ans a tué un élève, en a blessé un autre et a été arrêté.
- 2006 : Au Collège Dawson de Montréal, au Québec, un homme de 25 ans a tué une étudiante, a blessé 19 personnes et s'est suicidé.

Dans l'ensemble, des jeunes ont été impliqués dans six incidents de violence ciblée dans les écoles du Canada depuis 1975. Ces incidents sont responsables de 25 décès et 59 blessés.

Les fusillades dans les écoles ne représentent qu'une petite fraction des homicides, mais elles ont d'énormes conséquences sur les écoles, les communautés et le pays où elles se produisent. La « violence ciblée dans les écoles » décrit les actes de violence homicide où une école est expressément sélectionnée comme lieu d'attaque et où la cible peut être un individu, un groupe ou une catégorie d'individus.<sup>[33]</sup>

Les jeunes qui commettent des actes de violence ciblée dans les écoles sont généralement de sexe masculin. À part cette caractéristique, ils proviennent d'horizons démographiques,

familiaux et sociaux très variés.<sup>[33][34]</sup> Parmi les observations courantes, soulignons les suivantes :

1. Les deux tiers des adolescents coupables avaient déjà utilisé des armes et en avaient à leur disposition à leur domicile ou à celui d'un membre de leur famille.

2. Bon nombre d'entre eux avaient été victimes d'intimidation ou de persécution.
3. Bon nombre avaient des symptômes de dépression ou des idéations suicidaires avant l'incident, mais seulement une minorité avait reçu une évaluation ou un diagnostic en santé mentale.
4. Les incidents avaient été planifiés et n'étaient généralement pas impulsifs. La plupart des adolescents avaient informé un ou plusieurs camarades de leurs plans.

Plusieurs pays ont adopté des stratégies pour prévenir la violence ciblée dans les écoles. Puisque ce type de violence est peu fréquent, il est impossible d'évaluer si les stratégies retenues préviennent bel et bien d'autres incidents. Cependant, d'après les caractéristiques habituelles de la violence ciblée dans les écoles, les interventions suivantes sont proposées :

- Le retrait des armes à feu du domicile des adolescents et des enfants et l'interdiction de vendre ou de posséder des armes à feu semi-automatiques (de style militaire) pour réduire la létalité des incidents.
- La formation des élèves et des enseignants afin de repérer et de signaler les menaces de violence à l'école et la planification de ces incidents.
- Contre l'intimidation dans les écoles.
- Fournir des services de santé mentale pour dépister les étudiants qui souffrent de dépression et d'idéation suicidaire et les soigner.

Il faut souligner que la maladie mentale n'est pas une cause fondamentale de violence armée. La majorité des personnes ayant une maladie mentale ne commettent pas d'actes violents, et la plupart des personnes violentes n'ont pas de maladie mentale.<sup>[35]</sup>  
<sup>[36]</sup> Les cliniciens qui évaluent le risque de violence chez les jeunes doivent utiliser des outils d'évaluation des risques fondés sur des données probantes, qui sont axés sur les facteurs de risque individuels plutôt que sur la présence ou l'absence de maladie mentale.  
<sup>[37][38]</sup>

### **Les armes sans poudre : armes à air comprimé, à balles BB, de paintball et airsoft**

Les armes à air comprimé et les armes à balles BB qui tirent un projectile à une vitesse inférieure à 182 mètres par seconde ne sont pas considérés comme des « armes à feu » dans le cadre de l'attribution des permis et des règles d'entreposage et de transport de la Loi canadienne sur les armes à feu.<sup>[39]</sup> De plus, elles

ne sont pas réglementées par la Loi canadienne sur la sécurité des produits de consommation. Cependant, la vitesse des projectiles de certaines armes à air comprimé et armes à balles BB modernes se situe à peine sous ce seuil. Bon nombre de ces armes atteignent une vitesse suffisante pour pénétrer dans les yeux et la peau.<sup>[40]-[42]</sup> De multiples séries de cas de blessures par armes à air comprimé et armes à balles BB démontrent qu'elles peuvent causer de graves blessures au cœur, à la tête, au cerveau, aux yeux et au cou et être mortelles.<sup>[43]-[47]</sup> Les armes à feu sans poudre ne devraient pas être considérées comme des jouets, et les blessures qu'elles provoquent devraient être évaluées et traitées rapidement, tout comme les blessures causées par des armes à feu.

En raison de leur potentiel de graves lésions corporelles ou de décès, les armes à feu sans poudre dont la vitesse est suffisante pour pénétrer dans la peau et les yeux devraient être catégorisées et réglementées comme des armes à feu, tandis que les armes à feu sans poudre dont la vitesse est plus faible devraient être soumises à la Loi canadienne sur la sécurité des produits de consommation.

Les armes sportives utilisées pour les jeux airsoft et de paintball s'associent également à des blessures oculaires, qui peuvent être particulièrement graves et complexes et entraîner des déficits visuels ou une cécité permanente.<sup>[48]-[52]</sup> Le port de masques et de lunettes de protection est généralement utile. En effet, la plupart des blessures se produisent lorsque les lunettes de protection sont enlevées trop rapidement ou avant qu'elles aient été mises, lors de jeux informels. Les jeunes ne devraient utiliser d'armes de paintball et d'armes airsoft que dans des lieux de bonne réputation, sous la supervision d'adultes. Il faudrait fortement déconseiller aux jeunes d'utiliser ces armes de manière informelle.

### **Recommandations pour le clinicien**

Les professionnels de la santé peuvent contribuer à réduire le risque de blessures et de décès par balle s'ils adoptent les pratiques exemplaires suivantes :

- Informer les familles que les armes à feu ne devraient pas être conservées au domicile ou dans les milieux où les enfants et les adolescents vivent et jouent. Les armes à feu doivent être entreposées conformément aux règlements de la Loi canadienne sur les armes à feu : déchargées, verrouillées et séparées des munitions.

- Demander systématiquement s'il y a des armes à feu au domicile et informer les parents des risques de les y conserver. Souligner les caractéristiques développementales qui rendent les enfants et les adolescents particulièrement vulnérables aux décès par balle.
- S'informer de la présence d'une arme à feu au domicile dans le cadre de l'évaluation systématique de sécurité de tous les enfants ou adolescents aux prises avec des troubles de l'humeur, une consommation de substances psychoactives ou des comportements d'automutilation (y compris des tentatives de suicide) ou qui y sont à risque. Dans de telles situations, recommander fortement de retirer les armes à feu du domicile.
- Informer les parents que les armes à feu sans poudre (p. ex., les armes à air comprimé et les armes à balles BB) sont dangereuses. Les enfants et les adolescents ne doivent jamais les utiliser à moins d'être surveillés de près par un adulte. Informer les parents que les armes de paintball et les armes airsoft ne doivent être utilisées que dans des lieux supervisés, où tout le monde porte l'équipement de protection convenable.
- Au moment d'évaluer des enfants ayant des blessures causées par des armes sans poudre, se rappeler que les plombs peuvent provoquer de graves blessures internes.
- En cas d'inquiétude quant à la violence conjugale ou familiale, s'informer de la présence d'une arme à feu au domicile et, si c'est le cas, recommander de l'en retirer.

### Recommandations pour le gouvernement

La Société canadienne de pédiatrie exhorte tous les ordres de gouvernement à légiférer pour assurer un contrôle plus rigoureux relativement à l'acquisition, au transport, à la possession et à l'entreposage des armes à feu. Pour réduire l'accès des adolescents aux armes à feu, la SCP recommande expressément ce qui suit :

1. Des mesures pour réduire l'importation illégale d'armes à feu au Canada, particulièrement en provenance des États-Unis.
2. Des restrictions plus étroites sur les armes à feu semi-automatiques (de style militaire); leur utilisation accroît la létalité des fusillades de masse.
3. Des initiatives de prévention des gangs, fondées sur des données probantes et bien financées,

dans les communautés où les jeunes sont à haut risque de participer à des gangs.

4. La recherche sur les facteurs de risque de violence ciblée dans les écoles, de même que des programmes fondés sur des données probantes pour prévenir l'intimidation dans les écoles et améliorer l'accès aux services de santé mentale pour les enfants et les adolescents à risque.
5. L'inclusion des armes à air comprimé et des armes à balles BB dont la vitesse des projectiles est assez élevée pour pénétrer dans les yeux ou la peau dans la catégorie des armes à feu en vertu de la Loi canadienne sur les armes à feu. L'incorporation des armes à air comprimé et à balles BB dont la vitesse des projectiles est moins élevée dans la réglementation de la Loi canadienne sur la sécurité des produits de consommation.

### Remerciements

Le comité d'action pour les enfants et les adolescents (CAEA), le comité de prévention des blessures, le comité de la pédiatrie communautaire et le comité de la santé mentale et des troubles du développement de la Société canadienne de pédiatrie ont révisé le présent document de principes.

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#### COMITÉ DE LA SANTÉ DE L'ADOLESCENT DE LA SCP

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**14**

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<b>BRIEFING NOTE TO THE MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS</b>	SEP 26 2018	<b>NOTE D'INFORMATION AU MINISTRE DE LA SÉCURITÉ PUBLIQUE ET DE LA PROTECTION CIVILE</b>
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**ISSUE:** To inform the Minister and provide a copy of the RCMP's internal audit entitled, "Audit of the Canadian Firearms Program Continuum of Eligibility for Firearms Licensing" which will be posted on the RCMP's external website.

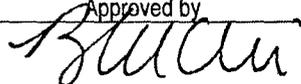
**BACKGROUND:** The Audit of the Canadian Firearms Program Continuum of Eligibility for Firearms Licensing was included in the 2016-2019 Risk-Based Audit Plan. The Audit objective was to assess the effectiveness of the processes in place to ensure the eligibility of firearms licence applicants and holders, and the adequacy of the supporting management control framework.

- The Audit found that:
  - An effective management control framework is in place and eligibility processes and investigations are compliant with legislation and policies.
  - Opportunities were found in the areas of policy, training, availability and timeliness of information, processing delays and monitoring and prioritization of work queues. As outlined in the Audit recommendations, the RCMP should:
    - standardize processes at the national level by updating the CFP Manual;
    - develop a standardized training program for Firearms Officers;
    - assess the timeliness of information from third parties relevant to eligibility screening decision-making;
    - conduct further analysis of current processes with the aim of increasing the effectiveness of eligibility screening; and
    - perform data analytics to monitor and triage work queues based on predetermined risk factors.

The Audit includes recommendations which were all accepted by the Deputy Commissioner Specialized Policing Services. On February 16, 2018, the acting Commissioner reviewed and approved the Audit Report as recommended by the Departmental Audit Committee (DAC). A detailed management action plan was developed and approved at the June 15, 2018, DAC meeting.

**CURRENT STATUS:** Specialized Policing Services is implementing the management action plan, for which Internal Audit is following up on progress semi-annually.

**STRATEGIC CONSIDERATIONS:** A copy of the final Report has been provided to the Office of the Comptroller General as required by the Treasury Board *Policy on Internal Audit*. A version of the Report which has been reviewed in consideration of the *Access to Information and Privacy Acts* will be made available to the public in both official languages via the RCMP external website 10 working days following the receipt of this briefing note by your Office. Media lines have been prepared as RCMP's National Communication Services expects that the Report could garner media attention.

Approved by  Brenda Lucki Commissioner	Date 2018-09-21
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T.D. No.	No. T.D. 600014882
File No.	No. Dossier 7194
C.C.	NA ASOC PAEG SECPES SECOP Audit

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# **Audit of the Canadian Firearms Program Continuum of Eligibility for Firearms Licensing**

**Vetted Report**

**February 2018**

Audit of the Canadian Firearms Program Continuum of  
Eligibility for Firearms Licensing

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Unclassified

## Access to Information

This report has been reviewed in consideration of the Access to Information Act and Privacy Acts. The asterisks [\*\*\*] appear where information has been removed; published information is UNCLASSIFIED.

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Appendix A – Audit Objective and Criteria .....	<b>Error! Bookmark not defined.</b>

Audit of the Canadian Firearms Program Continuum of Eligibility for Firearms Licensing

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**ACRONYMS AND ABBREVIATIONS**

BI	Business Intelligence
CFIS	Canadian Firearms Information System
CFO	Chief Firearms Officer
CFP	Canadian Firearms Program
CFPM	Canadian Firearms Program Manual
CPIC	Canadian Police Information Centre
CPS	Central Processing Site
ES	Enhanced Screening
DAC	Departmental Audit Committee
FBI	Firearms Business Improvement
FO	Firearms Officer
NHQ	National Headquarters
ORMS	Operational Records Management Systems
PRIME	Police Records Information Management Environment
PROS	Police Reporting and Occurrence System
RCMP	Royal Canadian Mounted Police

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## EXECUTIVE SUMMARY

The Canadian Firearms Program's (CFP) mission is to enhance public safety by reducing the risk of harm from misuse of firearms. Through the offices of Chief Firearms Officers (CFOs), the CFP works with the provinces and territories to manage firearms licensing, authorizations to carry or transport, and the continuous eligibility of licensees in each jurisdiction. Under the current licensing regime, client eligibility is assessed at the time the individual applies for a firearms licence, continuously while the individual is a licence holder, and at the time the individual applies to renew their licence (every five years).

The objective of the engagement was to assess the effectiveness of the processes in place to ensure the eligibility of firearms licence applicants and holders, and the adequacy of the supporting management control framework.

Overall, the audit found that an effective management control framework is in place and that eligibility processes and investigations are compliant with legislation and policies. Nevertheless, opportunities exist to improve processes and to mitigate risks impacting the eligibility screening process. Challenges were found in the areas of policy, training, availability and timeliness of information, processing delays and monitoring and prioritization of work queues.

With respect to the national policy framework and training standards, opportunities to improve consistency and decision-making exist by updating the national Canadian Firearms Program Manual and developing standardized training for personnel in key decision-making roles.

Required information to assess eligibility which is directly available to the CFP is generally available on a timely basis. Information which needs to be requested from third parties may experience delays, thereby delaying the conduct of eligibility investigations. This increases the potential risk to public safety.

Emphasis on developing additional mechanisms to monitor and triage priority files as well as assessing options to improve the timeliness of third party information could further mitigate these risks. Leveraging the CFP's existing capacity to perform data analytics using business intelligence tools to proactively monitor and triage work queues based on predetermined risk factors would assist in this regard.

Opportunities may also exist to further analyse and assess the residual risks related to the reengineered approach to Enhanced Screening. The management responses included in this report demonstrate the commitment from senior management to address the audit findings and recommendations. A detailed management action plan is currently being developed. Once approved, RCMP Internal Audit will monitor its implementation and undertake a follow-up audit if warranted.

## MANAGEMENT'S RESPONSE TO THE AUDIT

Specialized Policing Services is in agreement with the Audit Findings as outlined within Section 3 of the Report. Specialized Policing Services is also in agreement with the Audit Recommendations, as outlined within Section 5 of the Report, and have taken the following steps.

The CFP has initiated a project which will complete the CFP Subsidiary Manual and ensure continuous updates and maintenance through a management control framework. This project will also develop national Standard Operating Procedures (SOP) for each key Program business activity.

The CFP has initiated discussions to secure a National Training Coordinator whose mandate will be the implementation of a National Training Regime which will include training on: the *Firearms Act* and associated Regulations; investigative methodologies and techniques; the CFP Policy & SOPs; and the automated tools which support the administration of the *Firearms Act*.

The CFP is currently in discussions with Contract & Aboriginal Policing (CAP), as well as management within CPIC Services, to modify the current CFP Policy on the use of PROS to ensure timely accessibility to information which assists in assessing the eligibility of Program clients to acquire or possess firearms. In addition, the Chief Firearms Officer (CFO) of British Columbia (BC)/Yukon Territory is in discussions with the BC Ministry of Public Safety and Solicitor General regarding their access to PRIME, based on Recommendation #37 of the BC Illegal Firearms Task Force Report which supports increased access to this Information Management System.

In October 2017, the CFP initiated a pilot project which re-engineered the Enhanced Screening Protocol in an effort to acquire relevant information \*\*\* which would assist the CFO in establishing the eligibility of an applicant to acquire or possess firearms. Additionally, the CFP have included an initiative within their 2018/2019 Strategy Map which will "Develop enhanced processes and additional training to strengthen screening and investigation of mental health-related files".

The CFP executed an Organizational & Operational Review of the Federal CFOs, as a follow up to the 2013 Review, in the fall of 2017 which assessed work volume, work prioritization and roles and responsibilities. This report, to be published in early spring 2018, includes action items to address the triage of workloads and the use of performance metrics to enhance the prioritization and management of work.

The CFP will construct a Management Action Plan which will track each of these recommendations within the Audit Report. Specialized Policing Services would like to express

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its appreciation and gratitude for the level of effort put forth by Internal Audit respecting the execution of this initiative and the level of detail which was documented within the Report.

Assistant Commissioner François Bidal  
Acting Deputy Commissioner, Specialized Policing Services

## 1 BACKGROUND

The Canadian Firearms Program's (CFP) mission is to enhance public safety by reducing the risk of harm from misuse of firearms. It provides direct service to the public in relation to the administration of the *Firearms Act* and its associated regulations, which govern possession, licensing, transportation, use, registration and storage of firearms in Canada. This includes screening individual owners to confirm their eligibility to possess firearms, and promoting responsible ownership, storage and use of firearms. The CFP also provides direct operational support to law enforcement in all firearm-related inquiries and investigations.<sup>1</sup>

In 2006, the Royal Canadian Mounted Police (RCMP) became responsible for managing the CFP. The CFP currently reports to the Commissioner of Firearms, who is also the Commissioner of the RCMP.

Through the offices of Chief Firearms Officers (CFOs), the CFP works with the provinces and territories to manage firearms licensing, authorizations to carry or transport, and the continuous eligibility of licensees in each jurisdiction. There is a CFO for each province and territory. The provinces of Ontario, Quebec, New Brunswick, Prince Edward Island, and Nova Scotia are known as the "Opt-in provinces" since these provinces have chosen to administer the *Firearms Act* and its regulations within their jurisdictions. As such, these CFOs are provincially appointed and are accountable to the federal Minister of Public Safety through contribution agreements. The CFOs in the remaining provinces and territories of Alberta/Northwest Territories (AB/NT), British Columbia/Yukon (BC/YT), Manitoba/Nunavut (MB/NU), Saskatchewan, and Newfoundland and Labrador are federally appointed and report directly to the CFP. These CFOs are referred to as federal CFOs and these jurisdictions are known as the "Opt-out provinces and territories". The federal CFOs are RCMP employees reporting to the Director General (DG) CFP through the Director, Firearms Regulatory Services.

Under the CFP's Firearms Service Delivery directorate, the Central Processing Site (CPS), located in Miramichi New Brunswick, carries out central processing functions for the CFP as a whole. CPS is comprised of a Contact Centre and various processing facilities including the Data Processing/Mailroom units which intake and process approximately 260,000 firearm licence and renewal applications annually, and the CFO Support Unit which provides administrative and operational support to multiple CFOs across Canada.

In Canada, individuals who possess or use firearms must be licensed, unless an individual is using a firearm under the direct and immediate supervision of a licensed holder. Similarly, all individuals who acquire firearms or ammunition must be licensed. The Possession and

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<sup>1</sup> 2016 Commissioner of Firearms Report [<http://www.rcmp-grc.gc.ca/en/2016-commissioner-firearms-report>].

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Acquisition Licence (PAL) is currently the only firearms licence issued to applicants over the age of 18.<sup>2</sup> In 2016, the CFP issued 406,592 new licences and there was a total of 2,076,840 valid licence holders in Canada.<sup>3</sup>

Under the *Firearms Act* (the Act), CFOs are authorized to refuse an application for a firearms licence or to revoke a firearms licence based on their assessment of an individual's potential risk to public safety. There were 2,223 firearms licences revoked and 771 firearms licence applications refused for various public safety reasons in 2016.<sup>4</sup> Under the current licensing regime, client eligibility is assessed at the time the individual applies for a firearms licence, continuously while the individual is a licence holder, and at the time the individual applies to renew their licence (every five years).

To ensure compliance with the Act, firearms licence holders are continuously screened to assess their eligibility to remain licensed. This is known as continuous eligibility screening. Accordingly, if a licence holder is involved in an event involving violence (or other offences specified in Section 5 of the *Firearms Act*), it is reported in the Canadian Firearms Information System (CFIS) via a Firearms Interest Police (FIP) and sent to the relevant CFO for review. There were 29,487 FIP events in 2016 that were matched to individuals with a firearms licence.<sup>5</sup>

The Commissioner-approved 2016-2019 Risk-Based Audit Plan included an audit of the CFP. The CFP's high public profile along with recent heightened scrutiny stemming from coroner's inquiries supported an independent review of eligibility screening for firearms licensing.

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<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

## 2 OBJECTIVE, SCOPE AND METHODOLOGY

### 2.1 OBJECTIVE

The objective of the engagement was to assess the effectiveness of the processes in place to ensure the eligibility of firearms licence applicants and holders, and the adequacy of the supporting management control framework.

### 2.2 SCOPE

The scope of the audit included the processes in place to ensure the eligibility of firearms licence applicants, existing firearms licence holders and clients renewing their licences. This included a review of the procedures undertaken by the "Opt-out" CFOs as well as the supporting operations of CPS and the CFP policy centre located at national headquarters. Since the federal CFOs and the CPS are composed of RCMP employees who report to the DG CFP, their activities fall within RCMP Internal Audit's mandate to audit. The Opt-in CFOs and their staff are employees of their respective provincial Department of Justice or Solicitor General and not RCMP employees. Accordingly, their activities do not fall within RCMP Internal Audit's mandate to audit and were not examined.

The period of scope for files reviewed for this audit was January 1, 2016 to December 31, 2016.

The audit did not assess the quality of data within CFIS.

### 2.3 METHODOLOGY

All work was conducted in accordance with the Institute of Internal Auditors International Standards for the Professional Practice of Internal Audit (2015) and the 2017 TB *Policy on Internal Audit*.

Planning for the audit was completed in May 2017. In this phase, the audit team conducted interviews, process walkthroughs and examined relevant policies, procedures and results of previous audit work performed.

Sources used to develop audit criteria and audit tests included the *Firearms Act* and related regulations as well as RCMP policies and guidelines. The audit objective and criteria are available in Appendix A.

The examination phase, which concluded in November 2017, employed various auditing techniques including interviews, documentation reviews and testing of client files. Site visits took place at CPS and two "Opt-out" CFO Offices, CFO BC/YT and CFO AB/NT to review files and assess practices. Upon completion of the examination phase, the audit team held meetings to validate findings with personnel and debriefed senior management of the relevant findings.

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The table below provides a summary of the number of files tested during the audit. Sampling methodology involved random sampling based on CFIS data extracts obtained from the CFP. To review the application process, the audit team tested a random sample of approved first-time applications and licence renewals for various types of firearms (non-restricted [NR], restricted [R] and prohibited [P]), as well as first-time and renewal applications which were refused. To review the continuous eligibility process, the audit team sampled client files which had eligibility events during the 2016 calendar year.

Table 1: File Review Sample

Note: Numbers in brackets are the total number of files in that specific sub-population at the time the sample was drawn.

	BC	YT	Total BC/YT	AB	NT	Total AB/NT	Grand Total
Approved New Licence Applications (NR)	9 (11,893)	4 (492)	13	7 (15,041)	4 (547)	11	24
Approved New Licence Applications (R)	9 (12,491)	4 (164)	13	8 (14,151)	4 (143)	12	25
Approved Renewals (NR)	10 (16,193)	4 (581)	14	9 (17,041)	4 (434)	13	27
Approved Renewals (R)	6 (11,674)	4 (201)	10	9 (12,006)	3 (137)	12	22
Approved Renewals (P)	4 (1,346)	2 (36)	6	4 (1,078)	2 (16)	6	12
Approved App. Sub-Total							110
Refusals	4 (15)	2 (2)	6	6 (14)	0 (0)	6	12
Revocations	6 (142)	2 (6)	8	6 (97)	2 (3)	8	16
Revocation Suggestion Received (RSR) Licence	2 (791)	1 (9)	3	4 (1,131)	1 (85)	5	8
Under Review	8 (90)	2 (11)	10	8 (182)	1 (2)	9	19
Valid Licence	7 (215)	1 (50)	8	4 (415)	2 (15)	6	14
Expired Licence	4 (140)	1 (5)	5	3 (203)	1 (19)	4	9
C.E. Files Sub-Total							66
Grand Total	69	27	96	68	24	92	188

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## 2.4 STATEMENT OF CONFORMANCE

The audit engagement conforms to the *Institute of Internal Auditors' International Professional Practices Framework* and the *Treasury Board of Canada Directive on Internal Audit*, as supported by the results of the quality assurance and improvement program.

## 3 AUDIT FINDINGS

### 3.1 GOVERNANCE

**Policies and procedures aligning with the *Firearms Act* and related regulations are in place and are being consistently followed. Opportunities exist to update the national Canadian Firearms Program Manual as well as to enhance workload and backlog management among CFO offices.**

#### Policies and procedures

The *Firearms Act* and its related regulations are the legislative components that govern the administration of the CFP. The Act defines criteria which are to be considered by CFOs to assess an individual's eligibility to hold a firearms licence. This includes assessing whether or not an individual has been convicted of certain *Criminal Code* offences, has been treated for mental illness, has a history of violent behaviour, or is the subject of a prohibition order against possessing firearms. The Act also specifies that an individual is only eligible to hold a licence if they have successfully completed the necessary firearms safety courses. The Act solely authorizes CFOs to make licensing eligibility determinations. Pursuant to Section 98 of the Act, these powers, duties and functions are formally delegated by the CFO to CFP Firearms Officers (FOs).

The audit noted that the screening processes in place to assess eligibility are focussed on obtaining information necessary to assess the various criteria as specified in the Act. For example, in order to assess criminal convictions, a Canadian Police Information Centre (CPIC) inquiry is conducted on the individual. Similarly, court records are queried in order to determine the existence of any prohibition orders. The policies and procedures in place were found by the audit team to be in alignment with the requirements of the Act.

In terms of a policy framework we expected the CFP to have national policy in place which would govern eligibility activities program-wide and provide the basis from which more detailed unit level policies and procedures could be developed.

The Canadian Firearms Program Manual (CFPM) is the national policy manual. Among the subjects included in the CFPM is licensing. A number of sections in the licensing portion (Part 2) of the CFPM which relate to eligibility screening are currently blank, including Section 7 – Continuous Eligibility, Section 8 – Court Orders, and Section 10 – Refusals and Revocations.

Compensating for this gap in the national policy manual, both the CPS and the CFO offices have detailed policies and procedural guidance in place at the unit level to govern eligibility processes. Given the repetitive nature of the steps involved in processing applications and reviewing

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continuous eligibility concerns, these detailed standard operating procedures assist to ensure standardization of processes.

At the unit level, it was observed that the CPS and CFO office staff are aware of policies given that they refer to them for their day to day activities. Managers and supervisors communicate updates or changes to policies in a timely fashion and there are mechanisms in place such as intranet sites which serve as central repositories for relevant policies and procedures as well as for sharing updates and important information.

As a result of the 2013 Operational Review which sought to centralize common administrative processes, many of the administrative processes and lower risk decision-making are carried out by the CFO Support Unit within CPS on behalf of CFOs. One of the key controls in place to operationalize this decision-making is a matrix which delineates what can be approved by CFO Support Unit staff and what requires escalation to CFO offices for review. The matrix has been refined over time and discussion is ongoing within the program as to whether or not additional decision-making should be delegated to the CFO Support Unit.

### Compliance

To review the integrity of the eligibility screening process, different types of files in both CFIS and at the CFO offices were examined to assess whether the required procedures were completed and appropriate supporting evidence was on file to support eligibility decisions.

### *Applications/Renewals*

Audit testing demonstrated that the necessary eligibility checks had been carried out prior to licence issuance for 100% of the 110 approved firearms applications and renewals which were sampled. This included automated system checks as well as manual steps when required.

Similarly, the necessary checks were found to have been completed for 100% of the 12 refused applications/renewals sampled. In each case, the rationale for the decision was documented and aligned with the eligibility criteria contained in the Act. Where necessary, there was evidence that an eligibility investigation was conducted to support the decision to refuse the application.

### *Continuous Eligibility Files*

To assess the timeliness of the Continuous Eligibility screening process, audit testing was performed on a total of 66 files which had incurred a FIP event, including files for which the final outcome of the eligibility investigation was still pending.

In general, the file review determined that although the CFP is notified of a FIP event relatively quickly through the continuous eligibility process (two-day average) and the CPS in turn provides disclosure and notifies CFO offices of these occurrences in a timely fashion, there are significant delays in both initiating investigations and in the duration of eligibility investigations themselves. In many cases, where charges have been laid against a client, it appears the CFP chooses to await the court outcome before making an eligibility decision.

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- **Revocations and Valid Licences:** testing of files relating to revoked licences (16) as well as files relating to licences that had been flagged for eligibility concerns but which had their status returned to 'valid' after investigation (14) were all found by the audit team to be fully compliant with the eligibility criteria contained under Section 5 of the *Firearms Act*. For the revoked licence files, the average amount of time from the FIP event to an eligibility decision by the CFO was 110 days<sup>6</sup> (80 days for CFO BC/YT and 140 days for AB/NT). For the files whose status was returned to 'valid', the average amount of time from the FIP event to an eligibility decision by the CFO was 231 days<sup>7</sup> (203 days for CFO BC/YT and 268 days for AB/NT).
- **RSR and Under Review:** for the 27 files reviewed from both CFO offices which had incurred a FIP event but did not yet have a final decision as at the time of the audit (i.e. still in "RSR" or "Under Review" status), the average time which had passed since the initial FIP event was 331 days<sup>8</sup> (324 days for CFO BC/YT and 337 days for AB/NT).
- **Expired Licence:** nine files were reviewed which had experienced a FIP event for which the status of the licence was "expired" at the time of review. In all cases, the licence had expired before the CFP was able to review/investigate the FIP and make a final eligibility determination. For these files, the average time from the FIP event to licence expiration was 189 days<sup>9</sup> (142 days for CFO BC/YT and 249 days for AB/NT).

The risk to public safety in delays is often mitigated by the fact that law enforcement has seized the individual's firearms and firearms licence. The audit noted that it is a priority for FOs to determine whether such seizure has occurred when reviewing FIP events. This is done by a review of the occurrence details and by contacting the police officer involved, if necessary.

Possibly the more significant risk to public safety occurs whenever files with FIP events await initial review by the CFO for an extended period of time. Although both BC and Alberta have similar volumes to process, BC has the additional mitigation measure of reviewing each file immediately upon receiving it in their queue for a first level "triage". This practice is not currently being employed in the CFO AB/NT office. The main contributing factor cited by the CFO AB/NT office for these delays was a staff shortage. At the national level, the CFP has been considering workload redistribution among CFOs to alleviate some of Alberta's backlog (i.e. sending Alberta files to be processed by CFO MB/NU). Further discussion of the CFP's monitoring and management of file backlogs follows in section 3.3 of this report.

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<sup>6</sup> The average time excluding outliers is 98 days (75 days for CFO BC/YT and 120 days for AB/NT)

<sup>7</sup> The average time excluding outliers is 204 days (187 days for CFO BC/YT and 232 days for AB/NT)

<sup>8</sup> The average time excluding outliers is 328 days (319 days for CFO BC/YT and 337 days for AB/NT)

<sup>9</sup> The average time excluding outliers is 133 days (130 days for CFO BC/YT and 137 days for AB/NT)

### 3.2 TRAINING, SUFFICIENCY AND TIMELINESS OF INFORMATION

**While the majority of CFP employees receive sufficient training, implementing a national training standard for FOs could assist in fostering consistent practices and decision-making. Additionally, improved information and enhanced access to some systems could aid in making fully informed, timely eligibility decisions.**

#### Training

Employee training is important to ensure that processes are carried out as intended. It also facilitates standardization and efficiency. The audit expected to find that national training standards existed and that employees had received the necessary training to carry out their responsibilities.

The majority of the processes related to eligibility processing are administrative in nature. As such, most new employees are trained by “job shadowing” a more senior employee. Given that many of the tasks are repetitive, procedural guidance has been documented at the unit level to support employees in carrying out various tasks. In addition to on-the-job training related to specific roles, formal training related to specific work tools<sup>10</sup> are offered and there are also some mandatory courses for all new RCMP employees offered online through AGORA. As well, Legal Counsel assigned to the CFO AB/NT and CFO BC/YT offices offer training courses on the *Firearms Act* and related regulations to new CFO staff as well as training on specialized legal topics specific to FOs. In addition, both CFO AB/NT and CFO BC/YT have documented training requirements for new employees in various roles (i.e. specific material to which employees are to be exposed) to aid in developing suitable individual training plans.

As of October 2016, a Program Expertise (PE) unit has been responsible for developing and administering training to all new staff in some of the CPS units (Contact Centre, Data Processing, CFO Support Unit). PE plans to expand its training offerings to the remaining units in the future (Mail & Records, Exceptions Handling). PE is also responsible for providing technical guidance and quality assurance monitoring.

The audit team noted the best practice of cross training staff within functional groups to be able to work on a variety of tasks. This allows flexibility to reallocate staff within CPS or within respective CFO offices to address backlogs and priorities. With the exception of employees

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<sup>10</sup> I.e. CFIS, CPIC, Justice Online Information Network [JOIN], Justice Information Network [JUSTIN], PROS, Police Records Information Management Environment [PRIME] BC.

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working in the role of FO, staff interviewed at both CPS and CFO offices generally felt the training received was sufficient for performing their job related duties.

The training gap identified by interviewed CFOs and FOs was the absence of a training standard for employees working as FOs, a role for which a broad skillset is necessary. FOs have the responsibility of conducting investigations into eligibility concerns and making final eligibility decisions based on the results of those investigations. Given the role of the FO, it was considered an asset to have previous working experience in a regulatory environment, and/or conducting investigations. However, CFOs reported that finding suitable candidates with the necessary experience was difficult and that current FOs have differing backgrounds.

Collaborating with RCMP Learning and Development to develop a training standard for FOs could assist in addressing gaps in employee experience and foster consistent practices and decision-making. One of the CFOs has been leading an initiative to develop a national training approach for FOs. This will include leveraging any pre-existing RCMP training modules (e.g. investigative techniques, note-taking, interviewing) and identifying any gaps where specific training needs to be developed.

### Sufficiency and timeliness of information

A number of information sources are used to assess an individual's eligibility to hold a firearms licence. These sources include but are not limited to CPIC, PROS, PRIME BC, other police records management systems (RMS), court records, responses to Personal History Questions on a firearms licence application, and enhanced screening results.

Under continuous eligibility, additional information sources are typically involved as part of an investigation into a FIP event. For example, additional information may be obtained from the client via an interview, disclosure of an occurrence may be requested from the police of jurisdiction, or in *Mental Health Act* (MHA) cases, information from a medical practitioner (RCMP form 6423) may be obtained. The CFP's ability to conduct an accurate assessment of an individual's eligibility is dependent on access to and availability of complete information.

The audit found that in general, sufficient information is available to program personnel to make eligibility determinations. It was noted however, that there is room for improvement in certain areas.

### *Coding of Occurrences*

Under continuous eligibility, client information within CFIS (the CFP's information system), is continually compared against information in CPIC to monitor client interactions with law enforcement which might be of interest. CFP staff have indicated a risk relating to generic coding by police officers of occurrences that may be relevant to CFP eligibility assessments. While one CFO office estimated that one to two such occurrences are noted on a weekly basis, the audit team only noted one such occurrence as part of the sample of files reviewed for testing. The program has attempted to mitigate this risk with proactive outreach to policing partners to educate on the importance of accurate coding of occurrences to the FIP process. In consultation

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with the CFP, Contract and Aboriginal Policing (CAP) has recently issued policy updates relating to incidents involving violence in relationships where the suspect has mental health issues and access to firearms.<sup>11</sup>

*Access to CPIC Information*

As a regulatory body, the CFP is bound by privacy considerations and does not have unrestricted access to PROS/PRIME.

The CFP is classified as a "Category III" agency for CPIC purposes which is support to law enforcement. As such, Chapter 2.6 of the CFPM contains direction which limits what information CFP staff can access in these systems. Specifically, section 4.2 states that "[T]he CFO/delegate must only access the occurrence associated to the FIP entry or to its investigation when querying ORMS." Section 4.4 specifies that "[A]ll queries undertaken using a surname, address, or any other search entry besides the operational occurrence number related to the FIP will be considered a breach of access, and may result in the suspension of access, a review of the individual's security clearance, and/or disciplinary actions."<sup>12</sup>

Through formal discussion with the police of jurisdiction related to a FIP, the CFP can be made aware of the existence of additional relevant eligibility information in ORMS. In these instances, additional disclosure must be requested from the police of jurisdiction in order for the CFP to have authorized access to this information. While CFP staff and CFOs have indicated that increased access to other historical occurrences would assist in providing additional information to assess eligibility it would mean unfettered access to personal information that may be unrelated to the assessment. As such, further assessment of the impact on privacy concerns is required by the organization.

*Disclosure of Information*

An additional risk relates to the timeliness with which information relevant to assess eligibility is available. Based on evidence obtained from interviews and file testing, timeliness in obtaining eligibility related information varies depending on the information source and whether or not program personnel have access to the information directly or whether the information needs to be requested from a third party. Where delays existed in obtaining information it was most often out of the CFP's control.

Generally, CPIC, court information, and PROS disclosure is obtained within one or two days. On average, CPS staff obtain any required disclosure for PROS related occurrences within a day.

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<sup>11</sup> CAP Infoweb site - Policy Updates – Violence/Abuse in Relationships and Mentally Ill Persons/Prisoners [<http://infoweb.rcmp-grc.gc.ca/cap-spca/opc-pc/vio-eng.htm>].

<sup>12</sup> CFPM, Chapter 2.6, Individual Licences [<http://infoweb.rcmp-grc.gc.ca/manuals-manuels/national/cfpm-mpcaf/2/2-6-eng.htm>].

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CFO AB/NT has direct, full access to JOIN (Alberta court record information system), and to both Edmonton Police Service and Calgary Police Service RMS. This facilitates obtaining information in a timely fashion. In the case of CFO BC/YT, staff have direct, full access to JUSTIN, which is the BC provincial court record information system.

Delays were noted with non-PROS (PRIME BC or other RMS) related disclosures. In these cases, turnaround time for disclosure was reported to be between a few days and a few weeks depending on the policing partner involved. CPS cannot perform PRIME disclosures on behalf of CFO BC/YT, so all FIPs originating from BC are sent to CFO BC/YT for disclosure. CFO BC/YT in turn does an initial PRIME check and sends disclosure requests to the police of jurisdiction. As part of the sample of files reviewed for CFO BC/YT, five files were noted as having been reassigned to an FO for investigation with varying timeliness with respect to PRIME disclosure turnaround (four months, four months, four weeks, three weeks, two weeks). Although CFO AB/NT relies on CPS for PROS disclosure, staff will send disclosure requests to non-RCMP police of jurisdiction (i.e. Medicine Hat, Lethbridge) when required.

Delays were also noted in obtaining medical information pertinent to assessing mental health risks and applicant/client eligibility. Such delays can impact rendering an eligibility decision as the physician's opinion can inform an FO's assessment of the individual's suitability to obtain/retain a firearms licence.

The typical process involves applicants/clients providing a medical questionnaire (RCMP Form 6423) to their medical practitioner for completion and submission to the CFP. To mitigate the risk of prolonged delays in obtaining medical information, the CFP implemented a policy which requires the medical form to be completed and returned within 60 days. If medical information is not received by the end of the 60 days, the program may proceed with a firearms licence refusal or revocation. An extension can be provided but only in special circumstances. The CFP relies on outreach to policing partners and medical associations to convey the importance of timely processing of requests for pertinent information to assess eligibility concerns.

#### Enhanced screening

The enhanced screening (ES) process, introduced in 2007 involved conducting telephone interviews with the applicant and two references in order to flag any potential public safety risks in granting the individual a firearms licence. In 2010, the CFP conducted a review of the effectiveness of ES as a means of flagging eligibility issues. Based on the review, the CFP decided in April 2014 to reduce the ES process to a single telephone interview with just one of the applicant's references.

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In 2017<sup>13</sup>, as part of a pilot project, the process of interviewing references by telephone was phased out \*\*\*. As the pilot project progresses, policies and SOPs are being developed and formalized. It is estimated that approximately 14,400 applicants would meet the criteria for screening annually under the new ES process. The CFP intends to evaluate the effectiveness of the new process once the pilot has been in place for four months.

The audit team's assessment is that further analysis should be carried out to assess the residual risk of changing the approach to ES. Potential trade-offs related to the change in process should be assessed \*\*\*. The CFP should consider such factors as part of its review of the results of the pilot project.

Another initiative to be undertaken by the program, to potentially increase the usefulness and relevance of the information requested for screening licence applicants, is a review of the personal history questions<sup>14</sup> on the current licence application form. Given that the questions have been the same for many years, the program intends to review them for alignment with current risk factors.

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<sup>13</sup> While the scope period for this audit's file review was 2016, the audit team considered additional measures taken by the CFP viewed as relevant to the audit objective of assessing the effectiveness of the processes in place to ensure the eligibility of firearms licence applicants and holders, and the adequacy of the supporting management control framework.

<sup>14</sup> The personal history questions are intended as a mechanism to identify possible eligibility concerns.

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### 3.3 MONITORING AND OVERSIGHT

**Performance information is being captured and used to review the effectiveness of eligibility activities and to further improve processes. Work queues are generally monitored and prioritized, however, not all CFO offices prioritize their backlogs based on risk factors. These practices should be reviewed to ensure risks are appropriately mitigated.**

The audit expected to find that processes existed to review eligibility activities carried out by the CFP to identify opportunities for improvement, and that performance information was being captured and used by management for decision-making. The audit also expected to find quality assurance (QA) processes at the unit level to monitor compliance of eligibility activities and that work queues were being monitored and prioritized based on risk factors.

Within the CFP, the Firearms Business Improvement (FBI) directorate leads the design of business processes based on policy and operational requirements. Using business intelligence (BI), as well as by conducting internal operational reviews, it evaluates processes with a view to improving efficiency and effectiveness. The review of the effectiveness of ES and proposed changes to the ES process discussed previously in this report were led by the FBI directorate.

In 2013, the FBI directorate led a national Organizational and Operational Review (OOR) of CFO offices focused on key business activities, volume of work for each activity, level of effort for each activity (time in motion study) and resource requirements. The review also assessed the feasibility and impact of centralizing common administrative activities. This led to the establishment of CPS' CFO Support Unit. Since the 2013 OOR, CFP staff and management identified that there are likely additional opportunities for work to be reallocated from the CFO offices to the CFO Support Unit to allow the CFO offices to focus on higher risk investigative work. The audit team's assessment supports reviewing the possibility of reallocating work between CPS and CFO Offices.

As a follow-up to the 2013 review, the FBI directorate initiated an organizational review of CPS CFO Services in September 2017<sup>15</sup>. The review was to focus on executing a comprehensive analytical assessment of CFO and CFO Support Unit business activity process work flows to

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<sup>15</sup> While the scope period for this audit's file review was 2016, the audit team considered additional measures taken by the CFP viewed as relevant to the audit objective of assessing the effectiveness of the processes in place to ensure the eligibility of firearms licence applicants and holders, and the adequacy of the supporting management control framework.

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identify inconsistencies, anomalies/issues as well as to identify public safety risks. The results of the review were not available prior to the completion of this audit.

The FBI's BI group performs data analytics using information in CFIS to provide reports to the CFP's other directorates that can help inform decision-making. For example, regular reports are prepared for the Director of Firearms Regulatory Services and the Director of Firearms Service Delivery on work volumes, queues and backlogs. It can also carry out more in-depth analysis to enable the CFP's other directorates to monitor areas of concern and help foster continuous improvement. Data analysis conducted by the FBI directorate identified process improvements relating to the timing of Legal Services' involvement in the revocation process as well as the development of a standardized revocation letter in 2017. While the audit found that the FBI directorate plays a role in helping to ensure that CFP eligibility processes are monitored and reviewed for enhancement opportunities, opportunities exist to further leverage the FBI directorate's data analytics capacity to monitor the nature of work volumes and backlogs at CFO offices and hone in on specific risk areas of concern to the CFP as a whole (e.g. risks relating to the significant backlogs in the CFO AB/NT office). This would enable the CFP to have greater visibility on backlogs and develop additional strategies to address them, in addition to the strategy of transferring workload from one CFO office to another.

#### Quality assurance

The accountability for QA monitoring of eligibility screening processes rests with the CPS and the CFOs where the eligibility activities have taken place.

The PE group within the CPS conducts QA on the output of certain units; namely, the Contact Centre, the Data Processing unit, and the CFO Support Unit. Each employee in those units has a PE analyst who regularly reviews a sample of their work and provides feedback. As PE's mandate is relatively new, the QA function is still to be developed for other processes within the CPS. Currently Mail & Records, Exceptions Handling-Accreditation are not subject to QA processes.

At the CFO offices, a number of processes were in place at the time of the audit to ensure quality control of eligibility processes. For example, the reviewed files included checklists and templates to ensure completeness and process standardization. FOs are expected to engage their supervisors (Operations Managers or Team Leaders) and CFOs on files that are sensitive, and Legal Counsel reviews all proposed application refusals and licence revocations.

In recent years, the CFP has required CFOs to carry out the unit level quality assurance (ULQA) process related to "Quality of Investigations". For both CFO offices visited, the results of their 2016 ULQAs, which were based on an internal review of over 110 files, were reviewed by the audit team. Deficiencies noted for both CFOs related to ensuring that all investigational steps undertaken by staff were documented in CFIS. The ULQA results in both cases suggested that supervisory review could mitigate the deficiencies noted.

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Audit evidence obtained through both file testing and interviews support the need for additional supervision. It was noted that supervisory review of files is currently focused solely on files with negative eligibility decisions. The effectiveness of the QA process could be improved if files with all types of outcomes were reviewed for compliance and consistency, as there are inherent risks in an individual obtaining/retaining a firearms licence at the conclusion of an eligibility investigation.

### Monitoring and management of file backlogs

Given the highly process-based operating environment within the licensing portion of the CFP, the audit expected to find that work queues were monitored for backlogs and bottlenecks, and that mechanisms were in place to prioritize files based on predefined risk factors.

Overall, it was noted that there was a shared understanding among program units as to what eligibility risks were most significant. This in turn led to a generally consistent approach to prioritizing workload. Priority files were those with mental health (MH) concerns, public safety concerns, and FIP events related to current clients. New licence applicants with eligibility issues were considered less of a priority because of the assumption that these individuals do not have legal access to firearms so the risk to public safety is not as great.

As a means of ensuring that MH files are prioritized, a CFO work queue dedicated to MH related files was created in the Spring of 2017. This queue allows the CPS to quickly notify the relevant CFO offices of such priority files. The CFO offices in turn ensure that staff investigate any of the files in this queue on a priority basis. However, the newly created queue does not apply to BC files. Since BC related FIP events come from the PRIME-BC RMS, and CPS does not have access to this system, they cannot perform a first level triage for these files. Therefore, CFO BC/YT performs the triage of its FIPs and uses its own method for flagging MH files internally using a "PRIORITY" descriptor in the file heading. They have been doing this since 2013.

The audit found that workload is regularly monitored at both CPS and CFO offices. At the CPS it was noted that units were heavily focussed on monitoring queues of various sub-tasks to identify delays and backlogs. Given the CPS is highly service standard driven, this monitoring provided supervisors with the information required to adjust priorities and reallocate resources to focus on areas with greater backlogs. This is facilitated by the fact that employees are cross-trained and can work on more than one task within their respective units.

Within CFO offices, the reporting capabilities within CFIS are used to monitor work volumes, backlogs and individual employee queues. It was noted that in addition to CFIS, an additional spreadsheet tool entitled "Workload Support Tool" was being used to track and monitor progress of open files being worked on by FOs.

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Despite some of the mechanisms in place, significant backlogs of both applications with eligibility issues and FIP events related to current licence holders were noted at the CFO offices visited. These backlogs have created delays in addressing eligibility issues, with the greater risk being unaddressed eligibility concerns related to current licence holders who have access to firearms.

Although both CFO offices visited had similar backlogs of FIP events, opportunities for improvement were noted in the manner in which CFO AB/NT monitors this backlog. With the exception of MH files, CFO AB/NT treats all FIPs on a first-in first-out basis. The current backlog is an accumulation of eligibility concerns which have not yet been opened or reviewed by CFO AB/NT staff. No analysis has been performed to prioritize or assess the risk level of the files in the backlog. Without any form of review when they are initially received, individuals who may no longer be eligible to have a firearms licence retain their licence until such time as an investigation gets underway and a decision is made regarding their eligibility.

In contrast, all files in the BC queue are reviewed within a day of being received from CPS at the Firearms Agent level prior to being reassigned to the FO if necessary. This ensures a level of awareness of FIP incidents and the types of files they are so they can be prioritized based on the nature of the eligibility issue (e.g. MHA, violence, etc.). For CFO BC/YT, as of July 2017, there was a backlog of 2930 applications (with eligibility flags) which had yet to be worked on. The backlog of FIPs (notifications) which had yet to be worked on was 2092.

For CFO AB/NT, as of June 2017, there was a backlog of 1713 licence applications with eligibility concerns. The backlog of FIPs requiring investigation was 3188. By comparison, the CFO AB/NT backlogs in April 2016 were 1550 applications and 2264 FIPs, demonstrating that the FIP backlog had increased by 41% from 2016 to 2017.

While work queues are generally monitored and prioritized, not all CFO offices prioritize their backlogs based on risk factors. These practices should be reviewed to ensure risks are appropriately mitigated.

### 3.4 RISK MANAGEMENT

**While there are sufficient mechanisms in place for the CFP to identify and assess risks impacting eligibility processes, at this time the CFP should focus on developing strategies to mitigate systemic risks currently impacting program delivery.**

The audit expected to find that the CFP had processes in place whereby risks are identified, assessed, prioritized and linked to program priorities, as supported by the RCMP's approach to Integrated Risk Management as outlined in the Administration Manual 18.3.

Overall, the CFP appears to have a sufficient risk identification and assessment process in place. Program wide identification and assessment of risks, including those impacting eligibility activities, is part of the CFP's formal business planning process which includes the development of a five-year business plan and semi-annual CFO led meetings to discuss risks and related mitigating strategies.

The risk analysis section of the 2012-2017 CFP Business Plan contains a number of identified risks related to eligibility processes such as: ineligible clients having access to firearms; lack of resources; consistency of practices; and accessibility of information from police databases. Through interviews, the audit team confirmed that the risks originally identified in the 2012-2017 Business Plan continue to be in alignment with Management's view of key risks currently impacting eligibility. Based on interviews with CFP staff at all levels it was noted that the CFP's top priority is reducing public safety risk related to firearm use while focussing on the risks related to MH and current licence holders with eligibility issues.

Risks specifically impacting eligibility activities are also identified and assessed, and strategies to address them at an operational level are discussed at the CFO conferences which are held twice a year. The CFO conferences are attended by all CFOs, the Director of Firearms Service Delivery, Director of Firearms Regulatory Services and the Director of Firearms Business Improvement. As strategies are implemented, they become part of business processes discussed at the monthly Governance Committee teleconferences (including CPS, Opt-out CFOs, and CFP), and at the monthly Integrated Program Operations Team (IPOT) teleconference which includes representatives from all CFOs and major CFP directorates linked to operations. IPOT serves as a forum to identify, raise awareness and make recommendations to resolve operational issues.

The Record of Decision for the February 2017 CFO Conference demonstrates that decisions/action items, action owners and due dates are tracked for risk related issues discussed at these meetings. The audit also found that there is program-wide awareness of risks impacting

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eligibility activities. For example, the decision to prioritize existing clients over applicants stems from an identification and assessment that there are likely greater risks to public safety from eligibility events related to existing clients who have firearms licences (due to their access to firearms) than for eligibility events related to new licence applicants.

There is also ongoing monitoring of risks at multiple levels within the program. For example, CFOs, supported by their Team Leaders/Operations Managers, monitor risks in their respective day to day operations. CPS uses CFIS to monitor risk areas as manifested in its work queues. This includes tracking the files flagged as MH for action by the CFOs. Within the policy centre, the BI group conducts program-wide monitoring of work queues and volumes to help inform decision-making in the respective CFP directorates. As per section 3.1 of this report, although this information is being used in the consideration of workload distribution amongst CFOs, opportunities remain for the CFP to take further steps to address volume backlogs and the risks they engender. Additional opportunities exist to leverage the FBI directorate's data analytics capacity to further monitor and triage work volumes at CFO offices based on predetermined risk factors, and develop corresponding strategies to address backlogs.

Another aspect of the risk management process which was assessed was the implementation of strategies to mitigate the risks identified. The audit was unable to conclude on the effectiveness of the mitigation actions themselves but noted that actions were being taken to address significant risks impacting the program. Examples of risk mitigation initiatives being undertaken include:

- To further reduce the risk that ineligible applicants obtain firearms licences, the CFP has launched a pilot project to reengineer the manner in which ES is performed on first time applicants.
- To ensure MH files are prioritized nationally, a system change was implemented in CFIS in April/May 2017 where first level triage by CPS places such files in a separate MH priority queue.
- CFO offices are targeting increased outreach with police agencies to encourage improved Uniform Crime Reporting coding and with the medical community to encourage collaboration on medical disclosure.

The audit found that risk mitigation activities are being designed and implemented with the objective of reducing identified risks. However, as several risk mitigation activities are at early stages of development, it is premature to assess their completeness as well as their ultimate impact on reducing risk. The effectiveness of the mitigation strategies in addressing each risk will depend on their successful implementation that includes ongoing monitoring.

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## 4 CONCLUSION

Overall, the audit found that an effective management control framework is in place and that eligibility processes and investigations are compliant with legislation and policies.

Nevertheless, opportunities exist to improve processes and to mitigate risks impacting the eligibility screening process. Challenges were found in the areas of policy, training, availability and timeliness of information, processing delays and monitoring and prioritization of work queues.

With respect to the national policy framework and training standards, opportunities to improve consistency and decision-making exist by updating the national CFPM and developing standardized training for personnel in key decision-making roles.

Emphasis on developing additional mechanisms to monitor and triage priority files as well as assessing options to improve the timeliness of third party information could further mitigate these risks. Leveraging the CFP's existing capacity to perform data analytics using business intelligence tools to proactively monitor and triage work queues based on predetermined risk factors would assist in this regard.

Opportunities may also exist to further analyse and assess the residual risks related to the reengineered approach to Enhanced Screening.

## 5 RECOMMENDATIONS

<b>Recommendations</b>
1) The Deputy Commissioner Specialized Policing Services should ensure that the CFP supports standardization of processes at the national level by updating the CFP Manual.
2) The Deputy Commissioner Specialized Policing Services should ensure that the CFP, in collaboration with Learning and Development develops a standardized training program for Firearms Officers.
3) The Deputy Commissioner Specialized Policing Services should continue efforts to assess the timeliness of information from third parties relevant to eligibility screening decision-making.
4) The Deputy Commissioner Specialized Policing Services should ensure that the CFP conducts further analysis of current processes with the aim of increasing the effectiveness of eligibility screening.
5) The Deputy Commissioner Specialized Policing Services should ensure that the CFP make use of its capacity to perform data analytics to monitor and triage work queues based on predetermined risk factors.

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APPENDIX A – AUDIT OBJECTIVE AND CRITERIA

<b>Objective:</b> to assess the effectiveness of the processes in place to ensure the eligibility of firearms licence applicants and holders, and the adequacy of the supporting management control framework.	<b>Criterion 1:</b> CFP policies and procedures related to eligibility activities are aligned with the <i>Firearms Act</i> and related regulations, and are consistently applied.
	<b>Criterion 2:</b> CFP personnel engaged in eligibility activities have sufficient training, and access to sufficient and timely information to effectively fulfill their responsibilities.
	<b>Criterion 3:</b> Monitoring and oversight mechanisms are in place to ensure that eligibility activities achieve intended objectives.
	<b>Criterion 4:</b> Management has identified, assessed and mitigated risks impacting the effectiveness of eligibility activities.

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# **Vérification de la continuité de l'admissibilité à un permis d'arme à feu dans le cadre du Programme canadien des armes à feu**

**Rapport épuré**

**Février 2018**

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Ce rapport fut revu en considération de la Loi sur l'accès à l'information et la Loi sur la protection des renseignements personnels. Certaines parties du texte comprises dans ces documents ne peuvent pas être publiées et sont identifiées comme suit : [\*\*\*]; l'information publiée est NON-CLASSIFIÉE.

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**SIGLES ET ABRÉVIATIONS**

BCT	Bureau central de traitement
CAF	Contrôleur des armes à feu
CIPC	Centre d'information de la police canadienne
CMV	Comité ministériel de vérification
DAARAF	Direction de l'amélioration des activités relatives aux armes à feu
DG	Direction générale
GRC	Gendarmerie royale du Canada
MPCAF	<i>Manuel du Programme canadien des armes à feu</i>
PAF	Préposé aux armes à feu
PCAF	Programme canadien des armes à feu
PRIME	<i>Police Records Information Management Environment</i>
RO	Renseignements organisationnels
SCIRAF	Système canadien d'information relativement aux armes à feu
SGDO	Système de gestion des dossiers opérationnels
SIRP	Système d'incidents et de rapports de police
VA	Vérification accrue

## SOMMAIRE

Le Programme canadien des armes à feu (PCAF) a pour mission de renforcer la sécurité publique en réduisant le risque de préjudice résultant du mauvais usage des armes à feu. Par l'entremise des bureaux des contrôleurs des armes à feu (CAF), le PCAF collabore avec les provinces et territoires pour gérer la délivrance de permis d'arme à feu, les autorisations de port et de transport et l'admissibilité continue des titulaires de permis à l'échelle du pays. Dans le cadre du régime actuel, l'admissibilité du client est évaluée au moment de la présentation d'une demande de permis, de façon continue pendant la période de validité du permis et lors du renouvellement (aux cinq ans).

La vérification avait pour objectif d'évaluer l'efficacité des processus établis pour confirmer l'admissibilité des demandeurs et des titulaires de permis d'arme à feu et l'efficacité du cadre de contrôle de gestion connexe.

La vérification a révélé qu'il existe un cadre de contrôle de gestion efficace et que les processus et enquêtes visant à déterminer l'admissibilité de clients sont conformes aux lois et aux politiques applicables. Cependant, il existe des possibilités d'améliorer les processus existants et de réduire les risques inhérents au processus de vérification de l'admissibilité. Divers défis se posent au niveau des politiques, de la formation, de la disponibilité et rapidité de communication de renseignements, des délais de traitement et de la surveillance et priorisation des files d'attente.

En ce qui a trait aux politiques et normes de formation nationales, il existe des possibilités d'améliorer l'uniformité et la qualité des décisions en actualisant le *Manuel du Programme canadien des armes à feu* et en normalisant la formation offerte aux employés jouant un rôle clé dans le processus décisionnel.

Les renseignements nécessaires à l'évaluation de l'admissibilité auxquels a directement accès le PCAF sont généralement disponibles sans délai. Il peut y avoir des retards dans la communication d'information que doit obtenir le PCAF auprès de tiers, retardant les enquêtes sur l'admissibilité et augmentant ainsi les risques éventuels pour la sécurité publique.

Il serait possible d'atténuer davantage ces risques en élaborant d'autres mécanismes visant la surveillance et le repérage de dossiers prioritaires et en évaluant diverses options en vue d'accélérer la communication de renseignements provenant de tiers. À cette fin, le PCAF pourrait mettre à profit sa capacité actuelle d'effectuer des analyses de données à l'aide d'outils de renseignements organisationnels pour assurer une surveillance proactive et établir la priorité de dossiers en attente en fonction de facteurs de risque prédéterminés.

Le PCAF pourrait également analyser et évaluer de façon plus approfondie les risques résiduels associés au nouveau processus de vérification accrue. La réponse de la direction incluse dans le présent rapport témoigne de sa détermination à donner suite aux conclusions et aux recommandations découlant de la vérification. La direction élabore un plan d'action détaillé à

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cette fin. Lorsque le plan sera approuvé, la Vérification interne de la GRC en surveillera la mise en œuvre et procédera, au besoin, à une vérification de suivi.

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## RÉPONSE DE LA DIRECTION

Les Services de police spécialisés, convenant des constatations et des recommandations de la vérification énoncées respectivement à la section 3 et 5 du présent rapport, ont pris des mesures en conséquence.

Le PCAF a entrepris un projet pour achever le manuel auxiliaire du PCAF et en assurer la tenue et mise à jour grâce à un cadre de contrôle de gestion. Le projet vise également l'élaboration de méthodes de fonctionnement normalisées (MFN) à l'échelle nationale pour les activités clés du programme.

Le PCAF a entamé des discussions pour mettre en poste un coordonnateur national de la formation chargé de la mise en œuvre d'un programme de formation national portant entre autres sur la *Loi sur les armes à feu* et les règlements connexes, les méthodes et techniques d'enquête, les politiques et MFN du PCAF et les outils automatisés à l'appui de l'application de la *Loi sur les armes à feu*.

Le PCAF mène actuellement des discussions avec les Services de police contractuels et autochtones (SPCA) et la direction des Services du CIPC en vue de modifier la politique actuelle du PCAF sur l'utilisation du SIRP pour assurer l'accessibilité rapide aux renseignements servant à évaluer l'admissibilité de clients à acquérir ou à posséder des armes à feu. Le contrôleur des armes à feu (CAF) de la Colombie-Britannique (C.-B.) et du Yukon est en pourparlers avec le ministère de la Sécurité publique et du Solliciteur général de la C.-B. pour améliorer l'accès de son bureau au système PRIME, suite à la recommandation 37 formulée dans le rapport du groupe de travail sur les armes à feu illégales de la C.-B. visant un meilleur accès à ce système de gestion de l'information.

En octobre 2017, le PCAF a lancé un projet pilote visant la restructuration du protocole de vérification accrue afin d'obtenir les renseignements pertinents \*\*\* dont a besoin le CAF pour établir l'admissibilité d'un client à acquérir ou à posséder des armes à feu. Le PCAF a également intégré à sa carte stratégique de 2018-2019 une initiative visant l'élaboration de processus améliorés et d'une formation supplémentaire pour renforcer les vérifications et les enquêtes dans le cas de problèmes de santé mentale.

Le PCAF a effectué un examen organisationnel et opérationnel des CAF fédéraux (suivi de l'examen de 2013) à l'automne 2017 pour évaluer le volume de travail, l'établissement de priorités et les rôles et responsabilités. Le rapport, qui sera publié au début du printemps de 2018, précise les mesures de suivi à prendre relativement au triage de la charge de travail et à l'utilisation de mesures de rendement pour mieux prioriser et gérer le travail.

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Le PCAF élaborera un plan d'action à l'égard de chaque recommandation présentée dans le rapport de vérification. Les Services de police spécialisés désirent remercier la Vérification interne pour ses efforts considérables et l'exhaustivité du rapport.

Commissaire adjoint François Bidal  
Sous-commissaire intérimaire aux Services de police spécialisés

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## 1 CONTEXTE

Le Programme canadien des armes à feu (PCAF) a pour mission de renforcer la sécurité publique en réduisant le risque de préjudice résultant du mauvais usage des armes à feu. Il offre des services directs au public dans le cadre de l'application de la *Loi sur les armes à feu* (la *Loi*) et des règlements connexes, qui régissent les permis, la possession, le transport, l'utilisation, l'enregistrement et l'entreposage d'armes à feu au Canada. Le PCAF effectue des vérifications pour confirmer l'admissibilité de particuliers à posséder des armes à feu et fait la promotion de la possession, de l'entreposage et de l'utilisation responsables des armes à feu. De plus, le PCAF fournit un soutien opérationnel direct aux organismes d'application de la loi pour toutes les enquêtes et demandes d'information ayant trait aux armes à feu.<sup>1</sup>

En 2006, la gestion du PCAF a été confiée à la Gendarmerie royale du Canada (GRC). Le PCAF relève du commissaire aux armes à feu, qui est aussi le commissaire de la GRC.

Par l'entremise des bureaux des contrôleurs des armes à feu (CAF), le PCAF collabore avec les provinces et territoires pour gérer la délivrance de permis d'arme à feu, les autorisations de port et de transport et l'admissibilité continue des titulaires de permis à l'échelle du pays. Il y a un CAF dans chaque province et territoire. L'Ontario, le Québec, le Nouveau-Brunswick, l'Île-du-Prince-Édouard et la Nouvelle-Écosse ont décidé d'administrer eux-mêmes la *Loi* et les règlements connexes dans leur territoire. Dans ces « provinces participantes », le CAF est nommé par la province et rend compte au ministre fédéral de la Sécurité publique en vertu d'accords de contribution. Dans les « provinces et territoires non participants » (Alberta/Territoires du Nord-Ouest, Colombie-Britannique/Yukon, Manitoba/Nunavut, Saskatchewan et Terre-Neuve-et-Labrador), le CAF est nommé par le gouvernement fédéral et relève directement du PCAF. Ces CAF dits fédéraux sont des employés de la GRC relevant du directeur général (DG) du PCAF, par l'entremise du directeur des Services de réglementation sur les armes à feu.

Relevant de la Direction de la prestation de services en matière d'armes à feu, le Bureau central de traitement (BCT), situé à Miramichi (Nouveau-Brunswick), exerce des fonctions de traitement centralisé pour l'ensemble du PCAF. Le BCT est constitué d'un centre d'appels et de diverses installations de traitement, dont les groupes de traitement de données et la salle du courrier, qui reçoivent et traitent environ 260 000 demandes de permis et de renouvellement par année, et le Groupe du soutien des CAF, qui fournit un appui administratif et opérationnel aux CAF à l'échelle du pays.

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<sup>1</sup> *Rapport du commissaire aux armes à feu de 2016* [<http://www.rcmp-grc.gc.ca/fr/rapport-du-commissaire-aux-armes-a-feu-2016>]

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Au Canada, les personnes qui possèdent ou utilisent des armes à feu doivent être titulaires d'un permis, à moins qu'elles ne soient sous la surveillance directe et immédiate d'un titulaire de permis. De même, toute personne qui fait l'acquisition d'armes à feu ou de munitions doit détenir un permis. Le permis de possession et d'acquisition (PPA) est le seul permis d'arme à feu que peuvent obtenir les demandeurs âgés de 18 ans et plus.<sup>2</sup> En 2016, le PCAF a délivré 406 592 nouveaux permis, pour un total de 2 076 840 particuliers en possession de permis valides au Canada.<sup>3</sup>

En vertu de la *Loi*, le CAF a le pouvoir de rejeter une demande de permis d'arme à feu ou de révoquer un permis sur la foi de son évaluation du risque éventuel que le particulier représente pour la sécurité publique. En 2016, 2 223 permis ont été révoqués et 771 demandes ont été rejetées pour diverses raisons liées à la sécurité publique.<sup>4</sup> Dans le cadre du régime actuel, l'admissibilité du client est évaluée au moment de la présentation d'une demande de permis, de façon continue pendant la période de validité du permis et lors du renouvellement (aux cinq ans).

La vérification continue de l'admissibilité, selon laquelle des vérifications régulières sont menées pour confirmer que les titulaires actuels demeurent admissibles au permis d'arme à feu, permet d'assurer le respect de la *Loi*. Si un titulaire de permis est impliqué dans un incident violent (ou toute autre infraction énoncée à l'article 5 de la *Loi*), un rapport intitulé *Personne d'intérêt – Armes à feu* (PIAF) est généré dans le Système canadien d'information relativement aux armes à feu (SCIRAF) et acheminé au CAF compétent aux fins de suivi. En 2016, un total de 29 487 rapports PIAF visant des titulaires de permis d'arme à feu ont été générés.<sup>5</sup>

Le plan de vérification fondé sur le risque de 2016-2019, approuvé par le commissaire, comprenait une vérification du PCAF. La grande visibilité du PCAF et une surveillance accrue résultant d'enquêtes du coroner justifiaient un examen indépendant de la vérification de l'admissibilité à un permis d'arme à feu.

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<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

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## 2 OBJECTIF, PORTÉE ET MÉTHODE

### 2.1 OBJECTIF

La vérification visait à évaluer l'efficacité des processus établis pour confirmer l'admissibilité des demandeurs et des titulaires de permis d'arme à feu et l'efficacité du cadre de contrôle de gestion connexe.

### 2.2 PORTÉE

La vérification a examiné les processus établis pour confirmer l'admissibilité des demandeurs de permis d'arme à feu, des titulaires actuels de permis et des clients cherchant à renouveler leur permis. L'équipe de vérification a examiné les procédures entreprises par les CAF dans les provinces et territoires non participants et les opérations de soutien du BCT et du centre de décision du PCAF, situé à la Direction générale (DG). Puisque les bureaux des CAF fédéraux et le BCT sont dotés d'employés de la GRC relevant du DG du PCAF, leurs activités sont visées par le mandat de vérification de la Vérification interne de la GRC. Le CAF et le personnel du PCAF dans les provinces participantes sont des employés du ministère provincial de la Justice ou du Solliciteur général. Puisqu'ils ne sont pas des employés de la GRC, leurs activités ne sont pas visées par le mandat de la Vérification interne de la GRC et n'ont pas été examinées.

Les dossiers examinés dans le cadre de la vérification étaient datés du 1<sup>er</sup> janvier 2016 au 31 décembre 2016.

La vérification n'a pas évalué la qualité des données du SCIRAF.

### 2.3 MÉTHODE

La vérification a été effectuée conformément aux normes internationales pour la pratique professionnelle de la vérification interne (2015) de l'Institut des vérificateurs internes et à la *Politique sur l'audit interne* du Conseil du Trésor (2017).

Pendant l'étape de la planification en mai 2017, l'équipe de vérification a tenu des entrevues, procédé à une revue générale des modalités en vigueur et examiné les politiques et procédures pertinentes et les résultats d'examens antérieurs.

Les critères et tests de vérification ont été élaborés en fonction de la *Loi sur les armes à feu* et des règlements connexes et des politiques et directives de la GRC. L'objectif et les critères de vérification figurent à l'annexe A.

Pendant la phase d'examen, terminée en novembre 2017, l'équipe a eu recours à diverses techniques de vérification, dont des entrevues, l'examen de documents et des tests de vérification des dossiers de clients. Les vérificateurs ont fait des visites sur place – au BCT et à deux bureaux

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des CAF dans les provinces et territoires non participants (C.-B./Yukon et Alberta/T.N.-O.) – pour examiner les dossiers et évaluer les pratiques. Après son examen, l'équipe a tenu des réunions afin de valider ses constatations auprès du personnel et a présenté les conclusions pertinentes à la haute direction.

Le Tableau 1 résume le nombre de dossiers examinés dans le cadre de la vérification. Un échantillonnage aléatoire a été effectué à partir de données du SCIRAF obtenues du PCAF. Pour examiner le processus de présentation de demandes, l'équipe de vérification a analysé un échantillon aléatoire de demandes initiales et de demandes de renouvellement visant divers types d'armes à feu (sans restriction [SR], à autorisation restreinte [AR] et prohibées [P]) qui ont été approuvées, ainsi que des demandes initiales et des demandes de renouvellement qui ont été rejetées. Pour évaluer le processus de vérification continue de l'admissibilité, l'équipe a examiné un échantillon de dossiers de clients qui ont fait l'objet de rapports d'incident en 2016.

Tableau 1 : Échantillonnage

Nota : Les chiffres entre parenthèses représentent le nombre total de dossiers de même catégorie au moment de l'échantillonnage.

	C.-B.	Yukon	Total C.-B./ Yukon	Alberta	T.N.-O.	Total Alberta/ T.N.-O.	Total général
<b>Demandes initiales approuvées (SR)</b>	9 (11 893)	4 (492)	13	7 (15 041)	4 (547)	11	24
<b>Demandes initiales approuvées (AR)</b>	9 (12 491)	4 (164)	13	8 (14 151)	4 (143)	12	25
<b>Renouvellements approuvés (SR)</b>	10 (16 193)	4 (581)	14	9 (17 041)	4 (434)	13	27
<b>Renouvellements approuvés (AR)</b>	6 (11 674)	4 (201)	10	9 (12 006)	3 (137)	12	22
<b>Renouvellements approuvés (P)</b>	4 (1 346)	2 (36)	6	4 (1 078)	2 (16)	6	12
<b>Demandes approuvées Total partiel</b>							110
<b>Demandes rejetées</b>	4 (15)	2 (2)	6	6 (14)	0 (0)	6	12
<b>Révocations</b>	6 (142)	2 (6)	8	6 (97)	2 (3)	8	16
<b>Réception d'une suggestion de révocation</b>	2 (791)	1 (9)	3	4 (1 131)	1 (85)	5	8
<b>En voie d'examen</b>	8 (90)	2 (11)	10	8 (182)	1 (2)	9	19

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<b>Permis valides</b>	7 (215)	1 (50)	8	4 (415)	2 (15)	6	14
<b>Permis expirés</b>	4 (140)	1 (5)	5	3 (203)	1 (19)	4	9
<b>Dossiers d'admissibilité continue</b>							66
<b>Total partiel</b>							
<b>Total général</b>	69	27	96	68	24	92	188

## 2.4 ÉNONCÉ DE CONFORMITÉ

La mission de vérification est conforme au cadre d'exercice professionnel international de l'Institut des vérificateurs internes et à la *Directive sur l'audit interne* du CT, comme en font foi les résultats du programme d'assurance et d'amélioration de la qualité.

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## 3 CONSTATATIONS

### 3.1 GOUVERNANCE

**Des politiques et procédures cadrant avec la *Loi sur les armes à feu* et les règlements connexes sont en place et sont respectées de façon systématique. Il existe des possibilités d'actualiser le *Manuel du Programme canadien des armes à feu* et de mieux gérer la charge de travail et l'arriéré de dossiers dans les bureaux des CAF.**

#### Politiques et procédures

La *Loi sur les armes à feu* et ses règlements d'application régissent l'administration du PCAF. La *Loi* énonce les critères d'admissibilité dont doit tenir compte le CAF avant de délivrer un permis d'arme à feu, par exemple si le demandeur a été déclaré coupable d'infractions précises au *Code criminel*, s'il a été traité pour une maladie mentale, si l'historique de son comportement atteste l'usage de violence ou s'il fait l'objet d'une ordonnance d'interdiction lui interdisant la possession d'une arme à feu. De plus, le particulier doit réussir les cours sur la sécurité des armes à feu requis. Seul le CAF peut décider de l'admissibilité à un permis. Conformément à l'article 98 de la *Loi*, les préposés aux armes à feu (PAF) désignés par écrit par le CAF peuvent exercer les attributions conférées à ce dernier.

L'équipe de vérification a constaté que les processus de vérification mis en place pour évaluer l'admissibilité sont axés sur l'obtention de renseignements permettant d'évaluer les divers critères énoncés dans la *Loi*. Pour savoir si le demandeur a été déclaré coupable d'une infraction criminelle, une recherche est effectuée dans le Centre d'information de la police canadienne (CIPC). L'existence éventuelle d'ordonnances d'interdiction exige la consultation de dossiers des tribunaux. L'équipe de vérification a confirmé que les politiques et procédures établies cadrent avec les exigences de la *Loi*.

L'équipe de vérification s'attendait à ce qu'il existe une politique nationale régissant les activités de vérification de l'admissibilité à l'échelle du programme et servant de base à l'élaboration de politiques et procédures plus détaillées au sein des services.

Le *Manuel du Programme canadien des armes à feu* (MPCAF) est le manuel de politique national. Le MPCAF traite d'une variété de sujets, dont la délivrance de permis. Malheureusement, plusieurs rubriques de la Partie 2 (Permis, autorisations et agréments) n'ont aucun contenu : Admissibilité continue (section 7), Ordonnances judiciaires (section 8) et Refus de délivrance et révocations (section 10).

Pour pallier cette lacune, le BCT et les bureaux des CAF ont établi des politiques et des directives détaillées à l'interne relativement aux processus de vérification de l'admissibilité. Étant donné la nature répétitive des étapes à suivre dans le traitement des demandes et l'examen

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des préoccupations quant à l'admissibilité continue, ces MFN détaillées contribuent à la normalisation des processus.

Au niveau des services, l'équipe de vérification a constaté que les employés du BCT et des bureaux des CAF connaissent bien les politiques puisqu'ils les consultent au quotidien dans l'exercice de leurs fonctions. Les gestionnaires et les superviseurs leur communiquent rapidement les mises à jour et modifications éventuelles. Les employés ont recours à divers mécanismes, dont des sites Intranet, qui permettent l'entreposage centralisé des politiques et procédures pertinentes et la communication de mises à jour et de renseignements importants.

Après l'examen opérationnel de 2013 visant la centralisation des processus administratifs communs, de nombreuses démarches administratives et décisions comportant de faibles risques ont été transférées des CAF au Groupe du soutien des CAF (BCT). Divers mécanismes de contrôle ont été mis en place pour assurer une transition efficace, dont une matrice précisant les décisions que peuvent prendre les employés du Groupe du soutien des CAF et les questions devant être renvoyées aux bureaux des CAF aux fins d'examen. La matrice a évolué avec le temps et des discussions sont en cours au sein du programme pour la délégation éventuelle de pouvoirs de décision accrus au Groupe du soutien des CAF.

### Conformité

Pour évaluer l'intégrité du processus de vérification de l'admissibilité, l'équipe de vérification a examiné différents types de dossiers figurant dans le SCIRAF et se trouvant dans les bureaux des CAF afin de déterminer si les procédures applicables sont suivies et si les dossiers contiennent des preuves suffisantes à l'appui des décisions prises en matière d'admissibilité.

### *Demandes de permis et de renouvellement*

Les tests de vérification portant sur l'échantillon de 110 demandes de permis et de renouvellement approuvées ont révélé que les vérifications nécessaires en matière d'admissibilité ont été effectuées dans 100 % des cas avant la délivrance du permis, y compris la consultation de systèmes automatisés et les vérifications manuelles, au besoin.

Les vérifications nécessaires ont également été effectuées dans les 12 dossiers (100 %) faisant partie de l'échantillon de demandes de permis et de renouvellement rejetées. Les motifs du refus, conformes aux critères d'admissibilité énoncés dans la *Loi*, figurent au dossier dans tous les cas. Au besoin, une enquête sur l'admissibilité a été menée pour appuyer la décision de rejeter la demande.

### *Vérification continue de l'admissibilité*

Pour évaluer l'efficacité du processus de vérification continue de l'admissibilité, l'équipe a examiné un total de 66 dossiers faisant l'objet d'un rapport PIAF – dans certains cas, l'enquête sur l'admissibilité était encore en cours.

En général, l'examen des dossiers a montré que les incidents PIAF sont acheminés au PCAF assez rapidement (en moyenne deux jours) dans le cadre du processus de vérification continue de

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l'admissibilité et que le BCT, à son tour, obtient la divulgation et en avise les bureaux des CAF sans délai. Malheureusement, il y a des retards importants avant le début des enquêtes sur l'admissibilité, qui s'éternissent souvent. Dans de nombreux cas, lorsque des accusations ont été déposées contre le client, le PCAF semble attendre le jugement du tribunal avant de rendre sa décision sur l'admissibilité.

*Révocations et permis valides* – L'équipe de vérification a déterminé que toutes les révocations (16) et tous les permis redéclarés « valides » au terme d'une enquête amorcée après le signalement de préoccupations en matière d'admissibilité (14) sont entièrement conformes aux critères d'admissibilité énoncés à l'article 5 de la *Loi*. Pour les révocations, le délai moyen entre la création de l'incident PIAF et la décision du CAF sur l'admissibilité du client est de 110 jours<sup>6</sup> (80 jours pour le bureau de la C.-B./Yukon et 140 jours pour le bureau de l'Alberta/T.N.-O.). Pour les permis redéclarés « valides », le délai moyen entre la création de l'incident PIAF et la décision du CAF est de 231 jours<sup>7</sup> (203 jours pour le bureau de la C.-B./Yukon et 268 jours pour le bureau de l'Alberta/T.N.-O.).

- *Réception d'une suggestion de révocation et dossiers en voie d'examen* – L'équipe a examiné 27 dossiers provenant des deux bureaux des CAF pour lesquels un rapport PIAF a été généré mais aucune décision finale n'avait encore été prise (c.-à-dire réception d'une suggestion de révocation ou en voie d'examen). Le délai moyen écoulé depuis la création de l'incident PIAF est de 331 jours<sup>8</sup> (324 jours pour le bureau de la C.-B./Yukon et 337 jours pour le bureau de l'Alberta/T.N.-O.).
- *Permis expirés* – L'équipe de vérification a examiné neuf dossiers faisant l'objet d'un rapport PIAF dans lesquels le permis était « expiré » au moment de l'examen. Dans tous les cas, le permis avait expiré avant que le PCAF ne puisse procéder à un examen ou à une enquête en vue d'une décision finale sur l'admissibilité du titulaire. Le délai moyen entre la création de l'incident PIAF et l'expiration du permis est de 189 jours<sup>9</sup> (142 jours pour le bureau de la C.-B./Yukon et 249 jours pour le bureau de l'Alberta/T.N.-O.).

Les risques pour la sécurité publique causés par les retards sont souvent atténués par le fait que les services d'application de la loi ont saisi l'arme et le permis du particulier. La vérification a constaté que les CAF se fixent comme priorité de déterminer si la saisie a effectivement eu lieu,

<sup>6</sup> Le délai moyen sans compter les cas particuliers est de 98 jours (75 jours pour le bureau de la C.-B./Yukon et 120 jours pour le bureau de l'Alberta/T.N.-O.).

<sup>7</sup> Le délai moyen sans compter les cas particuliers est de 204 jours (187 jours pour le bureau de la C.-B./Yukon et 232 jours pour le bureau de l'Alberta/T.N.-O.).

<sup>8</sup> Le délai moyen sans compter les cas particuliers est de 328 jours (319 jours pour le bureau de la C.-B./Yukon et 337 jours pour le bureau de l'Alberta/T.N.-O.).

<sup>9</sup> Le délai moyen sans compter les cas particuliers est de 133 jours (130 jours pour le bureau de la C.-B./Yukon et 137 jours pour le bureau de l'Alberta/T.N.-O.).

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en consultant les détails de l'incident PIAF et en communiquant avec le policier en cause, au besoin.

Les risques pour la sécurité publique seraient plus élevés lorsque l'examen initial par le CAF des dossiers ayant généré un incident PIAF tarde à se faire. Le volume de dossiers à traiter est semblable en C.-B. et en Alberta, mais il existe une mesure d'atténuation supplémentaire en C.-B., à savoir l'examen de chaque dossier dès la réception dans la file d'attente aux fins de « triage » initial. Cela n'est pas fait au bureau du CAF de l'Alberta/T.N.-O., qui explique que les retards sont attribuables au manque de personnel. À l'échelle nationale, le PCAF envisage de redistribuer la charge de travail entre les CAF pour aider à réduire l'arriéré en Alberta, c'est-à-dire envoyer des dossiers à traiter du bureau de l'Alberta au bureau du CAF du Manitoba/Nunavut. La section 3.3 du présent rapport traite plus à fond de la surveillance et de la gestion de l'arriéré de dossiers.

### 3.2 FORMATION, EXHAUSTIVITÉ ET RAPIDITÉ DE COMMUNICATION DE RENSEIGNEMENTS

**La majorité des employés du PCAF sont bien formés, mais la mise en oeuvre d'une norme de formation nationale à l'intention des PAF contribuerait à l'uniformité des pratiques et du processus décisionnel. De plus, l'amélioration des renseignements et un accès élargi à divers systèmes favoriseraient la prise de décisions éclairées et rapides en matière d'admissibilité.**

#### Formation

La formation des employés est essentielle au respect des processus établis et favorise la normalisation et l'efficacité. L'équipe de vérification s'attendait à ce qu'il existe des normes de formation nationales et à ce que les employés aient reçu la formation nécessaire à l'exercice de leurs fonctions.

La majorité des tâches liées à l'évaluation de l'admissibilité sont de nature administrative. La plupart des nouveaux employés sont donc jumelés avec un collègue plus chevronné. Puisque le travail est souvent répétitif, des directives sur la façon de procéder ont été élaborées au sein du service pour aider les employés à exécuter les diverses tâches. Outre la formation en cours d'emploi visant l'apprentissage de divers rôles, une formation officielle portant sur l'utilisation

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d'outils de travail précis<sup>10</sup> est offerte, en plus de divers cours obligatoires que doivent suivre tous les nouveaux employés de la GRC en ligne dans AGORA. Les conseillers juridiques affectés aux bureaux des CAF de l'Alberta/T.N.-O. et de la C.-B./Yukon offrent aussi des cours sur la *Loi* et les règlements connexes au nouveau personnel et des séances de formation sur des questions juridiques spécialisées propres aux PAF. Les bureaux des CAF de l'Alberta/T.N.-O. et de la C.-B./Yukon ont tous deux des exigences de formation documentées à l'intention des nouveaux employés dans divers rôles (c'est-à-dire des renseignements particuliers auxquels sont exposés les employés) pour faciliter l'élaboration de plans de formation individuelle.

Depuis octobre 2016, un service d'expertise est responsable de l'élaboration et de l'administration de la formation visant les nouveaux employés de divers groupes du BCT (centre d'appels, traitement de données, soutien des CAF). Le service d'expertise entend offrir cette formation aux autres groupes du BCT à l'avenir (salle du courrier et des dossiers, traitement des exceptions). De plus, le service d'expertise est responsable de fournir des conseils techniques et de veiller à l'assurance de la qualité.

L'équipe de vérification a relevé la pratique exemplaire de formation polyvalente du personnel de groupes fonctionnels pour la réalisation d'une variété de tâches. Cette pratique offre une certaine souplesse permettant la réaffectation d'employés au sein du BCT ou entre les divers bureaux des CAF pour aider à réduire les arriérés et répondre aux priorités. À part les employés exerçant les fonctions de PAF, les employés du BCT et des bureaux des CAF interviewés estimaient en général que la formation reçue leur permettait d'accomplir les tâches liées au poste.

Les CAF et PAF interviewés se plaignent de l'absence d'une norme de formation à l'intention des employés exerçant les fonctions de PAF, un rôle exigeant un large éventail de compétences. Les PAF sont chargés de mener des enquêtes en cas de non-admissibilité éventuelle et de rendre des décisions finales sur l'admissibilité du client en fonction des résultats de ces enquêtes. Compte tenu du rôle de PAF, l'expérience de travail dans un milieu de la réglementation ou de la tenue d'enquêtes constitue un atout. Cependant, les CAF ont indiqué qu'il est difficile de trouver des candidats compétents avec l'expérience voulue et que les PAF actuels proviennent de milieux différents.

L'élaboration d'une norme de formation à l'intention des PAF en collaboration avec Apprentissage et Perfectionnement de la GRC pourrait aider à compenser le manque d'expérience des employés et à favoriser l'uniformité des pratiques et du processus décisionnel. L'un des CAF dirige une initiative visant la formation des PAF à l'échelle nationale, en tirant parti des modules de formation de la GRC existants (techniques d'enquête, prise de notes, entrevues) et en relevant les lacunes éventuelles exigeant l'élaboration de formation particulière.

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<sup>10</sup> SCIRAF, CIPC, *Justice Online Information Network* [JOIN], *Justice Information Network* [JUSTIN], SIRP, *Police Records Information Management Environment* [PRIME] de la C.-B.

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### Exhaustivité et rapidité de communication de renseignements

Diverses sources d'information sont utilisées pour déterminer l'admissibilité d'un particulier à un permis d'arme à feu, dont le CIPC, le SIRP, le système PRIME-BC, d'autres systèmes de gestion des dossiers (SGD) de la police, les dossiers de tribunaux, les réponses aux questions sur les antécédents personnels fournies dans les demandes de permis d'arme à feu et les résultats de la vérification accrue de l'admissibilité.

La vérification continue de l'admissibilité entraîne généralement la consultation d'autres sources d'information dans le cadre d'une enquête sur un incident PIAF, par exemple obtenir des précisions en interviewant le client, communiquer avec le service de police compétent pour demander la divulgation d'un incident ou, dans le cas de problèmes de santé mentale (*Loi sur la santé mentale*), obtenir des renseignements auprès d'un médecin (formulaire 6423 de la GRC). Afin que le CAF puisse bien évaluer l'admissibilité du client, des renseignements complets doivent lui être accessibles et disponibles.

L'équipe de vérification a déterminé que le personnel du PCAF a généralement accès à des renseignements suffisants pour déterminer l'admissibilité du client. Cependant, diverses améliorations sont possibles.

#### *Codes d'incident*

Dans le cadre de la vérification continue de l'admissibilité, les données sur les clients figurant dans le SCIRAF (système d'information du PCAF) sont comparées continuellement au contenu du CIPC pour repérer les interactions pertinentes de clients avec les services d'application de la loi. Le personnel du PCAF s'inquiète du risque lié à l'utilisation par les policiers de codes génériques pour définir des incidents d'importance éventuelle pour l'évaluation de l'admissibilité de clients. Un bureau du CAF a indiqué relever un ou deux cas par semaine, mais l'équipe de vérification n'a trouvé qu'un seul exemple de ceci dans l'échantillon de dossiers examinés. Le PCAF a tenté d'atténuer le risque par l'entremise d'un programme de sensibilisation proactif auprès des partenaires policiers, leur soulignant l'importance d'utiliser les codes d'incident voulus pour assurer l'efficacité du processus des rapports PIAF. En consultation avec le PCAF, les SPAC ont récemment modifié la politique applicable aux incidents de violence dans les relations où le suspect souffre de maladie mentale et a accès à des armes à feu.<sup>11</sup>

#### *Accès aux renseignements du CIPC*

À titre d'organisme de réglementation, le PCAF est lié par des considérations de respect de la vie privée et a donc un accès limité au SIRP et au système PRIME.

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<sup>11</sup> Site Infoweb des SPCA. Mise à jour de politique – Violence et mauvais traitements dans les relations et personnes atteintes de troubles mentaux [<http://infoweb.rcmp-grc.gc.ca/cap-sPCA/opc-pc/vio-fra.htm>]

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Le PCAF est un service utilisateur du CIPC de catégorie III, à savoir un organisme ayant un rôle complémentaire à l'application de la loi. Le chapitre 2.6. du MPCAF limite l'accès aux systèmes par le personnel du PCAF. Tel qu'indiqué au paragraphe 4.2., le CAF ou son représentant doit seulement consulter l'incident lié à l'entrée PIAF ou à l'enquête connexe lorsqu'il effectue une recherche dans le Système de gestion des dossiers opérationnels (SGDO). Le paragraphe 4.4. précise que toute recherche effectuée au moyen d'un nom de famille, d'une adresse ou d'un élément de recherche autre que le numéro d'incident opérationnel lié à l'inscription PIAF sera considérée comme une atteinte à la sécurité et pourrait entraîner la suspension de l'accès, un examen de l'autorisation de sécurité de la personne ou des mesures disciplinaires.<sup>12</sup>

En discutant avec le service de police compétent au sujet d'un incident PIAF, le PCAF découvre parfois que le SGDO contient d'autres renseignements pertinents quant à l'admissibilité du client. Dans de tels cas, une autre demande de divulgation doit être envoyée au service de police compétent afin que le PCAF puisse accéder aux renseignements. Le personnel du PCAF et les CAF ont indiqué que l'accès à d'autres incidents historiques leur permettrait d'obtenir plus de renseignements et donc de mieux évaluer l'admissibilité de clients, mais il s'agirait d'un libre accès à tous les renseignements personnels qui n'ont peut-être rien à voir avec leur évaluation. L'organisation doit donc analyser de façon plus approfondie les préoccupations en matière de protection de la vie privée.

### *Communication de renseignements*

Le délai de transmission de l'information nécessaire à l'évaluation de l'admissibilité pose aussi un problème. Selon les entrevues et les résultats des tests de vérification, le délai de transmission varie selon la source de l'information et que le personnel du PCAF ait accès directement aux renseignements ou qu'il ait à les demander auprès d'un tiers. Les retards dans l'obtention d'information sont le plus souvent hors du contrôle du PCAF.

Le PCAF reçoit généralement l'information du CIPC, des tribunaux et du SIRP dans un ou deux jours. En moyenne, le personnel du BCT obtient les divulgations nécessaires pour les incidents inscrits dans le SIRP dans un délai d'un jour. Le bureau du CAF de l'Alberta/T.N.-O. a un accès libre et direct au système JOIN (système d'information des dossiers judiciaires de l'Alberta) et aux SGD des services de police d'Edmonton et de Calgary. Il est donc en mesure d'obtenir les renseignements nécessaires rapidement. Pour leur part, les employés du CAF de la C.-B./Yukon ont un accès libre et direct au système JUSTIN (système d'information des dossiers judiciaires de la C.-B.).

L'équipe de vérification a constaté des retards dans l'obtention de divulgations liées à des systèmes autres que le SIRP (PRIME-BC ou autres SGD). Dans ces cas, les divulgations

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<sup>12</sup> MPCAF, chapitre 2.6 – Permis délivré aux particuliers [<http://infoweb.rcmp-grc.gc.ca/manuals-manuels/national/cfpm-mpcaf/2/2-6-fra.htm>]

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pouvaient prendre de quelques jours à quelques semaines, selon le partenaire policier en cause. Le BCT ne peut pas effectuer les divulgations dans le système PRIME pour le CAF de la C.-B./Yukon, donc tous les incidents PIAF générés en C.-B. sont envoyés au CAF de la C.-B./Yukon aux fins de divulgation. Le CAF de la C.-B./Yukon effectue une vérification initiale dans le système PRIME et envoie les demandes de divulgation au service de police compétent. Parmi les dossiers du bureau de CAF de la C.-B./Yukon examinés dans le cadre de la vérification, cinq ont été renvoyés à un PAF aux fins d'enquête, avec divers délais de transmission des divulgations dans le système PRIME (quatre mois, quatre mois, quatre semaines, trois semaines, deux semaines). Le bureau du CAF de l'Alberta/T.N.-O. compte sur le BCT pour les divulgations liées au SIRP, mais le personnel envoie des demandes de divulgation à des services de police autres que la GRC (Medicine Hat, Lethbridge) au besoin.

L'équipe a aussi relevé des retards dans l'obtention de renseignements médicaux nécessaires à l'évaluation des risques liés à la santé mentale (SM) et de l'admissibilité du demandeur ou du client. De tels retards peuvent influencer sur la prise de décision sur l'admissibilité puisque l'avis du médecin peut aider le PAF à déterminer l'admissibilité du particulier à obtenir ou à conserver un permis d'arme à feu.

Le demandeur ou le client doit demander à son médecin de remplir un questionnaire médical (formulaire 6423 de la GRC) et de l'envoyer au PCAF. Pour éviter les retards dans l'obtention de renseignements médicaux, le PCAF a établi une politique selon laquelle le formulaire médical doit être rempli et renvoyé dans un délai de 60 jours. Si le PCAF ne reçoit pas les renseignements médicaux à la fin de la période de 60 jours, le permis d'arme à feu peut être refusé ou révoqué. La période de 60 jours peut être prorogée dans des circonstances spéciales. Le PCAF a recours à des initiatives de sensibilisation auprès des partenaires policiers et des associations médicales pour leur souligner l'importance de fournir sans délai les renseignements nécessaires à l'évaluation de l'admissibilité d'un particulier à un permis d'arme à feu.

#### Vérification accrue

Dans le cadre du régime de vérification accrue (VA), mis en œuvre en 2007, le demandeur et deux répondants étaient interrogés par téléphone pour déterminer si la délivrance d'un permis d'arme à feu entraînait des risques éventuels pour la sécurité publique. En 2010, le PCAF a effectué un examen de l'efficacité de la VA pour déterminer si le régime permettait de relever des obstacles éventuels à l'admissibilité. Fort des résultats de l'examen, le PCAF a décidé en avril 2014 de limiter la VA à une seule entrevue téléphonique auprès d'un répondant.

En 2017,<sup>13</sup> dans le cadre d'un projet pilote, l'interrogation de répondants par téléphone a été graduellement abandonnée \*\*\*. Le projet pilote se poursuit, permettant d'élaborer et

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<sup>13</sup> La période visée par la vérification était l'année 2016, mais outre l'examen de dossiers, l'équipe de vérification a examiné d'autres mesures prises par le PCAF qui selon elle se rapportaient à l'objectif de la vérification, à savoir

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d'officialiser des politiques et des MFN. On estime qu'environ 14 400 demandeurs répondraient aux critères de vérification annuellement dans le cadre du nouveau processus de VA. Le PCAF compte évaluer l'efficacité du nouveau processus quand le projet pilote aura été en place pendant quatre mois.

L'équipe de vérification estime qu'une analyse plus approfondie s'impose pour évaluer le risque résiduel lié à l'adoption du nouveau régime de VA et les compromis éventuels. \*\*\*. Le PCAF devrait tenir compte de tels facteurs au moment d'examiner les résultats du projet pilote.

En vue d'améliorer l'utilité et la pertinence de l'information recueillie aux fins de vérification de l'admissibilité de demandeurs, le PCAF compte revoir les questions sur les antécédents personnels<sup>14</sup> figurant dans la demande de permis actuelle. Les questions sont les mêmes depuis de nombreuses années et le programme veut s'assurer qu'elles cadrent effectivement avec les facteurs de risque actuels.

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l'évaluation de l'efficacité des processus établis pour confirmer l'admissibilité de demandeurs et de titulaires à un permis d'arme à feu et l'efficacité du cadre de contrôle de gestion connexe.

<sup>14</sup> Les questions sur les antécédents personnels servent à relever les obstacles éventuels à l'admissibilité.

### 3.3 CONTRÔLE ET SURVEILLANCE

**Des renseignements sur le rendement sont saisis et utilisés pour examiner l'efficacité des activités de vérification de l'admissibilité et assurer l'amélioration continue des processus. Les files d'attente sont généralement surveillées et priorisées, mais les priorités ne sont pas établies en fonction de facteurs de risque dans tous les bureaux des CAF. Il faudrait examiner ces pratiques pour s'assurer que les mesures nécessaires sont prises pour atténuer les risques éventuels.**

L'équipe de vérification s'attendait à qu'il existe des processus visant l'examen des activités de vérification de l'admissibilité menées par le PCAF aux fins d'améliorations éventuelles et à ce que des renseignements sur le rendement soient saisis et utilisés par la direction dans le cadre du processus décisionnel. L'équipe s'attendait aussi à ce qu'il existe des processus d'assurance de la qualité (AQ) au sein du service pour surveiller la conformité des activités de vérification de l'admissibilité et à ce que les files d'attente soient surveillées et priorisées en fonction de facteurs de risque.

Au sein du PCAF, la Direction de l'amélioration des activités relatives aux armes à feu (DAARAF) dirige la conception des processus de travail en fonction des politiques applicables et des exigences opérationnelles. Elle utilise les renseignements organisationnels (RO) et effectue des examens opérationnels internes pour évaluer les processus en vue d'accroître l'efficacité et l'efficacité. La DAARAF a dirigé l'examen de l'efficacité de la VA et les modifications proposées au régime de VA mentionnés à la section précédente du présent rapport.

En 2013, la DAARAF a dirigé un examen organisationnel et opérationnel (EOO) des bureaux des CAF à l'échelle nationale portant sur les activités principales, le volume de travail lié à chaque activité, le niveau d'efforts requis pour chaque activité (étude des temps et mouvements) et les besoins en matière de ressources. L'examen a également évalué la possibilité de centraliser les activités administratives communes et l'incidence d'un tel changement. Cela a donné lieu à la création du Groupe du soutien des CAF au sein du BCT. Depuis l'EOO de 2013, la direction et le personnel du PCAF ont indiqué que les bureaux des CAF pourraient probablement déléguer plus de travail au Groupe du soutien des CAF afin qu'ils puissent se concentrer sur des fonctions d'enquête comportant des risques plus élevés. Conformément à l'évaluation de l'équipe d'évaluation, il convient d'étudier la possibilité d'un partage accru de tâches entre le BCT et les bureaux des CAF.

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En septembre 2017, la DAARAF a entrepris un examen organisationnel de suivi ciblant les Services des CAF (BCT).<sup>15</sup> Il s'agissait d'une évaluation analytique globale du déroulement des activités des CAF et du Groupe du soutien des CAF pour déceler les écarts, les anomalies et les problèmes éventuels et cerner les risques pour la sécurité publique. Les résultats de l'examen n'étaient pas disponibles avant la fin de la présente vérification.

Le groupe des RO de la DAARAF effectue des analyses de données à partir de renseignements figurant dans le SCIRAF pour produire des rapports à l'intention des autres directions du PCAF à l'appui de la prise de décisions éclairées. Des rapports sont transmis régulièrement au directeur des Services de réglementation sur les armes à feu et au directeur de la Prestation de services en matière d'armes à feu concernant les volumes de travail, les files d'attente et les arriérés. Le groupe des RO peut également effectuer des analyses plus approfondies afin d'aider les autres directions du PCAF à surveiller des aspects préoccupants et à favoriser des améliorations continues. Les analyses de données effectuées par la DAARAF ont cerné les améliorations qui s'imposent pour assurer l'intervention en temps voulu des Services juridiques dans le processus de révocation et la rédaction d'un modèle de lettre de révocation en 2017. La vérification a confirmé que la DAARAF contribue à la surveillance des processus de vérification de l'admissibilité du PCAF et à l'examen de ceux-ci aux fins d'amélioration, mais il existe des possibilités de mettre davantage à profit la capacité d'analyse de données de la DAARAF afin de surveiller la nature des volumes de travail et des arriérés au sein des bureaux des CAF et de cibler les risques d'importance particulière pour l'ensemble du PCAF (p. ex. risques liés à l'arriéré considérable au bureau du CAF de l'Alberta/T.N.-O.). Le PCAF jouirait ainsi d'une plus grande visibilité à l'égard des arriérés et serait en mesure d'élaborer des stratégies supplémentaires en conséquence, en plus de la stratégie visant le transfert de dossiers entre bureaux des CAF.

#### Assurance de la qualité

La responsabilité du contrôle de l'AQ des processus de vérification de l'admissibilité incombe au BCT et au CAF compétent (le bureau au sein duquel ont eu lieu les activités).

Le groupe de service d'expertise au sein du BCT effectue l'AQ du rendement de divers groupes (centre d'appels, traitement des données, soutien des CAF). Un analyste du service d'expertise examine régulièrement un échantillon du travail de chaque membre de ces groupes et fournit de la rétroaction. Le mandat du groupe de service d'expertise est relativement nouveau, et la

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<sup>15</sup> La période visée par la vérification était l'année 2016, mais outre l'examen de dossiers, l'équipe de vérification a examiné d'autres mesures prises par le PCAF qui selon elle se rapportaient à l'objectif de la vérification, à savoir l'évaluation de l'efficacité des processus établis pour confirmer l'admissibilité de demandeurs et de titulaires à un permis d'arme à feu et l'efficacité du cadre de contrôle de gestion connexe.

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fonction d'AQ n'a pas encore été élaborée pour les autres processus du BCT. La salle du courrier et des dossiers et le groupe de l'accréditation et du traitement des exceptions ne font toujours pas l'objet de processus d'AQ.

Divers processus visant l'AQ des activités de vérification de l'admissibilité étaient en place dans les bureaux des CAF au moment de la vérification. Les dossiers examinés contenaient des listes de contrôle et des gabarits visant à assurer l'exhaustivité et la normalisation des processus. Les PAF doivent faire appel à leur superviseur (gestionnaire des opérations ou chef d'équipe) et au CAF dans le cas de dossiers de nature délicate, et le conseiller juridique passe en revue tous les dossiers dans lesquels le refus ou la révocation est recommandé.

Depuis quelques années, le PCAF confie aux CAF le processus d'assurance de la qualité au sein du service (AQSS) lié à la qualité des enquêtes. L'équipe de vérification a analysé les résultats de l'AQSS de 2016 des deux bureaux des CAF visités, laquelle visait l'examen interne de plus de 110 dossiers. Aux deux endroits, les lacunes relevées portaient sur le besoin de consigner dans le SCIRAF toutes les démarches d'enquête entreprises par le personnel. Les résultats de l'AQSS indiquent dans les deux cas qu'un examen par le superviseur aiderait à régler le problème.

Les éléments probants recueillis dans le cadre de la vérification grâce à l'examen de dossiers et aux entrevues indiquent le besoin de supervision accrue. À l'heure actuelle, le superviseur examine uniquement les dossiers dans lesquels la décision sur l'admissibilité à un permis d'arme à feu est négative. Le processus d'AQ serait plus efficace si tous les types de dossiers (décisions positives et négatives) étaient examinés pour assurer l'uniformité et la conformité, puisqu'il existe des risques inhérents à l'obtention ou à la conservation par un particulier d'un permis d'arme à feu au terme d'une enquête sur l'admissibilité.

### Surveillance et gestion des arriérés

Puisque le milieu opérationnel dans lequel est effectuée la délivrance de permis par le PCAF comporte de nombreux processus, l'équipe de vérification s'attendait à ce que les files d'attente soient surveillées pour éviter les arriérés et les engorgements et à ce qu'il existe des mécanismes pour établir la priorité des dossiers en fonction de facteurs de risque prédéterminés.

L'équipe a constaté que l'ensemble des groupes du programme s'entendent sur les risques les plus importants en matière d'admissibilité à un permis d'arme à feu. La charge de travail est donc gérée de façon assez uniforme pour repérer les dossiers prioritaires (problèmes de SM, risques pour la sécurité publique, incidents PIAF visant des clients existants). Le dossier d'un particulier présentant une première demande qui suscite des préoccupations quant à l'admissibilité est jugé moins prioritaire puisqu'on suppose qu'il n'a pas légalement accès à des armes à feu et le risque pour la sécurité publique est donc moindre.

Pour assurer le traitement prioritaire de dossiers de SM, une file d'attente de CAF réservée aux dossiers mettant en cause des problèmes de SM a été créée au printemps de 2017. La file d'attente

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permet au BCT d'aviser sans délai les bureaux des CAF compétents de tels dossiers prioritaires. Pour leur part, les bureaux des CAF s'assurent que les dossiers figurant dans cette file d'attente font l'objet d'enquêtes prioritaires par le personnel. Cependant, la nouvelle file d'attente ne vise pas les dossiers de la C.-B. Puisque les incidents PIAF de la C.-B. proviennent du système PRIME-BC et que le BCT n'a pas accès à ce système, le BCT ne peut pas procéder au triage initial de ces dossiers. Le bureau du CAF de la C.-B./Yukon effectue donc lui-même le triage de ses incidents PIAF et identifie à l'interne les dossiers de SM en inscrivant le descripteur « PRIORITÉ » dans l'en-tête. Il procède de cette façon depuis 2013.

La vérification a confirmé que la charge de travail est surveillée régulièrement au BCT et dans les bureaux des CAF. Au BCT, les groupes surveillent de près les files d'attente de diverses sous-tâches pour repérer les retards et les arriérés. Puisque le BCT est axé en grande partie sur les normes de service, cette surveillance fournit aux superviseurs les renseignements qu'il leur faut pour rajuster les priorités et réaffecter les ressources afin de cibler les secteurs ayant des arriérés importants. Les employés reçoivent une formation polyvalente et sont donc en mesure d'exécuter plus d'une tâche au sein de leur service.

Les bureaux des CAF ont recours aux capacités de production de rapports du SCIRAF pour surveiller le volume de travail, les arriérés et les files d'attente des employés. Outre le SCIRAF, une feuille de calcul (*Workload Support Tool*) est utilisée aux fins de suivi et de surveillance des progrès réalisés dans les dossiers ouverts dont s'occupent les PAF.

Malgré les mécanismes en place, les deux bureaux des CAF visités accusent des arriérés importants au niveau des demandes soulevant des préoccupations en matière d'admissibilité et des incidents PIAF visant des titulaires actuels. Ces arriérés entraînent des retards dans le règlement de situations problématiques, un dilemme d'autant plus pressant dans le cas des titulaires actuels, qui ont accès à des armes à feu.

Les deux bureaux des CAF visités accusaient des arriérés semblables au niveau des incidents PIAF, mais il existe des possibilités d'améliorer la façon dont le bureau de l'Alberta/T.N.-O. surveille cet arriéré. À part les dossiers de SM, le bureau du CAF de l'Alberta/T.N.-O. traite tous les rapports PIAF selon la méthode du premier entré, premier servi. Il existe donc une accumulation de dossiers comportant des préoccupations liées à l'admissibilité qui n'ont pas encore été ouverts ou examinés par le personnel du bureau. Aucune analyse n'a été effectuée pour établir les priorités ou évaluer le niveau de risque des dossiers en attente. En l'absence d'un quelconque examen des dossiers au moment de la réception, les titulaires qui ne sont peut-être plus admissibles à un permis d'arme à feu conservent celui-ci en attendant qu'une enquête soit amorcée et qu'une décision soit rendue quant à leur admissibilité au permis.

Au contraire, au bureau du CAF de la C.-B., tous les dossiers dans la file d'attente sont examinés dans les 24 heures suivant leur réception du BCT au niveau de l'agent des armes à feu avant l'acheminement au PAF, au besoin. Cette pratique permet d'avoir une idée des incidents PIAF et des types de dossiers afin de pouvoir établir les priorités selon la nature du problème (SM,

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violence, etc.). En juillet 2017, le bureau du CAF de la C.-B./Yukon avait un arriéré de 2 930 demandes (préoccupations liées à l'admissibilité) et de 2 092 incidents PIAF (avis) en attente de traitement.

Pour sa part, le bureau du CAF de l'Alberta/T.N.-O. avait en juin 2017 un arriéré de 1 713 demandes de permis (admissibilité incertaine) et de 3 188 incidents PIAF (enquête requise). À titre comparatif, en avril 2016, il y avait 1 550 demandes et 2 264 incidents PIAF en attente – l'arriéré d'incidents PIAF a augmenté de 41 % de 2016 à 2017.

Les files d'attente sont généralement surveillées et priorisées, mais les priorités ne sont pas établies en fonction de facteurs de risque dans tous les bureaux des CAF. Il faudrait examiner ces pratiques pour s'assurer que les mesures nécessaires sont prises pour atténuer les risques éventuels.

### 3.4 GESTION DES RISQUES

**Le PCAF a mis en place des mécanismes efficaces pour cerner et évaluer les risques liés aux processus de vérification de l'admissibilité. Il faudrait maintenant élaborer des stratégies pour atténuer les risques systémiques touchant la prestation du programme.**

L'équipe de vérification s'attendait à ce qu'il existe au sein du PCAF des processus selon lesquels les risques sont cernés, évalués, placés en ordre de priorité et associés aux priorités du programme, conformément à la méthode privilégiée par la GRC dans le cadre de sa stratégie de gestion intégrée du risque, présentée au chapitre 18.3 du *Manuel d'administration*.

En général, le PCAF semble disposer d'un processus adéquat permettant de cerner et d'évaluer les risques. Le recensement et l'évaluation des risques à l'échelle du programme, y compris les risques liés aux activités de vérification de l'admissibilité, font partie du processus officiel de planification des activités, lequel prévoit l'élaboration d'un plan d'activités quinquennal et la tenue de réunions semestrielles dirigées par le CAF pour discuter des risques et des stratégies d'atténuation applicables.

La section du *Plan d'activités de 2012-2017 du PCAF* portant sur l'analyse des risques énumère une série de risques relevés au sein des processus de vérification de l'admissibilité (accès de clients inadmissibles à des armes à feu, manque de ressources, uniformité des pratiques, accessibilité de renseignements contenus dans des bases de données policières). Des entrevues ont permis à l'équipe de vérification de confirmer que les risques soulignés initialement dans le plan de 2012-2017 cadrent toujours avec les principaux risques touchant l'admissibilité tels que perçus par la direction. Selon les entrevues menées auprès d'employés du PCAF de tous les

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niveaux, la priorité du PCAF est de minimiser les risques pour la sécurité publique résultant de l'usage d'armes à feu tout en limitant les risques liés à la SM et à la non-admissibilité éventuelle de titulaires actuels.

Les risques touchant précisément les activités de vérification de l'admissibilité sont relevés et évalués, et des stratégies visant l'atténuation de ces risques au niveau opérationnel sont discutées aux conférences des CAF, lesquelles regroupent deux fois par année les CAF, le directeur de la Prestation de services en matière d'armes à feu, le directeur des Services de réglementation sur les armes à feu et le directeur de l'Amélioration des activités relatives aux armes à feu. Les stratégies mises en œuvre font partie des discussions sur les processus de travail lors des téléconférences mensuelles du Comité de gouvernance (BCT, bureaux des CAF des provinces et territoires non participants, PCAF) et de l'Équipe intégrée des opérations du programme (représentants de tous les bureaux des CAF et des principales directions du PCAF liées aux opérations). L'Équipe intégrée des opérations du programme sert de cadre pour dégager les problèmes opérationnels, assurer la sensibilisation et formuler des recommandations pour régler la situation.

Le rapport de décisions de la conférence des CAF tenue en février 2017 montre que les décisions, les mesures de suivi, les personnes responsables et les dates d'échéance sont suivies pour relever les questions liées aux risques qui sont discutées à ces réunions. La vérification a aussi établi que les risques liés aux activités de vérification de l'admissibilité sont connus à l'échelle du programme. Par exemple, la décision de donner la priorité aux clients existants plutôt qu'aux nouveaux demandeurs est basée sur le fait que les clients existants, qui ont déjà un permis et donc accès à des armes à feu, posent un plus grand risque pour la sécurité publique que des particuliers qui en sont à leur première demande.

La surveillance continue des risques se fait également à divers niveaux au sein du PCAF. Les CAF, avec l'appui des chefs d'équipe et des gestionnaires des opérations, surveillent les risques dans le cadre de leurs activités quotidiennes respectives. Le BCT utilise le SCIRAF pour surveiller les dossiers problématiques en fonction des files d'attente, par exemple assurer le suivi de dossiers de SM aux fins d'intervention par le CAF. Au centre de décision, le groupe des RO surveille les files d'attente et les volumes de travail à l'échelle du programme pour assurer la prise de décisions éclairées au sein des diverses directions. Tel qu'indiqué à la section 3.1 du présent rapport, cette information est utilisée par le PCAF en vue de la redistribution éventuelle de travail entre les bureaux des CAF, mais des mesures supplémentaires peuvent aussi être prises pour réduire les arriérés et limiter les risques connexes. Il existe d'autres possibilités de mettre à profit la capacité de la DAARAF d'effectuer des analyses de données pour améliorer la surveillance et le triage de la charge de travail dans les bureaux des CAF en fonction de facteurs de risque prédéterminés et élaborer de nouvelles stratégies ciblant les arriérés.

Un autre aspect du processus de gestion des risques évalué dans le cadre de la vérification est la mise en œuvre de stratégies visant à atténuer les risques cernés. L'équipe de vérification n'a pu confirmer l'efficacité des mesures d'atténuation comme telles, mais elle a constaté que des

Vérification de la continuité de l'admissibilité à un permis d'arme  
à feu dans le cadre du Programme canadien des armes à feu

Non-classifié

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mesures sont effectivement prises pour contrer les risques importants touchant le programme. Voici des exemples de telles initiatives.

- Pour réduire encore davantage le risque que des demandeurs inadmissibles n'obtiennent un permis d'arme à feu, le PCAF a lancé un projet pilote qui modifie le processus de VA applicable aux particuliers présentant une première demande.
- Pour assurer le traitement prioritaire des dossiers de SM à l'échelle nationale, le SCIRAF a été modifié en avril/mai 2017 afin de permettre l'acheminement de tels dossiers à une file d'attente distincte après un triage initial par le BCT.
- Les bureaux des CAF intensifient leurs efforts de sensibilisation auprès d'organismes policiers visant les codes de Déclaration uniforme de la criminalité (DUC) et auprès de la collectivité médicale aux fins de collaboration pour la divulgation de renseignements médicaux.

La vérification a confirmé l'élaboration et la mise en œuvre d'activités d'atténuation des risques relevés. Cependant, plusieurs de ces initiatives n'en sont qu'à leurs débuts, donc il est prématuré d'en évaluer l'intégralité et l'incidence éventuelle. Afin d'atténuer efficacement les risques, les stratégies doivent être bien mises en œuvre et surveillées de façon continue.

## 4 CONCLUSION

La vérification a confirmé qu'il existe un cadre de contrôle de gestion efficace et que les processus et enquêtes visant à déterminer l'admissibilité sont conformes aux lois et aux politiques applicables.

Cependant, il existe des possibilités d'améliorer les processus existants et de réduire les risques inhérents au processus de vérification de l'admissibilité. Divers défis se posent au niveau des politiques, de la formation, de la disponibilité et rapidité de communication de renseignements, des délais de traitement et de la surveillance et priorisation des dossiers en attente.

En ce qui a trait aux politiques et normes de formation nationales, il existe des possibilités d'améliorer l'uniformité et la qualité des décisions en actualisant le *Manuel du Programme canadien des armes à feu* et en normalisant la formation offerte aux employés jouant un rôle clé dans le processus décisionnel.

Il serait possible d'atténuer davantage ces risques en élaborant d'autres mécanismes visant la surveillance et le repérage de dossiers prioritaires et en évaluant diverses options en vue d'accélérer la communication de renseignements provenant de tiers. À cette fin, le PCAF pourrait mettre à profit sa capacité actuelle d'effectuer des analyses de données à l'aide d'outils de renseignements organisationnels pour assurer de façon proactive la surveillance et le triage de dossiers en attente en fonction de facteurs de risque prédéterminés.

De plus, il serait possible d'analyser et d'évaluer de façon plus approfondie les risques résiduels associés au nouveau processus de vérification accrue.

## 5 RECOMMANDATIONS

Recommandations
1) Le sous-commissaire aux Services de police spécialisés devrait veiller à ce que le PCAF favorise la normalisation des processus à l'échelle nationale grâce à la mise à jour du <i>Manuel du Programme canadien des armes à feu</i> .
2) Le sous-commissaire aux Services de police spécialisés devrait veiller à ce que le PCAF, en collaboration avec Apprentissage et Perfectionnement, élabore un programme de formation national à l'intention des préposés aux armes à feu.
3) Le sous-commissaire aux Services de police spécialisés devrait poursuivre les efforts en cours pour évaluer la rapidité de communication de renseignements provenant de tiers nécessaires à la prise de décisions sur l'admissibilité.
4) Le sous-commissaire aux Services de police spécialisés devait veiller à ce que le PCAF analyse de façon plus approfondie les processus actuels en vue d'améliorer l'efficacité de la vérification de l'admissibilité.
5) Le sous-commissaire aux Services de police spécialisés devrait veiller à ce que le PCAF mette à profit sa capacité d'effectuer des analyses de données pour surveiller et établir la priorité de dossiers en attente en fonction de facteurs de risque prédéterminés.

Vérification de la continuité de l'admissibilité à un permis d'arme à feu dans le cadre du Programme canadien des armes à feu

Non-classifié

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ANNEXE A – OBJECTIF ET CRITÈRES DE VÉRIFICATION

<b>Objectif :</b> La vérification visait à évaluer l'efficacité des processus établis pour confirmer l'admissibilité des demandeurs et des titulaires de permis d'arme à feu et l'efficacité du cadre de contrôle de gestion connexe.	<b>Critère 1 :</b> Les politiques et procédures du PCAF régissant les activités de vérification de l'admissibilité cadrent avec la <i>Loi sur les armes à feu</i> et les règlements connexes et sont appliquées de façon systématique.
	<b>Critère 2 :</b> Les employés du PCAF participant aux activités de vérification de l'admissibilité sont bien formés et ont accès sans délai aux renseignements requis pour s'acquitter efficacement de leurs responsabilités.
	<b>Critère 3 :</b> Des mécanismes de contrôle et de surveillance sont en place pour s'assurer que les activités de vérification de l'admissibilité réalisent les objectifs fixés.
	<b>Critère 4 :</b> La direction a établi, évalué et atténué les risques éventuels liés à l'efficacité des activités de vérification de l'admissibilité.

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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

**Ottawa**

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**Don Rusnak**

Member of Parliament, Député  
Thunder Bay - Rainy River

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The Honourable William Blair  
Minister of Border Security and Organized Crime Reduction  
Wellington Building  
Suite 567  
Ottawa, ON  
K1A 0A6

October 17th, 2018

Dear Minister Blair,

I am writing you today on behalf of community members from my riding of Thunder Bay-Rainy River who have shared with me concerns regarding the hand-gun and assault weapon study outlined in your mandate letter.

Many families in Northwestern Ontario have a long history of responsible firearm ownership. That is why a number of community members have contacted me over the past two months to express their concerns over this firearm-ban study. From their perspective, a full ban on handguns and assault weapons will only punish lawful firearm owners who use these firearms in a safe and responsible way, while doing little to target the people who cause the majority of firearm crime in Canada. It has also been shared with me that there are concerns that pro-firearm organizations may not be adequately included in this study.

It is with these concerns in mind that I am requesting that pro-firearm, hobbyist, and sport-shooting organizations be included in this study in a fair and representative manner and that organizations in Northwestern Ontario, including the Thunder Bay Fish and Game Association, whose leadership I have had the pleasure of meeting with to discuss this issue, also be included.

Sec. Serv. PS/ Serv. Pub. SP  
**Receive / Recevoir**  
OCT 29 2018

T.D. No.  
No. T.D. **GDL-020304**  
File No.  
No. Dossier **1020-4**  
C.C. Don.Rusnak@parl.gc.ca

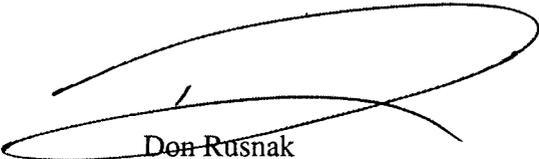
OCT 26 2018

I am also requesting that more information on how this study will be conducted. In order to have a fair and reasonable debate on this issue, this study will need to be open and transparent in its methods and the individuals and organizations it plans to gather information from.

Thunder Bay-Rainy River is home to a large number of law-abiding firearm owners. I would like to formally extend an invitation to you to visit my riding in order to meet with these owners and other members of public to talk about this study and the bigger issue of firearm crime in the region.

Thank you for your time.

Sincerely,



Don Rusnak  
Member of Parliament  
Thunder Bay-Rainy River

**Pages 205 to / à 215  
are not relevant  
sont non pertinentes**

**Pages 216 to / à 222  
are duplicates  
sont des duplicatas**

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## **KEY CHANGES TO FIREARMS LEGISLATION<sup>1</sup>** **2008 - 2015**

### **The Firearms Compliance Measures**

**May 2006<sup>2</sup>:** Regulations amended the *Firearms Fees Regulations* in order to waive, for a period of two years, the fee payable for the renewal of a firearms licence, including fees that may apply when changing from a Possession Only Licence to a Possession and Acquisition Licence or when a firearms licence is upgraded to include additional privileges.

An *Order Declaring an Amnesty Period (2006)* protected individuals from incurring criminal liability under the *Criminal Code* as a result of illegal possession of unregistered non-restricted firearms. The Order applied to individuals who did not hold a registration certificate but either held a licence under the *Firearms Act* or had previously held a licence under the *Firearms Act* which expired on or after January 1, 2004.

The Order provided an amnesty period to allow individuals who held a licence to submit an application to register their non-restricted firearms, or who had an expired licence to apply for a new licence and to submit an application to register their non-restricted firearms. The Order also allowed individuals to dispose of or deactivate non-restricted firearms safely and lawfully, in the ways permitted by the Order.

**May 2008:** Regulations were amended to enable owners with an expired Possession Only Licence to apply for a new Possession Only Licence.

**Note:** In combination, these measures to encourage compliance with firearms legislation continued until repeal of the fee waiver in 2013; repeal of the Possession Only Licence by the *Common Sense Firearms Licensing Act* in 2015; and expiry of the amnesty period in 2017.

### **Tackling Violent Crime Act**

**May 2008:** Firearms provisions of the *Tackling Violent Crime Act* come into force, strengthening the *Criminal Code* in the following areas:

- Tougher mandatory prison sentences for serious gun crimes;

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<sup>1</sup> The *Firearms Marking Regulations* were made by the Governor in Council in 2004, but not brought into force. The coming into force date was amended to 2006 and subsequently deferred seven times. They have not yet been brought into force to permit the Government to develop amendments to the Regulations so that they achieve their intended purpose of enabling the tracing of crime guns by law enforcement agencies. Further, the *Gun Shows Regulations* never came into force and were repealed in 2012. Therefore, neither of these regulations are mentioned in this backgrounder.

<sup>2</sup> Though the requested time period is from 2008 to 2018, the compliance measures which were initiated in 2006 were included because they were part of the regulatory conditions until their expiry and non-renewal between 2013 and 2017.

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- Bail reverse onus provisions so that those accused of serious gun crimes will have to show why they shouldn't be kept in jail while awaiting trial.

The Government increased, under section 95 of the *Criminal Code*, the minimum penalties for the unlawful possession of a restricted or prohibited firearm. More specifically, for individuals found guilty of possessing such a firearm in any place (i.e., whether or not in the commission of a crime) while not being the holder of a licence and a registration certificate, the minimum penalties were increased from one year to three years in the case of a first offence; and five years in the case of a second or subsequent offence.<sup>3</sup>

### **Public Agents Firearms Regulations**

**October 2008:** the remainder of the *Public Agents Firearms Regulations* came into force on October 31, 2008. Police and other government agencies that use or hold firearms were required to report all firearms in their temporary or permanent possession.

### **The Ending the Long-gun Registry Act**

Prior to the 2012 enactment of the *Ending the Long-gun Registry Act* (ELRA), the *Firearms Act* and the *Criminal Code* required all firearms owners to hold a five-year, renewable licence, and to register all firearms including non-restricted firearms (i.e. "long-guns"). The ELRA amended the legislation to repeal the requirement to register non-restricted firearms and the associated penalty provisions for failing to do so.

The ELRA required that the Commissioner of Firearms and the Chief Firearms Officer (CFO) for each province destroy all existing records pertaining to the registration of non-restricted firearms, as soon as feasible.

The legislation specified that existing controls over the transfer of restricted and prohibited firearms, including requiring a transferor to notify and ensure the approval of the appropriate CFO of a proposed transaction, would remain intact.

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<sup>3</sup> In 2015, the Supreme Court of Canada (SCC) recognized in *R v Nur* that "firearms are inherently dangerous" and serious penalties may be appropriate in certain circumstances (e.g., they imposed sentences in excess of the mandatory minimum penalties for both offenders, Nur and Charles).

However, the SCC confirmed in *R v Lloyd* (2016) that mandatory minimum penalties (MMPs), which apply to "offences that can be committed in many ways, in many different circumstances, and by a wide range of people" are constitutionally vulnerable under section 12 of the *Charter* (cruel and unusual punishment), because they will almost inevitably apply to real or hypothetical situations where the MMP would result in an unconstitutional sentence.

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The legislation left unaffected the requirement for a transferee to hold a licence authorizing the acquisition of the firearm and that the transferor must have no reason to believe the receiving party is not authorized to acquire the firearm.

**Firearms Information Regulations (Non-restricted Firearms)**

**June 2012:** These Regulations were approved to provide that businesses cannot be required, as a condition of licence, to collect or keep records of the transfers of non-restricted firearms or, if they keep such records, record it in such a way that links the transferee with the firearm transferred.

**The Common Sense Firearms Licensing Act.**

**June 2015:** The *Firearms Act* was amended to:

- Eliminate the Possession Only Licence (POL) and convert all valid POLs to a Possession and Acquisition Licence (PAL); this amendment came into force on September 2, 2015.
- Provide for a six month grace period beyond the date a valid licence normally expires, allowing holders to return to compliance while continuing to lawfully possess their firearms without fear of criminal sanctions. The grace period came into force on November 30, 2017 and expired after six months.
- Eliminate the possibility for individuals to take only the test for the Canadian Firearms Course (i.e., 'challenge' the test), and require new licence applicants to participate in the classroom component of the safety training course(s).
- Require a Chief Firearms Officer (CFO) to automatically issue, as a condition on the licence, and for specific reasons, an authorization to transport when they approve the transfer (i.e., change in ownership) of a restricted or prohibited firearm. The effect of this change is to eliminate the requirement for an individual to separately apply for an ATT for certain transport activities (e.g., to all CFO approved shooting clubs or ranges within an individual's province of residence); this amendment came into force on September 2, 2015.
- Clarify that the discretionary authority of a Chief Firearms Officer may be limited by regulation; and
- (Amendments not yet in force:) Require businesses, when importing restricted and/or prohibited firearms, to notify the RCMP Canadian Firearms Program in advance by submitting a form which identifies the firearms. In addition, the Canada Border Services Agency would be authorized to share commercial firearms import information with the RCMP Canadian Firearms Program.

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Under the *Criminal Code*, amendments were made to:

- Strengthen the provisions related to orders prohibiting the possession of firearms when a person is convicted of an offence involving domestic violence; and
- Create a definition of “non-restricted firearms” and provide the Governor in Council with authority to prescribe a firearm to be non-restricted or restricted, as the case may be, despite such firearms meeting other classification definitions in the *Criminal Code* (the “deeming provisions”).

**The Economic Action Plan 2015 Act, No. 1**

**June 2015:** The *Economic Action Plan 2015 Act, No. 1*, Division 18, amended the *Ending the Long-gun Registry Act* of 2012 (ELRA) to provide that the *Access to Information Act* and the *Privacy Act* do not apply to the registration records of non-restricted firearms or to their destruction, retroactively to October 25, 2011, the day on which the ELRA was introduced.

The Economic Action Plan Act also provided that there can be no administrative, civil or criminal proceedings against the Crown, a Crown servant, the Commissioner of Firearms or a CFO, or any person acting on behalf of or under the direction of any of them, on or after April 5, 2012, with respect to the destruction of the records and copies. The section also provides that there can be no proceedings against the Crown, a Crown servant, the Commissioner of Firearms, a CFO, a government institution or a head of a government institution, or any person acting on their behalf or under their direction, for any act or omission done in purported compliance with the ATIA or the *Privacy Act* in relation to those records, during the period beginning on October 25, 2011, and ending on the day the Economic Action Plan Act came into force.

**Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted**

**July 2015:** These Regulations, concerning the classification of firearms, were amended to reclassify four CZ-858 rifles and eleven Swiss Arms firearms from prohibited to non-restricted and restricted, depending on barrel length, under the authority conferred by the deeming provisions, despite such firearms meeting other classification definitions in the *Criminal Code*.

## Trends in Firearm Ownership

### Licences and Registered Firearms

As of December 31, 2016, there were 2,076,840 individual Possession and Acquisition Licence holders in Canada; however, it would be inappropriate to assume they all own firearms. These are the most recent published data (2016 Commissioner of Firearms Report).

In total, the number of restricted or prohibited firearms registered to individuals or businesses in Canada as of December 31, 2016 was 1,022,628, and there was an increase in the number of registered prohibited and restricted firearms by approximately 17% relative to 2013.

Because non-restricted firearms are not registered, comparable figures are not available for these firearms.

**Table 11: Firearms registered to individuals or businesses, by class, 2013 to 2016**

Firearm Class	2013	2014	2015	2016
Restricted	659,387	726,705	795,854	839,295
Prohibited	188,552	185,793	182,493	183,333
<b>Total</b>	<b>847,939</b>	<b>912,498</b>	<b>978,347</b>	<b>1,022,628</b>

### Estimates of firearm ownership

The *Small Arms Survey* (an international NGO) makes annual estimates of both legal and illicit firearm ownership around the world, drawing on a variety of sources; the margin of accuracy of these estimates is not known and they should therefore be considered with caution.<sup>1</sup> The Survey provides country rankings in terms of estimated number of guns owned and rate of firearm ownership. In 2017, Canada shared 11<sup>th</sup> place with France in terms of total estimated civilian-held legal and illicit firearms (12,700,000), and shared 5<sup>th</sup> place with Uruguay in terms of rate of firearm ownership (34.7 firearms per 100 residents).

Using numbers from the *Small Arms Survey in 2007 and 2017*, the estimated number and the rate of ownership of firearms, both licit and illicit, increased in Canada. Between 2007 and 2017, the estimated rate of firearms holding per 100 Canadians increased by around 11%.

Estimates for Canada	2007	2017
Number of licit and illicit firearms	9,950,000	12,700,000
Rate of firearms holding (per 100,000)	31.0	34.7

<sup>1</sup> Estimates draw on a range of sources and tools, using as many different methods as possible. These include: gun registration; expert estimates; household surveys; proxy indicators (such as gross domestic product per capita, and firearm suicides); and analogous comparison (ie. comparison to similar but better-understood countries).

**Table 1 Estimated total civilian-held legal and illicit firearms in the 25 top-ranked countries and territories, 2017**

United States	393,300,000	Turkey	13,200,000	Saudi Arabia	5,500,000
India	71,100,000	France	12,700,000	South Africa	5,400,000
China	49,700,000	Canada	12,700,000	Colombia	5,000,000
Pakistan	43,900,000	Thailand	10,300,000	Ukraine	4,400,000
Russian Federation	17,600,000	Italy	8,600,000	Afghanistan	4,300,000
Brazil	17,500,000	Iraq	7,600,000	Egypt	3,900,000
Mexico	16,800,000	Nigeria	6,200,000	Philippines	3,800,000
Germany	15,800,000	Venezuela	5,900,000		
Yemen	14,900,000	Iran	5,900,000		

Source: Small Arms Survey (2018)

**Table 2 Estimated rate of civilian firearms holdings in the 25 top-ranked countries and territories, 2017 (firearms per 100 residents)**

United States	120.5	Iceland	31.7	Sweden	23.1
Yemen	52.8	Bosnia and Herzegovina	31.2	Pakistan	22.3
Montenegro	39.1	Austria	30.0	Portugal	21.3
Serbia	39.1	Macedonia*	29.8	France	19.6
Canada	34.7	Norway	28.8	Germany	19.6
Uruguay	34.7	Malta	28.3	Iraq	19.6
Cyprus	34.0	Switzerland	27.6	Luxembourg	18.9
Finland	32.4	New Zealand	26.3		
Lebanon	31.9	Kosovo**	23.8		

Notes: This table excludes countries and territories with a population of under 150,000. \* Macedonia = the former Yugoslav Republic of Macedonia. \*\* The designation of Kosovo is without prejudice to positions on status and is in line with UN Security Council Resolution 1244 and the International Court of Justice Opinion on the Kosovo declaration of independence.

Source: Small Arms Survey (2018)

# How the CFP is Structured

## Canadian Firearms Program (CFP)

Supt. Paul Brown, A/Director General

Directorate	Area of Responsibility
<p><b>Firearms Regulatory Services</b> Rob O'Reilly, Director</p>	<ul style="list-style-type: none"> <li>• responsible for the delivery of the individual and business licensing components of the <i>Firearms Act</i> - works closely and collaboratively with the provincial Chief Firearms Officers who administer the <i>Firearms Act</i> in their respective jurisdictions</li> <li>• also responsible for the Canadian Firearms Registry (CFR); firearms safety education; range safety and use-of-force; and the Firearms Internet Investigations Support (FIIS) Unit</li> </ul>
<p><b>Firearms Investigative &amp; Enforcement Services</b> Supt. Paul Brown, Director</p>	<ul style="list-style-type: none"> <li>• strengthens the ability of law enforcement and criminal justice partners to combat the illegal smuggling, trafficking, distribution and use of illicit firearms</li> <li>• has representation from municipal, provincial and federal law enforcement and regulatory agencies from across Canada</li> <li>• is made up of National Weapons Enforcement Support Team (NWEST), Canadian National Firearms Tracing Centre (CNFTC), Firearms Operations and Enforcement Support (FOES) Unit, Specialized Firearms Support Services (SFSS) and Crown Attorney Program (CAP)</li> </ul>



# How the CFP is Structured (cont'd)

## Canadian Firearms Program (CFP) Supt. Paul Brown, A/Director General

Directorate	Area of Responsibility
<b>Firearms Service Delivery</b> Christine Henderson, Director	<ul style="list-style-type: none"> <li>located in Miramichi, New Brunswick, and includes the CFP's Central Processing Site</li> <li>consists of a call centre and processing facilities, where Firearms Act-related applications are received and processed, and firearms applicants are screened in order to verify their eligibility to possess and use firearms; a printing facility for firearms licence cards; and front-line service for federal CFO offices</li> </ul>
<b>Firearms Business Improvement</b> Robert MacKinnon, Director	<ul style="list-style-type: none"> <li>manages the design, development, testing, quality assurance and administration of the CFP's automated systems, databases, and websites</li> <li>responsible for the management of CFP operational business requirements (systems, processes, forms, operational policy, standard operating procedures), as driven by legislation, policy or operational need</li> </ul>
<b>Firearms Management &amp; Strategic Services</b> Alain Paquet, Director	<ul style="list-style-type: none"> <li>provides the CFP with policy support, strategic planning, research, outreach, and centralized corporate management services</li> <li>delivers the administration of Grants and Contributions programs in support of the opting out provinces CFO services and the delivery of firearms safety training to Indigenous communities</li> </ul>



# Handgun Ownership in Canada

Number of handguns registered in Canada: **1,014,434**

Type of Owner	Class of Handgun	Quantity
Individual	Restricted	754,270
	Prohibited	141,652
Business (incl. Museum)	Restricted	100,114
	Prohibited	18,398
<b>Total</b>	<b>Restricted</b>	<b>854,384</b>
	<b>Prohibited</b>	<b>160,050</b>

Handgun registrations account for ~ 90% of firearms registered in Canada  
(restricted and prohibited firearms only)

\*\* data current as of August 2018\*\*



# Top 10 Handguns

10 most common type of handguns registered in Canada:

Make	Model	# Registered
Smith & Wesson	M&P 9	16,874
Tokarev	TT33	15,952
Glock	17 GEN4	13,198
German Sport Guns	GSG-1911	11,629
Glock	17	10,084
CZ	CZ75 SP-01 SHADOW	9,780
Ruger	GP100	9,485
Ruger	MARK II TARGET	9,431
Smith & Wesson	686	9,249
Beretta	92FS	9,065

**\*\* data current as of August 2018\*\***



# Restricted Licence Privileges

Number of firearms licences with restricted privileges:

Type of Licence	# of Licences
Individual - Possession and Acquisition Licence (PAL)	612,599
Business Licence (incl. Museums)	1,529
<b>Total</b>	<b>614,128</b>

Number of individuals having a licence with restricted privileges and have a firearm registered in their name: **281,960**

**~45% of individuals with restricted privileges on their licence have a registered firearm**

**\*\* data current as of August 2018\*\***



# Restricted Licence Privileges by Age

Count of licence holders in Canada with restricted licence privileges that possess a registered firearm by age:

\*\* data current as of August 2018\*\*

Age	1	2	3	4	5-9	10-19	20-29	30+	Total
18-19	222	85	22	13	12	0	1	0	355
20-29	11,895	5,340	2,481	1,255	1,555	261	39	13	22,839
30-39	23,233	12,088	6,438	3,605	5,238	1,034	141	69	51,846
40-49	21,981	12,698	7,261	4,427	7,428	2,142	348	240	56,525
50-59	21,123	12,507	7,241	4,642	8,541	3,053	688	537	58,332
60-69	18,986	10,711	6,190	3,833	7,414	2,877	703	653	51,367
70-79	12,462	6,509	3,598	2,219	4,082	1,624	425	462	31,381
80-89	3,958	1,712	898	482	877	337	74	79	8,417
90-99	439	199	95	42	76	27	4	3	885
100+	6	5	2	0	0	0	0	0	13
<b>Total</b>	<b>114,305</b>	<b>61,854</b>	<b>34,226</b>	<b>20,518</b>	<b>35,223</b>	<b>11,355</b>	<b>2,423</b>	<b>2,056</b>	<b>281,960</b>



# Restricted Licence Privileges by Province

Count of licence holders in Canada with restricted licence privileges that possess a registered firearm by province:

\*\* data current as of August 2018\*\*

Province	1	2	3	4	5-9	10-19	20-29	30+	Total
Alberta	25,123	13,529	7,214	4,337	6,947	2,141	464	374	60,129
British Columbia	24,371	12,702	6,872	4,063	6,579	1,990	442	332	57,351
Manitoba	4,557	2,336	1,226	747	1,243	390	74	62	10,635
New Brunswick	3,194	1,497	852	454	696	229	36	37	6,995
Newfoundland	1,411	614	324	205	300	100	18	14	2,986
Northwest Territory	201	129	66	32	56	22	3	5	514
Nova Scotia	3,641	2,010	1,042	666	997	298	65	49	8,768
Nunavut	49	25	16	8	17	5	1	1	122
Ontario	33,991	18,706	10,825	6,605	12,503	4,266	927	822	88,645
Prince Edward Island	311	167	122	54	95	33	5	12	799
Quebec	9,890	6,081	3,528	2,102	3,661	1,246	251	245	27,004
Saskatchewan	7,197	3,840	2,024	1,181	2,009	596	128	100	17,075
Yukon	369	218	115	64	120	39	9	3	937
<b>Total</b>	<b>114,305</b>	<b>61,854</b>	<b>34,226</b>	<b>20,518</b>	<b>35,223</b>	<b>11,355</b>	<b>2,423</b>	<b>2,056</b>	<b>281,960</b>

**Pages 236 to / à 242  
are not relevant  
sont non pertinentes**

## **LIMITING FIREARMS**

**Engagement Paper**

**Public Safety Canada  
September 2018**

## **Context**

In its platform, the Government of Canada committed to get handguns and assault rifles off our streets. In support of this the Minister of Border Security and Organized Crime Reduction was charged with developing additional policy, regulations or legislation that could reduce crime involving the use of firearms and keep Canadians safe. In particular, Minister Blair was tasked with leading the examination of a ban on handguns and assault weapons, while not impeding the lawful use of firearms by Canadians. The Prime Minister has publicly committed to examining all options relating to a handgun ban.

Following a mass shooting in Toronto in July 2018, the Mayor of Toronto and the Premier of Ontario called on the federal government for help in combatting gun violence. In July and August 2018, both Toronto and Montreal City Councils voted to urge the federal government to ban the sale of handguns and handgun ammunition, with Montreal City Council also voting to demand the federal government ban the possession of assault weapons for anyone other than police or armed forces personnel.

## **Background**

### ***Types of firearms***

At present, firearms in Canada are classified by the Criminal Code as falling into one of three classes:

1. Non-restricted (e.g., most ordinary hunting rifles and shotguns – typically known as “long guns”),
2. Restricted (e.g., most handguns and certain semi-automatic firearms), and
3. Prohibited (e.g., small and prescribed handguns and fully automatic firearms).

Individuals may own firearms in the non-restricted and restricted classes if they have the appropriate licence (which, in turn, requires successful completion of the appropriate safety course, background verifications, and other components). Individuals may only own prohibited firearms in exceptional circumstances outlined in the *Firearms Act* and its regulations.

In some cases, the laws and regulations surrounding each class of firearms differ – for example, while there is no longer a national registry of non-restricted firearms, registration remains mandatory for restricted and prohibited firearms.

Handguns fall into the restricted class or – when they are small and therefore easily concealable, or when they are prescribed for other reasons – into the prohibited class. In other words, it is currently permissible for Canadians with the appropriate licenses to possess certain handguns.

“Assault weapon” is not a legally defined term in Canada’s classification laws. Various international jurisdictions use different definitions, often based on physical characteristics such as the magazine type, stock configuration, or other features. Not all those firearms that individual Canadians may consider to be “assault weapons” are prohibited, and some may also not be restricted.

### ***Gun crime***

Last updated September 24, 2018 (v.7)

Firearms-related violence is a serious concern. Data from Statistics Canada show that firearm-related violent crime has been increasing in recent years, despite the fact that the rate of violent crime, generally, has remained the same.<sup>1</sup> The numbers of homicides, attempted murders, and robberies involving firearms have all increased. Overall, these weapons are responsible for almost one third of all homicides in Canada.

In 2016, more than half (60%) of firearm-related violent crimes involved handguns. Statistics Canada has also concluded that much of the increase in firearm-related violent crime in recent years has been driven by increases in violent crime where a handgun was present. Given “assault weapons” is not a legally defined term in Canada, there is no comparable data for this type of firearm.

### **Legally-owned firearms**

The vast majority of firearms owners in Canada lawfully abide by the requirements of the firearms regime, and most gun crimes are not committed with legally-owned firearms. If a ban were enacted, the largest effect would be on legally-owned firearms. The illicit market may be indirectly affected as there would be fewer legal firearms to potentially divert to the illicit market.

Recent estimates indicate that there are about 900,000 legal handguns registered to individuals in Canada, and over 600,000 individual Canadians have licences permitting them to acquire handguns. In most cases, individuals own handguns either in the context of sport shooting activities or because those handguns form a part of a collection.

Given “assault weapons” is not a legally defined term, a count of the number of legally-owned firearms in this category is unavailable.

### **Illicit firearms**

Many firearms used in gun violence are illicit and entered the market via theft from individuals or businesses, straw purchasing (i.e., the legal purchase of a firearm by a licenced individual who then diverts the firearm to the illicit market) or smuggling. Given these firearms are not in the legal market and their number and characteristics are therefore hidden, comprehensive data on the relative proportion of illicit firearms from each source is not available. Moreover, even when firearms are seized by law enforcement, it is not always possible to determine their original source. However, recently, a number of law enforcement agencies have indicated that they perceive that the relative proportion of illicit firearms from domestic sources, as opposed to from smuggling, has been growing.

#### ***Theft***

Thefts from legal owners – individuals and businesses – represent a growing source of illegally-acquired domestic firearms. Statistics Canada reports that the number of incidents of thefts of firearms has risen more than 70% between 2010 and 2017, with the most marked increases in Western provinces.

<sup>1</sup> <https://www150.statcan.gc.ca/n1/pub/85-005-x/2018001/article/54980-eng.htm>

There may be cases in which thefts are facilitated by non-compliance with the requirements for safe storage or for transportation of firearms. Regulations for individuals storing firearms include requiring that firearms be unloaded, stored separately from ammunition, and – most importantly in the context of handguns – stored in a container, receptacle or room that is kept securely locked and can't readily be broken into, or stored in a locked vault, safe, or room specifically intended for this purpose.

Separate regulations exist to guide businesses' storage of firearms. These include requiring that firearms be unloaded, stored in a locked cabinet, vault, safe, or location, or in an area only accessible to staff, that there be an electronic burglar alarm and that all points of entry, including windows, can be securely locked. When businesses are displaying firearms, additional requirements are in place, such as having the firearm affixed to a wall or similar fixture via chain or cable.

Finally, there are also legislative requirements and regulations relating to transportation which contribute to public safety and reduced opportunities for theft, including obligations that firearms be unloaded, in a securely locked compartment, and not visible from outside the vehicle. Transporting restricted or prohibited firearms (e.g., to a shooting range) requires authorization.

### ***Straw purchasing***

Straw purchasing is a form of firearms trafficking. Individuals involved in straw purchasing may be: individuals who purchase firearms legally for illegal resale to anyone willing to pay, or individuals who knowingly purchase weapons on behalf of others who do not have a licence. There are examples of significant volumes of firearms being involved in straw purchase schemes, with, for instance, 200 firearms seized from a single straw purchaser in 2014.

### ***Firearms smuggling***

Though the proportion of illicit firearms in Canada that are domestically sourced is reported to be increasing, smuggling – typically from the US – continues to be an issue in specific regions of Canada (e.g. Southern Ontario and the Pacific Coast). The Canada Border Services Agency plays an active role in preventing firearms from being introduced illegally to Canada at the border.

### **Geographic differences**

The distribution of both legally-owned and illicit firearms varies geographically. For example, “long guns” (i.e., non-restricted firearms) are proportionately more common in the Prairie provinces than in Central Canada, as well as in rural and remote areas compared to urban centres. In part, this difference is reflective of the use of long guns as a key tool in agricultural, hunting, and trapping activities, which are also more common in those areas. The proportion of firearms seized by law enforcement that is handguns in Montreal and Toronto is double what it is elsewhere in Canada.

As mentioned earlier, there are also regional variations with respect to patterns relating to firearms theft and with respect to the role of cross-border smuggling in the introduction of firearms into the illicit market.

## International and other considerations

Jurisdictions differ in their approaches to firearms control. For example, Australia and the UK have both enacted bans on some firearms. The data does not demonstrate that these bans led to reductions in gun violence, though patterns of gun violence are influenced by many factors and therefore conclusions based strictly on statistical analyses are challenging.

Some other jurisdictions have focused on approaches other than those discussed above – including, among other things, amnesties and buy-backs allowing those in possession of illicit firearms to turn them in without criminal liability, and sometimes for a reward; stricter controls on the sale of ammunition; , firearm markings regimes; and, educational campaigns.

Other strategies for reducing gun access and violence that have been identified in Canada and other countries include reporting obligations relating to mental health linked to violence amongst those who own firearms, and requirements for flagging of large and unusual purchases of firearms.

Limitations on advertising relating to firearms have also been suggested as a possible tool in limiting interest in firearms. This area is challenging given that much of the advertising to which Canadians are exposed comes from elsewhere via the Internet. In Canada, advertising is regulated, and the *Canadian Code of Advertising Standards* (self-regulatory guidelines to which advertisers generally adhere) indicates that advertisements shall not “appear in a realistic manner to exploit, condone, or incite violence.” Regardless, some have contended that existing advertising unnecessarily glorifies violence.

DRAFT

**Questions to be included in more comprehensive document  
(for engagement with PTs, municipalities, NIOs, and invited stakeholders)**

*Questions will be presented following each section of related text within the discussion document.*

**Legally-owned firearms**

- *In your opinion, should more be done with respect to limiting access to handguns by those licenced to do so? What about assault weapons? If so, what strategies do you think should be considered?*
- *In your opinion, how can these strategies be enacted without impeding the lawful use of firearms by Canadians?*

**Illicit firearms**

***Overall***

- *Do you have ideas about how better data could be collected regarding the source of illicit firearms?*
- *In your opinion, are there particular strategies that could be used to limit access to handguns and and/or assault weapons in the illicit firearms market?*

***Theft***

- *In your opinion, what strategies might lead to reducing the number of firearms entering the illicit market via theft?*
- *In your opinion, are there additional storage strategies that might lead to reducing the number of firearms entering the illicit market via theft?*

***Straw purchasing***

- *In your opinion, what strategies might lead to reducing the number of firearms entering the illicit market via straw purchasing?*

***Firearms smuggling***

- *In your opinion, what further action(s) should be considered to limit the firearms entering the illicit market via smuggling?*

**Geographic differences**

- *In your opinion, should there be different strategies to limiting firearms for urban as opposed to rural and remote areas? In what way?*

**International and other considerations**

- *Are there further comments you would like to share with respect to limiting firearms?*

**Questions to be included in online consultation document**

*Should more be done about limiting access to legal handguns and/or assault weapons for those with the appropriate licences?*

- Yes, handguns only*
- Yes, assault weapons only*
- Yes, handguns and assault weapons*
- No, neither handguns nor assault weapons*
- No opinion*

*If so, what strategies do you think should be considered?*

*Where do you believe efforts to limit firearms should be focused?*

- Legally-owned firearms*
- Illicit firearms*
- Both legally-owned firearms and illicit firearms*
- Neither legally-owned firearms nor illicit firearms*
- No opinion*

*What strategies are likely to be most effective? What might the consequences be for law abiding Canadians?*

*Should there be different strategies to limiting firearms for urban versus rural and remote areas?*

- Yes*
- No*
- No opinion*

*If so, why and in what way?*

*Are there further comments you would like to share with respect to limiting firearms?*

**Pages 250 to / à 271  
are not relevant  
sont non pertinentes**

# RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE GENDARMERIE ROYALE DU CANADA

## Briefing on Firearms Issues

*June 2016*



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# Overview

- Objective – Provide an overview of the challenges facing firearms control
  - Canadian Firearms Program
  - Brief history of firearms control in Canada
  - Latest legislative amendments, the current firearms market, and their key impacts on firearms control
  - Recommended action



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# Canadian Firearms Program

- Since 2006, the RCMP Canadian Firearms Program (CFP) has supported the lawful ownership and use of firearms in Canada by administering the *Firearms Act* and assisting law enforcement
  - CFP's mission is to enhance public safety by helping to reduce the risk of harm from firearms misuse
  - CFP was first managed by the Canadian Firearms Centre under the Department of Justice (1996-2003) and the Solicitor General (2003-2006)
- CFP works with various partners including Canadian and international law enforcement agencies, other federal government departments and agencies, as well as the provinces and territories
  - Each province and territory has a Chief Firearms Officer (CFO) with delegated responsibility for the administration of the *Firearms Act*
- Key CFP Functions
  - Classification – Apply *Criminal Code* firearms definitions
  - Licensing – Individuals and businesses
  - Registration – Restricted and prohibited firearms
  - Support to Law Enforcement – Help combat illegal smuggling, trafficking, distribution and use of firearms



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# Brief History of Firearms Control

- **1934** – Handguns require registration
- **1951** – Fully automatic firearms (e.g., machine and sub-machine guns) require registration
- **1969** – Bill C-150 categorized weapons, including firearms, as “non-restricted” (mainly hunting firearms), “restricted” (mainly handguns), or “prohibited” (sawed off shotguns) under the *Criminal Code*, and created specific legislative controls for each category; the *Criminal Code Firearm Regulations* were also established to provide clarity on legal classification
- **1977** – Bill C-51 required all new firearm owners to be screened to obtain a Firearms Acquisition Certificate, and businesses to obtain a Firearms and Ammunition Business Permit; fully automatic firearms became a prohibited; widened definition of “restricted weapon” to capture more semi-automatic firearms
- **1991** – Bill C-17 prohibited large capacity magazines for automatic and semi-automatic firearms, and types of non-sporting ammunition
- **1995** – Bill C-68 created the *Firearms Act* that introduced universal licensing and registration – all firearms owners and business are screened and licensed, and all firearms are identifiable, accountable, and traceable



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# Latest Amendments

- Government amended some aspects of firearms licensing and registration
  - **2012 – Bill C-19 (*Ending the Long-gun Registry Act*)** eliminated the requirement for non-restricted firearms to be identifiable, accountable or traceable; required the destruction as soon as feasible of all non-restricted firearm records; removed CFO discretionary authority to require businesses to keep ledgers that link customers with an individual firearm as a condition on a business licence
  - **2015 – Bill C-42 (*Common Sense Firearms Licensing Act*)**

<b>Came into force on June 18, 2015</b>	Make classroom participation in firearms safety courses mandatory for first-time licence applicants
	Provide for the discretionary authority of CFOs to be subject to the regulations
	Strengthen the <i>Criminal Code</i> provisions relating to orders prohibiting the possession of firearms where a person is convicted of an offence involving domestic violence
	Provide the Governor in Council with authority to prescribe firearms to be non-restricted or restricted
<b>Came into force on Sept. 2, 2015</b>	Eliminate the Possession Only Licence (POL) and convert all valid POLs to Possession and Acquisition Licences (PALs)
	Authorizations to Transport become a condition of a licence for certain lawful activities such as target shooting; taking a firearm home after a transfer; going to a gunsmith, gun show, a Canadian port of exit, a peace officer or a CFO for verification, registration or disposal
<b>Not yet in force</b>	Create a six-month grace period at the end of the five-year licence (March 2016 - TBC)
	Share firearms import information when restricted and prohibited firearms are imported into Canada by businesses (March 2017 - TBC)



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2016

[REDACTED]

The current legislation used to control firearms cannot address  
the rapid and significant growth in the modularization and  
militarization of firearms available to the public  
since the mid-1990s



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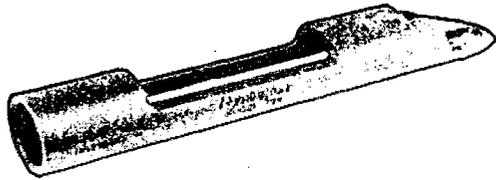
Canada

# Evolving Firearms - Modularization



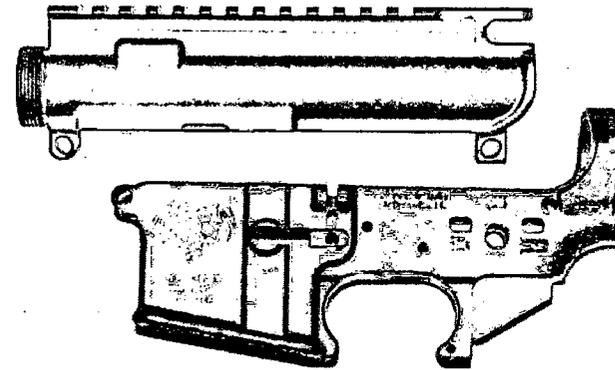
s.21(1)(a)  
s.21(1)(b)

1969



- Bolt action rifle receiver
- Single piece for licensing and marking

2016



- Semi-automatic rifle receiver
- Upper and lower receiver halves
- 
- 



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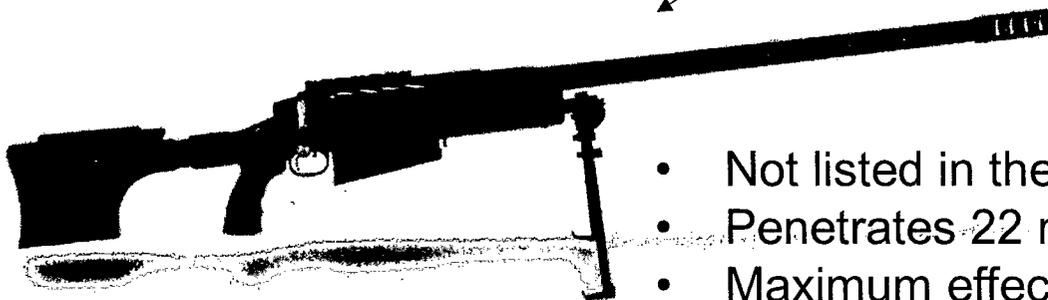
Canada

# Evolving Firearms - Militarization

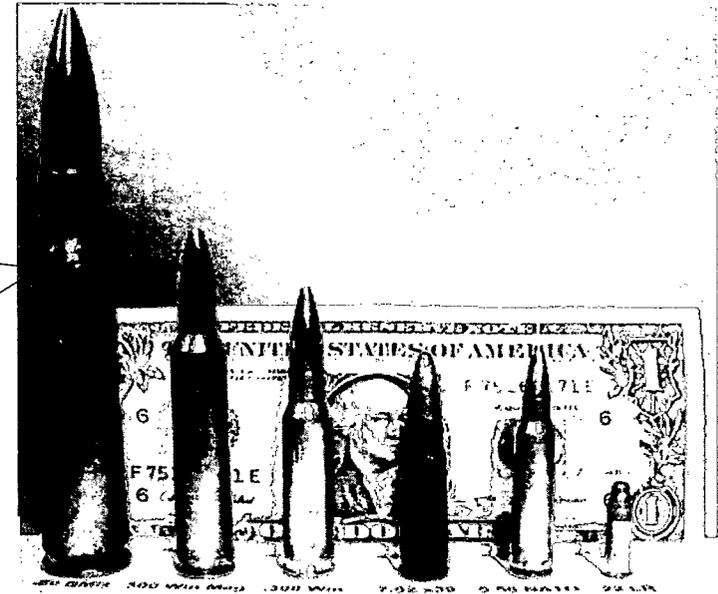
Barrett M82A1 (prohibited)



McMillan TAC-50 (non-restricted)



.50 calibre



- Not listed in the *Criminal Code Regulations*
- Penetrates 22 mm of steel armor at 100 m
- Maximum effective range 1800 m
- Record distance 2.5 Km



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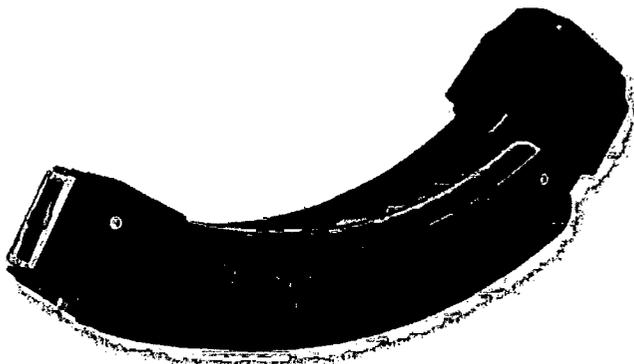
Canada

s.16(2)  
s.21(1)(a)  
s.21(1)(b)

# Evolving Firearms - Militarization



- 50 Beowulf calibre magazine
  - Contains 5 shots of 50 Beowulf ammunition
  - Can contain 14 shots of 223 Remington ammunition
  - Prohibited – exceeds five shots
  - [Redacted]



- Ruger BX-25x2 22 Long Rifle calibre magazine (50 shots)
  - Fits both rifles and handguns
  - Prohibited – exceeds 10 shots
  - [Redacted]

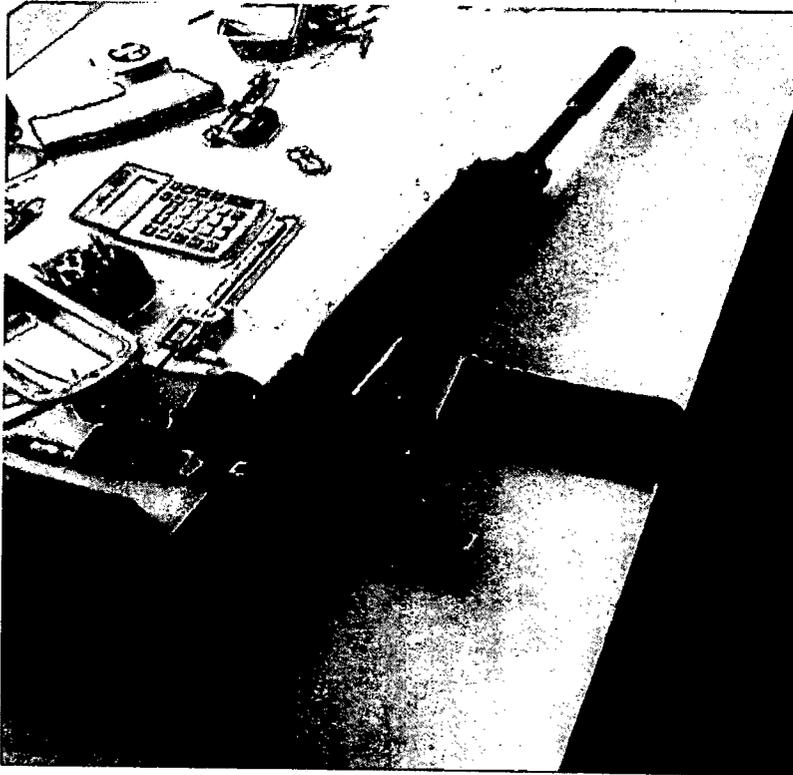


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s.16(2)

# Evolving Firearms - Modularization and Militarization



- AR-15 Semi-Automatic Rifle
  - Lower receiver is regulated and requires registration - requires a restricted firearms licence to purchase and possess

Off-the-shelf AR-15 parts (black)

- Unregulated
- No licence required



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# Impact

- Not addressing the evolution of the firearms market, coupled with recent legislative amendments, [REDACTED]

s.16(2)

s.21(1)(a)

s.21(1)(b)

- Key Impacts:

Firearms and accessories are classified [REDACTED] than possibly in the interest of public safety

- [REDACTED]

Non-restricted crime firearms cannot be traced

- No registration of non-restricted firearms
- No active regulations requiring unique firearm markings
- No mandatory requirement for business records

Prohibited and restricted firearms can be transported more easily

- [REDACTED]

Grace period for licence renewals and the *Firearms Records Regulations* are confusing and misleading

- 90 percent of firearms licence holders renew on time; 45 percent of renewal applications completed online

Gun shows [REDACTED] (e.g., firearms display, storage, sales)

- The 300 to 400 gun shows held every year in Canada operate [REDACTED]



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s.16(2)(a)  
s.21(1)(a)  
s.21(1)(b)

## Recommended Action

- Consider developing a modern legislative framework to systematically address the impact to public safety of the growth in the modularization and militarization of firearms
- [REDACTED]
- [REDACTED] to the Investments to Combat the Criminal Use of Firearms (ICCUF) initiative to combat gun crime and the smuggling of firearms in support of the Guns and Gangs commitment



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**Pages 284 to / à 351  
are not relevant  
sont non pertinentes**

**Bill C-71, *An Act to amend Certain Acts and Regulations in relation to firearms***

**Proposed Response:**

- **On March 20, 2018, the Government introduced Bill C-71, *An Act to amend Certain Acts and Regulations in relation to firearms*. It is currently in the Senate for Second Reading.**
- **With this bill, the Government is upholding the commitments it made to Canadians during the last election. And to be clear, that includes the commitment not to reinstate the federal long-gun registry.**
- **If passed, Bill C-71 would enhance public safety by:**
  - **Requiring licence verification for transfers of non-restricted firearms and enhancing background checks for those seeking to acquire firearms— as a result of an amendment adopted at Committee these background checks would explicitly require consideration of behaviours related to intimate partner violence as well as behaviours occurring online;**
  - **Repealing the authority of the Governor in Council to overrule RCMP Canadian Firearms Program determinations on the classification of a firearm, ensuring that such determinations are made by impartial experts. Consequently, regulations previously made to downgrade the classification of two groups of firearms would be automatically repealed. Owners of these particular firearms would be grandfathered;**
  - **Requiring specific transportation authorizations to be obtained for restricted and prohibited firearms, with exceptions for transportation between a residence and an approved shooting range, to support law enforcement's**

**ability to determine whether or not individuals are  
legitimately transporting their firearms; and,**

- **Requiring businesses to maintain records of inventories and transfers for non-restricted firearms, which law enforcement could request access to given reasonable grounds and with judicial authorizations when appropriate.**
  
- **The Government's commitment to provide \$327.6 million over five years and \$100.0 million annually thereafter to reduce gun and gang violence will contribute to the safety of Canadian communities.**

**Background:**

On March 20, 2018, the Government introduced legislation entitled "*An Act to amend certain Acts and Regulations in relation to firearms.*" Currently Bill C-71 is in the Senate for Second Reading.

**Bill C-71: *An Act to amend certain Acts and Regulations in relation to firearms***

The proposed legislation aims to meet the commitments set out in the Government's platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses.

*Eligibility to hold a firearms license:*

In determining whether a person is eligible for a firearms license, authorities will be required to consider specific information from the person's *full life history*, including, as a result of a Standing Committee on Public Safety and National Security (SECU) amendment, whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence, threatening conduct, non-contact orders; and, risk of harm to self or others as well as has a history of behaviour that includes violence or threatened or attempted violence.

*License verification:*

Anyone selling or giving a non-restricted firearm will be required to verify the validity of the firearms license of the recipient with the Canadian Firearms Program (CFP). Currently, license verification for non-restricted firearms is voluntary. No information on the non-restricted firearm being sold or given will be provided to the CFP.

*Reinstatement of record-keeping by vendors:*

Businesses will be required to keep records of inventory and sale of non-restricted firearms and their purchasers. The proposed legislation would require businesses to keep information on non-restricted firearms transfers for a minimum period of 20 years, including: the reference number issued by the Registrar of firearms confirming the transferee's license is valid and the date; license number of the transferee; and, information on the firearm including serial number, if available, make, model, and type.

*Transportation of restricted and prohibited firearms:*

Authorization by a Chief Firearms Officer (CFO) to acquire a restricted or grandfathered prohibited firearm automatically results in an Authorization to Transport (ATT) the firearm for specific purposes—transportation home to the individual's residence and to and from: a gunsmith, a gun show, a Canadian port of entry or exit; and, to a peace officer or CFO for verification, registration or disposal. Additionally, if authorizing the transfer of a restricted firearm or grandfathered prohibited handgun for target practice/shooting competition, a CFO must also automatically issue an ATT allowing the individual acquiring the firearm to go to and from all CFO approved shooting clubs or ranges within an individual's province/territory of residence.

The proposed legislation would reinstate discretion for a CFO to authorize transport of restricted and prohibited firearms to certain locations. The only automatic authorizations retained would be for the two most common transport purposes: to an owner's home following a purchase; and, to a shooting club or range. In other cases individuals would once again need to obtain an ATT. This change would enhance the ability of law enforcement to determine whether or not individuals are lawfully transporting restricted and prohibited firearms. ATTs will continue not to be required for non-restricted firearms, which represent approximately 90% of the firearms owned by Canadians.

*Consistent approach to firearms classification:*

The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the *Criminal Code*. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the *Criminal Code*. Current legal owners of these firearms would be eligible for grandfathering under the *Firearms Act* if they comply with licensing and registration requirements to own prohibited firearms. An Amnesty period is proposed to provide owners time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.

*Previously introduced in Bill C-52, Supporting Vested Rights under Access to Information, in June 2017, and now subsumed into this legislation:*

The proposed legislation would restore retroactively the applicability of the *Access to Information Act* and the *Privacy Act* to the Quebec-related records, currently held under seal by the Federal Court, of the now defunct long-gun registry. The proposed legislation would facilitate the settlement of two legal challenges by the Information Commissioner by allowing the Information Commissioner to view records relevant to her proceedings in support of reaching an out-of-court settlement. In addition, the proposal would provide for the transfer of Quebec-related records for non-restricted firearms to the province, if requested.

**Contacts:**

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Approved by: Ellen Burack, Assistant Deputy Minister, CSCCB, 613-990-2703

## **Engagement on a Handgun Ban**

**Issue:** Approach to engage Canadians on a handgun ban.

### **Proposed Response:**

- **This government has no greater commitment than keeping Canadians safe.**
- **The Minister of Border Security and Organized Crime Reduction was mandated by the Prime Minister to work with Minister Goodale on policies, regulations or legislation that could reduce crime involving the use of firearms.**
- **Also, Minister Blair is leading an examination of a ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians.**
- **As you know, the Prime Minister has committed to looking at all options related to a handgun ban.**
- **Examining this issue requires drawing on the expertise of Canadians and our international partners.**
- **For that reason, in the coming weeks, Minister Blair will be conducting engagement activities, including: holding roundtables with experts around the country, seeking input from the public through an online portal and getting additional data from other jurisdictions, including on the effectiveness of bans internationally.**
- **These engagements will help the Government determine the best way to deal with handguns in Canada.**
- **Any solution to addressing gun violence in Canada must be based on evidence.**

## Engagement on a Handgun Ban

### Background:

On July 22, 2018, Faisal Hussain killed two people and wounded thirteen using a semi-automatic handgun in a mass shooting on Danforth Avenue in Toronto. Mr. Hussain was reported to be suffering from mental health problems. On August 10, 2018, Matthew Vincent Raymond allegedly killed four people, including two Fredericton Police officers, using a long-gun, in a mass shooting in Fredericton, New Brunswick.

In July 2018, the Toronto City Council called for a national ban of handguns and assault weapons after the shooting on Danforth Avenue. Montreal City Council unanimously passed a similar motion in August 2018. The Montreal motion references high-profile shootings that have occurred in Quebec, such as the one at Polytechnique in 1989, Dawson College in 2006 and the Quebec City Mosque in 2017.

Minister Blair's mandate letter dated August 28, 2018, includes leading an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians.

Officials are finalizing an engagement strategy that includes a variety of elements, including engaging with, provinces/territories; municipalities; Indigenous groups; the Canadian Firearms Advisory Committee, stakeholders, law enforcement; Canadians and the international community. Officials are also finalizing a review on the effectiveness and costs of bans of handguns and other types of firearms and associated buyback programs in other jurisdictions.

The examination of a ban on handguns and assault weapons is one facet of a multi-pronged approach to addressing gun violence and firearms safety.

On March 20, 2018, Minister Goodale introduced legislation entitled "*An Act to amend certain Acts and Regulations in relation to firearms.*" The proposed legislation aims to meet the commitments set out in the Government's platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses.

The proposed Bill focuses on eligibility to hold a firearms licence, licence verification, record-keeping by vendors, transportation of restricted and prohibited firearms, and consistency in the approach to firearms classification. It also subsumes Bill C-52, *Supporting Vested Rights Under Access to Information Act*, previously introduced in June 2017.

The legislation and the examination of a possible ban on handguns are part of a suite of initiatives, including establishing a more inclusive Canadian Firearms Advisory Committee, reversing a ministerial directive issued by the previous government that allowed gun manufacturers to determine, in certain circumstances, the classification of their own products, and committing up to \$327.6 million over five years, and \$100 million annually thereafter, to help support a variety of initiatives to reduce gun crime and gang activities.

### Contacts:

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## **Appel à une interdiction des armes de poing**

**Sujet :** Approche en matière de mobilisation des Canadiens à l'égard d'une interdiction des armes de poing.

**Réponse proposée :**

- **Notre gouvernement tient avant tout à assurer la sécurité des Canadiens.**
- **Comme vous le savez, j'ai été chargé par le premier ministre de collaborer avec le ministre Goodale sur des politiques, des règlements ou des lois qui permettraient de réduire les crimes commis avec des armes à feu.**
- **Aussi, je dirige un examen de la possibilité d'interdire les armes de poing et les armes d'assaut au Canada, sans entraver l'utilisation légitime d'armes à feu par les Canadiens.**
- **Comme vous le savez, le premier ministre s'est engagé à examiner toutes les possibilités relativement à l'interdiction des armes de poing.**
- **L'examen de cette question exige de faire appel à l'expertise de Canadiens et de partenaires à l'étranger.**
- **Par conséquent, pour les prochaines semaines je mènerai des activités de mobilisation qui consisteront notamment à tenir des tables rondes avec des spécialistes dans l'ensemble du pays, à inviter les membres du public à donner leur avis au moyen d'un portail en ligne, et à recueillir des données supplémentaires auprès d'autres administrations, y compris sur l'efficacité des interdictions à l'échelle internationale.**

**Ces moyens de mobilisation nous aideront à déterminer la meilleure façon de gérer les armes de poings au Canada.**

- **Toute solution au problème de violence liée aux armes à feu au Canada doit être fondée sur des données probantes.**

## Appel à une interdiction des armes de poing

### Contexte :

Le 22 juillet 2018, Faisal Hussain a tué deux personnes et en a blessé 13 avec une arme de poing semi-automatique dans une fusillade survenue sur l'avenue Danforth à Toronto. M. Hussain aurait eu des troubles de santé mentale. Le 10 août 2018, Matthew Vincent Raymond aurait tué quatre personnes, dont deux policiers de Fredericton, avec une arme d'épaule, dans une fusillade survenue à Fredericton, au Nouveau-Brunswick.

En juillet 2018, le conseil de ville de Toronto a réclamé une interdiction nationale des armes de poing et des armes d'assaut après la fusillade survenue sur l'avenue Danforth. Pour sa part, le conseil de ville de Montréal a adopté à l'unanimité une résolution similaire en août 2018. La résolution de Montréal cite les fusillades très médiatisées qui se sont produites au Québec, comme celles de Polytechnique en 1989, du Collège Dawson en 2006 et de la mosquée de Québec en 2017.

Votre lettre de mandat datée du 28 août 2018 prévoit que vous vous penchiez sur la possibilité d'interdire complètement les armes de poing et les armes d'assaut au Canada, sans entraver l'utilisation légitime d'armes à feu par les Canadiens.

Les fonctionnaires finalisent une stratégie de mobilisation qui couvre divers éléments, notamment la participation des provinces et territoires, des municipalités, des groupes autochtones, du Comité consultatif canadien sur les armes à feu (CCCAF), des intervenants, des organismes d'application de la loi et de la communauté internationale. Les fonctionnaires terminent également un examen de l'efficacité et des coûts d'une interdiction des armes de poing et d'autres types d'armes à feu ainsi que des programmes de rachat connexes dans d'autres territoires de compétence.

Se pencher sur une interdiction des armes de poing et des armes d'assaut est l'une des facettes d'une approche concertée pour lutter contre la violence armée et assurer la sécurité des armes à feu.

Le 20 mars 2018, le ministre Goodale a déposé un projet de loi intitulé : « *Loi modifiant certaines lois et un règlement relatifs aux armes à feu* ». Le projet de loi vise à respecter les engagements pris dans la plateforme gouvernementale en ce qui a trait aux armes à feu qui accordent la priorité à la sécurité publique tout en assurant un traitement équitable et raisonnable des propriétaires et des entreprises d'armes à feu.

Le projet de loi porte principalement sur l'admissibilité au permis d'armes à feu, la vérification du permis, la tenue de registres pour les fournisseurs, le transport des armes à feu à autorisation restreinte et d'armes à feu prohibées et l'uniformisation de l'approche de classification des armes à feu. Il englobe également le projet de loi C-52, *Loi visant à soutenir les droits acquis en matière d'accès à l'information*, déposé en juin 2017.

Le projet de loi et l'examen d'une interdiction possible des armes de poing s'inscrivent dans une série d'initiatives, y compris la mise sur pied d'un Comité consultatif canadien sur les armes à feu plus inclusif, l'annulation d'une directive ministérielle émise par le gouvernement précédent qui autorisait les fabricants d'armes à feu à déterminer, dans certaines circonstances, la classification de leurs produits, et l'engagement de 327,6 millions de dollars sur cinq ans et de 100 millions de dollars par la suite pour financer diverses initiatives visant à réduire les crimes commis au moyen d'une arme à feu et les activités des gangs de rue.

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## **Call for a Handgun Ban**

**Issue:** The City Councils of Toronto and Montreal are calling for a national ban of handguns and assault weapons, following recent gun violence in both cities.

**Proposed Response:**

- **Canada is deeply saddened by recent shootings in Toronto and Fredericton, which are senseless tragedies and reminders of the devastating effects of gun violence and criminal activity in our communities.**
- **The Government's thoughts are with the victims, their friends and families and all those affected by these terrible events.**
- **The Government is aware that the City Councils of Toronto and Montreal have passed motions calling for a national ban of handguns and assault weapons.**
- **The Government assures you that this is a high priority for it. It has asked for an examination of a full ban of handguns and assault weapons in Canada while not impeding the lawful use of firearms by Canadians. At this point, all options are being examined.**
- **In addition, Canada will continue to advance Bill C-71, our firearms bill, which includes enhanced background checks and mandatory firearms licence verification.**

## Call for a Handgun Ban

### Background:

On July 22, 2018, Faisal Hussain killed two people and wounded thirteen using a semi-automatic handgun in a mass shooting on Danforth Avenue in Toronto. Mr. Hussain was reported to be suffering from mental health problems. On August 10, 2018, Matthew Vincent Raymond allegedly killed four people, including two Fredericton Police officers, using a long-gun, in a mass shooting in Fredericton, New Brunswick.

In July 2018, the Toronto City Council called for a national ban of handguns and assault weapons after the shooting on Danforth Avenue. Montreal City Council unanimously passed a similar motion in August 2018. The Montreal motion references high-profile shootings that have occurred in Quebec, such as the one at Polytechnique in 1989, Dawson College in 2006 and the Quebec City Mosque in 2017.

The mandate of the Minister of Border Security and Organized Crime Reduction, dated August 28, 2018, includes leading an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians.

### **Bill C-71: *An Act to amend certain Acts and Regulations in relation to firearms***

On March 20, 2018, the Government introduced legislation entitled "*An Act to amend certain Acts and Regulations in relation to firearms.*" The proposed legislation aims to meet the commitments set out in the Government's platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses. New elements proposed by the legislation would make several changes to the *Firearms Act* and *Criminal Code*, including:

#### *Eligibility to hold a firearms licence:*

In determining whether a person is eligible for a firearms licence, authorities will be required to consider specific information from the person's full life history, including whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence; and, has a history of behaviour that includes violence or threatened or attempted violence. The current requirement is that they must consider the above factors from the previous five years. In addition, as a result of an amendment adopted by the Standing Committee on Public Safety and National Security, authorities must also consider previous weapons prohibition orders made in respect of an offence involving violence that was used, threatened, or attempted against the person's intimate partner or former partner; certain prohibition orders (e.g., non-contact); cyber-bullying; and, harm to self or others.

#### *Licence verification:*

Anyone selling or giving a non-restricted firearm will be required to verify the validity of the firearms licence of the recipient with the Canadian Firearms Program (CFP). Currently, licence verification for non-restricted firearms is voluntary. Without verifying a firearms licence, there is greater risk that a non-restricted firearm may be sold or given to a person who is no longer authorized to possess a firearm, which creates a public safety concern. No information on the non-restricted firearm being sold or given will be provided to the CFP.

#### *Reinstatement of record-keeping by vendors:*

Businesses will be required to keep records of inventory and sale of non-restricted firearms and their purchasers. This change is a return to the regime put in place in 1979, when, pursuant to the *Criminal Code*, firearms businesses became required to keep inventory and transaction records. The proposed legislation would require businesses to keep information on non-restricted firearms transfers for a minimum period of 20 years, including: the reference number issued by the Registrar of firearms confirming the transferee's licence is valid and the date; the licence number of the transferee; and, information on the firearm including serial number, if available, make, model, and type. Individuals would not be required to maintain records when transferring ownership of a non-restricted firearm. Sales records would provide police with a tool to track systematically a firearm used in the commission of a crime.

#### *Transportation of restricted and prohibited firearms:*

Authorization by a Chief Firearms Officer (CFO) to acquire a restricted or grandfathered prohibited firearm automatically results in an Authorization to Transport (ATT) the firearm for specific purposes (i.e., a CFO has no discretion). Under the current regime, CFOs must automatically approve, within the individual's province/territory of residence, transportation to and from: a gunsmith, a gun show, a Canadian port of entry or exit; and, to a peace officer or CFO for verification, registration or disposal. Additionally, if authorizing the transfer of a restricted firearm or grandfathered prohibited handgun for target practice/shooting competition, a CFO must also automatically issue an ATT allowing the individual acquiring the firearm to go to and from all CFO approved shooting clubs or ranges within an individual's province/territory of residence. Finally, CFOs must automatically issue an ATT allowing the individual acquiring the firearm to take it home to their residence.

The proposed legislation would reinstate discretion for a CFO to authorize transport of restricted and prohibited firearms to certain locations. The only automatic authorizations retained would be for the two most common transport purposes: to an owner's home following a purchase; and, to a shooting club or range. For all other transportation activities described above, individuals would once again need to obtain an ATT. This change would enhance the ability of law enforcement to determine whether or not individuals are lawfully transporting restricted and prohibited firearms. ATTs will continue not to be required for non-restricted firearms, which represent approximately 90% of the firearms owned by Canadians.

*Consistent approach to firearms classification:*

The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the *Criminal Code*. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the *Criminal Code*. Individuals wishing to be eligible for grandfathering will need to have been in possession of a listed CZ or SA firearm on June 30, 2018, apply to register it within a year after the coming into force of the classification and grandfathering provisions of the Bill (except if it is currently a restricted firearm, in which case it must have been registered on June 30, 2018), and comply with licencing requirements. An Amnesty period is proposed to provide owners time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.

*Previously introduced in Bill C-52, Supporting Vested Rights under Access to Information, in June 2017, and now subsumed into this legislation:*

The proposed legislation would restore retroactively, the applicability of the *Access to Information Act* and the *Privacy Act* to the registration records of non-restricted firearms, i.e., those records destroyed in October 2012 and the remaining two copies of the Quebec-related records currently held under seal by the Federal Court. The proposed legislation would facilitate the settlement of two legal challenges by the Information Commissioner by allowing the Information Commissioner to view records relevant to her proceedings in support of reaching an out-of-court settlement. In addition, the proposal would provide for the transfer of Quebec-related records for non-restricted firearms to the province, if requested.

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## **Appel À Une Interdiction Des Armes De Poing**

### **Réponses proposées :**

- **Le Canada est profondément attristé par les récentes tueries à Toronto et à Fredericton. Ces tragédies insensées sont des rappels des effets dévastateurs de la violence armée et de l'activité criminelle dans nos collectivités.**
- **Les pensées du gouvernement accompagnent les victimes, leurs parents et amis et toutes les personnes touchées par ces terribles événements.**
- **Le gouvernement sait que les conseils de ville de Toronto et de Montréal ont adopté des résolutions réclamant une interdiction nationale des armes de poing et des armes d'assaut.**
- **Le gouvernement tient à vous assurer qu'il s'agit d'une grande priorité du gouvernement. Le gouvernement a demandé d'examiner la possibilité d'interdire complètement les armes de poing et les armes d'assaut au Canada, sans entraver l'utilisation légitime d'armes à feu par les Canadiens. À ce stade, toutes les options sont sur la table.**
- **Par ailleurs, le Canada continuera de faire avancer le projet de loi C-71, notre projet de loi sur les armes à feu, qui comporte des vérifications plus poussées des antécédents et la vérification obligatoire du permis d'arme à feu.**

## Appel à une interdiction des armes de poing

### Contexte :

Le 22 juillet 2018, Faisal Hussain a tué deux personnes et en a blessé 13 avec une arme de poing semi-automatique dans une fusillade survenue sur l'avenue Danforth à Toronto. M. Hussain aurait eu des troubles de santé mentale. Le 10 août 2018, Matthew Vincent Raymond aurait tué quatre personnes, dont deux policiers de Fredericton, avec une arme d'épaule, dans une fusillade survenue à Fredericton, au Nouveau-Brunswick.

En juillet 2018, le conseil de ville de Toronto a réclamé une interdiction nationale des armes de poing et des armes d'assaut après la fusillade survenue sur l'avenue Danforth. Pour sa part, le conseil de ville de Montréal a adopté à l'unanimité une résolution similaire en août 2018. La résolution de Montréal cite les fusillades très médiatisées qui se sont produites au Québec, comme celles de Polytechnique en 1989, du Collège Dawson en 2006 et de la mosquée de Québec en 2017.

Le mandat du ministre de la Sécurité frontalière et de la Réduction du crime organisé, daté du 28 août 2018, comporte l'exécution d'un examen de la possibilité d'interdire complètement les armes de poing et les armes d'assaut au Canada, sans entraver l'utilisation légitime d'armes à feu par les Canadiens.

### **Projet de loi C-71, Loi modifiant certaines lois et un règlement relatifs aux armes à feu**

Le 20 mars 2018, le gouvernement a présenté des mesures législatives intitulées « *Loi modifiant certaines lois et un règlement relatifs aux armes à feu* ». Les mesures législatives proposées visent à remplir les engagements énoncés dans la plateforme du gouvernement en ce qui concerne les armes à feu, en faisant de la sécurité publique une priorité et en garantissant un traitement équitable et raisonnable des entreprises et des propriétaires d'armes à feu. Les nouveaux éléments proposés dans les mesures législatives apporteraient plusieurs modifications à la *Loi sur les armes à feu* et au *Code criminel*, notamment les suivantes :

#### *Admissibilité à détenir un permis d'armes à feu :*

Pour déterminer si un demandeur est admissible à un permis d'armes à feu, les autorités devront examiner des renseignements précis touchant toute la vie du demandeur, notamment si les cas suivants s'appliquent : le demandeur a été déclaré coupable ou absous de certaines infractions (p. ex. harcèlement criminel); il a été traité pour une maladie mentale caractérisée par la menace, la tentative ou l'usage de violence; et l'historique de son comportement atteste la menace, la tentative ou l'usage de violence. La loi exige actuellement que les autorités examinent les facteurs ci-dessus pour les cinq ans précédant la date de la demande. De plus, par suite d'une modification adoptée par le Comité permanent de la sécurité publique et nationale, les autorités doivent aussi prendre en compte les ordonnances d'interdiction relatives aux armes rendues relativement à une infraction commise par une personne qui a fait usage de violence contre son partenaire intime ou son ancien conjoint ou a menacé d'y avoir recours ou tenté de le faire, certaines ordonnances d'interdiction (p. ex. l'interdiction de communiquer), la cyberintimidation et la violence envers soi-même ou autrui.

#### *Vérification du permis :*

Toute personne qui vend ou donne une arme à feu sans restriction à une personne devra vérifier la validité du permis d'armes à feu de cette dernière auprès du Programme canadien des armes à feu (PCAF). À l'heure actuelle, la vérification du permis se fait sur une base volontaire pour les armes à feu sans restriction. Si le permis d'armes à feu n'est pas vérifié, le risque de vendre ou de donner une arme à feu sans restriction à une personne qui n'est plus autorisée à en détenir une augmente, ce qui engendre une préoccupation en matière de sécurité publique. Aucune information concernant l'arme à feu sans restriction qui est vendue ou donnée ne sera transmise au PCAF.

#### *Rétablissement de la tenue de registres par les vendeurs :*

Les entreprises devront tenir des registres de leurs stocks et de leurs ventes d'armes à feu sans restriction et des acheteurs. Ce changement est un retour au régime qui avait été instauré en 1979. À l'époque, conformément au *Code criminel*, les entreprises d'armes à feu ont été obligées de tenir des registres de leurs stocks et de leurs transactions. Les mesures législatives proposées obligeront les entreprises à conserver des renseignements sur les cessions d'armes à feu sans restriction pendant au moins 20 ans, notamment : le numéro de référence attribué par le directeur de l'enregistrement confirmant la validité du permis du cessionnaire ainsi que la date; le numéro de permis du cessionnaire; et des renseignements sur l'arme à feu, dont le numéro de série, si connu, la marque, le modèle et le type. Les particuliers ne seraient pas obligés de tenir des registres lorsqu'ils cèdent la propriété d'une arme à feu sans restriction. Les registres des ventes fourniraient à la police un outil permettant de retracer systématiquement une arme à feu utilisée dans la perpétration d'un crime.

***Transport d'armes à feu à autorisation restreinte et d'armes à feu prohibées :***

Lorsqu'un contrôleur des armes à feu (CAF) autorise l'acquisition d'une arme à feu à autorisation restreinte ou d'une arme à feu prohibée visée par un droit acquis, cela donne automatiquement lieu à la délivrance d'une autorisation de transport (ADT) d'une arme à feu pour des motifs précis (c.-à-d. que l'ADT n'est pas à la discrétion du CAF). Selon le régime en vigueur, le CAF doit automatiquement approuver, dans la province ou le territoire de résidence du particulier, le transport à destination et en provenance des lieux suivants : armurier, exposition d'armes à feu, point d'entrée ou de sortie canadien, et bureaux d'un agent de la paix ou d'un CAF aux fins de vérification, d'enregistrement ou de disposition. Par ailleurs, s'il autorise la cession d'une arme à feu à autorisation restreinte ou d'une arme de poing prohibée visée par un droit acquis aux fins d'entraînement ou de compétition de tir à la cible, le CAF doit également délivrer automatiquement une ADT pour permettre au particulier qui fait l'acquisition de l'arme à feu de se rendre dans tous les clubs ou champs de tir approuvés par le CAF dans sa province ou son territoire de résidence et d'en revenir. Enfin, le CAF doit automatiquement délivrer une ADT pour permettre au particulier qui fait l'acquisition de l'arme à feu de l'apporter à son domicile.

Les mesures législatives proposées rétabliraient le pouvoir discrétionnaire permettant à un CAF d'autoriser le transport d'armes à feu à autorisation restreinte et prohibées à certains endroits. Le transport des armes à feu ne serait encore autorisé de façon automatique que lorsque l'un des deux motifs de transport les plus courants est évoqué : le transport de l'arme à feu au domicile de l'acheteur après la transaction et le transport de l'arme à feu vers un club de tir ou un champ de tir. Pour toutes les autres activités de transport décrites ci-dessus, le particulier aurait de nouveau besoin d'obtenir une ADT. Ce changement améliorerait la capacité des autorités d'application de la loi à déterminer si un particulier transporte légalement ou non des armes à feu à autorisation restreinte et prohibées. Il continuera de ne pas être nécessaire d'obtenir une autorisation de transport pour les armes à feu sans restriction, qui représentent environ 90 % des armes à feu dont les Canadiens sont propriétaires.

***Approche uniforme de la classification des armes à feu :***

Le gouvernement précédent avait instauré des mesures permettant au gouverneur en conseil d'abaisser le niveau de classification d'une arme à feu même si celle-ci remplissait les critères d'une catégorie plus restrictive selon le *Code criminel*. En vertu des mesures législatives proposées, ces mesures seraient abrogées afin que la classification reste conforme au *Code criminel*. Deux groupes d'armes à feu dont le niveau de classification avait été abaissé, les carabines de type CZ-858 et Swiss Arms, seraient à nouveau prohibées conformément au *Code criminel*. Les particuliers qui souhaitent bénéficier de droits acquis devront avoir été en possession d'une arme à feu CZ ou SA répertoriée au 30 juin 2018, demander de l'enregistrer dans l'année suivant l'entrée en vigueur des dispositions du projet de loi relatives à la classification et aux droits acquis (sauf s'il s'agit actuellement d'une arme à feu à autorisation restreinte, auquel cas elle devait être enregistrée au 30 juin), et se conformer aux exigences en matière de permis. Une période d'amnistie est proposée pour donner aux propriétaires le temps nécessaire pour se conformer aux exigences liées aux droits acquis, de sorte qu'ils ne risquent pas d'encourir une responsabilité criminelle. Le gouverneur en conseil aurait le pouvoir d'accorder des droits acquis à un propriétaire (sans toutefois pouvoir abaisser le niveau de classification d'une arme à feu) dans des cas à venir, au besoin.

***Disposition présentée antérieurement dans le projet de loi C-52, Loi visant à soutenir les droits acquis en matière d'accès à l'information, en juin 2017 et maintenant intégrée dans le présent projet de loi :***

Les mesures législatives proposées rétabliraient rétroactivement l'applicabilité de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels* au registre d'enregistrement des armes à feu sans restriction, c'est-à-dire les registres détruits en octobre 2012 et les deux copies restantes des registres relatifs au Québec que la Cour fédérale conserve actuellement sous scellé. Les mesures législatives proposées faciliteraient le règlement de deux contestations juridiques intentées par la commissaire à l'information en permettant à celle-ci de consulter les registres qui s'y rattachent, de manière à favoriser un règlement à l'amiable. De plus, les mesures proposées prévoient la transmission des dossiers relatifs au Québec touchant les armes à feu sans restriction à la province, sur demande.

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## **CALL FOR A HANDGUN BAN**

- I am deeply saddened by recent shootings in Toronto and Fredericton, which are senseless tragedies and reminders of the devastating effects of gun violence and criminal activity in our communities.
- My thoughts are with the victims, their friends and families, and all those affected by these terrible events.
- I am aware that the City Councils of Toronto and Montreal have passed motions calling for a national ban of handguns and assault weapons.
- I assure you that this is a high priority for the Government. I have asked for an examination of a full ban of handguns and assault weapons in Canada while not impeding the lawful use of firearms by Canadians. At this point, all options are being examined.
- In addition, we will continue to advance C-71, our firearms bill, which includes enhanced background checks and mandatory firearms licence verification.

## **APPEL À UNE INTERDICTION DES ARMES DE POING**

- Je suis profondément attristé par les récentes tueries à Toronto et à Fredericton. Ces tragédies insensées sont des rappels des effets dévastateurs de la violence armée et de l'activité criminelle dans nos collectivités.
- Mes pensées accompagnent les victimes, leurs parents et amis et toutes les personnes touchées par ces terribles événements.
- Je sais que les conseils de ville de Toronto et de Montréal ont adopté des résolutions réclamant une interdiction nationale des armes de poing et des armes d'assaut.
- Je tiens à vous assurer qu'il s'agit d'une grande priorité du gouvernement. J'ai demandé d'examiner la possibilité d'interdire complètement les armes de poing et les armes d'assaut au Canada, sans entraver l'utilisation légitime d'armes à feu par les Canadiens. À ce stade, toutes les options sont sur la table.
- Par ailleurs, nous continuerons de faire avancer le projet de loi C-71, notre projet de loi sur les armes à feu, qui comporte des vérifications plus poussées des antécédents et la vérification obligatoire du permis d'arme à feu.

## **BACKGROUND**

On July 22, 2018, Faisal Hussain killed two people and wounded thirteen using a semi-automatic handgun, in a mass shooting on Danforth Avenue in Toronto. Mr. Hussain was reported to be suffering from mental health problems. On August 10, 2018, Matthew Vincent Raymond allegedly killed four people, including two Fredericton Police officers, using a long-gun, in a mass shooting in Fredericton, New Brunswick.

In July 2018, the Toronto City Council called for a national ban of handguns and assault weapons after the shooting on Danforth Avenue. Montreal City Council unanimously passed a similar motion in August 2018. The Montreal motion references high-profile shootings that have occurred in Quebec, such as the one at Polytechnique in 1989, Dawson College in 2006, and the Quebec City Mosque in 2017.

The mandate of the Minister of Border Security and Organized Crime Reduction, dated August 28, 2018, includes leading an examination of a full ban on handguns and assault weapons in Canada, while not impeding the lawful use of firearms by Canadians.

### **Bill C-71: *An Act to amend certain Acts and Regulations in relation to firearms***

On March 20, 2018, the Government introduced legislation entitled “*An Act to amend certain Acts and Regulations in relation to firearms.*” The proposed legislation aims to meet the commitments set out in the Government’s platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses. New elements proposed by the legislation would make several changes to the *Firearms Act* and *Criminal Code*, including:

#### *Eligibility to hold a firearms licence:*

In determining whether a person is eligible for a firearms licence, authorities will be required to consider specific information from the person’s full life history, including whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence; and, has a history of behaviour that includes violence or threatened or attempted violence. The current requirement is that they must consider the above factors from the previous five years. In addition, as a result of an amendment adopted by SECU, authorities must also consider previous weapons prohibition orders made in respect of an offence involving violence that was used, threatened, or attempted against the person’s intimate partner or former partner; certain prohibition orders (e.g., non-contact); cyber-bullying; and, harm to self or others.

#### *Licence verification:*

Anyone selling or giving a non-restricted firearm will be required to verify the validity of the firearms licence of the recipient with the Canadian Firearms Program (CFP). Currently, licence verification for non-restricted firearms is voluntary. Without verifying a firearms licence, there is greater risk that a non-restricted firearm may be sold or given to a person who is no longer authorized to possess a firearm, which creates a public safety concern. No information on the non-restricted firearm being sold or given will be provided to the CFP.

#### *Reinstatement of record-keeping by vendors:*

Businesses will be required to keep records of inventory and sale of non-restricted firearms and their purchasers. This change is a return to the regime put in place in 1979, when, pursuant to the *Criminal Code*, firearms businesses became required to keep inventory and transaction records. The proposed legislation would require businesses to keep information on non-restricted firearms transfers for a minimum period of 20 years, including: the reference number issued by the Registrar of firearms confirming the transferee’s licence is valid and the date; the licence number of the transferee; and, information on the firearm including serial number, if available, make, model, and type. Individuals would not be required to maintain records when transferring ownership of a non-restricted firearm. Sales records would provide police with a tool to track systematically a firearm used in the commission of a crime.

#### *Transportation of restricted and prohibited firearms:*

Authorization by a Chief Firearms Officer (CFO) to acquire a restricted or grandfathered prohibited firearm automatically results in an Authorization to Transport (ATT) the firearm

for specific purposes (i.e., a CFO has no discretion). Under the current regime, CFOs must automatically approve, within the individual's province/territory of residence, transportation to and from: a gunsmith, a gun show, a Canadian port of entry or exit; and, to a peace officer or CFO for verification, registration or disposal. Additionally, if authorizing the transfer of a restricted firearm or grandfathered prohibited handgun for target practice/shooting competition, a CFO must also automatically issue an ATT allowing the individual acquiring the firearm to go to and from all CFO approved shooting clubs or ranges within an individual's province/territory of residence. Finally, CFOs must automatically issue an ATT allowing the individual acquiring the firearm to take it home to their residence.

The proposed legislation would reinstate discretion for a CFO to authorize transport of restricted and prohibited firearms to certain locations. The only automatic authorizations retained would be for the two most common transport purposes: to an owner's home following a purchase; and, to a shooting club or range. For all other transportation activities described above, individuals would once again need to obtain an ATT. This change would enhance the ability of law enforcement to determine whether or not individuals are lawfully transporting restricted and prohibited firearms. ATTs will continue not to be required for non-restricted firearms, which represent approximately 90% of the firearms owned by Canadians.

*Consistent approach to firearms classification:*

The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the *Criminal Code*. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the *Criminal Code*. Individuals wishing to be eligible for grandfathering will need to have been in possession of a listed CZ or SA firearm on June 30, 2018, apply to register it within a year after the coming into force of the classification and grandfathering provisions of the Bill (except if it is currently a restricted firearm, in which case it must have been registered on June 30<sup>th</sup>), and comply with licencing requirements. An Amnesty period is proposed to provide owners time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.

*Previously introduced in Bill C-52, Supporting Vested Rights Under Access to Information, in June 2017, and now subsumed into this legislation:*

The proposed legislation would restore retroactively, the applicability of the *Access to Information Act* and the *Privacy Act* to the registration records of non-restricted firearms, i.e., those records destroyed in October 2012 and the remaining two copies of the Quebec-related records currently held under seal by the Federal Court. The proposed legislation would facilitate the settlement of two legal challenges by the Information Commissioner by allowing the Information Commissioner to view records relevant to her proceedings in support of reaching an out-of-court settlement. In addition, the proposal would provide for the transfer of Quebec-related records for non-restricted firearms to the province, if requested.

## **CONTEXTE**

Le 22 juillet 2018, Faisal Hussain a tué deux personnes et en a blessé 13 avec une arme de poing semi-automatique dans une fusillade survenue sur l'avenue Danforth à Toronto. M. Hussain aurait eu des troubles de santé mentale. Le 10 août 2018, Matthew Vincent Raymond aurait tué quatre personnes, dont deux policiers de Fredericton, avec une arme d'épaule, dans une fusillade survenue à Fredericton, au Nouveau-Brunswick.

En juillet 2018, le conseil de ville de Toronto a réclamé une interdiction nationale des armes de poing et des armes d'assaut après la fusillade survenue sur l'avenue Danforth. Pour sa part, le conseil de ville de Montréal a adopté à l'unanimité une résolution similaire en août 2018. La résolution de Montréal cite les fusillades très médiatisées qui se sont produites au Québec, comme celles de Polytechnique en 1989, du Collège Dawson en 2006 et de la mosquée de Québec en 2017.

Le mandat du ministre de la Sécurité frontalière et de la Réduction du crime organisé, daté du 28 août 2018, comporte l'exécution d'un examen de la possibilité d'interdire complètement les armes de poing et les armes d'assaut au Canada, sans entraver l'utilisation légitime d'armes à feu par les Canadiens.

### **Projet de loi C-71, *Loi modifiant certaines lois et un règlement relatifs aux armes à feu***

Le 20 mars 2018, le gouvernement a présenté des mesures législatives intitulées « *Loi modifiant certaines lois et un règlement relatifs aux armes à feu* ». Les mesures législatives proposées visent à remplir les engagements énoncés dans la plateforme du gouvernement en ce qui concerne les armes à feu, en faisant de la sécurité publique une priorité et en garantissant un traitement équitable et raisonnable des entreprises et des propriétaires d'armes à feu. Les nouveaux éléments proposés dans les mesures législatives apporteraient plusieurs modifications à la *Loi sur les armes à feu* et au *Code criminel*, notamment les suivantes :

#### *Admissibilité à détenir un permis d'armes à feu*

Pour déterminer si un demandeur est admissible à un permis d'armes à feu, les autorités devront examiner des renseignements précis touchant toute la vie du demandeur, notamment si les cas suivants s'appliquent : le demandeur a été déclaré coupable ou absous de certaines infractions (p. ex. harcèlement criminel); il a été traité pour une maladie mentale caractérisée par la menace, la tentative ou l'usage de violence; et l'historique de son comportement atteste la menace, la tentative ou l'usage de violence. La loi exige actuellement que les autorités examinent les facteurs ci-dessus pour les cinq ans précédant la date de la demande. De plus, par suite d'une modification adoptée par le Comité permanent de la sécurité publique et nationale, les autorités doivent aussi prendre en compte les ordonnances d'interdiction relatives aux armes rendues relativement à une infraction commise par une personne qui a fait usage de violence contre son partenaire intime ou son ancien conjoint ou a menacé d'y avoir recours ou tenté de le faire, certaines ordonnances d'interdiction (p. ex. l'interdiction de communiquer), la cyberintimidation et la violence envers soi-même ou autrui.

#### *Vérification du permis*

Toute personne qui vend ou donne une arme à feu sans restriction à une personne devra vérifier la validité du permis d'armes à feu de cette dernière auprès du Programme canadien des armes à feu (PCAF). À l'heure actuelle, la vérification du permis se fait sur une base volontaire pour les armes à feu sans restriction. Si le permis d'armes à feu n'est pas vérifié, le risque de vendre ou de donner une arme à feu sans restriction à une personne qui n'est plus autorisée à en détenir une augmente, ce qui engendre une préoccupation en matière de sécurité publique. Aucune information concernant l'arme à feu sans restriction qui est vendue ou donnée ne sera transmise au PCAF.

#### *Rétablissement de la tenue de registres par les vendeurs*

Les entreprises devront tenir des registres de leurs stocks et de leurs ventes d'armes à feu sans restriction et des acheteurs. Ce changement est un retour au régime qui avait été instauré en 1979. À l'époque, conformément au *Code criminel*, les entreprises d'armes à feu ont été obligées de tenir des registres de leurs stocks et de leurs transactions. Les mesures législatives proposées obligeront les entreprises à conserver des renseignements sur les cessions d'armes à feu sans restriction pendant au moins 20 ans, notamment : le numéro de référence attribué par le directeur de l'enregistrement confirmant la validité du permis du cessionnaire ainsi que la date; le numéro de permis du cessionnaire; et des renseignements

sur l'arme à feu, dont le numéro de série, si connu, la marque, le modèle et le type. Les particuliers ne seraient pas obligés de tenir des registres lorsqu'ils cèdent la propriété d'une arme à feu sans restriction. Les registres des ventes fourniraient à la police un outil permettant de retracer systématiquement une arme à feu utilisée dans la perpétration d'un crime.

#### *Transport d'armes à feu à autorisation restreinte et d'armes à feu prohibées*

Lorsqu'un contrôleur des armes à feu (CAF) autorise l'acquisition d'une arme à feu à autorisation restreinte ou d'une arme à feu prohibée visée par un droit acquis, cela donne automatiquement lieu à la délivrance d'une autorisation de transport (ADT) d'une arme à feu pour des motifs précis (c.-à-d. que l'ADT n'est pas à la discrétion du CAF). Selon le régime en vigueur, le CAF doit automatiquement approuver, dans la province ou le territoire de résidence du particulier, le transport à destination et en provenance des lieux suivants : armurier, exposition d'armes à feu, point d'entrée ou de sortie canadien, et bureaux d'un agent de la paix ou d'un CAF aux fins de vérification, d'enregistrement ou de disposition. Par ailleurs, s'il autorise la cession d'une arme à feu à autorisation restreinte ou d'une arme de poing prohibée visée par un droit acquis aux fins d'entraînement ou de compétition de tir à la cible, le CAF doit également délivrer automatiquement une ADT pour permettre au particulier qui fait l'acquisition de l'arme à feu de se rendre dans tous les clubs ou champs de tir approuvés par le CAF dans sa province ou son territoire de résidence et d'en revenir. Enfin, le CAF doit automatiquement délivrer une ADT pour permettre au particulier qui fait l'acquisition de l'arme à feu de l'apporter à son domicile.

Les mesures législatives proposées rétabliraient le pouvoir discrétionnaire permettant à un CAF d'autoriser le transport d'armes à feu à autorisation restreinte et prohibées à certains endroits. Le transport des armes à feu ne serait encore autorisé de façon automatique que lorsque l'un des deux motifs de transport les plus courants est évoqué : le transport de l'arme à feu au domicile de l'acheteur après la transaction et le transport de l'arme à feu vers un club de tir ou un champ de tir. Pour toutes les autres activités de transport décrites ci-dessus, le particulier aurait de nouveau besoin d'obtenir une ADT. Ce changement améliorerait la capacité des autorités d'application de la loi à déterminer si un particulier transporte légalement ou non des armes à feu à autorisation restreinte et prohibées. Il continuera de ne pas être nécessaire d'obtenir une autorisation de transport pour les armes à feu sans restriction, qui représentent environ 90 % des armes à feu dont les Canadiens sont propriétaires.

#### *Approche uniforme de la classification des armes à feu*

Le gouvernement précédent avait instauré des mesures permettant au gouverneur en conseil d'abaisser le niveau de classification d'une arme à feu même si celle-ci remplissait les critères d'une catégorie plus restrictive selon le *Code criminel*. En vertu des mesures législatives proposées, ces mesures seraient abrogées afin que la classification reste conforme au *Code criminel*. Deux groupes d'armes à feu dont le niveau de classification avait été abaissé, les carabines de type CZ-858 et Swiss Arms, seraient à nouveau prohibées conformément au *Code criminel*. Les particuliers qui souhaitent bénéficier de droits acquis devront avoir été en possession d'une arme à feu CZ ou SA répertoriée au 30 juin 2018, demander de l'enregistrer dans l'année suivant l'entrée en vigueur des dispositions du projet de loi relatives à la classification et aux droits acquis (sauf s'il s'agit actuellement d'une arme à feu à autorisation restreinte, auquel cas elle devait être enregistrée au 30 juin), et se conformer aux exigences en matière de permis. Une période d'amnistie est proposée pour donner aux propriétaires le temps nécessaire pour se conformer aux exigences liées aux droits acquis, de sorte qu'ils ne risquent pas d'encourir une responsabilité criminelle. Le gouverneur en conseil aurait le pouvoir d'accorder des droits acquis à un propriétaire (sans toutefois pouvoir abaisser le niveau de classification d'une arme à feu) dans des cas à venir, au besoin.

#### *Disposition présentée antérieurement dans le projet de loi C-52, Loi visant à soutenir les droits acquis en matière d'accès à l'information, en juin 2017 et maintenant intégrée dans le présent projet de loi*

Les mesures législatives proposées rétabliraient rétroactivement l'applicabilité de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels* au registre d'enregistrement des armes à feu sans restriction, c'est-à-dire les registres détruits en octobre 2012 et les deux copies restantes des registres relatifs au Québec que la Cour fédérale conserve actuellement sous scellé. Les mesures législatives proposées faciliteraient le règlement de deux contestations juridiques intentées par la commissaire à l'information en permettant à celle-ci de consulter les registres qui s'y rattachent, de manière à favoriser un règlement à l'amiable. De plus, les mesures proposées prévoient la transmission des

dossiers relatifs au Québec touchant les armes à feu sans restriction à la province, sur  
demande.

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Question Period Note / Note pour la Période des questions

**GLOBAL NEWS ARTICLE RELATED TO 3D-PRINTED FIREARMS**

**ISSUE:** Global News reported on July 29, 2018 that the United States will allow plans for a 3D-printed firearm to be published on the internet, making them accessible to Canadian citizens.

**PROPOSED RESPONSE:**

- **In Canada, all firearms, regardless of how they are manufactured, are classified as non-restricted, restricted, or prohibited pursuant to the criteria outlined in subsection 84(1) of the *Criminal Code*.**
- **Responsibility for the *Criminal Code* and corresponding regulations falls under the purview of the Minister of Justice.**
- **With regard to 3D-printed firearms, the RCMP is aware of the technology and continues to monitor developments.**
- **It is illegal to manufacture or possess a firearm without the appropriate licences and applicable registration certificates.**
- **If, for example, law enforcement found an individual in possession of a 3D printer-manufactured firearm without appropriate licences and registration, the firearm could be seized and the individual charged.**

## GLOBAL NEWS ARTICLE RELATED TO 3D-PRINTED FIREARMS

### BACKGROUND:

Global News reported on July 29, 2018 that the United States will allow plans for a 3D-printed firearm to be published on the internet, making them accessible to Canadian citizens.

In Canada, all firearms, regardless of how they are manufactured, are classified as non-restricted, restricted, or prohibited pursuant to the criteria outlined in subsection 84(1) of the *Criminal Code*.

Responsibility for the *Criminal Code* and corresponding regulations falls under the purview of the Minister of Justice.

With regard to 3D-printed firearms, the Canadian Firearms Program is aware of the technology and continues to monitor developments.

In Canada, it is illegal to manufacture or possess a firearm without appropriate licences and applicable registrations. Firearms licencing is an important mechanism for ensuring rigorous screening of potential gun owners.

The *Firearms Act* stipulates that individuals in possession of firearms must have a Possession and Acquisition Licence.

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## **ARTICLE DE GLOBAL NEWS SUR LES ARMES À FEU IMPRIMÉES EN 3D**

**SUJET :** Global News rapportait le 29 juillet 2018 que les États-Unis autoriseront la publication de plans d'impression d'armes à feu en 3D sur Internet, ce qui rendra ces plans accessibles aux citoyens canadiens.

### **RÉPONSE SUGGÉRÉE :**

- **Au Canada, toutes les armes à feu, peu importe la façon dont elles ont été fabriquées, sont classées soit sans restriction, soit à autorisation restreinte, soit prohibées selon les critères énoncés au paragraphe 84(1) du *Code criminel*.**
- **Le *Code criminel* et les règlements y afférents relèvent de la responsabilité du ministre de la Justice.**
- **La GRC est au courant qu'il existe une technologie permettant d'imprimer des armes à feu en 3D et elle surveille les développements à ce sujet.**
- **Il est illégal de fabriquer ou de posséder une arme à feu sans détenir les permis appropriés et les certificats d'enregistrement applicables.**
- **Par exemple, si une personne se trouve en possession d'une arme à feu fabriquée au moyen d'un procédé d'impression en 3D, mais qu'elle ne détient pas les permis et certificat d'enregistrement nécessaires, les autorités policières pourraient saisir l'arme à feu et déposer des accusations contre la personne.**

## ARTICLE DE GLOBAL NEWS SUR LES ARMES À FEU IMPRIMÉES EN 3D

### CONTEXTE :

Global News rapportait le 29 juillet 2018 que les États-Unis autoriseront la publication de plans d'impression d'une arme à feu en 3D sur Internet, ce qui rendra ces plans accessibles aux citoyens canadiens.

Au Canada, toutes les armes à feu, peu importe la façon dont elles ont été fabriquées, sont classées soit sans restriction, soit à autorisation restreinte, soit prohibées selon les critères énoncés au paragraphe 84(1) du *Code criminel*.

Le *Code criminel* et les règlements y afférents relèvent de la responsabilité du ministre de la Justice.

La GRC est au courant qu'il existe une technologie permettant d'imprimer des armes à feu en 3D et elle surveille les développements à ce sujet.

Au Canada, il est illégal de fabriquer ou de posséder une arme à feu sans détenir les permis appropriés et les certificats d'enregistrement applicables. Le processus de délivrance de permis d'armes à feu est un mécanisme important qui permet d'effectuer une vérification rigoureuse des propriétaires éventuels d'armes à feu.

La *Loi sur les armes à feu* stipule que les personnes qui possèdent des armes à feu doivent détenir un permis de possession et d'acquisition.

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## **GRANDFATHERING OF PROHIBITED FIREARMS**

- To keep communities safe, we are strengthening Canada's firearms laws in a focused and effective way.
- Bill C-71 upholds the commitments we made to Canadians, including ensuring that firearms classification determinations are made impartially by technical experts, in accordance with criteria set out in the Criminal Code as established by Parliament.
- The Bill will reverse the previous government's decision to 'deem' certain CZ-858 and Swiss Arms rifles as non-restricted or restricted, despite meeting the criteria of a more restrictive class. People who own these firearms as of June 30, 2018, may be eligible for grandfathering under Bill C-71 if they meet the licencing and registration requirements.
- Bill C-71 will also:
  - Enhance background checks and licence verification;
  - Standardize existing best business practices among retailers; and,
  - Bolster safeguards related to the transportation of restricted and prohibited firearms.

*On the Amnesty Order introduced March 20, 2018:*

- On March 20, 2018, the Governor in Council made an Amnesty Order for the Swiss Arms Four Seasons and Classic Green Sniper rifle models. These firearms have been determined to be prohibited because they are variants of the prohibited Sturmgewehr SG-550.
- The Amnesty Order temporarily protects persons who acquired the firearms in good faith prior to the Amnesty coming into force from criminal prosecution until the more permanent grandfathering provisions in Bill C-71 are in place.
- The Amnesty Order is in place until February 28, 2021.

## **DROITS ACQUIS SUR LES ARMES À FEU PROHIBÉES**

- Pour assurer la sécurité des collectivités, nous resserrons les lois et règlements relatifs aux armes à feu de manière ciblée et avec efficacité.
- Le projet de loi C-71 fait respecter les engagements que nous avons pris à l'égard de la population canadienne, notamment de veiller à ce que les décisions sur la classification des armes à feu soient prises par des experts techniques, conformément aux critères prévus dans le Code criminel établis par le Parlement.
- Le projet de loi annulera la décision du gouvernement précédent de « considérer » des fusils CZ-858 et Swiss Arms comme étant des armes à feu sans restriction ou à autorisation restreinte, même s'ils répondent aux critères d'une catégorie plus restrictive. Les propriétaires de telles armes à feu au 30 juin 2018 pourraient avoir des droits acquis après l'adoption du projet de loi C-71 s'ils satisfont aux exigences visant les permis et l'enregistrement.
- En outre, le projet de loi C-71 :
  - resserre la vérification des antécédents et des permis;
  - normalise les pratiques opérationnelles exemplaires en place chez les détaillants;
  - soutient les mesures de protection liées au transport d'armes à feu prohibées et d'armes à feu à autorisation restreinte.

Décret d'amnistie pris le 20 mars 2018 :

- Le 20 mars 2018, le Gouverneur en conseil a pris un décret d'amnistie visant les fusils Swiss Arms de modèle Four Seasons et Classic Green Sniper. Ces armes à feu sont réputées être prohibées puisqu'elles sont des variantes du SG 550 de Sturmgewehr, une arme à feu prohibée.
- Le décret d'amnistie protège temporairement quiconque fait l'acquisition de bonne foi des armes à feu avant l'entrée en vigueur de la période d'amnistie contre des poursuites pénales jusqu'à ce que les dispositions plus permanentes de droits acquis du projet de loi C-71 prennent effet.
- Le décret d'amnistie est en vigueur jusqu'au 28 février 2021.

## BACKGROUND

- On June 6, 2018, an article was published on ipolitics that discusses the three year Amnesty Order made on March 20, 2018, under the Criminal Code (the Code), to protect owners who purchased Swiss Arms Four Seasons and Classic Green Sniper rifles in good faith. Upon introduction of Bill C-71, it became known that these firearms had in fact been determined to be prohibited by the Canadian Firearms Program (CFP).

### *The Order Declaring an Amnesty Period (2018) SOR/2018-46:*

- Firearms fall into three legal categories: non-restricted (ordinary hunting rifles and shot guns), restricted (most handguns and certain long guns prescribed as restricted), and prohibited (certain handguns, full and converted automatics and other firearms prescribed as prohibited).
- Part III of the Code and the Regulations Prescribing Certain Firearms and Other Weapons, Components, and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted, or Non-Restricted (the Regulations) establish the legal framework governing the classification of firearms in Canada. Firearms are classified as prohibited or restricted either by way of definition in the Code or through the Regulations. The Regulations list specific models of firearms (e.g. AK-47 rifle, Beretta BM 59, M16) as restricted or prohibited, and include “variants and modified versions” of those named models (e.g. any version of the Beretta BM 59 is prohibited). The term “variant” is employed as a means to capture future firearms that differ (e.g. barrel length, cartridge size) from those specifically listed in the Regulations, but are generally the same make and type. Firearms that are not restricted or prohibited are, by default, legally classified as non-restricted.
- The RCMP Canadian Firearms Program (CFP) is responsible for the administration of the Firearms Act and for providing technical expertise to determine the classification of firearms for registration purposes. To aid in this process, the RCMP created the Firearms Reference Table (FRT), an administrative web-based database that contains determinations regarding the classification of all known firearms in the global market.
- Occasionally, it comes to the CFP’s attention that a previously unknown firearm has been imported into Canada before the CFP has had an opportunity to examine and determine the legal classification of the firearm. There may be firearms owners who acquired these firearms with the belief that they have the ability to lawfully possess them in Canada. However, on occasion, the firearm may be determined to be a prohibited firearm according to the definitions set out in the Code and or as variants or modified versions of a listed prohibited firearm in the Regulations. Subject to very few exceptions, it is illegal in Canada for individuals to possess prohibited firearms and, as a result, in such cases, the affected firearms owner could be subject to criminal liability for unlawful possession of a prohibited firearm.

- Resulting from a technical analysis by the CFP, the Swiss Arms Four Seasons Series and the Classic Green Sniper rifle are determined to be variants of an existing firearm currently classified as prohibited (the Sturmgewehr SG-550 rifle), therefore by extension classifying these variants as prohibited firearms.
- The objective of the Amnesty Order is to temporarily protect businesses and individuals who have acquired prohibited weapons while acting in good faith from criminal prosecution while the Government implements measures to address continued possession and use, and to limit circulation of those prohibited firearms.
- The Amnesty Order will be in effect until February 28, 2021. Persons who hold a firearms licence and are in continuous possession, prior to and up until the Amnesty Order is signed, of a SAN Swiss Arms Model Classic Green Sniper rifle, a SAN Swiss Arms Model Ver rifle, a SAN Swiss Arms Model Aestas rifle, a SAN Swiss Arms Model Autumnus rifle or a SAN Swiss Arms Model Hiemis rifle, will be protected from criminal prosecution for possessing them until such time as new measures are in place to authorize the lawful possession of these firearms.
- The Order will permit the affected persons to:
  - possess the firearm;
  - deliver the firearm to a peace officer, firearms officer or chief firearms officer;
  - sell or give the firearm to a business — including a museum — authorized to acquire and possess prohibited firearms; or
  - transport the firearm for the purposes of delivering, selling, or giving it as provided for in the Order.

Name of PCO Policy Analyst. Nom de l'analyste du BCP :

Secretariat. Secrétariat :

Telephone number. Numéro de téléphone :

**Question Period Note / Note pour la Période des questions**

**FIREARMS CLASSIFICATION**

**ISSUE:** *Firearms classification of the CSA vz58 Sporter*

**PROPOSED RESPONSE:**

- **We all share in the grief of the victims of the attack on the Quebec City mosque, and continue to stand with the people of Sainte-Foy and Canada's Muslim community.**
- **To keep communities safe, we have put forward Bill C-71 to strengthen Canada's firearms laws in a focused and effective way, and our priority is always Public Safety.**
- **That includes a consistent approach to firearms classification where determinations are made by technical experts at the Canadian Firearms Program.**
- **These experts make determinations in accordance with the criteria and definitions set out by Parliament in the *Criminal Code*.**

## FIREARMS CLASSIFICATION

### BACKGROUND:

On May 8, 2018, a *Radio Canada* news article reported on one of the firearms possessed by Alexandre Bissonnette, the shooter in the Quebec mosque incident, namely a CSA vz58 Sporter. The article explains why the CSA vz58 Sporter is not prohibited. The article also reports on Mr. Bissonnette's mental health related history, including a history of suicidal ideation.

On March 20, 2018, the Government introduced legislation entitled "*An Act to amend certain Acts and Regulations in relation to firearms.*" Amongst its components, the proposed legislation would make the following change with respect to eligibility to hold a firearms licence: In determining whether a person is eligible for a firearms licence, authorities will be required to consider specific information from the person's full life history, including whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence; and, has a history of behaviour that includes violence or threatened or attempted violence. The current requirement is that they must consider the above factors from the previous five years.

Both under the current legislation and under the proposed Bill, authorities are not limited in the sources of data they consider – in other words, they are not limited to self-reported data and have the discretion to confirm information using alternate sources, such as through references

### **Bill C-71: *An Act to amend certain Acts and Regulations in relation to firearms***

The proposed legislation aims to meet the commitments set out in the Government's platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses. New elements proposed by the legislation would make several changes to the *Firearms Act* and *Criminal Code*. In addition to the element relating to eligibility to hold a firearms licence, described above, these elements include:

#### *Licence verification:*

Anyone selling or giving a non-restricted firearm will be required to verify the validity of the firearms licence of the recipient with the Canadian Firearms Program (CFP). Currently, licence verification for non-restricted firearms is voluntary. Without verifying a firearms licence, there is greater risk that a non-restricted firearm may be sold or given to a person who is no longer authorized to possess a firearm, which creates a public safety concern. No information on the non-restricted firearm being sold or given will be provided to the CFP.

#### *Reinstatement of record-keeping by vendors:*

Businesses will be required to keep records of inventory and sale of non-restricted firearms and their purchasers. This change is a return to the regime put in place in 1979, when, pursuant to the *Criminal Code*, firearms businesses became required to keep inventory and transaction records. The proposed legislation would require businesses to keep information on non-restricted firearms transfers for a minimum period of 20 years, including: the reference number issued by the Registrar of firearms confirming the transferee's licence is valid and the date; licence number of the transferee; and, information on the firearm including serial number, if available, make, model, and type. Individuals would not be required to maintain records when transferring ownership of a non-restricted firearm. Sales records would provide police with a tool to track systematically a firearm used in the commission of a crime.

#### *Transportation of restricted and prohibited firearms:*

Authorization by a Chief Firearms Officer (CFO) to acquire a restricted or grandfathered prohibited firearm automatically results in an Authorization to Transport (ATT) the firearm for specific purposes (i.e., a CFO has no discretion). Under the current regime, CFOs must automatically approve, within the individual's province/territory of residence, transportation to and from: a gunsmith, a gun show, a Canadian port of entry or exit; and, to a peace officer or CFO for verification, registration or disposal. Additionally, if authorizing the transfer of a restricted firearm or grandfathered prohibited handgun for target practice/shooting competition, a CFO must also automatically issue an ATT allowing the individual acquiring the firearm to go to and from all CFO approved shooting clubs or ranges within an individual's province/territory of residence. Finally, CFOs must automatically issue an ATT allowing the individual acquiring the firearm to take it home to their residence.

The proposed legislation would reinstate discretion for a CFO to authorize transport of restricted and prohibited firearms to certain locations. The only automatic authorizations retained would be for the two most common transport purposes: to an owner's home following a purchase; and, to a shooting club or range. For all other transportation activities described above, individuals would once again need to obtain an ATT. This change would enhance the ability of law enforcement to determine whether or not individuals are lawfully transporting restricted and prohibited firearms. ATTs will continue not to be required for non-restricted firearms, which represent approximately 90% of the firearms owned by Canadians.

**Consistent approach to firearms classification:**

The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the *Criminal Code*. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the *Criminal Code*. Current legal owners of these firearms would be grandfathered under the *Firearms Act* if they comply with licensing and registration requirements to own prohibited firearms. An Amnesty period is proposed to provide owners time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.

**Previously introduced in Bill C-52, Supporting Vested Rights Under Access to Information, in June 2017, and now subsumed into this legislation:**

The proposed legislation would restore retroactively, the applicability of the *Access to Information Act* and the *Privacy Act* to the Quebec-related records, currently held under seal by the Federal Court, of the now defunct long-gun registry. The proposed legislation would facilitate the settlement of two legal challenges by the Information Commissioner by allowing the Information Commissioner to view records relevant to her proceedings in support of reaching an out-of-court settlement. In addition, the proposal would provide for the transfer of Quebec-related records for non-restricted firearms to the province, if requested.

**CONTACTS:**

Prepared by	Tel. no.	Approved by	Tel. no.
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Question Period Note / Note pour la Période des questions

**CLASSIFICATION DES ARMES À FEU**

**QUESTION :** *Classification de l'arme à feu CSA vz58 Sporter*

**RÉPONSE PROPOSÉE**

- **Nous partageons tous la douleur éprouvée par les victimes de cet attentat, et nous transmettons notre soutien à la collectivité de Ste-Foy et à la communauté musulmane canadienne.**
- **Pour assurer la sécurité des communautés, nous avons introduit le projet de loi C-71 afin de renforcer la législation sur les armes à feu du Canada d'une manière ciblée et efficace, et notre priorité est en tout temps la sécurité publique.**
- **En particulier, nous tenons notre engagement de confier de nouveau les décisions techniques en matière de classification aux experts policiers.**
- **Ces experts prennent leurs décisions conformément aux critères de classification énoncés dans le Code criminel.**

## CLASSIFICATION DES ARMES À FEU

### CONTEXTE

Le 30 avril 2018, un article du *Devoir* rapportait les antécédents de santé mentale d'Alexandre Bissonnette, l'auteur de la fusillade dans une mosquée de Québec. Au moment de présenter une demande de permis d'armes à feu, le demandeur doit répondre à des questions sur ses antécédents personnels, notamment en ce qui concerne la santé mentale; M. Bissonnette a avoué avoir menti à ce sujet afin d'obtenir plus facilement son permis de possession et d'acquisition.

Le 20 mars 2018, le gouvernement a présenté des mesures législatives intitulées « *Loi modifiant certaines loi et un règlement relatifs aux armes à feu* ». Entre autres choses, les mesures législatives proposées apporteraient la modification suivante en ce qui a trait à l'admissibilité à un permis d'armes à feu : Les autorités devront tenir compte de renseignement précis s'appliquant à toute la vie du demandeur, notamment les éléments suivants : le demandeur a été déclaré coupable ou absous de certaines infractions (p. ex., harcèlement criminel); il a été traité pour une maladie mentale caractérisée par la menace, la tentative ou l'usage de violence; ou l'historique de son comportement atteste la menace, la tentative ou l'usage de violence. À l'heure actuelle, les autorités doivent tenir compte des facteurs ci-dessus pour les cinq ans précédant la date de la demande.

Que ce soit sous le régime de la législation actuelle ou du projet de loi proposé, les autorités ne sont pas limitées dans les sources de données dont elles peuvent tenir compte; autrement dit, elles n'ont pas à se limiter aux données autodéclarées et ont le pouvoir discrétionnaire de confirmer les renseignements fournis à partir d'autres sources, notamment des références.

### **Projet de loi C-71 : Loi modifiant certaines lois et un règlement relatifs aux armes à feu**

Les mesures législatives proposées visent à remplir les engagements énoncés dans la plateforme du gouvernement en ce qui concerne les armes à feu, en faisant de la sécurité publique une priorité et en garantissant un traitement équitable et raisonnable des entreprises et des propriétaires d'armes à feu. Les nouveaux éléments proposés dans les mesures législatives apporteraient plusieurs changements à la *Loi sur les armes à feu* et au *Code criminel*. Outre l'élément touchant l'admissibilité à un permis d'armes à feu, décrit ci-dessus, ces éléments sont notamment les suivants :

#### *Vérification du permis*

Toute personne qui vend ou donne une arme à feu sans restriction devra vérifier la validité du permis d'armes à feu de l'acheteur auprès du Programme canadien des armes à feu (PCAF). À l'heure actuelle, la vérification du permis se fait sur une base volontaire pour les armes à feu sans restriction. Si le permis d'armes à feu n'est pas vérifié, le risque augmente qu'une arme à feu sans restriction soit vendue ou donnée à une personne qui n'est plus autorisée à posséder une arme à feu, ce qui engendre une préoccupation en matière de sécurité publique. Aucune information sur l'arme à feu sans restriction qui est vendue ou donnée ne sera transmise au PCAF.

#### *Rétablissement de la tenue des dossiers par les vendeurs*

Les entreprises devront conserver un registre relatif à l'inventaire et aux ventes d'armes à feu sans restriction et aux acheteurs. Cette modification constitue un retour au régime instauré en 1979, aux termes duquel le *Code criminel* exigeait des entreprises d'armes à feu qu'elles conservent un registre relatif à l'inventaire et aux transactions. Les mesures législatives proposées exigeraient des entreprises qu'elles conservent l'information sur les transferts d'armes à feu sans restriction pendant au moins 20 ans, y compris : le numéro de référence émis par le directeur de l'enregistrement confirmant la validité du permis du cessionnaire et la date; le numéro de permis du cessionnaire; et l'information sur l'arme à feu dont le numéro de série, s'il est disponible, la marque, le modèle et le type. Les particuliers ne seraient pas tenus de conserver des dossiers lorsqu'ils transfèrent la propriété d'une arme à feu sans restriction. Les registres des ventes fourniraient à la police un outil pour retracer systématiquement les armes à feu utilisées dans la perpétration d'un crime.

#### *Transport des armes à feu à autorisation restreinte et prohibées*

Lorsqu'un contrôleur des armes à feu (CAF) autorise l'acquisition d'une arme à feu à autorisation restreinte ou d'une arme à feu prohibée visée par un droit acquis, une autorisation de transport de l'arme à feu dans un but précis est automatiquement émise (c.-à-d. que le CAF n'a aucun pouvoir discrétionnaire). Selon le régime actuel, le CAF doit approuver automatiquement, dans la province ou le territoire de résidence du particulier, le transport des armes à feu pour se rendre chez un armurier, à une foire d'armes, à un point d'entrée ou de sortie canadien, ou encore à un agent de la paix ou à un CAF aux fins de vérification, d'enregistrement ou de disposition, et pour revenir de ces endroits. Par ailleurs, s'il autorise le transfert de propriété d'une arme à feu à autorisation restreinte ou d'une arme de poing prohibée visée par un droit acquis pour le tir à la cible ou une compétition de tir, le CAF doit également émettre automatiquement une autorisation de transport permettant au particulier qui fait l'acquisition de l'arme à feu de se rendre dans tous les clubs ou champs de tir approuvés dans sa province ou son territoire de résidence et d'en revenir. Enfin, le CAF doit émettre automatiquement une autorisation de transport permettant au particulier qui fait l'acquisition de l'arme à feu de l'apporter à la maison.

Les mesures législatives proposées rétabliraient le pouvoir discrétionnaire permettant à un CAF d'autoriser le transport d'armes à feu à autorisation restreinte et prohibées à certains endroits. Les seules autorisations qui resteraient automatiques viseraient les deux buts les plus courants du transport : apporter l'arme à feu à la maison après l'acquisition, et apporter l'arme à feu à un club ou à un champ de tir. Pour toutes les autres activités de transport décrites ci-dessus, le particulier devrait une fois de plus obtenir une autorisation de transport. Cette modification améliorerait la capacité des autorités d'application de la loi à déterminer si un particulier transporte légalement ou non des armes à feu à autorisation restreinte et prohibées. Il continuera de ne pas être nécessaire d'obtenir une autorisation de transport pour les armes à feu sans restriction, qui représentent environ 90 % des armes à feu dont les Canadiens sont propriétaires.

*Approche uniforme de la classification des armes à feu*

Le gouvernement précédent a instauré des mesures permettant au gouverneur en conseil d'abaisser le niveau de classification d'une arme à feu même si celle-ci remplit les critères d'une catégorie plus restrictive en vertu du *Code criminel*. En vertu des mesures législatives proposées, ces mesures seraient abrogées afin que la classification reste conforme au *Code criminel*. Deux groupes d'armes à feu dont le niveau de classification a été abaissé, le CZ-858 et les fusils de la famille Swiss Arms, seraient à nouveau prohibés conformément au *Code criminel*. Les actuels propriétaires légitimes de ces armes à feu bénéficieraient d'un droit acquis en vertu de la *Loi sur les armes à feu*, s'ils satisfont aux exigences en matière de permis et d'enregistrement touchant la possession d'armes à feu prohibées. Une période d'amnistie est proposée pour donner aux propriétaires le temps nécessaire pour se conformer aux exigences liées aux droits acquis, de sorte qu'ils ne risquent pas d'encourir une responsabilité criminelle. Le gouverneur en conseil aurait le pouvoir d'accorder des droits acquis à un propriétaire (mais pas d'abaisser le niveau de classification d'une arme à feu) à l'avenir, s'il y a lieu.

*Projet de loi C-52, Loi visant à soutenir les droits acquis en matière d'accès à l'information, présenté en juin 2017, et maintenant subsumé dans les mesures législatives proposées*

Les mesures législatives proposées rétabliraient rétroactivement l'applicabilité de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels* aux dossiers relatifs au Québec, actuellement conservés sous scellé par la Cour fédérale, de l'ancien registre des armes d'épaule. Elles faciliteraient le règlement de deux contestations judiciaires intentées par la commissaire à l'information, en permettant à celle-ci de voir les dossiers qui s'y rattachent, de manière à favoriser un règlement à l'amiable. De plus, les mesures proposées prévoieraient le transfert des dossiers relatifs au Québec touchant les armes à feu sans restriction à la province, le cas échéant.

<p><b>PERSONNES-RESSOURCES :</b></p> <p>Rédigé par</p> <p>Benjamin Gallant, analyste de politiques, DAFPO</p>	<p>N° de tél. :</p> <p>613-990-0096</p>	<p>Approuvé par</p> <p>Randall Koops, DG, DGPP</p>	<p>N° de tél.</p> <p>613-991-2842</p>
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## **FIREARMS CLASSIFICATION**

- We all share in the grief of the victims of the attack on the Quebec City mosque, and continue to stand with the people of Sainte-Foy and Canada's Muslim community.
- To keep communities safe, we have put forward Bill C-71 to strengthen Canada's firearms laws in a focused and effective way, and our priority is always Public Safety.
- That includes a consistent approach to firearms classification where determinations are made by technical experts at the Canadian Firearms Program.
- These experts make determinations in accordance with the criteria and definitions set out by Parliament in the *Criminal Code*.

## CLASSIFICATION DES ARMES À FEU

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- En particulier, nous tenons notre engagement de confier de nouveau les décisions techniques en matière de classification aux experts policiers.
- Ces experts prennent leurs décisions conformément aux critères de classification énoncés dans le *Code criminel*.

## BACKGROUND

- On May 8, 2018, a Radio Canada news article reported on one of the firearms possessed by Alexandre Bissonnette, the shooter in the Quebec mosque incident, namely a CSA vz58 Sporter. The article explains why the CSA vz58 Sporter is not prohibited. The article also reports on Mr. Bissonnette's mental health related history, including a history of suicidal ideation.
- On March 20, 2018, the Government introduced legislation entitled "An Act to amend certain Acts and Regulations in relation to firearms." Amongst its components, the proposed legislation would make the following change with respect to eligibility to hold a firearms licence: In determining whether a person is eligible for a firearms licence, authorities will be required to consider specific information from the person's full life history, including whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence; and, has a history of behaviour that includes violence or threatened or attempted violence. The current requirement is that they must consider the above factors from the previous five years.
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- The proposed legislation aims to meet the commitments set out in the Government's platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses. New elements proposed by the legislation would make several changes to the Firearms Act and Criminal Code. In addition to the element relating to eligibility to hold a firearms licence, described above, these elements include:

#### *Licence verification:*

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- The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the Criminal Code. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the Criminal Code. Current legal owners of these firearms would be grandfathered under the Firearms Act if they comply with licensing and registration requirements to own prohibited firearms. An Amnesty period is proposed to provide owners time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.
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Name of PCO Policy Analyst. Nom de l'analyste du BCP :

Secretariat. Secrétariat :

Telephone number. Numéro de téléphone :

## **FIREARMS AND MENTAL HEALTH**

- The measures in Bill C-71 relate to public safety outcomes.
- Canadians are fortunate to live in a safe, orderly society where firearms-related violence is not the norm.
- We intend to keep it that way, with measures to help ensure that firearms are kept out of the wrong hands, which includes enhanced background checks and mandatory firearms licence verification.
- We can save lives if we reduce the availability of guns for those known to have a history of violent behaviour, including when that behaviour is motivated by mental health issues.
- Everyone's safety is put at risk when a history of violent behaviour is not considered when determining who should have access to guns.
- That is why we are taking actions on this issue. These actions prioritize public safety, and, collectively, will contribute to ensuring the safety of Canadians.
- Our firearms legislation is part of a suite of measures intended to make Canada safer, including our previously announced commitment to provide \$327.6 million over five years, and \$100.0 million annually thereafter to reduce gun and gang violence.

## BACKGROUND

- On April 30, 2018, a *Le Devoir* news article reported on the mental health-related history of Alexandre Bissonnette, the shooter in the Quebec mosque incident. When applying for a firearms licence, individuals are asked to respond to personal history questions, including ones related to mental health; Mr. Bissonnette admitted to having lied on these questions in order to facilitate obtaining his Possession and Acquisition Licence.
- On March 20, 2018, the Government introduced legislation entitled “*An Act to amend certain Acts and Regulations in relation to firearms.*” Amongst its components, the proposed legislation would make the following change with respect to eligibility to hold a firearms licence: In determining whether a person is eligible for a firearms licence, authorities will be required to consider specific information from the person’s full life history, including whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence; and, has a history of behaviour that includes violence or threatened or attempted violence. The current requirement is that they must consider the above factors from the previous five years.
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pursuant to the *Criminal Code*, firearms businesses became required to keep inventory and transaction records. The proposed legislation would require businesses to keep information on non-restricted firearms transfers for a minimum period of 20 years, including: the reference number issued by the Registrar of firearms confirming the transferee's licence is valid and the date; licence number of the transferee; and, information on the firearm including serial number, if available, make, model, and type. Individuals would not be required to maintain records when transferring ownership of a non-restricted firearm. Sales records would provide police with a tool to track systematically a firearm used in the commission of a crime.

*Transportation of restricted and prohibited firearms:*

- Authorization by a Chief Firearms Officer (CFO) to acquire a restricted or grandfathered prohibited firearm automatically results in an Authorization to Transport (ATT) the firearm for specific purposes (i.e., a CFO has no discretion). Under the current regime, CFOs must automatically approve, within the individual's province/territory of residence, transportation to and from: a gunsmith, a gun show, a Canadian port of entry or exit; and, to a peace officer or CFO for verification, registration or disposal. Additionally, if authorizing the transfer of a restricted firearm or grandfathered prohibited handgun for target practice/shooting competition, a CFO must also automatically issue an ATT allowing the individual acquiring the firearm to go to and from all CFO approved shooting clubs or ranges within an individual's province/territory of residence. Finally, CFOs must automatically issue an ATT allowing the individual acquiring the firearm to take it home to their residence.
- The proposed legislation would reinstate discretion for a CFO to authorize transport of restricted and prohibited firearms to certain locations. The only automatic authorizations retained would be for the two most common transport purposes: to an owner's home following a purchase; and, to a shooting club or range. For all other transportation activities described above, individuals would once again need to obtain an ATT. This change would enhance the ability of law enforcement to determine whether or not individuals are lawfully transporting restricted and prohibited firearms. ATTs will continue not to be required for non-restricted firearms, which represent approximately 90% of the firearms owned by Canadians.

*Consistent approach to firearms classification:*

- The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the *Criminal Code*. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the *Criminal Code*. Current legal owners of these firearms would be grandfathered under the *Firearms Act* if they comply with licensing and registration requirements to own prohibited firearms. An Amnesty period is proposed to provide owners

time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.

- *Previously introduced in Bill C-52, Supporting Vested Rights Under Access to Information, in June 2017, and now subsumed into this legislation:*
- The proposed legislation would restore retroactively, the applicability of the *Access to Information Act* and the *Privacy Act* to the Quebec-related records, currently held under seal by the Federal Court, of the now defunct long-gun registry. The proposed legislation would facilitate the settlement of two legal challenges by the Information Commissioner by allowing the Information Commissioner to view records relevant to her proceedings in support of reaching an out-of-court settlement. In addition, the proposal would provide for the transfer of Quebec-related records for non-restricted firearms to the province, if requested.

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Question Period Note / Note pour la Période des questions

**FIREARMS LEGISLATION**

**ISSUE:** *An Act to amend certain Acts and Regulations in relation to firearms*

**PROPOSED RESPONSE:**

- **The Government of Canada has introduced new measures with respect to firearms that prioritize public safety by keeping firearms out of the wrong hands, and are fair and reasonable for legal firearms owners and businesses.**
- **The proposed measures are consistent with our platform commitments made in 2015.**
- **To be clear, and as we have committed to Canadians, we are not recreating a federal long-gun registry.**

**New measures will:**

- **Require authorities, in determining eligibility to hold a firearms licence, to consider certain eligibility factors for the span of a person's life (e.g., a history of violence, trafficking in drugs or firearms, or treatment for mental health issues associated with violence);**
- **Require vendors to confirm the validity of the purchaser's firearms licence with the Royal Canadian Mounted Police prior to completing the sale of a non-restricted firearm;**
- **Facilitate the tracing of crime guns and strengthen due diligence practices by requiring firearms businesses to maintain transfer and inventory records for non-restricted firearms;**
- **Repeal measures from the *Common Sense Firearms Licensing Act* that allow restricted and prohibited firearms to be more freely transported;**
- **Apply a consistent approach to the classification of firearms under the *Criminal Code*.**
- **The legislation also subsumes, unchanged, amendments previously introduced as Bill C-52, *Supporting Vested Rights Under Access to Information*, in June 2017.**

## FIREARMS SAFETY

### BACKGROUND:

On March 20, 2018, the Government introduced legislation entitled "*An Act to amend certain Acts and Regulations in relation to firearms.*" The proposed legislation aims to meet the commitments set out in the Government's platform with respect to firearms that prioritize public safety, while ensuring fair and reasonable treatment of firearms owners and businesses. New elements proposed by the legislation would make several changes to the *Firearms Act* and *Criminal Code*, including:

#### *Eligibility to hold a firearms licence:*

In determining whether a person is eligible for a firearms licence, authorities will be required to consider specific information from the person's full life history, including whether he or she: has been convicted or discharged of certain offences (e.g., criminal harassment); has been treated for a mental illness that was associated with violence or threatened or attempted violence; and, has a history of behaviour that includes violence or threatened or attempted violence. The current requirement is that they must consider the above factors from the previous five years.

#### *Licence verification:*

Anyone selling or giving a non-restricted firearm will be required to verify the validity of the firearms licence of the recipient with the Canadian Firearms Program (CFP). Currently, licence verification for non-restricted firearms is voluntary. Without verifying a firearms licence, there is greater risk that a non-restricted firearm may be sold or given to a person who is no longer authorized to possess a firearm, which creates a public safety concern. No information on the non-restricted firearm being sold or given will be provided to the CFP.

#### *Reinstatement of record-keeping by vendors:*

Businesses will be required to keep records of inventory and sale of non-restricted firearms and their purchasers. This change is a return to the regime put in place in 1979, when, pursuant to the *Criminal Code*, firearms businesses became required to keep inventory and transaction records. The proposed legislation would require businesses to keep information on non-restricted firearms transfers for a minimum period of 20 years, including: the reference number issued by the Registrar of firearms confirming the transferee's licence is valid and the date; licence number of the transferee; and, information on the firearm including serial number, if available, make, model, and type. Individuals would not be required to maintain records when transferring ownership of a non-restricted firearm. Sales records would provide police with a tool to track systematically a firearm used in the commission of a crime.

#### *Transportation of restricted and prohibited firearms:*

Authorization by a Chief Firearms Officer (CFO) to acquire a restricted or grandfathered prohibited firearm automatically results in an Authorization to Transport (ATT) the firearm for specific purposes (i.e., a CFO has no discretion). Under the current regime, CFOs must automatically approve, within the individual's province/territory of residence, transportation to and from: a gunsmith, a gun show, a Canadian port of entry or exit; and, to a peace officer or CFO for verification, registration or disposal. Additionally, if authorizing the transfer of a restricted firearm or grandfathered prohibited handgun for target practice/shooting competition, a CFO must also automatically issue an ATT allowing the individual acquiring the firearm to go to and from all CFO approved shooting clubs or ranges within an individual's province/territory of residence. Finally, CFOs must automatically issue an ATT allowing the individual acquiring the firearm to take it home to their residence.

The proposed legislation would reinstate discretion for a CFO to authorize transport of restricted and prohibited firearms to certain locations. The only automatic authorizations retained would be for the two most common transport purposes: to an owner's home following a purchase; and, to a shooting club or range. For all other transportation activities described above, individuals would once again need to obtain an ATT. This change would enhance the ability of law enforcement to determine whether or not individuals are lawfully transporting restricted and prohibited firearms. ATTs will continue not to be required for non-restricted firearms, which represent approximately 90% of the firearms owned by Canadians.

#### *Consistent approach to firearms classification:*

The previous government introduced measures to allow the Governor in Council (GIC) to downgrade the classification of a firearm despite meeting higher criteria prescribed in the criminal code. Under the proposed legislation, these measures would be repealed to ensure classification remains consistent with the *Criminal Code*. Two groups of firearms that were downgraded, the CZ-858 and Swiss Arms families of rifles, would revert to being prohibited in realignment with the *Criminal Code*. Current legal owners of these firearms would be grandfathered under the *Firearms Act* if they comply with licensing and registration requirements to own prohibited firearms. An Amnesty period is proposed to provide owners time to comply with grandfathering requirements, without the threat of criminal liability. The GIC would be given the authority to grandfather (but not to downgrade) in future cases, if needed.

*Previously introduced in Bill C-52, Supporting Vested Rights Under Access to Information, in June 2017, and now subsumed into this legislation:*

The proposed legislation would restore retroactively, the applicability of the *Access to Information Act* and the *Privacy Act* to the Quebec-related records, currently held under seal by the Federal Court, of the now defunct long-gun registry. The proposed legislation would facilitate the settlement of two legal challenges by the Information Commissioner by allowing the Information Commissioner to view records relevant to her proceedings in support of reaching an out-of-court settlement. In addition, the proposal would provide for the transfer of Quebec-related records for non-restricted firearms to the province, if requested.

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**Question Period Note / Note pour la Période des questions**

**MESURES LÉGISLATIVES SUR LES ARMES À FEU**

**QUESTION : *Loi modifiant certaines lois et un règlement relatifs aux armes à feu***

**RÉPONSE PROPOSÉE**

- **Le gouvernement du Canada a présenté de nouvelles mesures concernant les armes à feu qui font de la sécurité publique une priorité en s'assurant que les armes à feu ne tombent pas dans de mauvaises mains, et qui sont équitables et raisonnables pour les entreprises et les propriétaires légitimes d'armes à feu.**
- **Les mesures proposées sont conformes aux engagements pris dans notre plateforme en 2015.**
- **Pour être clairs, conformément à notre engagement envers les Canadiens, nous ne recréons pas un registre fédéral des armes d'épaule.**

**Les nouvelles mesures :**

- **exigeront des autorités, pour déterminer si le demandeur est admissible à un permis d'armes à feu, qu'elles examinent certains facteurs d'admissibilité pour toute la vie du demandeur (p. ex. antécédents de violence, trafic de drogues ou d'armes à feu, traitement pour une maladie mentale caractérisée par la violence);**
- **exigeront des vendeurs qu'ils confirment la validité du permis d'armes à feu de l'acheteur auprès de la Gendarmerie royale du Canada avant de procéder à la vente d'une arme à feu sans restriction;**
- **permettront de retracer plus facilement les armes à feu utilisées dans la perpétration d'un crime, et renforceront les pratiques de diligence raisonnable en exigeant des entreprises d'armes à feu qu'elles tiennent un registre de l'inventaire et des transferts d'armes à feu sans restriction;**
- **abrogeront les mesures de la *Loi visant la délivrance simple et sécuritaire des permis d'armes à feu* qui permettent de transporter plus librement des armes à feu à autorisation restreinte et prohibées;**
- **appliqueront une approche uniforme de la classification des armes à**

**feu en vertu du *Code criminel*.**

- **Les mesures législatives subsument également, sans les changer, les modifications présentées en juin 2017 dans le projet de loi C-52, *Loi visant à soutenir les droits acquis en matière d'accès à l'information*.**

## SÉCURITÉ DES ARMES À FEU

### CONTEXTE

Le 20 mars 2018, le gouvernement a présenté des mesures législatives intitulées « *Loi modifiant certaines lois et un règlement relatifs aux armes à feu* ». Les mesures législatives proposées visent à remplir les engagements énoncés dans la plateforme du gouvernement en ce qui concerne les armes à feu, en faisant de la sécurité publique une priorité et en garantissant un traitement équitable et raisonnable des entreprises et des propriétaires d'armes à feu. Les nouveaux éléments proposés dans les mesures législatives apporteraient plusieurs changements à la *Loi sur les armes à feu* et au *Code criminel*, notamment les suivants :

#### *Admissibilité à détenir un permis d'armes à feu*

Pour déterminer si un demandeur est admissible à un permis d'armes à feu, les autorités devront examiner des renseignements précis touchant toute la vie du demandeur, notamment si les cas suivants s'appliquent : le demandeur a été déclaré coupable ou absous de certaines infractions (p. ex. harcèlement criminel); il a été traité pour une maladie mentale caractérisée par la menace, la tentative ou l'usage de violence; et l'historique de son comportement atteste la menace, la tentative ou l'usage de violence. La loi exige actuellement que les autorités examinent les facteurs ci-dessus pour les cinq ans précédant la date de la demande.

#### *Vérification du permis*

Toute personne qui vend ou donne une arme à feu sans restriction devra vérifier la validité du permis d'armes à feu de l'acheteur auprès du Programme canadien des armes à feu (PCAF). À l'heure actuelle, la vérification du permis se fait sur une base volontaire pour les armes à feu sans restriction. Si le permis d'armes à feu n'est pas vérifié, le risque augmente qu'une arme à feu sans restriction soit vendue ou donnée à une personne qui n'est plus autorisée à posséder une arme à feu, ce qui engendre une préoccupation en matière de sécurité publique. Aucune information sur l'arme à feu sans restriction qui est vendue ou donnée ne sera transmise au PCAF.

#### *Rétablissement de la tenue des dossiers par les vendeurs*

Les entreprises devront conserver un registre relatif à l'inventaire et aux ventes d'armes à feu sans restriction et aux acheteurs. Cette modification constitue un retour au régime instauré en 1979, aux termes duquel le *Code criminel* exigeait des entreprises d'armes à feu qu'elles conservent un registre relatif à l'inventaire et aux transactions. Les mesures législatives proposées exigeraient des entreprises qu'elles conservent l'information sur les transferts d'armes à feu sans restriction pendant au moins 20 ans, y compris : le numéro de référence émis par le directeur de l'enregistrement confirmant la validité du permis du cessionnaire et la date; le numéro de permis du cessionnaire; et l'information sur l'arme à feu dont le numéro de série, s'il est disponible, la marque, le modèle et le type. Les particuliers ne seraient pas tenus de conserver des dossiers lorsqu'ils transfèrent la propriété d'une arme à feu sans restriction. Les registres des ventes fourniraient à la police un outil pour retracer systématiquement les armes à feu utilisées dans la perpétration d'un crime.

#### *Transport des armes à feu à autorisation restreinte et prohibées*

Lorsqu'un contrôleur des armes à feu (CAF) autorise l'acquisition d'une arme à feu à autorisation restreinte ou d'une arme à feu prohibée visée par un droit acquis, une autorisation de transport de l'arme à feu dans un but précis est automatiquement émise (c.-à-d. que le CAF n'a aucun pouvoir discrétionnaire). Selon le régime actuel, le CAF doit approuver automatiquement, dans la province ou le territoire de résidence du particulier, le transport des armes à feu pour se rendre chez un armurier, à une foire d'armes, à un point d'entrée ou de sortie canadien, ou encore à un agent de la paix ou à un CAF aux fins de vérification, d'enregistrement ou de disposition, et pour revenir de ces endroits. Par ailleurs, s'il autorise le transfert de propriété d'une arme à feu à autorisation restreinte ou d'une arme de poing prohibée visée par un droit acquis pour le tir à la cible ou une compétition de tir, le CAF doit également émettre automatiquement une autorisation de transport permettant au particulier qui fait l'acquisition de l'arme à feu de se rendre dans tous les clubs ou champs de tir approuvés dans sa province ou son territoire de résidence et d'en revenir. Enfin, le CAF doit émettre automatiquement une autorisation de transport permettant au particulier qui fait l'acquisition de l'arme à feu de l'apporter à la maison.

Les mesures législatives proposées rétabliraient le pouvoir discrétionnaire permettant à un CAF d'autoriser le transport d'armes à feu à autorisation restreinte et prohibées à certains endroits. Les seules autorisations qui resteraient automatiques viseraient les deux buts les plus courants du transport : apporter l'arme à feu à la maison après l'acquisition, et apporter l'arme à feu à un club ou à un champ de tir. Pour toutes les autres activités de transport décrites ci-dessus, le particulier devrait une fois de plus obtenir une autorisation de transport. Cette modification améliorerait la capacité des autorités d'application de la loi à déterminer si un particulier transporte légalement ou non des armes à feu à autorisation restreinte et prohibées. Il continuera de ne pas être nécessaire d'obtenir une autorisation de transport pour les armes à feu sans restriction, qui représentent environ 90 % des armes à feu dont les Canadiens sont propriétaires.

#### *Approche uniforme de la classification des armes à feu*

Le gouvernement précédent a instauré des mesures permettant au gouverneur en conseil d'abaisser le

niveau de classification d'une arme à feu même si celle-ci remplit les critères d'une catégorie plus restrictive en vertu du *Code criminel*. En vertu des mesures législatives proposées, ces mesures seraient abrogées afin que la classification reste conforme au *Code criminel*. Deux groupes d'armes à feu dont le niveau de classification a été abaissé, le CZ-858 et les fusils de la famille Swiss Arms, seraient à nouveau prohibés conformément au *Code criminel*. Les actuels propriétaires légitimes de ces armes à feu bénéficieraient d'un droit acquis en vertu de la *Loi sur les armes à feu*, s'ils satisfont aux exigences en matière de permis et d'enregistrement touchant la possession d'armes à feu prohibées. Une période d'amnistie est proposée pour donner aux propriétaires le temps nécessaire pour se conformer aux exigences liées aux droits acquis, de sorte qu'ils ne risquent pas d'encourir une responsabilité criminelle. Le gouverneur en conseil aurait le pouvoir d'accorder des droits acquis à un propriétaire (mais pas d'abaisser le niveau de classification d'une arme à feu) à l'avenir, s'il y a lieu.

*Projet de loi C-52, Loi visant à soutenir les droits acquis en matière d'accès à l'information, présenté en juin 2017, et maintenant subsumé dans les mesures législatives proposées*

Les mesures législatives proposées rétabliraient rétroactivement l'applicabilité de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels* aux dossiers relatifs au Québec, actuellement conservés sous scellé par la Cour fédérale, de l'ancien registre des armes d'épaule. Elles faciliteraient le règlement de deux contestations judiciaires intentées par la commissaire à l'information, en permettant à celle-ci de voir les dossiers qui s'y rattachent, de manière à favoriser un règlement à l'amiable. De plus, les mesures proposées prévoieraient le transfert des dossiers relatifs au Québec touchant les armes à feu sans restriction à la province, le cas échéant.

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**Question Period Note / Note pour la Période des questions**

**FIREARMS SAFETY**

**ISSUE:** On February 14, 2018, 17 people were killed and 14 others were taken to hospital as a result of a mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida.

**PROPOSED RESPONSE:**

- **Public safety is our primary concern. To that end, we believe in firearms measures that prioritize public safety while ensuring fair treatment for law-abiding firearms owners.**
  
- **We have already:**
  - **Reversed a ministerial directive that allowed gun manufacturers to determine, in certain circumstances, the classification of their own products;**
  - **established a more representative Firearms Advisory Committee;**
  - **Announced \$327.6 million over five years, and \$100.0 million annually thereafter to reduce gun and gang violence;**
  - **Hosted a Summit on Gun and Gang Violence that brought together stakeholders including: experts; front-line personnel; and, decision-makers across all levels of government.**
  
- **We are preparing additional measures consistent with our platform commitments.**

***If asked about the classification of the AR-15:***

- **Since 1992, the AR-15 rifle and all its variants have been restricted, because of their lineage to the military-issued M16 assault rifles. The Government does not intend to change this classification.**

***If asked about Bump stocks:***

- **Bump stocks and other known devices that can modify a semi-automatic firearm to simulate fully automatic fire are prohibited in Canada.**

## FIREARMS SAFETY

### BACKGROUND:

On February 14, 2018, Nikolas Cruz killed 17 people in his assault on Marjory Stoneman Douglas High School, located in Parkland, Florida. Media reports claim that a law enforcement source has confirmed that Cruz, a former student of Douglas High, obtained at least 10 firearms, all rifles, all purchased approximately within the past year. One of the firearms reportedly used in the attack is alleged to be an AR-15 rifle.

Firearms control is an area of shared federal responsibility. The Minister of Public Safety is responsible for the Firearms Act and is the lead minister for firearms policy. The Minister of Justice is responsible for firearms-related offences, penalties and forfeiture provisions in the Criminal Code and the criteria defining the classification of firearms.

Firearms are classified in two ways, either (a) by way of definitions in the Criminal Code (subsection 84(1)); or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class (i.e., Regulations Prescribing Certain Firearms and Other Weapons ("the Classification Regulations")).

The Criminal Code defines "non-restricted firearm" as a firearm that is neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while "restricted firearm" (e.g., handguns; certain rifles and semi-automatics) and "prohibited firearm" (e.g., certain handguns; fully automatic firearms; sawed off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class. The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and, with some exceptions, include all variants or modified versions of them within the same classification.

The RCMP Canadian Firearms Program (CFP) is responsible for the technical determination of the classification of firearms in accordance with the classification criteria stipulated in the Criminal Code. To assist in this aspect of administration, the RCMP created and maintains a Firearms Reference Table (FRT). It is an administrative tool used by the RCMP to record information on firearms in the global market, including the RCMP'S technical assessment/opinion of the firearm's classification in Canada. Though it does not have force of law, the FRT is considered in practice by law enforcement to indicate a firearm's classification.

The AR-15 rifle has been linked to numerous other mass shootings in the United States history (e.g., Las Vegas, Orlando) and its classification has been a matter of debate in Canada. A petition to change the classification of the AR-15 from restricted to non-restricted, sponsored by M.P. Bob Zimmer was presented to the House of Commons on May 13, 2016, and the Government's official response was tabled in the House of Commons on August 17, 2016. The Government confirmed that it has no intention of changing the classification of the AR-15.

Bump stocks as well as all other known devices which modify the functionality of a semi-automatic firearm to simulate fully automatic fire, have been determined to be prohibited under part 4, paragraph 1, of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted (SOR/98-462), and are therefore not eligible for legal ownership in Canada.

In the interest of public safety, the Government of Canada has consistently committed to the maintenance of a strong licensing system, and controls over restricted and prohibited firearms, including registration. Prospective licencees undergo a rigorous and comprehensive application and vetting process. Individuals must submit:

- a completed application form with:
  - responses to mandatory questions about criminal history, mental health, substance abuse and violent behavior, and personal status (i.e., marital); and,
  - names, contact information and signature attestations of two references and current and former (within the previous two years) conjugal partners;
  - proof of having successfully passed the requisite safety course(s); and,
  - a photo signed by a guarantor and the required application fee.

Mandatory background checks, via criminal and other police-held records, are conducted on the prospective licencee. In making a determination regarding licence eligibility, CFOs have authority to:

- interview the applicant, references, current and former conjugal partners;

- conduct (social networking) searches; and,
  - seek consent from the applicant to allow their medical practitioner to disclose relevant mental health information pertaining to specific incidents.
- Once a licence is granted, licence holders are subject to Continuous Eligibility Screening (CES) for the duration of the licence. This screening ensures that police reported violent and other designated criminal behaviour on the part of a licensee is brought to the attention of the relevant CFO for review and investigation.

March 2017 Summit on Gun and Gang Violence:

On March 7, 2018, the Minister of Public Safety and Emergency Preparedness hosted a Summit on Gun and Gang Violence, to engage stakeholders and provide them an opportunity to share challenges, opportunities and best practices in the fight against gun crime and in combatting the deadly effects of guns and gangs in communities across Canada.

The Summit was attended in person by over 180 experts from law enforcement, Indigenous, youth and community organizations, mayors from large municipalities and other federal, provincial and territorial representatives, and was also available via webcast.

A number of presenters spoke on the issue of gun violence in rural communities, and participants included law enforcement, community groups, and government representatives from rural cities and towns, including those from the north.

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Question Period Note / Note pour la Période des questions

**SÉCURITÉ DES ARMES À FEU**

QUESTION :

RÉPONSE PROPOSÉE

- **Notre préoccupation principale est la sécurité du publique. Nous croyons en des mesures de contrôle des armes à feu qui accordent la priorité à la sécurité publique tout en assurant un traitement équitable des propriétaires d'armes à feu respectueux des lois.**
  
- **Déjà, nous avons :**
  - **annulé une directive ministérielle qui permettait aux fabricants d'armes de déterminer, dans certaines circonstances, la classification de leurs propres produits.**
  - **annoncé un investissement de 327,6 millions de dollars sur cinq ans, et de 100 millions de dollars par année par la suite, pour lutter contre la violence liée aux armes et aux gangs.**
  - **Tenue d'un *Sommet sur la violence liée aux armes à feu et aux gangs* qui a réuni divers intervenants, dont des experts, des membres du personnel de première ligne et des décideurs de tous les ordres de gouvernement.**
  
- **Nous élaborons d'autres mesures qui seront présentées sous peu.**

*À propos du régime législatif des armes à feu :*

- **Notre gouvernement maintien un régime robuste de permis d'armes à feu, avec le contrôle rigoureux des antécédents, et l'enregistrement obligatoire des armes à feu à autorisation restreinte et prohibée. Les armes à feu automatiques sont prohibées.**

*À propos de la classification de l'arme à feu AR-15 :*

- **Depuis une décision du gouvernement Mulroney en 1992, l'arme à feu AR-15, et toutes ses variantes, sont classifiées à autorisation restreinte en raison du lignage entre celles-ci et l'arme d'assaut de type militaire M-16. Le gouvernement n'a pas l'intention de changer cette classification.**

## FIREARMS SAFETY

### CONTEXTE

Le contrôle des armes à feu est une responsabilité fédérale partagée. Le ministre de la Sécurité publique est responsable de la *Loi sur les armes à feu* et le ministre compétent au chapitre des politiques sur les armes à feu. Le ministre de la Justice est responsable des dispositions du *Code criminel* relatives aux infractions, aux sanctions et aux confiscations portant sur les armes à feu et des critères de définition de la classification des armes à feu.

Les armes à feu sont classées selon deux façons : a) selon les définitions données au paragraphe 84(1) du *Code criminel* ou b) prescrites dans les règlements permettant aux armes à feu de faire l'objet d'une reclassification nonobstant le fait de répondre à la définition d'une autre classe [c'est-à-dire *le Règlement désignant des armes à feu, armes, éléments ou pièces d'armes* (« Règlement sur la classification »)].

Le *Code criminel* définit les « **armes à feu sans restriction** » simplement comme des armes à feu qui ne sont ni une arme à feu prohibée ni une arme à feu à autorisation restreinte (comme les carabines et les fusils de chasse ordinaires); alors que les « **armes à feu à autorisation restreinte** » (comme les armes de poing et certaines carabines et armes semi-automatiques) et les « **armes à feu prohibées** » (comme certaines armes de poing, les armes à feu entièrement automatiques et les carabines et fusils de chasse à canon scié) sont clairement définies. De surcroît, ces trois classes comprennent des armes à feu qui sont prescrites pour appartenir à cette classe. Le Règlement sur la classification des armes à feu indique les marques et les modèles d'armes à feu en particulier qui sont des armes à feu sans restriction, à autorisation restreinte ou prohibées, hormis quelques exceptions, incluant toutes les variantes ou les versions modifiées de celles-ci au sein d'une même classification.

Le Programme canadien des armes à feu (PCAF) de la Gendarmerie royale du Canada (GRC) est responsable de la détermination technique de la classification des armes à feu, conformément aux critères de classification énoncés dans le *Code criminel*. Pour appuyer ce volet administratif, la GRC a créé et tenu à jour un Tableau de référence des armes à feu (TRAF). Ce tableau se veut un outil administratif utilisé par la GRC pour consigner les renseignements sur les armes à feu accessibles sur le marché mondial, y compris l'opinion et l'évaluation techniques de la GRC sur la classification des armes à feu au Canada. Bien que ce registre n'a pas force de loi, les organismes d'application de la loi le consultent pour déterminer la classification d'une arme à feu.

Dans l'intérêt de la sécurité publique, le gouvernement du Canada s'est toujours engagé à maintenir un système de délivrance des permis d'armes à feu solide de même qu'à assurer des contrôles des armes à feu prohibées et à autorisation restreinte, y compris un processus d'enregistrement des armes à feu. Les personnes qui souhaitent obtenir un permis doivent suivre un processus exhaustif et rigoureux de demande et d'évaluation. Les demandeurs doivent présenter :

- un formulaire de demande dûment rempli avec :
  - les réponses aux questions obligatoires sur les antécédents criminels, la santé mentale, la consommation de drogues ou autres substances, les comportements violents et la situation personnelle (état civil);
  - le nom, les coordonnées et la signature d'attestation de deux références, ainsi que des partenaires conjugaux actuels et précédents (pour les deux dernières années);
- l'attestation d'avoir réussi les examens exigés sur le maniement sécuritaire des armes à feu;
- une photo signée par un répondant et le paiement des droits exigibles.

Des vérifications obligatoires sur les antécédents des futurs titulaires de permis, au moyen de recherches de casier judiciaire et dans d'autres dossiers détenus par la police, sont effectuées. Afin de déterminer l'admissibilité au permis, les CAF ont le pouvoir :

- de passer en entrevue le demandeur, les références et les partenaires conjugaux actuels et précédents; d'effectuer des recherches dans des sources ouvertes (réseaux sociaux);
- d'obtenir le consentement du demandeur pour permettre à son médecin de divulguer de l'information pertinente sur sa santé mentale ayant trait à des incidents précis.

Une fois le permis délivré, le titulaire est assujéti à une vérification continue de l'admissibilité (VCA) durant toute la période de validité du permis. Cette vérification fait en sorte que tout incident de violence ou autre comportement criminel signalé à la police au sujet du titulaire est porté à l'attention du CAF pertinent aux fins d'examen et d'enquête.

Le 7 mars 2018, le ministre de la Sécurité publique et de la Protection civile a organisé un Sommet sur la violence liée aux armes à feu et aux gangs en vue de mobiliser les intervenants et de leur donner l'occasion d'échanger sur les défis, les occasions et les pratiques exemplaires concernant la lutte contre les crimes commis au moyen d'une arme à feu et contre les effets mortels des armes à feu et des gangs dans les collectivités du Canada.

Plus de 180 intervenants ont assisté au Sommet en personne, dont des experts d'organisations autochtones, communautaires, de jeunes et d'application de la loi, des maires de grandes municipalités et des représentants fédéraux, provinciaux et territoriaux. Le Sommet était également diffusé sur le Web.

Des conférenciers ont abordé les questions de la violence liée aux armes à feu dans les collectivités rurales, et l'on comptait parmi les participants des représentants d'organismes d'application de la loi, de groupes communautaires et gouvernementaux provenant de villes rurales, y compris du Nord.

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2017-2018 Supplementary Estimates (C) and 2018-2019 Interim Estimates

**FIREARMS**

**PROPOSED RESPONSE:**

- **We believe in effective firearms measures that prioritize public safety while ensuring fair treatment for firearms owners.**
  
- **Already, we have:**
  - **Allowed technical decisions about firearms classification to be made by police experts, rather than politicians;**
  - **Reversed a ministerial directive that allowed for the classification of firearms by the manufacturers themselves;**
  - **Established a more representative Firearms Advisory Committee.**
  
- **We are preparing additional measures consistent with our platform commitments. These measures will be introduced soon.**

*If asked about the Canadian Firearms Advisory Committee:*

- **As promised, we have established a more representative committee that includes public health advocates; representatives from women's groups; civilian firearms users; representatives from conservation organizations; farmers; law enforcement officers and members of the legal community.**
  
- **The renewed Committee has members who are well-versed in firearms safety training and licensing.**
  
- **Committee members represent a broad range of interests because decisions about firearms affect all Canadians.**

*If asked about the Firearms Marking Regulations:*

- **Effective markings help police trace guns used in crimes and combat firearms trafficking.**
  
- **The Government is aware of the concerns raised by firearms stakeholders and is mindful of the need for the *Firearms Marking Regulations* to be manageable for firearms owners and businesses.**

- **The original regulations were drafted in 2004. We are developing updates to them to ensure they achieve their intended purpose of enabling the tracing of crime guns, particularly non-restricted, by law enforcement.**

*If asked why there are still Quebec long-gun registration records:*

- **Under the previous government:**
  - **All long-gun records were destroyed in 2012, except for Quebec data due to ongoing litigation;**
  - **That data was provided to the Federal Court.**
- **Quebec records, while preserved pending resolution of litigation, are not accessible to law enforcement.**

*If asked why the RCMP should make classification decisions:*

- **We have committed to putting technical decision-making about firearms back in the hands of law enforcement experts.**
- **RCMP firearms experts make determinations in accordance with criteria set out by Parliament in the *Criminal Code*.**
- **This approach is no different than numerous other regulatory frameworks, where laws are enacted by elected officials and interpreted by law enforcement.**

*If asked about Guns and Gangs*

- **We have announced \$327.6 million over five years, and \$100.0 million annually thereafter to reduce gun and gang violence; and,**
- **We are hosting a summit in early March with partners from across the country to discuss the issue of guns and gangs.**

**Backgrounder:**

**Firearms control** is an area of shared federal responsibility. The Minister of Public Safety is responsible for the *Firearms Act* and is the lead minister for firearms policy. The Minister of Justice is responsible for firearms-related offences, penalties and forfeiture provisions in the *Criminal Code* and the criteria defining the classification of firearms.

The **Canadian Firearms Advisory Committee (CFAC)** was originally established in July 2006 to provide advice to the Minister of Public Safety and Emergency Preparedness on the reform of Canada's firearms laws and regulations. The membership of previous CFAC participants expired on December 31, 2015. As part of the current Government's platform, the membership of the CFAC was modified to include law enforcement officers, public health advocates, representatives from women's groups, civilian firearms users, representatives from conservation organizations, farmers, and members of the legal community. The mandate of the CFAC is to advise the Minister on pragmatic measures to reform Canada's firearms policies, laws and regulations to ensure a modernized firearms regime. The renewed Committee held their first meeting in March, 2017, and met for a second time on May 9, 2017. They provided comments to the Minister on a number of subjects related to the Government's platform commitments, including an examination of former Bill C-42.

In June 2015, the **Economic Action Plan Act** came into force, removing application of the ATIA and the *Privacy Act* from the registration records of non-restricted firearms, retroactively to October 25, 2011, the date of introduction of the *Ending the Long-gun Registry Act (ELRA)*. Thus, it nullified any proceeding under the access and privacy legislation, including the judicial review. It provided immunity to the Crown, Crown servants and the Commissioner of Firearms regarding the record destruction or any act or omission under the ATIA and the *Privacy Act*. The Ontario Provincial Police advised the Information Commissioner that the Economic Action Plan completely removed any potential criminal liability in relation to the record destruction, that there was no criminal conduct that could form the basis of an investigation and that, as such, no investigation would be conducted. The Information Commissioner and the named requestor brought a constitutional challenge of the Economic Action Plan Act.

Bill C-52, *Supporting Vested Rights Under Access to Information Act*, would repeal changes made to the ELRA by the Economic Action Plan Act (2015). It would:

- Retroactively restore application of the ATIA and *Privacy Act* to all the registration records of non-restricted firearms, from October 25, 2011, until the day of the coming into force of the bill;
- Provide that access and privacy legislation continues to apply to proceedings initiated under that legislation before Royal Assent, until they are finally disposed of, settled or abandoned;
- Remove the immunity of the Crown and Crown Servants for destruction of the registration records of non-restricted firearms and for any act or omission under the ATIA and the *Privacy Act*.
- Provides that the IC will have access to the Canadian Firearms Registry, as it was saved on April 3, 2015, to identify records relevant to the judicial review; and

Further, under Bill C-52, the Commissioner of Firearms would be authorized to **share a copy of the Quebec records with the Government of Quebec**, if requested. The bill provides that, if Quebec has not requested the records by the time it becomes feasible to destroy them, the Commissioner of Firearms would have authority to delay destruction for **120 days** and would notify Quebec of the delay. The Minister of Public Safety would have the power to renew the 120-day period, once, at his discretion. It will become feasible to destroy the remaining records only when all requests and proceedings under the ATIA have been addressed, statutory rights have expired, and provided that there is no further or new litigation concerning the records. Barring further litigation, it could take approximately 24 months from coming into force of Bill C-52 before the records could be destroyed.

Bill C-52 supports realization of the Government's intention to restore the confidence of Canadians in access to information as well as the implementation of mandate commitments to: end litigation positions that are not consistent with the Government's commitments and values; and, improve partnerships with provincial governments. Further, it would assist in achieving **settlements** of both court actions.

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Question Period Note / Note pour la Période des questions

**FIREARMS SAFETY**

**ISSUE:** On February 14, 2018, 17 people were killed and 14 others were taken to hospital as a result of a mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida.

**PROPOSED RESPONSE:**

- **Public safety is our primary concern. To that end, we believe in firearms measures that prioritize public safety while ensuring fair treatment for law-abiding firearms owners.**
  
- **We have already:**
  - **Reversed a ministerial directive that, allowed gun manufacturers to determine, in certain circumstances, the classification of their own products;**
  
  - **Announced \$327.6 million over five years, and \$100.0 million annually thereafter to reduce gun and gang violence; and,**
  
- **We are preparing additional measures consistent with our platform commitments.**

*If asked about the legislative firearms regime:*

- **Our Government maintains a strong licensing system with rigorous background screening and mandatory registration of all restricted and prohibited firearms. Automatic firearms are prohibited.**

*If asked about the classification of the AR-15:*

- **In 1992, the AR-15 rifle and all its variants have been restricted, because of their lineage to the military-issued M16 assault rifle. The Government does not intend to change this classification.**

*If asked about Bump stocks:*

- **Bump stocks and other known devices that can modify a semi-automatic firearm to simulate fully automatic fire are prohibited in Canada.**

## **FIREARMS SAFETY**

- Our hearts go out to the victims of the terrible shooting in Florida, and to their friends and family.
- We believe in firearms measures that prioritize public safety while ensuring fair treatment for firearms owners.
- Already, we have:
  - Allowed technical decisions about firearms classification to be made by police experts, rather than politicians;
  - reversed a ministerial directive that allowed gun manufacturers to determine, in certain circumstances, the classification of their own products;
  - established a more representative Firearms Advisory Committee;
  - announced \$327.6 million over five years, and \$100 million annually thereafter, to reduce gun and gang violence; and
  - we will be holding a summit this spring with partners from across the country to consider challenges and identify solutions to help protect communities from gangs and illegal guns.
- Additional measures consistent with our platform will be introduced soon.

## BACKGROUND

- On February 14, 2018, Nikolas Cruz killed 17 people in his assault on Marjory Stoneman Douglas High School, located in Parkland, Florida. Media reports claim that a law enforcement source has confirmed that Cruz, a former student of Douglas High, obtained at least 10 firearms, all rifles, all purchased approximately within the past year. One of the firearms reportedly used in the attack is alleged to be an AR-15 rifle.
- Firearms control is an area of shared federal responsibility. The Minister of Public Safety is responsible for the Firearms Act and is the lead minister for firearms policy. The Minister of Justice is responsible for firearms-related offences, penalties and forfeiture provisions in the Criminal Code and the criteria defining the classification of firearms.
- Firearms are classified in two ways, either (a) by way of definitions in the Criminal Code (subsection 84(1)); or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class (i.e., Regulations Prescribing Certain Firearms and Other Weapons (“the Classification Regulations”)).
- The Criminal Code defines “non-restricted firearm” as a firearm that is neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while “restricted firearm” (e.g., handguns; certain rifles and semi-automatics) and “prohibited firearm” (e.g., certain handguns; fully automatic firearms; sawed off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class. The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and, with some exceptions, include all variants or modified versions of them within the same classification.
- The RCMP Canadian Firearms Program (CFP) is responsible for the technical determination of the classification of firearms in accordance with the classification criteria stipulated in the Criminal Code. To assist in this aspect of administration, the RCMP created and maintains a Firearms Reference Table (FRT). It is an administrative tool used by the RCMP to record information on firearms in the global market, including the RCMP’S technical assessment/opinion of the firearm’s classification in Canada. Though it does not have force of law, the FRT is considered in practice by law enforcement to indicate a firearm’s classification.
- The AR-15 rifle has been linked to numerous other mass shootings in the United States history (e.g., Las Vegas, Orlando) and its classification has been a matter of debate in Canada. A petition to change the classification of the AR-15 from restricted to non-restricted, sponsored by M.P. Bob Zimmer was presented to the House of Commons on May 13, 2016, and the Government’s official response was tabled in the House of Commons on August 17, 2016. The Government confirmed that it has no intention of changing the classification of the AR-15.

- Bump stocks as well as all other known devices which modify the functionality of a semi-automatic firearm to simulate fully automatic fire, have been determined to be prohibited under part 4, paragraph 1, of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted (SOR/98-462), and are therefore not eligible for legal ownership in Canada.
- In the interest of public safety, the Government of Canada has consistently committed to the maintenance of a strong licensing system, and controls over restricted and prohibited firearms, including registration. Prospective licencees undergo a rigorous and comprehensive application and vetting process. Individuals must submit:
  - a completed application form with:
    - responses to mandatory questions about criminal history, mental health, substance abuse and violent behavior, and personal status (i.e., marital); and,
    - names, contact information and signature attestations of two references and current and former (within the previous two years) conjugal partners;
    - proof of having successfully passed the requisite safety course(s); and,
    - a photo signed by a guarantor and the required application fee.
- Mandatory background checks, via criminal and other police-held records, are conducted on the prospective licencee. In making a determination regarding licence eligibility, CFOs have authority to:
  - interview the applicant, references, current and former conjugal partners;
  - conduct (social networking) searches; and,
  - seek consent from the applicant to allow their medical practitioner to disclose relevant mental health information pertaining to specific incidents.
- Once a licence is granted, licence holders are subject to Continuous Eligibility Screening (CES) for the duration of the licence. This screening ensures that police reported violent and other designated criminal behaviour on the part of a licencee is brought to the attention of the relevant CFO for review and investigation.

Name of PCO Policy Analyst. Nom de l'analyste du BCP :

Secretariat. Secrétariat :

Telephone number. Numéro de téléphone :

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## FIREARMS SAFETY

### BACKGROUND:

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The *Criminal Code* defines "**non-restricted firearm**" as a firearm that is neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while "**restricted firearm**" (e.g., handguns; certain rifles and semi-automatics) and "**prohibited firearm**" (e.g., certain handguns; fully automatic firearms; sawed off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class. The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and, with some exceptions, include all variants or modified versions of them within the same classification.

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investigation.			
<b>CONTACTS:</b> Prepared by  Benjamin Gallant, Policy Analyst, FOPPD	Tel. no.  613-990-0096	Approved by  Randall Koops, DG, PPD	Tel. no.  613-991-2842

Question Period Note / Note pour la Période des questions

**FIREARMS SAFETY**

QUESTION :

RÉPONSE PROPOSÉE

- **Notre préoccupation principale est la sécurité du publique. Nous croyons en des mesures de contrôle des armes à feu qui accordent la priorité à la sécurité publique tout en assurant un traitement équitable des propriétaires d'armes à feu respectueux des lois.**
  
- **Déjà, nous avons :**
  - **annulé une directive ministérielle qui permettait aux fabricants d'armes de déterminer, dans certaines circonstances, la classification de leurs propres produits.**
  
  - **annoncé un investissement de 327,6 millions de dollars sur cinq ans, et de 100 millions de dollars par année par la suite, pour lutter contre la violence liée aux armes et aux gangs.**
  
- **Nous élaborons d'autres mesures qui seront présentées sous peu.**

*À propos du régime législatif des armes à feu :*

- **Notre gouvernement maintien un régime robuste de permis d'armes à feu, avec le contrôle rigoureux des antécédents, et l'enregistrement obligatoire des armes à feu à autorisation restreinte et prohibée. Les armes à feu automatiques sont prohibées.**

*À propos de la classification de l'arme à feu AR-15 :*

- **Depuis une décision du gouvernement Mulroney en 1992, l'arme à feu AR-15, et toutes ses variantes, sont classifiées à autorisation restreinte en raison du lignage entre celles-ci et l'arme d'assaut de type militaire M-16. Le gouvernement n'a pas l'intention de changer cette classification.**

## FIREARMS SAFETY

### CONTEXTE

Le contrôle des armes à feu est une responsabilité fédérale partagée. Le ministre de la Sécurité publique est responsable de la *Loi sur les armes à feu* et le ministre compétent au chapitre des politiques sur les armes à feu. Le ministre de la Justice est responsable des dispositions du *Code criminel* relatives aux infractions, aux sanctions et aux confiscations portant sur les armes à feu et des critères de définition de la classification des armes à feu.

Les armes à feu sont classées selon deux façons : a) selon les définitions données au paragraphe 84(1) du *Code criminel* ou b) prescrites dans les règlements permettant aux armes à feu de faire l'objet d'une reclassification nonobstant le fait de répondre à la définition d'une autre classe [c'est-à-dire le *Règlement désignant des armes à feu, armes, éléments ou pièces d'armes* (« Règlement sur la classification »)].

Le *Code criminel* définit les « **armes à feu sans restriction** » simplement comme des armes à feu qui ne sont ni une arme à feu prohibée ni une arme à feu à autorisation restreinte (comme les carabines et les fusils de chasse ordinaires); alors que les « **armes à feu à autorisation restreinte** » (comme les armes de poing et certaines carabines et armes semi-automatiques) et les « **armes à feu prohibées** » (comme certaines armes de poing, les armes à feu entièrement automatiques et les carabines et fusils de chasse à canon scié) sont clairement définies. De surcroît, ces trois classes comprennent des armes à feu qui sont prescrites pour appartenir à cette classe. Le Règlement sur la classification des armes à feu indique les marques et les modèles d'armes à feu en particulier qui sont des armes à feu sans restriction, à autorisation restreinte ou prohibées, hormis quelques exceptions, incluant toutes les variantes ou les versions modifiées de celles-ci au sein d'une même classification.

Le Programme canadien des armes à feu (PCAF) de la Gendarmerie royale du Canada (GRC) est responsable de la détermination technique de la classification des armes à feu, conformément aux critères de classification énoncés dans le *Code criminel*. Pour appuyer ce volet administratif, la GRC a créé et tenu à jour un Tableau de référence des armes à feu (TRAF). Ce tableau se veut un outil administratif utilisé par la GRC pour consigner les renseignements sur les armes à feu accessibles sur le marché mondial, y compris l'opinion et l'évaluation techniques de la GRC sur la classification des armes à feu au Canada. Bien que ce registre n'a pas force de loi, les organismes d'application de la loi le consultent pour déterminer la classification d'une arme à feu.

Dans l'intérêt de la sécurité publique, le gouvernement du Canada s'est toujours engagé à maintenir un système de délivrance des permis d'armes à feu solide de même qu'à assurer des contrôles des armes à feu prohibées et à autorisation restreinte, y compris un processus d'enregistrement des armes à feu. Les personnes qui souhaitent obtenir un permis doivent suivre un processus exhaustif et rigoureux de demande et d'évaluation. Les demandeurs doivent présenter :

- un formulaire de demande dûment rempli avec :
  - les réponses aux questions obligatoires sur les antécédents criminels, la santé mentale, la consommation de drogues ou autres substances, les comportements violents et la situation personnelle (état civil);
  - le nom, les coordonnées et la signature d'attestation de deux références, ainsi que des partenaires conjugaux actuels et précédents (pour les deux dernières années);
- l'attestation d'avoir réussi les examens exigés sur le maniement sécuritaire des armes à feu;
- une photo signée par un répondant et le paiement des droits exigibles.

Des vérifications obligatoires sur les antécédents des futurs titulaires de permis, au moyen de recherches de casier judiciaire et dans d'autres dossiers détenus par la police, sont effectuées. Afin de déterminer l'admissibilité au permis, les CAF ont le pouvoir :

- de passer en entrevue le demandeur, les références et les partenaires conjugaux actuels et précédents; d'effectuer des recherches dans des sources ouvertes (réseaux sociaux);
- d'obtenir le consentement du demandeur pour permettre à son médecin de divulguer de l'information pertinente sur sa santé mentale ayant trait à des incidents précis.

Une fois le permis délivré, le titulaire est assujéti à une vérification continue de l'admissibilité (VCA) durant toute la période de validité du permis. Cette vérification fait en sorte que tout incident de violence ou autre comportement criminel signalé à la police au sujet du titulaire est porté à l'attention du CAF pertinent aux fins d'examen et d'enquête.

<b>PERSONNES-RESSOURCES :</b>			
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**Question Period Note / Note pour la Période des questions**

**Measures to Combat Gun Smuggling**

**ISSUE:** What actions has the CBSA undertaken to combat gun smuggling?

**PROPOSED RESPONSE:**

- **Gun smuggling is a serious criminal offence that puts Canadians at risk. The Canada Border Services Agency has put in place a range of measures to combat this problem.**
- **The Agency supports the RCMP in the delivery of the Canadian Firearms Program by applying and enforcing the relevant provisions of the *Criminal Code*, the *Firearms Act* and the *Customs Act*, as well as regulations relating to the importation and exportation of firearms to and from Canada.**
- **To achieve this, officers are trained in examination and investigative techniques, and use a risk management approach to determine which goods may warrant a closer inspection. They are also trained to thoroughly search vehicles of interest.**
- **In addition, the Agency operates intelligence programs and works collaboratively with other security agencies to identify possible risks before they reach the border.**
- **In 2016-2017, the CBSA has seized 637 guns at ports of entry.**

## Measures to Combat Gun Smuggling

### BACKGROUND:

The Canada Border Services Agency (CBSA) ensures that all goods entering Canada comply with the provisions of the *Customs Act*, the *Customs Tariff*, any regulations therein, and any relevant Act.

A border services officer may confiscate firearms, weapons or other devices, including parts and components for the manufacture of firearms. The officer will determine whether a certain item is admissible and if so, whether it is accompanied by the appropriate documentation and whether import procedures have been followed.

According to Canadian law, firearms are classified into three different categories: 1) prohibited; 2) restricted; and 3) non-restricted. Prohibited firearms include:

a) a handgun that:

- (1) has a barrel equal to or less than 105 mm (approximately 4.1 inches) in length; or
- (2) is designed or adapted to discharge a 25 or 32 calibre cartridge; but does not include any such handgun that is prescribed where the handgun is used in international sporting competitions governed by the rules of the International Shooting Union;

b) a firearm that is adapted from a rifle or shotgun, whether by sawing, cutting, or any other alteration, and that, so adapted:

- (1) is less than 660 mm (approximately 25.74 inches) in length; or
- (2) is 660 mm (approximately 25.74 inches) or more in length and has a barrel less than 457 mm (approximately 17.82 inches) in length;

c) an automatic firearm, whether or not it has been altered to discharge only one projectile with one pressure of the trigger; or

d) any firearm that is prescribed to be a prohibited firearm.

For prohibited firearms, Canadian residents may not, under any circumstances, import prohibited firearms newly acquired outside Canada. However, if the resident is importing grandfathered prohibited firearms (Section 12 of the *Firearms Act*) that he/she previously temporarily exported from Canada, the resident will have to provide CBSA with:

- a valid possession only licence or possession and acquisition licence with appropriate privileges;
- a valid registration certificate for the firearm;
- an import permit issued by International Trade Canada (ITCan); and
- a valid authorization to transport issued by the Chief Firearms Officer of the province of residence.

Non-residents cannot import prohibited firearms under any circumstances.

For restricted (most handguns) and non-restricted firearms (most hunting rifles and shotguns), both Canadian residents and non-residents will have to meet all the documentation requirements and import procedures when crossing the border.

Should the person entering Canada not declare their firearm, various levels of enforcement action may ensue, including seizure and/or the laying of criminal charges.

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**Question Period Note / Note pour la Période des questions**

**MESURES DE LUTTE À LA CONTREBANDE DES ARMES À FEU**

**QUESTION :** Quelles actions l'Agence des services frontaliers du Canada a mis de l'avant afin de lutter contre la contrebande des armes à feu.

**RÉPONSE PROPOSÉE**

- **La contrebande des armes à feu est une infraction grave qui met toute la population canadienne à risque. L'Agence des services frontaliers du Canada a mis en place toute un éventail de mesures pour lutter contre ce problème.**
- **L'Agence appuie le travail de la Gendarmerie royale du Canada dans l'exécution du programme canadien sur les armes à feu par l'application des dispositions pertinentes du Code criminel, de la *Loi sur les armes à feu* et de la *Loi sur les douanes*. Elle veille également à l'application des règlements liés à l'importation et à l'exportation des armes à feu vers le et à l'extérieur du Canada.**
- **Pour ce faire, les agents sont formés aux différentes techniques de vérification et d'enquête et mettent en pratique une approche de gestion du risque dans le but de déterminer si les marchandises pourraient faire l'objet d'une vérification plus poussée. Ils sont également formés à effectuer la fouille approfondie des véhicules d'intérêt.**
- **De plus, l'Agence fait appel à un programme de renseignement et travaille en collaboration avec d'autres organismes de sécurité pour repérer les risques possibles avant l'arrivée à la frontière.**

## MESURES DE LUTTE À LA CONTREBANDE DES ARMES À FEU

### CONTEXTE

L'Agence des services frontaliers du Canada (ASFC) veille à ce que toutes les marchandises qui entre au Canada sont conformes aux dispositions de la *Loi sur les douanes*, au *Tarif des douanes*, à tous règlements connexes et toutes lois pertinentes.

Un agent des services frontaliers peut confisquer des armes à feu, des armes ou autres engins, y compris les pièces et composantes de fabrication d'armes à feu. L'agent déterminera si un article est admissible ou non et selon le cas, il déterminera si les documents appropriés sont présents et si les procédures d'importation ont été suivies.

Selon la loi canadienne, les armes à feu sont classifiées en trois différentes catégories : 1) prohibées ; 2) restreintes ; et 3) sans restriction. Les armes à feu prohibées comprennent :

- a) les armes de poing :
  - (1) pourvues d'un canon dont la longueur ne dépasse pas 105 mm (environ 4,1 pouces) ;
  - (2) conçues ou adaptées pour tirer des cartouches de calibre 25 ou 32, mais n'incluent pas ces armes de poing prescrites et doivent être utilisées dans les compétitions sportives internationales régies par les règles de la Fédération internationale de tir sportif ;
- b) les armes à feu adaptées à partir de carabines ou de fusils de chasse sciés, coupés ou modifiés de façon que la longueur du canon soit :
  - (1) inférieure à 660 mm (environ 25,74 pouces) ;
  - (2) de 660 mm (environ 25,74 pouces) ou plus ou dont le canon a une longueur inférieure à 457 mm (environ 17,82 pouces).
- c) des armes à feu automatiques, qu'elles aient été ou non modifiées pour tirer comme une arme à feu semi-automatique ;
- d) toute arme à feu désignée comme arme à feu prohibée.

Dans le cas des armes à feu prohibées, les résidents canadiens **ne peuvent pas**, sous aucune circonstance, importer des armes à feu **prohibées** nouvellement acquises à l'extérieur du Canada. Toutefois, si le résident importe une arme à feu **prohibée** visée par une clause de droit acquis (Article 12 de la *Loi sur les armes à feu*) qu'il ou elle a précédemment exporté temporairement du Canada, ce dernier devra fournir à l'ASFC :

- Un permis de possession seulement ou de possession et d'acquisition valide munis des privilèges appropriés
- Un certificat d'enregistrement pour les armes à feu
- Une licence d'importation émise par Commerce international Canada (CICan)
- Une autorisation valide de transport émise par le contrôleur des armes à feu de la province de résidence

Les non-résidents ne peuvent sous aucune circonstance importer des armes à feu prohibées.

Dans le cas des armes restreintes (la plupart des armes de poing) et des armes sans restriction (la plupart des fusils de chasse et des carabines), tant les résidents que les non-résidents canadiens devront répondre aux exigences en matière de documents requis et aux procédures d'importation au moment de traverser la frontière.

Si une personne ne déclare pas son arme à feu au moment de traverser la frontière, divers degrés des mesures d'application de la loi pourraient s'ensuivre, dont la saisie et/ou le dépôt d'accusations criminelles.

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QUESTION PERIOD NOTE

Date: September 12, 2017  
Classification: UNCLASSIFIED  
Branch / Agency: RCMP

**Question Period Note / Note pour la Période des questions**

**10/22 PLATFORM MAGAZINES**

**ISSUE:** The lawful status of 10/22 platform magazines

**PROPOSED RESPONSE:**

- **There have been no changes to the legal status of these magazines.**
- **In fact, in 2013, the RCMP issued a notification reaffirming that 10/22 magazines are prohibited if they can contain more than ten cartridges.**
- **Because 10/22 platform rifles and handguns use the same magazines, those designed for rifles are also inherently designed for handguns. These magazines may therefore hold only 10 cartridges, which has been the maximum for a handgun in Canada since 1993.**

## 10/22 PLATFORM MAGAZINES

### BACKGROUND:

The maximum capacity of cartridge magazines has been the same since 1993 and is currently set out in Part 4 of the 1998 *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the Regulations). A magazine that has a capacity that exceeds the maximum permitted capacity under the Regulations is a prohibited device.

Magazines designed or manufactured for use in a semi-automatic firearm other than a semi-automatic handgun (e.g., some rifles and shotguns) are subject to a limit of five centre-fire cartridges of any calibre for which the magazine was originally designed as per subparagraph 3(1)(a)(ii) of Part 4 of the Regulations.

However, the five cartridge limit does not apply to rim-fire calibre rifle cartridges as per subsection 3(2)(a)(i) of the Regulations. Rim-fire rifle magazines can lawfully hold an unlimited number of cartridges. The Government previously decided not to impose a five cartridge limit on rim-fire rifle magazines because: 1) rim-fire calibre ammunition is generally not as powerful as centre-fire ammunition; 2) the popular and common 10 cartridge rim-fire rifle magazine would become prohibited and impact many firearms owners; and, 3) the largest rim-fire magazines at the time generally held less than 25 cartridges.

Magazines designed or manufactured for use in semi-automatic handguns are subject to a limitation of 10 cartridges of any calibre or type (centre-fire or rim-fire) for which the magazine was originally designed as per subsection 3(1)(b) of Part 4 of the Regulations. Therefore, any magazine that is designed or manufactured for use in a semi-automatic handgun and exceeds 10 cartridges is a prohibited device.

Over the last 50 years, Ruger and third-party manufactures have produced dozens of models of 10/22 platform rim-fire rifles and handguns – all of which employ the same magazine port design, ammunition feed system, and magazines. This means that a 10/22 platform cartridge magazine is interchangeable and is designed and manufactured for use in all 10/22 rifle and semi-automatic handgun models. Therefore, all 10/22 platform magazines used in rifles and handguns are limited to the 10 cartridge limit under the Regulations because they have been designed and manufactured to be used in 10/22 platform semi-automatic handguns.

In 2013, the Canadian Firearms Program issued a Special Bulletin for Businesses explaining how the Regulations should be applied for cartridge magazines designed or manufactured for use in more than one type of firearm (e.g., rifles and handguns).

A March 2015 Canadian International Trade Tribunal (CITT) decision upheld the classification of the Ruger BX-25x2 (50 cartridge) magazine as a prohibited device. The CITT is an administrative tribunal with jurisdiction in relation to certain trade matters, including hearing appeals by importers from import decisions made by Canada Border Services Agency (CBSA). While this magazine is not identical to all 10/22 platform magazines presently available, it is similar, and thus it is very likely that the CITT would apply the same reasoning to uphold other 10/22 platform magazines that hold more than 10 cartridges as also prohibited.

In May 2016, the Royal Canadian Mounted Police (RCMP) confirmed that 10/22 platform magazines that can contain more than 10 cartridges are prohibited devices in response to an inquiry from CBSA following an appeal of a seizure at the border.

In July 2016, the RCMP updated its website with additional information on the lawful status of 10/22 platform magazines.

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## **CHARGEURS DE PLATEFORME 10/22**

**SUJET : Statut juridique des chargeurs de plateforme 10/22**

**RÉPONSE SUGGÉRÉE :**

- **Aucun changement n'a été apporté au statut juridique de ces chargeurs.**
- **D'ailleurs, en 2013, la GRC a émis un avis rappelant que les chargeurs de plateforme 10/22 pouvant contenir plus de dix cartouches sont prohibés.**
- **Étant donné que les carabines et armes de poing 10/22 utilisent les mêmes chargeurs, les chargeurs conçus pour les carabines sont intrinsèquement aussi conçus pour les armes de poing. Par conséquent, ces chargeurs ne peuvent contenir que dix cartouches, soit le maximum pour une arme de poing au Canada depuis 1993.**

## CHARGEURS DE PLATEFORME 10/22

### CONTEXTE :

La capacité maximale des chargeurs est la même depuis 1993 et est établie à la partie 4 du *Règlement désignant des armes à feu, armes, éléments ou pièces d'armes, accessoires, chargeurs, munitions et projectiles comme étant prohibés ou à autorisation restreinte* (le Règlement). Un chargeur dont la capacité excède la capacité maximale permise en vertu du Règlement est un dispositif prohibé.

Les chargeurs conçus ou fabriqués pour être utilisés dans une arme à feu semi-automatique autre qu'une arme de poing semi-automatique (p. ex. certains fusils et fusils de chasse) sont assujettis à une limite de cinq cartouches à percussion centrale de n'importe quel calibre pour lequel le chargeur a initialement été conçu, conformément au sous-alinéa 3(1)a(ii) de la partie 4 du Règlement.

Cependant, la limite de cinq cartouches ne s'applique pas aux chargeurs pour cartouches à percussion annulaire, conformément au sous-alinéa 3(2)a(i) du Règlement. Les chargeurs pour cartouches à percussion annulaire peuvent légalement contenir un nombre illimité de cartouches. Le gouvernement a décidé dans le passé de ne pas imposer la limite de cinq cartouches aux chargeurs pour cartouches à percussion annulaire pour les raisons suivantes : 1) les cartouches à percussion annulaire ne sont généralement pas aussi puissantes que les cartouches à percussion centrale; 2) les chargeurs pour dix cartouches à percussion annulaire, dont l'utilisation est très répandue, deviendraient prohibés, ce qui toucherait un grand nombre de propriétaires d'armes à feu; 3) le plus gros chargeur pour cartouches à percussion annulaire pouvait contenir moins de 25 cartouches à l'époque.

Les chargeurs conçus ou fabriqués pour être utilisés dans des armes de poing semi-automatiques sont assujettis à la limite de dix cartouches, peu importe le calibre ou le type (cartouche à percussion centrale ou annulaire) pour lequel le chargeur a été initialement conçu, conformément au sous-alinéa 3(1)b de la partie 4 du Règlement. Par conséquent, tout chargeur conçu ou fabriqué pour être utilisé dans une arme de poing semi-automatique et qui contient plus de dix cartouches est un dispositif prohibé.

Au cours des 50 dernières années, Ruger et des fabricants tiers ont produit des dizaines de modèles de fusils et d'armes de poing de plateforme 10/22 pour cartouches à percussion annulaire – tous ayant la même conception de port de chargeur, le même système d'alimentation en munitions et les mêmes chargeurs. Cela signifie que le chargeur de plateforme 10/22 Ruger est interchangeable et qu'il est conçu et fabriqué pour être utilisé dans tous les modèles de fusils et d'armes de poing semi-automatiques 10/22. Par conséquent, tous les chargeurs de plateforme 10/22 utilisés dans des fusils et des armes de poing sont assujettis à la limite de dix cartouches en vertu du Règlement parce qu'ils ont été conçus et fabriqués pour être utilisés dans des armes de poing semi-automatiques de plateforme 10/22.

En 2013, le PCAF a émis un bulletin spécial à l'intention des entreprises qui expliquait comment le Règlement devait être appliqué aux chargeurs conçus ou fabriqués pour être utilisés dans plus d'un type d'arme à feu (p. ex. fusils et armes de poing).

Une décision rendue par le Tribunal canadien du commerce extérieur (TCCE) en mars 2015 a confirmé le classement du chargeur Ruger BX-25x2 (50 cartouches) à titre de dispositif prohibé. Le TCCE est un tribunal administratif qui a compétence en ce qui concerne certaines questions commerciales, y compris les appels interjetés par des importateurs à la suite de décisions en matière d'importation prises par l'Agence des services frontaliers du Canada (ASFC). Quoiqu'il ne soit pas identique aux chargeurs de plateforme 10/22 disponibles actuellement, ce chargeur est semblable et il est donc très probable que le TCCE appliquerait le même raisonnement pour maintenir la désignation de dispositif prohibé pour les autres chargeurs de plateforme 10/22 contenant plus de dix cartouches.

En mai 2016, dans une réponse à une demande de renseignement de l'ASFC à la suite d'une saisie à la frontière faisant l'objet d'un appel, la Gendarmerie royale du Canada (GRC) a confirmé que les chargeurs de plateforme 10/22 pouvant contenir plus de dix cartouches sont des dispositifs prohibés.

En juillet 2016, la GRC a actualisé son site Web par des informations supplémentaires sur le statut juridique des chargeurs de plateforme 10/22.

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Question Period Note / Note pour la Période des questions

**SILENCERS**

**ISSUE:** Some firearm owners and interest groups are advocating for the deregulation of silencers to assist hearing protection

**PROPOSED RESPONSE:**

- **Any device designed or intended to muffle or stop the sound of a firearm is a prohibited device under the *Criminal Code*. These types of devices, commonly known as silencers, have been unlawful in Canada since the early 1900s.**
- **Sound reduction, and in some cases near total sound elimination, can assist criminals in the use of firearms and is a threat to public safety.**
- **Silencers reduce the opportunity for law enforcement to become aware of a possible criminal incident, and reduce the public's ability to react to gun violence at or around them.**
- **Other forms of hearing protection that do not impact public safety, such as ear plugs or commercial hearing protectors, are commonly available to firearms owners.**

## SILENCERS

### BACKGROUND:

A sound moderator, suppressor or silencer is a device attached to or integrated into the barrel of a firearm that reduces the amount of sound at discharge by slowing and cooling the escaping propellant gas generated. When a firearm is discharged, there are three ways the sound is produced: muzzle blast (high-temperature, high-pressure gases escaping after bullet), sonic boom (sound associated with shock waves created by an object exceeding the speed of sound), and mechanical noise (moving parts of the firearm). Part of the sound volume can be managed; however, some of it is beyond the ability of the operator or manufacturer to eliminate.

A silencer affects the noise generated by the two primary sources—muzzle blast and sonic boom—and in most cases only the former. While subsonic ammunition can negate the sonic boom and mechanical noise can be mitigated, it is nearly impossible to completely silence a firearm.

A silencer is typically a hollow metal tube manufactured from steel, aluminium, or titanium and contains gas expansion chambers. This device, normally cylindrical in shape, typically attaches to the muzzle of a firearm. Improvised silencers can be made from a variety of materials, including automobile oil filters, PVC pipes, plastic water bottles, foam-filled pillows, and firearm cleaning fluid canisters (i.e., solvent traps).

Suppressors have been prohibited in Canada since the 1913 *Criminal Code Amendment Act*. In recent years, the import and sale of nearly completed suppressors (commonly known as solvent traps) have been inaccurately viewed by some Canadian businesses and individuals as a lawful workaround to the prohibition of suppressors. While solvent traps are a lawful firearms cleaning tool, they become prohibited if modified to mimic the characteristics of suppressors. Silencers can be used by criminals to reduce noise when using firearms during the commission of a crime. Increasingly, gun enthusiasts and firearms groups are advocating for legalizing silencers for hearing safety reasons.

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## **SILENCIEUX**

**SUJET :** Certains propriétaires d'arme à feu et certains groupes d'intérêt militent en faveur de la déréglementation des silencieux afin de protéger l'ouïe.

**RÉPONSE SUGGÉRÉE :**

- **Tout dispositif propre ou destiné à amortir ou à étouffer la détonation d'une arme à feu constitue un dispositif prohibé aux termes du *Code criminel*. Ces dispositifs, couramment appelés silencieux, sont illégaux au Canada depuis le début des années 1900.**
- **L'amortissement du son, voire sa suppression totale dans certains cas, favorisent l'utilisation criminelle des armes à feu et constitue une menace pour la sécurité publique.**
- **Les silencieux entravent la capacité des autorités policières de prendre connaissance d'un éventuel acte criminel ainsi que celle du public de réagir aux actes de violence commis à l'aide d'armes à feu à leur égard ou à l'égard d'autrui.**
- **Les propriétaires d'armes à feu peuvent se prévaloir d'autres moyens de protection de l'ouïe, comme des bouchons d'oreilles ou des protecteurs auditifs commerciaux, sans incidence sur la sécurité publique.**

## SILENCIEUX

### CONTEXTE :

Un modérateur de son ou silencieux est un dispositif fixé à la bouche du canon d'une arme à feu qui diminue le bruit de la décharge en ralentissant et en refroidissant les gaz de la charge propulsée. À la décharge d'une arme à feu, on relève trois sources de bruit : la détonation (les gaz sous haute pression et à température élevée libérés après le projectile), le bang sonique (le bruit provoqué par les ondes de choc d'un objet se déplaçant à une vitesse supérieure à celle du son) et les bruits mécaniques (provoqués par les pièces mobiles de l'arme à feu). Une part du bruit peut être gérée; cela dit, une autre part ne peut être éliminée par l'utilisateur ou le fabricant.

Un silencieux n'agit que sur les deux premières sources de bruit -- la détonation et le bang sonique --, et dans la majorité des cas, que sur la première. Si on peut atténuer le bang sonique par l'utilisation de munitions subsoniques, et si on peut réduire les bruits mécaniques, il est pratiquement impossible d'étouffer complètement le son d'une arme à feu.

Un silencieux est généralement un tube métallique creux fait d'acier, d'aluminium ou de titane et renfermant des chambres de détente. Ce dispositif, généralement de forme cylindrique, est fixé à la bouche du canon de l'arme. On peut improviser un silencieux à l'aide d'un éventail de matériaux, dont le filtre à l'huile d'une automobile, un tuyau de PVC, une bouteille d'eau en plastique, la garniture en mousse d'un oreiller ou une bouteille de nettoyant pour arme à feu (collecteur de solvant).

Les silencieux sont interdits au Canada depuis l'adoption de la *Loi de 1913 modifiant le Code criminel*. Récemment, l'importation et la vente de silencieux quasi complets (couramment connus sous le nom de collecteurs de solvant) ont été considérés à tort par certaines entreprises et certaines particuliers au pays comme une façon légale de contourner la loi interdisant les silencieux. Si les collecteurs de solvant constituent un instrument de nettoyage des armes à feu légal, ils deviennent prohibés une fois modifiés pour agir comme silencieux. Un silencieux peut être utilisé pour réduire le bruit d'une arme à feu durant la perpétration d'un acte criminel. Un nombre croissant d'amateurs d'armes à feu et d'associations d'utilisateurs d'armes à feu militent en faveur de la légalisation des silencieux pour des motifs de protection de l'ouïe.

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QUESTION PERIOD NOTE

Date: September 11, 2017  
Classification: UNCLASSIFIED  
Branch / Agency: RCMP

Question Period Note / Note pour la Période des questions

**FIREARM CLASSIFICATION**

**ISSUE:** Pro-firearms groups are critical of the role of the RCMP to determine a firearm's classification under the *Criminal Code*.

**PROPOSED RESPONSE:**

- **We have committed to putting technical decision-making about firearms classification back in the hands of law-enforcement experts.**
- **RCMP firearms experts make these determinations about firearms classifications in accordance with criteria set out by Parliament in the *Criminal Code*.**
- **This approach is no different than numerous other regulatory frameworks, where laws are enacted by elected officials and interpreted by law enforcement and designated regulators.**

## FIREARM CLASSIFICATION

### BACKGROUND:

In 1969, Bill C-150 categorized firearms for the first time as “non-restricted”, “restricted”, or “prohibited” under the *Criminal Code*, and created specific legislative controls for each category. At the same time, *Criminal Code* regulations were established that listed firearm classification decisions by the Governor-in-Council (GIC) to provide greater clarity to law enforcement, businesses and the public. Since that time, the GIC was generally able to keep up with new classifications decisions to the *Criminal Code* regulations due to the relatively infrequent introduction of new firearms to the domestic market (now called the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted – ‘the Regulations’).

In 1995, Bill C-68 created the *Firearms Act*, which introduced universal licensing and registration of firearms. The *Firearms Act* mandated all firearms owners and businesses to be screened and licensed, and required all firearms to be registered. Around the same time, firearm manufacturers were increasing the number of firearms offered to the civilian market in response to the growing domestic demand for civilian versions of fully-automatic military and para-military firearms. In response, the GIC updated the Regulations and the RCMP assumed the non-statutory administrative responsibility for determining the classification of firearms to support Canada’s legislative and regulatory goal of safe and responsible firearm ownership during gaps in updates to the Regulations (the last comprehensive update was in 1995).

As the need for determinations grew, the RCMP created the Firearm Reference Table (FRT) database in 1996 to standardize firearms descriptions and identification, and to codify its firearms classification determinations to assist, for example, in the identification of firearms subject to criminal prosecution, the registration of firearms, and the work of other federal departments to regulate the lawful importation/exportation of firearms. Although not a statutory instrument, the FRT is recognized as the de facto domestic standard in firearms classification determination. As well, the FRT is the basis for Interpol’s firearms tracing system and is used by more than 190 countries. The FRT holds over 170,000 distinct firearms descriptions and classification determinations. Approximately 8,000 new firearms classification determinations are added each year.

The RCMP determines a firearm’s classification based on technical information received from manufacturers and importers against subsection 84(1) of the *Criminal Code* and the *Criminal Code* Regulations. Since 2009, as a result of several cases where erroneous or incomplete information was received by the RCMP, mandatory physical inspections of all semi-automatic military and para-military firearms that could be capable of fully-automatic fire are completed (all fully automatic firearms are prohibited under the *Criminal Code*).

Unlike the GIC, the RCMP does not have the statutory authority to change the classification of firearms or firearms-devices listed under the *Criminal Code* or the Regulations. The RCMP sometimes receives new information necessitating a review and a possible change in a firearm’s classification determination to ensure the firearm is regulated in accordance with the *Criminal Code*. The RCMP will amend the classification determination of a firearm when new information and/or a physical inspection reveals that a firearm meets the *Criminal Code* definition of a different classification than originally determined and listed in the FRT.

When a change of a classification determination is warranted, the RCMP amends the FRT record. Since the 2012 *Ending the Long-gun Registry Act*, the RCMP cannot identify individual firearm owners or businesses impacted by a re-determination from non-restricted to restricted or prohibited. Nevertheless, the RCMP can provide guidance and options to ensure compliance with the *Firearms Act* to firearms businesses and/or owners impacted by a change of firearms classification through a notice on the CFP website, and letters/phone calls to specific individuals. As well, the RCMP develops media lines and scripts for its Call Centre operators and Chief Firearms Officers in order for them to assist firearms owners and businesses affected by a change in a classification determination.

The classification of firearms is further complicated by the passing of Bill C-42, the *Common Sense Firearms Licensing Act* in 2015 that permitted the government to classify a specific make of firearm under the authority of the Governor In Council regardless of whether it met the classification criteria defined in the *Criminal Code* as assessed by an RCMP firearms expert.

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## **CLASSIFICATION DES ARMES À FEU**

**SUJET :** Des groupes de défense du droit de posséder des armes à feu critiquent le rôle de la GRC dans la décision de classification des armes à feu conformément au *Code criminel*.

**RÉPONSE SUGGÉRÉE :**

- **Nous sommes déterminés à remettre entre les mains des experts du milieu de l'application de la loi les décisions techniques relativement à la classification des armes à feu.**
- **Les experts en armes à feu de la Gendarmerie royale du Canada prennent ces décisions conformément aux critères établis par le Parlement dans le *Code criminel*.**
- **Cette façon de faire est semblable à celle prévue dans de nombreux autres cadres réglementaires, en ce sens où les lois sont adoptées par des élus et interprétées par les organismes d'application de la loi et les autorités administratives.**

## CLASSIFICATION DES ARMES À FEU

### CONTEXTE :

En 1969, le projet de loi C-150 créait pour la première fois dans le *Code criminel* les catégories d'armes sans restriction, d'armes à autorisation restreinte et d'armes prohibées ainsi que des contrôles propres à chaque catégorie. Au même moment, par souci de clarté pour les forces de l'ordre, les commerces et la population, un règlement a été pris en vertu du *Code criminel* où figuraient les décisions de classification des armes à feu du gouverneur en conseil. Pendant longtemps, le règlement (qu'on appelle maintenant le *Règlement désignant des armes à feu, armes, éléments ou pièces d'armes, accessoires, chargeurs, munitions et projectiles comme étant prohibés ou à autorisation restreinte* – « le règlement ») reflétait les décisions de classification du gouverneur en conseil sans trop de décalage parce qu'il était assez rare que de nouvelles armes soient introduites sur le marché canadien.

En 1995, le projet de loi C-68 est devenu la *Loi sur les armes à feu*. Celle-ci obligeait tous les propriétaires et commerces d'armes à feu à se soumettre à des vérifications, à obtenir des permis et à enregistrer toutes leurs armes à feu. Au même moment, les fabricants d'armes ont pris d'assaut le marché civil pour répondre à la demande croissante de versions civiles d'armes à feu automatiques militaires et paramilitaires. Le gouverneur en conseil a mis à jour le règlement (dernière mise à jour complète, en 1995) et la GRC a assumé la responsabilité administrative non réglementaire d'établir la classification des armes à feu entre les mises à jour périodiques du règlement, au soutien de l'objectif que poursuivaient la loi et le règlement, de veiller à ce que la possession d'armes à feu soit sûre et responsable.

Devant le volume croissant de décisions à prendre, la GRC a créé en 1996 le Tableau de référence des armes à feu (TRAF) afin de normaliser les descriptions et l'identification des armes à feu et de codifier ses décisions de classification pour faciliter, par exemple, l'identification d'armes à feu produites dans un procès criminel, l'enregistrement des armes à feu et le travail d'autres ministères fédéraux appelés à contrôler l'importation et l'exportation des armes à feu. Bien qu'il ne s'agisse pas d'un outil réglementaire, dans les faits, le TRAF constitue la norme canadienne pour les décisions de classification des armes à feu. De plus, le TRAF sert de base au système de suivi des armes à feu d'Interpol et est utilisé dans plus de 190 pays. Le TRAF compte plus de 170 000 descriptions d'armes à feu distinctes et décisions de classification. On y ajoute chaque année environ 8 000 nouvelles décisions de classification d'armes à feu.

La GRC décide de la classification des armes à feu en fonction des données techniques fournies par les fabricants et les importateurs au regard du paragraphe 84(1) du *Code criminel* et du règlement. Depuis 2009, ayant constaté que les renseignements transmis pouvaient présenter des erreurs, voire des omissions, la GRC procède à l'inspection de toutes les armes semi-automatiques militaires et paramilitaires qui peuvent tirer en mode automatique (toutes les armes automatiques sont prohibées aux termes du *Code criminel*).

La GRC n'a pas, comme le gouverneur en conseil, le pouvoir de modifier la classification des armes à feu et dispositifs pour armes à feu inscrits au règlement. La GRC reçoit à l'occasion des renseignements qui justifient la révision, voire la modification de la décision de classification d'une arme à feu pour que le règlement y soit appliqué conformément au *Code criminel*. La GRC modifie la décision de classification d'une arme à feu lorsque de nouveaux renseignements ou l'inspection de l'arme révèlent qu'elle satisfait la définition du *Code criminel* pour une classification différente de celle retenue au moment de la décision initiale et de l'inscription au TRAF.

Lorsqu'il convient de modifier la décision de classification, la GRC modifie la fiche du TRAF. Depuis l'adoption en 2012 de la *Loi sur l'abolition du registre des armes d'épaule*, la GRC ne peut plus identifier les propriétaires et les commerces d'armes touchées par la nouvelle décision qui peut les avoir fait passer de la catégorie d'armes sans restriction à celle d'armes à autorisation restreinte ou d'armes prohibées. Quoi qu'il en soit, la GRC offre des conseils et des options pour favoriser la conformité à la *Loi sur les armes à feu* aux commerces et propriétaires d'armes à feu touchées par la modification de la classification en diffusant un avis sur le site Web du PCAF et elle peut écrire à certains particuliers ou les appeler. D'autre part, la GRC prépare des infocaspules et des scripts à l'intention de ses agents au centre d'appel et des contrôleurs des armes à feu afin qu'ils puissent aider les propriétaires et commerces d'armes touchés par la modification d'une décision de classification.

La classification des armes à feu est toutefois devenue plus compliquée après l'adoption en 2015 du projet de loi C-42, *Loi visant la délivrance simple et sécuritaire des permis d'armes à feu*, qui permet au gouverneur en conseil de classer une marque particulière d'arme à feu sans égard à la satisfaction des critères de classification prévus au *Code criminel*, établie par un expert en armes à feu de la GRC.

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QUESTION PERIOD NOTE

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Branch / Agency: SPS/RCMP

**Question Period Note / Note pour la Période des questions**

**NEA102 NON-RESTRICTED**

**ISSUE:** Gun control advocates are opposed to the RCMP's determination of an AR model as non-restricted

**PROPOSED RESPONSE:**

- **We committed to Canadians that we would put technical firearms classification decisions back in the hands of law enforcement experts, and that's exactly what we're doing.**
- **The NEA-102 was determined by the RCMP to be non-restricted because its characteristics meet the *Criminal Code* definition of a non-restricted firearm.**
- **RCMP classifications are based on characteristics defined in the *Criminal Code*, not on the appearance of the firearm.**

## NEA102 NON-RESTRICTED

### BACKGROUND:

The AR-10 rifle and its variants, including the new NEA102 produced by Canadian manufacturer North Eastern Arms, is the predecessor to the AR-15. From the time they were first developed in 1955 until recently, AR-10 models met the *Criminal Code* definition of a prohibited firearm as either full automatic or converted automatic firearms. By contrast, semi-automatic models of the AR-15/M16 rifle are classified as restricted in accordance with the *Criminal Code* Regulations.

On June 15, 2017, the RCMP determined the NEA102 to meet the *Criminal Code* definition of a non-restricted firearm as its technical characteristics are sufficiently different from a prohibited converted automatic AR-10.

The NEA102 is the first non-restricted model of the AR platform of firearms.

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## **L'ARME À FEU NEA-102 CLASSÉE SANS RESTRICTION**

**SUJET :** Les défenseurs du contrôle des armes à feu s'opposent à la décision de la GRC de classer une arme à feu de modèle AR sans restriction

**RÉPONSE SUGGÉRÉE :**

- **Nous nous sommes engagés auprès des Canadiens à nous fier aux experts en application de la loi pour ce qui est des décisions techniques en matière de classification des armes à feu et c'est exactement ce que nous faisons.**
- **Il a été déterminé par la Gendarmerie royale du Canada (GRC) que l'arme à feu NEA-102 (cent deux) était une arme à feu sans restriction, car ses caractéristiques correspondent à la définition d'arme à feu sans restriction donnée dans le *Code criminel*.**
- **Les classifications sont établies par la GRC en fonction des caractéristiques définies dans le *Code criminel*, et non en fonction de l'apparence de l'arme à feu.**

## L'ARME À FEU NEA-102 CLASSÉE SANS RESTRICTION

### CONTEXTE :

La carabine AR-10 et ses variantes, y compris la nouvelle NEA-102 produite par le fabricant canadien North Eastern Arms, est le prédécesseur de la carabine AR-15. Depuis la création du premier modèle en 1955 jusqu'à tout récemment, les modèles AR-10 correspondaient à la définition d'une arme à feu prohibée donnée dans le *Code criminel*, que ce soit en tant qu'arme à feu automatique ou qu'arme à feu automatique modifiée. Par contre, les modèles semi-automatiques de la carabine AR-15/M16 sont classés à autorisation restreinte conformément aux règlements du *Code criminel*.

Le 25 juin 2017, la GRC a déterminé que l'arme à feu NEA-102 correspondait à la définition d'une arme à feu sans restriction dans le *Code criminel* puisque ses caractéristiques techniques se distinguent suffisamment de celles d'une AR-10 automatique modifiée prohibée.

La NEA-102 est le premier modèle sans restriction des armes à feu de plateforme AR.

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QUESTION PERIOD NOTE

Date: September 8, 2017  
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Branch / Agency: RCMP

**Question Period Note / Note pour la Période des questions**

**CZ 858 SPARTAN RIFLE**

**ISSUE:** The RCMP determination that a CZ 858 rifle model is prohibited.

**PROPOSED RESPONSE:**

- **We have committed to putting technical decision-making about firearms classification back in the hands of law-enforcement experts.**
- **The Spartan model is not listed by name under the *Criminal Code* as non-restricted or restricted. In accordance with criteria set out by Parliament in the *Criminal Code*, the RCMP determined the CZ 858 Spartan rifle can be easily converted to meet the criteria of an automatic firearm and therefore is prohibited.**
- **This approach is no different than numerous other regulatory frameworks, where laws are enacted by elected officials and interpreted by law enforcement and designated regulators.**

## CZ 858 SPARTAN RIFLE

### BACKGROUND:

The Royal Canadian Mounted Police (RCMP) determines a firearm's classification based on technical information received from manufacturers and importers against subsection 84(1) of the *Criminal Code* and the Regulations. Since 2009, as a result of several cases where erroneous or incomplete information was received by the RCMP, mandatory physical inspections of all semi-automatic military and para-military firearms that could be capable of full-automatic fire are conducted (all full automatic firearms are prohibited under the *Criminal Code*).

On October 24, 2016, the RCMP discovered a firearms business in Manitoba advertising for public sale a previously unknown CZ 858 model as non-restricted – CZ 858 Spartan – on a firearm enthusiast website. Since CZ 858 rifles are classified as prohibited unless specifically named in Part 2.1 of the Regulations, the RCMP notified the Chief Firearms Officer for Manitoba who subsequently instructed the business to not distribute CZ 858 Spartans (245 in total) and to provide samples to the RCMP to determine its lawful classification under the *Criminal Code*.

On December 1, 2016, the RCMP determined that the firearm is prohibited because it meets the *Criminal Code* definition of a prohibited firearm and is not otherwise listed by name in Part 2.1 of the Regulations. The CZ 858 Spartan model uniquely features maple leaf engravings, Canadian-sourced wood, and a Spartan helmet with the Greek term MOLAN LABE (translation – *come and get them*) on the bolt carrier and stock.

On January 6, 2017, the RCMP informed the Canadian business importing CZ 858 Spartan models of this prohibited classification determination.

To the RCMP's knowledge, none of the 245 prohibited firearms have been delivered to individuals or left the business.

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Date: September 11, 2017  
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Branch / Agency: RCMP

Question Period Note / Note pour la Période des questions

**CARABINE CZ 858 SPARTAN**

SUJET : Détermination par la GRC du statut prohibé de la carabine CZ 858.

RÉPONSE SUGGÉRÉE :

- **Nous sommes déterminés à nous fier aux experts en application de la loi pour ce qui est des décisions techniques en matière de classification des armes à feu.**
- **Le modèle Spartan ne figure pas expressément au *Code criminel* comme arme à feu sans restriction ou à autorisation restreinte. Conformément aux critères établis par le Parlement dans le *Code criminel*, la GRC a déterminé que la carabine CZ 858 (huit cent cinquante-huit) Spartan peut être facilement convertie pour satisfaire aux critères d'une arme à feu automatique et est donc prohibée.**
- **Cette démarche s'apparente à nombres d'autres cadres de réglementation où les lois sont adoptées par des représentants élus et interprétées par les organismes d'application de la loi et de réglementation désignés.**

## CARABINE CZ 858 SPARTAN

### CONTEXTE :

La Gendarmerie royale du Canada (GRC) détermine la classification d'une arme à feu en tenant compte des critères énoncés au paragraphe 84(1) du *Code criminel* et des règlements du *Code criminel* et d'après les renseignements transmis par les fabricants et les importateurs d'armes à feu. Depuis 2009, par suite de plusieurs cas où la GRC a reçu des données erronées ou incomplètes, on procède à l'inspection physique obligatoire de toutes les armes semi-automatiques militaires et paramilitaires qui pourraient fonctionner en tir automatique (les armes automatiques sont prohibées en vertu du *Code criminel*).

Le 24 octobre 2016, la GRC a mis au jour un commerce d'armes à feu au Manitoba annonçant la commercialisation d'une arme sans restriction, un modèle auparavant inconnu de la carabine CZ 858 -- la carabine CZ 858 Spartan --, dans un site d'amateurs d'armes à feu. Comme les carabines CZ 858 sont classées comme armes prohibées sauf si elles figurent expressément à la partie 2.1 du *Règlement*, la GRC en a informé le contrôleur des armes à feu du Manitoba, qui a par la suite demandé au commerce de ne pas distribuer son stock de carabines CZ 858 Spartan (245 armes au total) et d'en fournir des exemplaires à la GRC pour que celle-ci détermine sa classification légale aux termes du *Code criminel*.

Le 1<sup>er</sup> décembre 2016, la GRC a déterminé que l'arme à feu était prohibée car elle satisfait à la définition du *Code criminel* en la matière et qu'elle ne figure pas à la partie 2.1 du *Règlement*. Le modèle CZ 858 Spartan présente comme caractéristiques la gravure d'une feuille d'érable, une fabrication en bois canadien et l'image d'un casque spartiate arborant la mention *Molon Labe* (trad. : viens les prendre) sur le porte-culasse et la monture.

Le 6 janvier 2017, la GRC a informé le commerce important la carabine CZ 858 Spartan de sa classification comme arme prohibée.

À la connaissance de la GRC, aucune des 245 armes prohibées n'a été livrée à qui que ce soit ou n'a quitté le commerce.

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**Question Period Note / Note pour la Période des questions**

**AR-15 RECEIVER BLANKS (80% LOWER RECEIVERS)**

**ISSUE:** Concern among firearms owners that the RCMP has re-listed 80% AR-15 lower receivers as prohibited devices.

**PROPOSED RESPONSE:**

- **Our government believes in effective firearms policies that prioritize public safety while ensuring fair treatment for law-abiding firearms owners.**
- **Receiver blanks, including AR-15 receiver blanks, meet the *Criminal Code* definition of a firearm.**
- **An AR-15 receiver blank that can be used to make a prohibited fully automatic M-15 assault rifle is also prohibited.**
- **To be clear, these are not innocuous hunks of metal. They are nearly fully-formed firearm receivers that can be easily used to make M-16 style assault rifles.**
- **In the spring of 2017, the RCMP reiterated this information on its website to ensure clarity about the law on receiver blanks and to increase public awareness.**

### AR-15 RECEIVER BLANKS (80% LOWER RECEIVERS)

**BACKGROUND:**

A "Receiver blank", "unfinished" or "80 percent" receiver is a block of metal or polymer that is a partially completed firearm receiver with one critical incomplete portion remaining, [REDACTED]

Receiver blanks in Canada are predominantly sourced from the United States (U.S.). The U.S. does not regulate receiver blanks. Purchasers are not subject to criminal background checks and unique markings are not required (e.g., serial number). According to the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, when firearms made from receiver blanks are found at a crime scene, it is usually not possible to trace the firearm or determine its history, which hinders crime gun investigations. [REDACTED]

In Canada, the RCMP considers receiver blanks to meet the *Criminal Code* definition of a firearm, (i.e. a "barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm"). As firearms, receiver blanks are subject to the *Firearms Act*, the *Criminal Code*, and their regulations. While Canadian law enforcement has recently seized a variety of receiver blanks connected with crime, [REDACTED]

The RCMP has informed law enforcement across Canada, including the Canadian Association of Chiefs of Police and the Canada Border Services Agency (CBSA), that firearm receiver blanks are firearms for the purposes of the *Firearms Act*, the *Criminal Code*, and their associated regulations. The RCMP has also published on the Firearms Reference Table the classification determinations under the *Criminal Code* for known receiver blanks, which are accessible to law enforcement, CBSA, Global Affairs Canada, and firearms businesses.

On June 14, 2017, the RCMP published receiver blank information on its website to increase public awareness.

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**CARCASSES NON COMPLÉTÉES D'AR-15  
(CARCASSES INFÉRIEURES COMPLÈTES À 80 %)**

**SUJET :** Préoccupations des propriétaires d'armes à feu à la suite de la classification par la GRC des carcasses inférieures complètes à 80 % d'AR-15 à titre d'armes prohibées.

**RÉPONSE SUGGÉRÉE :**

- **Notre gouvernement croit en des politiques efficaces sur les armes à feu qui priorisent la sécurité publique tout en assurant un traitement juste aux propriétaires respectueux des lois.**
- **Les carcasses non complétées, y compris celles d'AR-15, répondent à la définition d'une arme à feu dans le *Code criminel*.**
- **Une carcasse non complétée d'AR-15 qui peut servir à fabriquer des fusils d'assaut automatique M-15 prohibés constitue elle aussi une arme prohibée.**
- **Pour être clair, il ne s'agit pas de pièces de métal inoffensives. Ce sont des carcasses d'arme à feu presque complètes qui peuvent être facilement utilisées pour fabriquer des fusils d'assaut de type M-16.**
- **Au printemps de 2017, la Gendarmerie royale du Canada a réitéré cette information sur son site Web afin de s'assurer que la loi relative aux carcasses non complétées est bien comprise et d'accroître la sensibilisation du public.**

## CARCASSES NON COMPLÉTÉES d'AR AR-15 (CARCASSES INFÉRIEURES COMPLÈTES À 80 %)

### CONTEXTE :

Les carcasses non complétées (complètes à 80 %) sont des blocs de métal ou de polymère dont une composante essentielle pour en faire une arme est incomplète, [REDACTED]

Les carcasses non complétées au Canada proviennent essentiellement des États-Unis, où elles ne sont pas réglementées. L'acheteur n'est pas assujéti à une vérification des antécédents criminels et aucune marque distinctive (numéro de série) n'est exigée. Selon le Bureau of Alcohol, Firearms and Explosives, lorsqu'une arme à feu fabriquée à partir d'une carcasse non complétée est trouvée sur le lieu d'un crime, il n'est généralement pas possible de déterminer son origine, ce qui entrave les enquêtes sur les crimes liés aux armes à feu. [REDACTED]

Au Canada, la Gendarmerie royale du Canada (GRC) estime que les carcasses non complétées répondent à la définition d'une arme à feu dans le *Code criminel* : « toute arme susceptible, grâce à un canon qui permet de tirer du plomb, des balles ou tout autre projectile, d'infliger des lésions corporelles graves ou la mort à une personne, y compris une carcasse ou une boîte de culasse d'une telle arme ainsi que toute chose pouvant être modifiée pour être utilisée comme telle. » À l'instar des armes à feu, les carcasses non complétées sont régies par la *Loi sur les armes à feu*, le *Code criminel* et les règlements connexes. Si les organismes d'application de la loi ont récemment saisi un éventail de carcasses non complétées en lien avec des crimes, [REDACTED]

La GRC a informé les organismes d'application de la loi au pays, notamment l'Association canadienne des chefs de police et l'Agence des services frontaliers du Canada (ASFC), que les carcasses non complétées constituent des armes à feu aux termes de la *Loi sur les armes à feu*, du *Code criminel* et des règlements connexes. Elle a également publié dans le *Tableau de référence des armes à feu* la classification attribuée par le *Code criminel* aux modèles connus de carcasses non complétées, et ces données sont accessibles aux organismes d'application de la loi, à l'ASFC, à Affaires mondiales Canada et aux fournisseurs d'armes à feu.

Le 14 juin 2017, la GRC a publié dans son site Web des données sur les carcasses non complétées aux fins de sensibilisation publique.

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**Question Period Note / Note pour la Période des questions**

**AR-15 Reclassification**

**ISSUE:** Allegations that the RCMP is reclassifying the AR-15

**PROPOSED RESPONSE:**

- **Routine monitoring of the firearms market by the RCMP revealed a developing trend away from the currently acceptable AR-15 industry manufacturing standard that, if not addressed, could impact the AR-15's classification.**
- **In response, the RCMP proactively took steps to inform manufacturers and Canadian importers of the issue.**

*If asked whether we'll classify it as non-restricted:*

- **Since 1992, the AR-15 rifle and all its variants have been restricted, because of their lineage to the military-issued M-16 assault rifle. The Government does not intend to change this classification.**

*If asked whether the RCMP has re-classified it as prohibited:*

- **No. AR-15 rifles remain classified as restricted firearms under the *Criminal Code*.**
- **Earlier this year, the RCMP completed a technical document outlining how some manufacturers are modifying the design of the AR-15 in a way that could facilitate conversion to full automatic.**
- **Converting firearms to automatic has been and remains against the law.**

## AR-15 Reclassification

**BACKGROUND:**

For AR-15, M16 and M4 pattern firearms, colloquially referred to as "AR platform" firearms, the receiver is divided into two sub-components, the upper receiver (e.g. barrel and muzzle) and the lower receiver (e.g. trigger mechanism). The RCMP considers the lower receiver to be the regulated component for the purposes of the *Firearms Act* and the *Criminal Code*. In general, M16 and M4 pattern full automatic rifles are prohibited in Canada, whereas AR-15 pattern semiautomatic rifles and pistols are restricted firearms.

The lower receivers of M16 and M4 pattern selective fire full automatic rifles differ from the lower receivers of AR-15 pattern semiautomatic rifles and pistols principally in the manufacture of the cavity in which the firing mechanism (trigger mechanism) is installed. The term "selective fire" refers to a firearm that can operate in either a full automatic or semiautomatic mode of fire depending on the setting of a mechanical switch called the "selector". The M16/M4 trigger group incorporates a full automatic sear, a component essential to full automatic fire capability in a conventional M16 or M4 rifle, and not required for the AR-15 firing mechanism.

For AR-15 pattern semiautomatic rifles and pistols, the historical approach is to manufacture the lower receiver with interior dimensions too narrow for an M16 /M4 pattern full automatic sear to be installed. This approach is known informally as the "SP1" standard. The SP1 was voluntarily adopted by firearm manufacturers for decades.

However, the RCMP has noticed a trend away from manufacturers using the SP1 standard over the last few years.

AR-15 pattern firearms that are not SP1 compliant may meet the *Criminal Code* definition of a prohibited firearm as converted automatics, unlike SP1 compliant AR-15 pattern firearms that are prescribed as restricted under the *Criminal Code*.

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## Reclassification de l'AR-15

SUJET : Allégations voulant que la GRC reclassifie l'AR-15

RÉPONSE SUGGÉRÉE :

- **La GRC a constaté, par des contrôles de routine du marché des armes à feu, une nouvelle méthode de fabrication qui s'écarte de la norme de fabrication acceptable de l'AR-15 qui, si rien n'est fait, pourrait avoir des répercussions sur la classification de l'AR-15.**
- **C'est pourquoi la GRC a pris des mesures proactives pour informer les fabricants et les importateurs canadiens du problème.**

*Si on demande si nous allons classifier l'arme comme étant une arme à feu sans restrictions :*

- **Depuis 1992, la carabine AR-15 et toutes ses variantes sont classifiées comme étant des armes à feu à autorisation restreinte parce qu'elles sont de la même famille que les fusils d'assaut M-16 de l'armée. Le gouvernement n'entend pas changer la classification.**

*Si on demande si la GRC a reclassifié l'arme comme étant prohibée.*

- **Non. La classification de la carabine AR-15 demeure celle d'arme à feu à autorisation restreinte en vertu du *Code criminel*.**
- **Plus tôt cette année, la GRC a préparé un document technique expliquant comment certains fabricants modifient la conception de l'AR-15 d'une manière qui pourrait en faciliter la conversion en arme automatique.**
- **Convertir des armes à feu en armes automatiques est contraire à la loi et l'a toujours été.**

## Reclassification de l'AR-15

### CONTEXTE :

La carcasse des armes à feu de type AR-15, M16 et MA, dont l'appellation courante est arme à feu de « plateforme AR », est divisée en deux, soit la carcasse supérieure (canon et bouche du canon) et la carcasse inférieure (mécanisme de détente). La GRC considère que la carcasse inférieure est une pièce réglementée en vertu de la *Loi sur les armes à feu* et du *Code criminel*. En général, les carabines automatiques de type M16 et M4 sont prohibées au Canada, alors que les carabines et pistolets semi-automatique de type AR-15 sont des armes à feu à autorisation restreinte.

La carcasse inférieure des carabines automatiques à tir sélectif de type M16 et M4 diffère de celle des carabines et pistolets semi-automatiques de type AR-15, différence qui s'observe principalement dans la cavité où se trouve le mécanisme de mise à feu (mécanisme de détente). « Tir sélectif » s'entend d'une arme à feu qui peut être utilisée en mode automatique ou semi-automatique par le réglage d'un interrupteur mécanique. Le groupe de détente des armes M16 et M4 comprend une gâchette automatique, laquelle est essentielle au fonctionnement en tir automatique d'une carabine conventionnelle M16 ou M4, mais qui n'est pas requise pour le mécanisme de mise à feu de l'AR-15.

Pour les carabines et les pistolets semi-automatiques de type AR-15, la carcasse inférieure est depuis longtemps fabriquée de manière à ce que les dimensions intérieures soient trop étroites pour recevoir une gâchette automatique de M16/M4. Cette méthode de fabrication est officiellement appelée la « norme SP1 ». La norme SP1 est suivie volontairement par les fabricants d'armes depuis des décennies.

Cependant, la GRC a constaté que cette norme est de moins en moins suivie depuis quelques années.

Les armes à feu de type AR-15 non conformes à la norme SP1 peuvent ainsi correspondre à la définition d'armes à feu prohibées comme étant des armes automatiques converties, contrairement aux armes à feu de type AR-15 conformes à la norme SP1 qui sont classifiées comme étant des armes à feu à autorisation restreinte en vertu du *Code criminel*.

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2017-2018 Main Estimates / Supplementary Estimates (A)

FIREARMS

**PROPOSED RESPONSE:**

- **The Government believes in balanced, effective measures with respect to firearms. We will work with Canadians to achieve our shared goal of public safety while ensuring that firearms owners do not face unfair treatment under the law.**
- **Further, the Government has committed to set a higher bar for openness and transparency. Revitalizing access to information is an important step towards making government openness the default in all interactions.**
- **The Government thereby proposes to restore the application of access to information and privacy legislation to the long-gun registration records, which was removed by the Economic Action Plan Act of 2015.**

*If asked about the Canadian Firearms Advisory Committee:*

- **As promised, we have established a more representative committee that includes knowledgeable law enforcement officers; public health advocates; representatives from women's groups; civilian firearms users; representatives from conservation organizations; farmers; and members of the legal community.**
- **The renewed Committee held its first meeting in March, 2017 and met for a second time in May 2017. Members provided comments on pragmatic measures to reform firearms policies, laws and regulations, and to ensure an up-to-date firearms regime that will keep Canadians safe.**

*If asked about the Firearms Markings Regulations:*

- **Effective markings help police investigate and combat the criminal use of firearms.**
- **The Government is aware of the concerns on this matter on the part of firearms advocates, manufacturers, businesses, organizations and the general public.**

***If asked about new Bill C-52, Supporting Vested Rights under Access to Information Act (which amends the Ending the Long-gun Registry Act):***

- **Bill C-52 provides an opportunity to address, as appropriate, any proceeding related to long-gun registration records pursuant to the *Access to Information Act*. The application of the access to information and privacy legislation would sunset upon the coming into force of the bill.**
- **The Government also proposes to provide authority to share the remaining long-gun registration records, which are Quebec-related, with the Government of Quebec, if requested by the province.**

***If asked about whether the government will recreate the long-gun registry:***

- **The Government of Canada has made it clear that it will not recreate the federal long-gun registry. Once the Government's obligations under the proposed amendments in Bill C-52 are fulfilled, the remaining data would be destroyed.**

***If asked if the RCMP was at fault for destruction of the records:***

- **The long-gun registration records were destroyed in October 2012, except for those related to Quebec due to litigation. The destruction of these records was in accordance with the *Ending the Long-gun Registry Act* which was in force at the time.**

***If asked why there are still Quebec long-gun registration records:***

- **The remaining long-gun registration records were deleted from the Canadian Firearms Registry in April 2015, after two (2) copies were made by the RCMP owing to an investigation by the Information Commissioner. Both copies are subject to a Federal Court preservation order until the resolution of litigation.**

***If asked whether personal information would be shared with Quebec:***

- **The remaining long-gun registration records, should they be shared at the request of the Government of Quebec, would include personal information and would thereby be shared in accordance with the *Privacy Act*. These records contain information that was kept valid only up until March 2015.**

**Page 456**  
**is not relevant**  
**est non pertinente**

**Question Period Note / Note pour la Période des questions**

**Receiver Blanks as Firearms**

**ISSUE:** Concern among firearms owners that the RCMP has re-listed 80% AR-15 lower receivers as prohibited devices. Firearms owners are saying that these 80% AR-15 lower receivers are just unfinished pieces of aluminum and that every Canadian who owns an unregistered copy of one of these has just been declared by the RCMP to be a criminal.

**PROPOSED RESPONSE:**

- **A receiver blank is more than “just unfinished pieces of aluminium” since it has been manufactured to the point of near completion. It is a nearly complete receiver of a firearm and falls within the adaptability clause of the definition of a firearm in the *Criminal Code*.**
- **Receiver blanks are destined to be firearm receivers and nothing else. They are sold in self-contained kits and no special tools or skills are required to complete them as firearms.**
- **These receiver blanks are used in serious crimes because they are unmarked and untraceable.**
- **Receiver blanks that are determined to meet the *Criminal Code* definition of a restricted or prohibited firearm must be registered and cannot be lawfully imported into Canada without first determining its lawful classification under the *Criminal Code*.**
- **The classification of a receiver blank is the same as the corresponding firearm (for example, the receiver blank for a non-restricted firearm will be non-restricted).**
- **AR-15 receiver blanks are prohibited firearms because they can be made into an AR-15 rifle or an M16 assault rifle with equal facility. There has been no change in classification of AR-15 firearms.**
- **Individuals and businesses in possession of receiver blanks should contact the Canadian Firearms Program to discuss their options for compliance, which may involve registration, deactivation or disposal.**
- **On June 14, 2017, the RCMP published receiver blank information on its website to increase public awareness.**
- **The CFP has a process in place to assist all lawful owners of receiver blanks to come into compliance with the *Firearms Act* requirements.**
- **Regulating receiver blanks will not impair lawful trade.**

**RECEIVER BLANKS**

**BACKGROUND:**

“Receiver blanks”, “unfinished” or “80 percent” receivers are blocks of metal or polymer nearly completed into firearm receiver typically with one critical incomplete portion remaining

Receiver blanks in Canada are predominantly sourced from the United States (U.S.). The U.S. does not regulate receiver blanks. Purchasers are not subject to criminal background checks and unique markings are not required (e.g., serial number). According to the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, when firearms made from receiver blanks are found at a crime scene, it is usually not possible to trace the firearm or determine its history, which hinders crime gun investigations jeopardizing public safety.

In Canada, the RCMP considers receiver blanks to meet the *Criminal Code* definition of a firearm, (i.e., a “barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm”). As firearms, receiver blanks are subject to the *Firearms Act*, the *Criminal Code*, and their regulations. While Canadian law enforcement has recently seized a variety of receiver blanks connected with crime,

The RCMP has informed law enforcement across Canada, including the Canadian Association of Chiefs of Police and the Canada Border Services Agency (CBSA), that firearm receiver blanks are firearms for the purposes of the *Firearms Act*, the *Criminal Code*, and their associated regulations. The RCMP has also published on the Firearms Reference Table the classification determinations under the *Criminal Code* for known receiver blanks, which are accessible to law enforcement, CBSA, Global Affairs Canada, and firearms businesses.

On June 14, 2017, the RCMP published receiver blank information on its website to increase public awareness.

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2016-2017 Supplementary Estimates (C) / 2017-2018 Main Estimates

**PROTECTING PUBLIC SAFETY BY  
STRENGTHENING CONTROL OVER FIREARMS**

**PROPOSED RESPONSE:**

- **Our government believes in balanced, effective measures with respect to firearms that prioritize public safety while ensuring law-abiding gun-owners do not face unfair treatment under the law**
- **As we made clear in our platform, we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

**If asked about the Government's specific platform commitment on  
Guns and Gangs:**

- **Our Government will tackle street gang issues through ongoing efforts to address the root causes of criminality, founded on harm reduction and crime prevention.**

**If asked about the Canadian Firearms Advisory Committee:**

- **As promised, we have established a more representative committee that includes law enforcement, public health and women's groups, as well as farmers, hunters and the sporting community. The renewed Committee held its first meeting in March, 2017. Members provided advice on a number of platform commitments to potentially reform Canada's firearms policies, laws and regulations, and to ensure an up-to-date firearms regime that will keep Canadians safe.**

**If asked about firearms classification:**

- **We have committed to putting technical decision-making about firearms classification back into the hands of police, not politicians. The RCMP is responsible for the technical determination of the classification of firearms in accordance with the criteria stipulated by Parliament in the *Criminal Code*.**

***If asked about 10/22 platform magazines:***

- **Because 10/22 platform rifles and handguns use the same**

**magazines, the magazines designed for rifles are also inherently designed for handguns. The magazines may therefore hold up to 10 cartridges, which is the maximum for a handgun in Canada.**

- **This is not new. In fact, a bulletin was issued to this effect in 2013 under the previous government.**

**Backgrounder:**

**Firearms control** is an area of shared federal responsibility. The Minister of Public Safety is responsible for the *Firearms Act* and is the lead minister for firearms policy. The Minister of Justice is responsible for firearms-related offences, penalties and forfeiture provisions in the *Criminal Code* and the criteria defining the classification of firearms.

Firearms are classified in two ways, either (a) by way of definitions in the *Criminal Code* (subsection 84(1)); or (b) prescribed through regulations under the *Criminal Code* allowing for firearms to be reclassified despite otherwise meeting the definition of another class (i.e., *Regulations Prescribing Certain Firearms and Other Weapons* (“the Classification Regulations”)).

The *Criminal Code* defines “**non-restricted firearm**” as a firearm that is neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while “**restricted firearm**” (e.g., handguns; certain rifles and semi-automatics) and “**prohibited firearm**” (e.g., certain handguns; fully automatic firearms; sawed off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class. The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and, with some exceptions, include all variants or modified versions of them within the same classification.

The **RCMP Canadian Firearms Program (CFP)** is responsible for the technical determination of the classification of firearms in accordance with the classification criteria stipulated in the *Criminal Code*. To assist in this aspect of administration, the RCMP created and maintains a Firearms Reference Table (FRT). It is an administrative tool used by the RCMP to record information on firearms in the global market, including the RCMP’S technical assessment/opinion of the firearm’s classification in Canada.

Occasionally, new information comes to the attention of the RCMP CFP indicating that a firearm has been incorrectly described in the FRT. Upon further inspection, the determination of a firearm classification may be changed to reflect the proper application of the law. Examples of such redeterminations are the Swiss Arms (SA) family of firearms and the Ceska Zbrojovka (CZ) 858 rifles, which were initially identified by the RCMP as non-restricted or restricted, depending on barrel length. In 2013, as a result of new information made available to the RCMP, the SA firearms and the CZ 858 rifles (imported in or after 2007) were determined to be prohibited pursuant to the *Criminal Code*. This meant that nearly 11,000 individuals were in unlawful possession of prohibited firearms and were thus potentially exposed to criminal sanctions. In June 2015, the *Common Sense Firearms Licensing Act* amended the *Criminal Code* to give authority to the Governor in Council (GIC) to make regulations to prescribe a firearm as non-restricted or restricted. The GIC used this authority in July 2015 to classify the SA and CZ firearms as non-restricted or restricted depending on barrel length.

The **Canadian Firearms Advisory Committee (CFAC)** was originally established in July 2006 to provide advice to the Minister of Public Safety and Emergency Preparedness on the reform of Canada’s firearms laws and regulations. The membership of previous CFAC participants expired on December 31, 2015. As part of the current Government’s platform, the membership of the CFAC was modified to include law enforcement officers, public health advocates, representatives from women’s groups, and members of the legal community. The mandate of the CFAC is to advise the Minister on pragmatic measures and policies, to ensure an up-to-date firearms regime is in place to keep Canadians safe. The renewed Committee held their first meeting in March 2017, and provided advice to the Minister on a number of subjects related to the Government’s platform commitments, including an examination of former Bill C-42.

The ***Firearms Marking Regulations (the Regulations)***, under the *Firearms Act*, were made by the Governor in Council in 2004 and are scheduled to come into force in June 2017. The Regulations stipulate the marks that need to be permanently stamped or engraved on newly manufactured or imported firearms in order to facilitate tracing. Many reputable Canadian manufacturers already apply markings, such as the company name and serial number. Firearms markings will support law enforcement in tracing crime guns, including those classified as non-restricted firearms, without recreating the long-gun registry.

No money was provided for the Government’s platform commitment on **Guns and Gangs** in Budget 2017.

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## 2016-2017 Supplementary Estimates (B)

### FIREARMS

#### PROPOSED RESPONSE:

- **Our government believes in balanced, effective measures with respect to firearms that prioritize public safety while ensuring law-abiding gun-owners do not face unfair treatment under the law.**
- **As we made clear in our platform, we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

#### *If asked about firearms classification:*

- **We have committed to putting technical decision-making about firearms classification back into the hands of police, not politicians. The RCMP is responsible for the technical determination of the classification of firearms in accordance with the criteria stipulated by Parliament in the Criminal Code.**

#### *If asked about 10/22 platform magazines:*

- **Because 10/22 platform rifles and handguns use the same magazines, the magazines designed for rifles are also inherently designed for handguns. The magazines may therefore hold up to 10 cartridges, which is the maximum for a handgun in Canada.**
- **This is not new. In fact, a bulletin was issued to this effect in 2013 under the previous government.**

#### *If asked about firearms marking regulations:*

- **The regulations are currently scheduled to come into force on June 1, 2017. However, the Government is working to ensure that they come into force as quickly as is feasible.**

#### *If asked about the Canadian Firearms Advisory Committee:*

**Work to renew its membership and mandate is underway. Further details will be announced as soon as possible.**

## Backgrounder

Firearms control is an area of shared federal responsibility. The Minister of Public Safety is responsible for the *Firearms Act* and is the lead minister for firearms policy. The Minister of Justice is responsible for firearms-related offences, penalties and forfeiture provisions in the *Criminal Code* and the criteria defining the classification of firearms.

Firearms are classified in two ways, either (a) by way of definitions in the *Criminal Code* (subsection 84(1)); or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class (i.e., *Regulations Prescribing Certain Firearms and Other Weapons* ("the Classification Regulations")).

The *Criminal Code* defines "**non-restricted firearm**" as a firearm that is neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while "**restricted firearm**" (e.g., handguns; certain rifles and semi-automatics) and "**prohibited firearm**" (e.g., certain handguns; fully automatic firearms; sawed off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class. The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and, with some exceptions, include all variants or modified versions of them within the same classification.

The RCMP Canadian Firearms Program (CFP) is responsible for the technical determination of the classification of firearms in accordance with the classification criteria stipulated in the *Criminal Code*. To assist in this aspect of administration, the RCMP created and maintains a Firearms Reference Table (FRT). It is an administrative tool used by the RCMP to record information on firearms in the global market, including the RCMP'S technical assessment/opinion of the firearm's classification in Canada. Though it does not have force of law, the FRT is considered in practice by law enforcement to indicate a firearm's classification.

Occasionally, new information comes to the attention of the RCMP CFP indicating that a firearm has been incorrectly described in the FRT. Upon further inspection, the determination of a firearm classification may be changed to reflect the proper application of the law. Such changes can have significant impacts on owners (e.g., firearms previously understood to be restricted may be redetermined to actually be prohibited). In these circumstances, the Government can choose to grandfather affected owners by statutory amendment, or require the firearms to be surrendered or transferred (with or without compensation).

Examples of such redeterminations are the Swiss Arms (SA) family of firearms and the Ceska Zbrojovka (CZ) 858 rifles, which were initially identified by the RCMP as non-restricted or restricted, depending on barrel length, in 2001 and 2005 respectively. In 2013, as a result of new information made available to the RCMP, the SA firearms and the CZ 858 rifles (imported in or after 2007) were determined to be prohibited pursuant to the *Criminal Code*. The SA firearms were variants of the prohibited SG 550 rifle, and some of the SAs and all the CZs were converted automatic firearms. This meant that nearly 11,000 individuals were in unlawful possession of prohibited firearms and were thus potentially exposed to criminal sanctions. The RCMP's determination of prohibited classification became public on February 26, 2014. The SAs are worth \$3,000 to \$4,000 each, and the CZs, \$500 to \$1,000 each.

In June 2015, the *Common Sense Firearms Licensing Act* amended the *Criminal Code* to give authority to the Governor in Council (GIC) to make regulations to prescribe a firearm as non-restricted or restricted. The GIC used this authority in July 2015 to classify the SA and CZ firearms as non-restricted or restricted depending on barrel length.

Firearms stakeholders include individual owners, businesses, law enforcement, firearms enthusiasts and advocates for gun control. At the 2013 meeting of the Federal-Provincial-Territorial (FPT) Ministers Responsible for Justice and Public Safety, Quebec requested the creation of an FPT working group to review the classification legislation. The former Minister of Justice indicated that, while provinces and territories were free to study this issue, the federal government would not participate in such a committee. On November 14, 2013, Quebec issued a news release indicating that it would pursue the creation of an FPT working group, in collaboration with Ontario.

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## Question Period Note / Note pour la Période des questions

**FIREARMS****PROPOSED RESPONSE:**

- **Our government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **As we made clear in our platform, we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

*If asked about weapons classification:*

- **We have committed to putting decision-making authority about weapons classification back into the hands of police, not politicians. The RCMP is responsible for the technical determination of the classification of firearms in accordance with the criteria stipulated by Parliament in the Criminal Code.**

*If asked about the classification of the AR-15:*

- **Since a decision by the Mulroney government in 1992, the AR-15 rifle and all its variants have been restricted, because of their lineage to the military-issued M-16 assault rifle. The Government does not intend to change this classification.**

*If asked about firearms marking regulations:*

- **The regulations are currently scheduled to come into force on June 1, 2017. However, the Government is working to ensure that they come into force as quickly as is feasible.**
- **We will work collaboratively with firearms owners and businesses as we implement common-sense measures to prevent gun violence, support law enforcement, and comply with our international obligations.**

*If asked about the Canadian Firearms Advisory Committee:*

- **Work to renew its membership and mandate is underway. Further details will be announced in due course.**

*If asked about the long-gun registry:*

- **We will not bring back the long-gun registry.**

## FIREARMS CLASSIFICATION

**Background:**

Firearms control is an area of shared federal responsibility. The Minister of Public Safety is responsible for the *Firearms Act* and is the lead minister for firearms policy. The Minister of Justice is responsible for firearms-related offences, penalties and forfeiture provisions in the *Criminal Code* and the criteria defining the classification of firearms.

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Examples of such redeterminations are the Swiss Arms (SA) family of firearms and the Ceska Zbrojovka (CZ) 858 rifles, which were initially identified by the RCMP as non-restricted or restricted, depending on barrel length, in 2001 and 2005 respectively. In 2013, as a result of new information made available to the RCMP, the SA firearms and the CZ 858 rifles (imported in or after 2007) were determined to be prohibited pursuant to the *Criminal Code*. The SA firearms were variants of the prohibited SG 550 rifle, and some of the SAs and all the CZs were converted automatic firearms. This meant that nearly 11,000 individuals were in unlawful possession of prohibited firearms and were thus potentially exposed to criminal sanctions. The RCMP's determination of prohibited classification became public on February 26, 2014. The SAs are worth \$3,000 to \$4,000 each, and the CZs, \$500 to \$1,000 each.

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Firearms stakeholders include individual owners, businesses, law enforcement, firearms enthusiasts and advocates for gun control. At the 2013 meeting of the Federal-Provincial-Territorial (FPT) Ministers Responsible for Justice and Public Safety, Quebec requested the creation of an FPT working group to review the classification legislation. The former Minister of Justice indicated that, while provinces and territories were free to study this issue, the federal government would not participate in such a committee. On November 14, 2013, Quebec issued a news release indicating that it would pursue the creation of an FPT working group, in collaboration with Ontario.

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## ARMES À FEU

### RÉPONSE SUGGÉRÉE :

- **Notre gouvernement croit en un contrôle efficace et équilibré des armes à feu, qui accorde la priorité à la sécurité publique tout en faisant en sorte que les propriétaires d'armes à feu respectueux des lois ne soient pas traités injustement par la loi.**
- **Comme nous l'avons précisé dans notre programme, nous collaborerons avec les Canadiens en vue d'atteindre l'objectif commun de réduire la violence armée au Canada.**

### *À propos de la classification des armes*

- **Nous nous sommes engagés à remettre le pouvoir de décision en matière d'armes entre les mains de la police et non des politiciens. La GRC est responsable de la classification technique des armes à feu, conformément aux critères énoncés par le Parlement dans le code criminel.**

### *À propos de la classification de l'arme à feu AR-15*

- **Depuis une décision du gouvernement Mulroney en 1992, l'arme à feu AR-15, et toutes ses variantes, sont classifiées à autorisation restreinte en raison du lignage entre celles-ci et l'arme d'assaut de type militaire M-16. Le gouvernement n'a pas l'intention de changer cette classification.**

### *À propos du Règlement sur le marquage des armes à feu*

- **Il est prévu que la réglementation entrera en vigueur le 1<sup>er</sup> juin 2017. Toutefois, le gouvernement s'emploie à faire en sorte que celle-ci prenne effet aussi rapidement que possible.**
- **Nous collaborerons avec les propriétaires et les commerces d'armes à feu au fur et à mesure que nous mettrons en application des mesures fondées sur le bon sens visant à prévenir la violence armée, à appuyer l'exécution de la loi et à respecter nos obligations internationales.**

### *À propos du Comité consultatif canadien sur les armes à feu (CCCAF)*

- **Le travail est en cours pour renouveler la composition de ses membres et de son mandat. De plus amples détails seront annoncés en temps voulu.**

### *À propos du registre des armes d'épaule*

- **Nous ne reconduirons pas le registre des armes d'épaule.**

## LA CLASSIFICATION DES ARMES À FEU

Le contrôle des armes à feu est une responsabilité fédérale partagée. Le ministre de la Sécurité publique est responsable de la *Loi sur les armes à feu* et le ministre compétent au chapitre des politiques sur les armes à feu. Le ministre de la Justice est responsable des dispositions du *Code criminel* relatives aux infractions, aux sanctions et aux confiscations portant sur les armes à feu et des critères de définition de la classification des armes à feu.

Les armes à feu sont classées selon deux façons : a) selon les définitions données au paragraphe 84(1) du *Code criminel* ou b) prescrites dans les règlements permettant aux armes à feu de faire l'objet d'une reclassification nonobstant le fait de répondre à la définition d'une autre classe [c'est-à-dire le *Règlement désignant des armes à feu, armes, éléments ou pièces d'armes* (« Règlement sur la classification »)].

Le *Code criminel* définit les « **armes à feu sans restriction** » simplement comme des armes à feu qui ne sont ni une arme à feu prohibée ni une arme à feu à autorisation restreinte (comme les carabines et les fusils de chasse ordinaires); alors que les « **armes à feu à autorisation restreinte** » (comme les armes de poing et certaines carabines et armes semi-automatiques) et les « **armes à feu prohibées** » (comme certaines armes de poing, les armes à feu entièrement automatiques et les carabines et fusils de chasse à canon scié) sont clairement définies. De surcroît, ces trois classes comprennent des armes à feu qui sont prescrites pour appartenir à cette classe. Le Règlement sur la classification des armes à feu indique les marques et les modèles d'armes à feu en particulier qui sont des armes à feu sans restriction, à autorisation restreinte ou prohibées, hormis quelques exceptions, incluant toutes les variantes ou les versions modifiées de celles-ci au sein d'une même classification.

Le Programme canadien des armes à feu (PCAF) de la Gendarmerie royale du Canada (GRC) est responsable de la détermination technique de la classification des armes à feu, conformément aux critères de classification énoncés dans le *Code criminel*. Pour appuyer ce volet administratif, la GRC a créé et tenu à jour un Tableau de référence des armes à feu (TRAF). Ce tableau se veut un outil administratif utilisé par la GRC pour consigner les renseignements sur les armes à feu accessibles sur le marché mondial, y compris l'opinion et l'évaluation techniques de la GRC sur la classification des armes à feu au Canada. Bien que ce registre n'a pas force de loi, les organismes d'application de la loi le consultent pour déterminer la classification d'une arme à feu.

Parfois, de nouveaux renseignements sont portés à l'attention du PCAF de la GRC, indiquant qu'une arme à feu a été décrite de façon erronée dans le TRAF. Après un examen plus approfondi, la détermination de la classification d'une arme à feu peut être modifiée afin d'être conforme à l'application adéquate de la loi. De telles modifications sont susceptibles d'avoir une incidence importante sur les propriétaires (p. ex., une arme à feu qui auparavant était à autorisation restreinte peut faire l'objet d'une nouvelle classification comme étant, (en réalité) prohibée). Dans ces circonstances, le gouvernement peut décider d'apporter une modification législative contenant une disposition prévoyant une exception pour les propriétaires touchés, ou il peut exiger que les armes à feu soient cédées ou transférées (avec ou sans compensation).

Parmi les exemples de telles révisions figurent la famille des armes à feu Swiss Arms (SA) et les 858 carabines Ceska Zbrojovka (CZ) qui, au départ, ont été déterminées par la GRC comme étant des armes sans restriction ou des armes à feu à autorisation restreinte selon la longueur du canon en 2001 et 2005 respectivement. En 2013, par suite de nouveaux renseignements transmis à la GRC, les armes à feu SA et les 858 carabines CZ (importées à partir de 2007) ont été classées comme des armes à feu prohibées conformément au *Code criminel*. Les armes à feu SA étaient des variantes des carabines 550 SG prohibées, et certaines des SA et la totalité des CZ étaient des armes à feu automatiques converties. Cela signifie que près de 11 000 personnes étaient en possession illégale d'armes à feu prohibées et, par conséquent, exposées éventuellement à des sanctions criminelles. La détermination par la GRC de la classification des armes à feu prohibées a été rendue publique le 26 février 2014. Les SA ont une valeur unitaire de 3 000 \$ à 4 000 \$ et celle des CZ se chiffre entre 500 \$ et 1 000 \$.

En juin 2015, la *Loi visant la délivrance simple et sécuritaire des permis d'armes à feu* a modifié le *Code criminel* pour conférer au gouverneur en conseil le pouvoir de désigner par règlement une arme à feu comme étant une arme à feu sans restriction ou à autorisation restreinte. Le gouverneur en conseil a exercé ce pouvoir en juillet 2015 pour classer les armes à feu SA et CZ comme étant des armes à feu sans restriction ou à autorisation restreinte selon la longueur du canon.

Les intervenants comprennent les propriétaires, les entreprises, les organismes d'application de la loi, les amateurs d'armes à feu et les défenseurs du contrôle des armes à feu. Dans le cadre de la réunion de 2013 des ministres FPT responsables de la justice et de la sécurité publique, le Québec a demandé la création d'un groupe de travail FPT qui se pencherait sur les mesures législatives portant sur la classification. L'ancien ministre de la Justice a indiqué que les provinces et les territoires étaient libres d'examiner la question, mais que le gouvernement fédéral ne participerait pas à un tel comité. Le 14 novembre 2013, le Québec a diffusé un communiqué indiquant qu'il irait de l'avant avec la création d'un groupe de travail FPT en collaboration avec l'Ontario.

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## Question Period Note / Note pour la Période des questions

## FIREARMS

## PROPOSED RESPONSE:

- **Our government believes in balanced, effective measures with respect to firearms that prioritize public safety while ensuring law-abiding gun-owners do not face unfair treatment under the law.**
- **As we made clear in our platform, we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

*If asked about firearms classification:*

- **We have committed to putting technical decision-making about weapons classification back into the hands of police, not politicians. The RCMP is responsible for the technical determination of the classification of firearms in accordance with the criteria stipulated by Parliament in the Criminal Code.**

*If asked about the CZ858 Spartan rifle:*

- **The CZ-858 Spartan rifle is a new and unique special edition model that is distinct from other CZ-858s, including those specifically named in the *Criminal Code* regulations.**
- **This rifle is prohibited because it meets the *Criminal Code* definition of a prohibited firearm as a converted automatic and is not otherwise prescribed as restricted or non-restricted in the regulations.**

*If asked about the classification of the AR-15:*

- **Since a decision by the Mulroney government in 1992, the AR-15 rifle and all its variants have been restricted, because of their lineage to the military-issued M-16 assault rifle. The Government does not intend to change this classification.**

*If asked about 22 Long Rifle calibre magazines for 10/22 platform firearms:*

- **Because 10/22 platform rifles and handguns use the same magazines, the magazines designed for rifles are also inherently designed for handguns. The magazines may therefore hold up to 10 cartridges, which is the maximum for a handgun in Canada.**
- **This has been the case since 1993, and was in fact reaffirmed in a bulletin issued in 2013 under the Harper government.**

*If asked about 12(6) licence privileges given in error:*

- **The RCMP is committed to the highest standards to administer the Canadian Firearms Program, including protecting information collected under the *Firearms Act*.**
- **The error did not increase the number of prohibited firearms in Canada, nor did it increase the number of individuals eligible to possess them.**
- **The RCMP is working with affected individuals across Canada to take appropriate action.**

## FIREARMS

### ***Firearms Classification***

The RCMP Canadian Firearms Program (CFP) is responsible for the technical determination of the classification of firearms in accordance with the classification criteria stipulated in the *Criminal Code*. The RCMP maintains a Firearms Reference Table (FRT), an administrative tool used to record information on firearms in the global market, including the RCMP'S technical assessment/opinion of the firearm's classification. Though it does not have force of law, the FRT is considered in practice by law enforcement to indicate a firearm's classification. Occasionally, new information comes to the attention of the RCMP CFP indicating that a firearm has been incorrectly described in the FRT. Upon further inspection, the determination of a firearm classification may be changed to reflect the proper application of the law. Such changes can have significant impacts on owners (e.g., firearms previously understood to be restricted may be redetermined to actually be prohibited). In these circumstances, the Government can choose to grandfather affected owners by statutory amendment, or require the firearms to be surrendered or transferred (with or without compensation).

Examples of such redeterminations are the Swiss Arms (SA) family of firearms and the Ceska Zbrojovka (CZ) 858 rifles, which were initially identified by the RCMP as non-restricted or restricted, depending on barrel length, in 2001 and 2005 respectively. In 2013, as a result of new information made available to the RCMP, the SA firearms and the CZ 858 rifles (imported in or after 2007) were determined to be prohibited pursuant to the *Criminal Code*. The SA firearms were variants of the prohibited SG 550 rifle, and some of the SAs and all the CZs were converted automatic firearms. This meant that nearly 11,000 individuals were in unlawful possession of prohibited firearms and were thus potentially exposed to criminal sanctions. The RCMP's determination of prohibited classification became public on February 26, 2014. The SAs are worth \$3,000 to \$4,000 each, and the CZs, \$500 to \$1,000 each.

In June 2015, the *Common Sense Firearms Licensing Act* amended the *Criminal Code* to give authority to the Governor in Council (GIC) to make regulations to prescribe a firearm as non-restricted or restricted. The GIC used this authority in July 2015 to reclassify eleven (11) models of SA firearms and four (4) models of CZ-858 firearms as non-restricted or restricted depending on barrel length.

### ***CZ-858 Spartan Rifle (entered into FRT in January 2017)***

On October 24, 2016, the RCMP CFP discovered a firearms business advertising for public sale a previously unknown CZ-858 model as non-restricted – the CZ-858 Spartan – on a firearm enthusiast website. The CZ-858 rifles are classified as prohibited unless they are specifically named in Part 2.1 of the Classification Regulations (i.e., CZ-858 models reclassified in July 2015). Therefore, the RCMP CFP notified the Chief Firearms Officer for Manitoba who subsequently instructed the business to refrain from distributing its stock of CZ-858 Spartans. Samples of the Spartan were inspected by the RCMP and confirmed to be prohibited in accordance with the *Criminal Code*.

### ***AR-15***

On May 13, 2016, Mr. Bob Zimmer, M.P., presented Petition e-111 (firearms) calling upon the Minister of Public Safety to reclassify the Armalite Rifle (AR) – 15 to the non-restricted classification so that it can be used for hunting. The Government's response (no. 421-00292) was that the AR-15 is prohibited because of its lineage to the military-issued M-16 assault rifle, and that the government has no intention of using the deeming provisions to change the classification of the AR-15.

### ***22 Long Rifle calibre magazines for 10/22 platform firearms***

The maximum capacity of a cartridge magazine is set out in Part 4 of the Classification Regulations; a magazine that has a capacity which exceeds the maximum permitted capacity is a prohibited device. Specifically, paragraph 3 (1)(b) of the Classification Regulations prohibits a cartridge magazine that is capable of containing more than 10 cartridges of the type for which the magazine was originally designed and that is designed or manufactured for use in a semi-automatic handgun that is commonly available in Canada.

22 Long Rifle calibre magazines designed or manufactured for 10/22 platform rifles are also inherently designed or manufactured for 10/22 platform handguns. Because 22 Long Rifle calibre 10/22 platform magazines are designed or manufactured for use in a semi-automatic handgun, they are prohibited devices if they are capable of containing more than 10 cartridges. The 10 cartridge limit for the 10/22 platform applies irrespective of the type of firearm it is used in.

### ***12(6) licence privileges given in error***

In February 2015, an error was acknowledged within the Canadian Firearms Information System (CFIS) whereby Section 12(7) privileges were altered to Section 12(6) when clients renewed their firearms licence. This error within CFIS had existed since 2003 when the licence renewal process was modified. This means that individuals with a licence to possess Section 12(6) firearms through the Section 12(7) authority (from a relative) had a licence to acquire additional Section 12(6) firearms (not from a relative).

Analysis has determined that 1,356 Firearms Licences require corrective action to be taken to alter the Section 12(6) privilege to Section 12(7) possession. Of the 1,356 licences identified, 1,315 are only in possession of the original Section 12(6) firearm, legitimately acquired via the Section 12(7) authority. The CFP has taken immediate corrective action, and the 1,315 Firearms Licences have been corrected to reflect Section 12(7) possession privileges within CFIS. Of the 1,356 licences, 41 have acquired additional Section 12(6) firearms that they were not legally entitled to acquire and corrective action is being taken. There are 114 firearm acquisitions associated to these 41 licences.

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## LES ARMES À FEU

### RÉPONSE SUGGÉRÉE :

- **Notre gouvernement croit en des mesures efficaces et équilibrés en ce qui concerne les armes à feu, accordant la priorité à la sécurité publique tout en faisant en sorte que les propriétaires d'armes à feu respectueux des lois ne soient pas traités injustement.**
- **Comme nous l'avons précisé dans notre programme, nous collaborerons avec les Canadiens en vue d'atteindre l'objectif commun de réduire la violence armée au Canada.**

### *À propos de la classification des armes à feu*

- **Nous nous sommes engagés à se fier à la police, plutôt qu'aux politiciens, pour ce qui est des décisions techniques en matière d'armes à feu. La GRC est responsable de la détermination technique de la classification des armes à feu conformément aux critères énoncés par le Parlement dans le Code criminel.**

### *À propos du fusil CZ-858 Spartan :*

- **La carabine CZ858 Spartan est un nouveau modèle d'édition spéciale et unique qui diffère des autres carabines CZ858, y compris celles indiquées dans les règlements du *Code criminel*.**
- **Au sens de la définition donnée dans le *Code criminel*, cette carabine est prohibée comme étant une arme automatique modifiée et qu'elle n'est pas désignée comme étant à autorisation restreinte ou sans restriction dans les règlements.**

### *À propos de la classification de l'arme à feu AR-15*

- **Depuis une décision du gouvernement Mulroney en 1992, l'arme à feu AR-15, et toutes ses variantes, sont classifiées à autorisation restreinte en raison du lignage entre celles-ci et l'arme d'assaut de type militaire M-16. Le gouvernement n'a pas l'intention de changer cette classification.**

### *À propos des chargeurs pour cartouches de calibre 22 Long Rifle utilisés dans les armes à feu de la plateforme 10/22*

- **Puisque les fusils et les armes de poing de plateforme 10/22 utilisent les mêmes chargeurs, les chargeurs conçus pour les uns sont intrinsèquement aussi conçus pour les autres. Ces chargeurs sont donc permis de contenir jusqu'à dix cartouches, soit le**

**maximum pour une arme de poing au Canada.**

- **Tel est le cas depuis 1993, et ceci a été réaffirmé dans un bulletin émis en 2013 sous le gouvernement Harper.**

***À propos des privilèges de permis 12(6) délivrés par erreur :***

- **La GRC est résolue à administrer le Programme canadien des armes à feu selon les normes les plus élevées, y compris à protéger l'information recueillie en vertu de la *Loi sur les armes à feu*.**
- **L'erreur n'a pas entraîné l'augmentation du nombre d'armes à feu prohibées au Canada ni du nombre de personnes admissibles à les avoir en leur possession.**
- **La GRC travaille avec les personnes touchées au Canada afin que les mesures appropriées soient prises.**

## LES ARMES À FEU

### **Classification des armes à feu**

Le Programme canadien des armes à feu (PCAF) de la Gendarmerie royale du Canada (GRC) est responsable de la détermination technique de la classification des armes à feu, conformément aux critères de classification énoncés dans le *Code criminel*. La GRC a créé et tient à jour un Tableau de référence des armes à feu (TRAF), un outil administratif utilisé par la GRC pour consigner les renseignements sur les armes à feu accessibles sur le marché mondial, y compris l'opinion et l'évaluation techniques de la GRC sur la classification des armes à feu. Bien que ce registre n'ait pas force de loi, les organismes d'application de la loi le consultent pour déterminer la classification d'une arme à feu. Parfois, de nouveaux renseignements sont portés à l'attention du PCAF de la GRC, indiquant qu'une arme à feu a été décrite de façon erronée dans le TRAF. Après un examen plus approfondi, la détermination de la classification d'une arme à feu peut être modifiée afin d'être conforme à l'application adéquate de la loi. De telles modifications sont susceptibles d'avoir une incidence importante sur les propriétaires (p. ex., une arme à feu qui auparavant était à autorisation restreinte peut faire l'objet d'une nouvelle classification comme étant en réalité prohibée). Dans ces circonstances, le gouvernement peut décider d'apporter une modification législative contenant une disposition prévoyant une exception pour les propriétaires touchés, ou il peut exiger que les armes à feu soient cédées ou transférées (avec ou sans compensation).

Parmi les exemples de telles révisions figurent la famille des armes à feu Swiss Arms (SA) et les fusils Ceska Zbrojovka (CZ) 858 qui, au départ, ont été classifiés par la GRC comme étant des armes à feu sans restriction ou des armes à feu à autorisation restreinte selon la longueur du canon en 2001 et 2005 respectivement. En 2013, par suite de nouveaux renseignements transmis à la GRC, les armes à feu SA et les fusils CZ 858 (importés à partir de 2007) ont été déterminés comme étant des armes à feu prohibées conformément au *Code criminel*. Les armes à feu SA étaient des variantes des fusils 550 SG prohibés, et certaines des armes à feu SA et la totalité des fusils CZ étaient des armes à feu automatiques converties. Cela signifie que près de 11 000 personnes étaient en possession illégale d'armes à feu prohibées et, par conséquent, exposées éventuellement à des sanctions criminelles. La détermination de la GRC que ces armes à feu étaient prohibées a été rendue publique le 26 février 2014. Les armes à feu SA ont une valeur unitaire de 3 000 \$ à 4 000 \$ et celle des fusils CZ se chiffre entre 500 \$ et 1 000 \$.

En juin 2015, la *Loi visant la délivrance simple et sécuritaire des permis d'armes à feu* a modifié le *Code criminel* pour conférer au gouverneur en conseil le pouvoir de désigner par règlement une arme à feu comme étant sans restrictions ou à autorisation restreinte. Le gouverneur en conseil a exercé ce pouvoir en juillet 2015 pour reclassifier onze (11) modèles d'armes à feu SA et quatre (4) modèles d'armes à feu CZ-858 comme étant des armes à feu sans restrictions ou à autorisation restreinte selon la longueur du canon.

### **Fusil CZ-858 Spartan (inscrit au TRAF en janvier 2017)**

Le 24 octobre 2016, les responsables du PCAF de la GRC ont découvert sur un site de passionnés des armes à feu une publicité pour la vente au public d'un modèle jusque-là inconnu de CZ-858, le CZ-858 Spartan, en tant qu'arme sans restrictions. Les fusils CZ-858 sont classifiés comme des armes à feu prohibées à moins d'être expressément mentionnés dans la Partie 2.1 du Règlement sur la classification (p. ex., modèles CZ-858 reclassifiés en juillet 2015). En conséquence, les responsables du PCAF de la GRC ont avisé le contrôleur des armes à feu du Manitoba qui a par la suite ordonné à l'entreprise de s'abstenir de distribuer son inventaire de CZ-858 Spartan. Des exemplaires du fusil CZ-858 Spartan ont été inspectés par la GRC qui a confirmé qu'il s'agissait d'une arme à feu prohibée conformément au *Code criminel*.

### **AR-15**

Le 13 mai 2016, le député Bob Zimmer a présenté la pétition e-111 (armes à feu) demandant que le ministre de la Sécurité publique reclassifie l'arme à feu Armalite (AR) – 15 comme une arme sans restrictions afin qu'elle puisse être utilisée pour la chasse. Dans sa réponse (no 421-00292), le gouvernement a indiqué que l'arme à feu AR-15 est prohibée en raison du lien avec l'arme d'assaut de type militaire M-16, et qu'il n'avait pas l'intention de recourir à des dispositions déterminatives pour modifier la classification de l'AR-15.

### **Chargeurs pour cartouches de calibre 22 Long Rifle utilisés dans les armes à feu de la plateforme 10/22**

La capacité maximale d'un chargeur pour cartouches est établie dans la Partie 4 du Règlement sur la classification; un chargeur dont la capacité est supérieure à la capacité permise est prohibé. Plus précisément, l'alinéa 3 (1)(b) du Règlement sur la classification interdit tout chargeur de plus de 10 cartouches du type pour lequel il a été initialement conçu et qui est conçu ou fabriqué pour servir dans une arme de poing semi-automatique qui est habituellement disponible au Canada.

Les chargeurs pour cartouches de calibre 22 Long Rifle conçus ou fabriqués pour les armes à feu de la plateforme 10/22 sont aussi en soi conçus ou fabriqués pour les armes de poing de la plateforme 10/22. Parce que ces chargeurs sont conçus ou fabriqués pour être utilisés dans des armes de poing semi-automatiques, ils sont prohibés s'ils peuvent contenir plus de 10 cartouches. La limite de 10 cartouches pour les armes à feu de la plateforme 10/22 s'applique quel que soit le type d'arme à feu dans lequel le

chargeur est utilisé.

**Privilèges en matière de permis du paragraphe 12(6) accordés par erreur**

En février 2015, il a été reconnu qu'en raison d'une erreur dans le Système canadien d'information relativement aux armes à feu (SCIRAF), des privilèges accordés en vertu du paragraphe 12(7) ont été remplacés par des privilèges prévus au paragraphe 12(6), lorsque les clients ont renouvelé leur permis d'armes à feu. Cette erreur dans le SCIRAF existait depuis 2003, année où l'on a modifié le processus de renouvellement des permis. Par conséquent, les particuliers titulaires d'un permis les habilitant à posséder des armes à feu visées au paragraphe 12(6) (d'un proche parent) en vertu du paragraphe 12(7) étaient habilités, selon leur permis, à acheter d'autres armes à feu visées au paragraphe 12(6) (non d'un proche parent).

Une analyse a permis de déterminer qu'à ce jour, 1 356 permis d'armes à feu nécessitent la prise de mesures correctives visant à remplacer le privilège accordé par le paragraphe 12(6) par le droit de possession au paragraphe 12(7). Parmi les 1 356 titulaires de permis recensés, 1 315 possèdent uniquement l'arme à feu initiale, visée au paragraphe 12(6), qu'ils ont acquise légitimement en vertu du pouvoir conféré au paragraphe 12(7). Les responsables du PCAF ont pris des mesures correctives immédiates, les 1 315 permis d'armes à feu ont été corrigés de manière à correspondre aux privilèges de possession prévus au paragraphe 12(7) dans le SCIRAF. Parmi les 1 356 titulaires de permis, 41 ont acquis des armes à feu additionnelles visées au paragraphe 12(6) alors qu'ils n'étaient pas légalement autorisés à les acquérir, de sorte que des mesures correctives sont prises. Au total, 114 acquisitions d'armes à feu sont associées à ces 41 titulaires de permis.

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## Question Period Note / Note pour la Période des questions

**10/22 Platform Magazines****ISSUE:** The lawful status of 10/22 platform magazines.**PROPOSED RESPONSE:**

- **Our government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **The legal status of 22 Long Rifle (LR) calibre magazines designed for the 10/22 platform of firearms has not changed. Since 1993, *Criminal Code Regulations* have prohibited a cartridge magazine that is capable of containing more than 10 cartridges for use in a semi-automatic handgun commonly available in Canada.**
- **10/22 platform rifles and handguns all employ the same magazine port design, ammunition feed system, and magazines. Accordingly, the RCMP considers 22 LR calibre magazines designed or manufactured for 10/22 platform rifles to also be inherently designed or manufactured for 10/22 platform handguns. They are therefore prohibited devices if they are capable of containing more than 10 cartridges.**
- **A 10/22 platform magazine permanently altered, or “pinned”, so that it cannot hold more than 10 cartridges, is no longer considered to be prohibited.**
- **Individuals and businesses that believe they may be in possession of a prohibited device may contact the Canadian Firearms Program for more information.**
- **We have committed to once again having police, who are the experts in these matters, make decisions about weapons classification on the basis of principles set out in law. We know of no other western democracy in which a cabinet or government department has the authority to override legislated firearms classification principles.**

## 10/22 Platform Magazines

**Background:**

The maximum capacity of cartridge magazines has been the same since 1993 and is set out in Part 4 of the 1998 *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the Regulations). A magazine that has a capacity that exceeds the maximum permitted capacity under the Regulations is a prohibited device.

Magazines designed or manufactured for use in a semi-automatic firearm other than a semi-automatic handgun (e.g., some rifles and shotguns) are subject to a limit of five centre-fire cartridges of any calibre for which the magazine was originally designed as per subparagraph 3(1)(a)(ii) of Part 4 of the Regulations.

However, the five cartridge limit does not apply to rim-fire calibre rifle cartridges as per subsection 3(2)(a)(i) of the Regulations. Rim-fire rifle magazines can lawfully hold an unlimited number of cartridges. The Government previously decided not to impose a five cartridge limit on rim-fire rifle magazines because: 1) rim-fire calibre ammunition is generally not as powerful as centre-fire ammunition; 2) the popular and common 10 cartridge rim-fire rifle magazine would become prohibited and impact many firearms owners; and, 3) the largest rim-fire magazine at the time held less than 25 cartridges.

Magazines designed or manufactured for use in semi-automatic handguns are subject to a limitation of 10 cartridges of any calibre or type (centre-fire or rim-fire) for which the magazine was originally designed as per subsection 3(1)(b) of Part 4 of the Regulations. Therefore, any magazine that is designed or manufactured for use in a semi-automatic handgun and exceeds 10 cartridges is a prohibited device.

Over the last 50 years, Ruger and third-party manufactures have produced dozens of models of 10/22 platform rim-fire rifles and handguns – all of which employ the same magazine port design, ammunition feed system, and magazines. This means that a Ruger 10/22 platform cartridge magazine is interchangeable and is designed and manufactured for use in all 10/22 rifle and semi-automatic handgun models. Therefore, all 10/22 platform magazines used in rifles and handguns are limited to the 10 cartridge limit under the Regulations because they have been designed and manufactured to be used in 10/22 platform semi-automatic handguns.

In 2013, the Canadian Firearms Program issued a Special Bulletin for Businesses explaining how the Regulations should be applied for cartridge magazines designed or manufactured for use in more than one type of firearm (e.g., rifles and handguns).

A March 2015 Canadian International Trade Tribunal (CITT) decision upheld the classification of the Ruger BX-25x2 (50 cartridge) magazine as a prohibited device. The CITT is an administrative tribunal with jurisdiction in relation to certain trade matters, including hearing appeals by importers from import decisions made by Canada Border Services Agency (CBSA). While this magazine is not identical to all 10/22 platform magazines presently available, it is similar, and thus it is very likely that the CITT would apply the same reasoning to uphold other 10/22 magazines that hold more than 10 cartridges as also prohibited.

In May 2016, the RCMP confirmed that 10/22 platform magazines that can contain more than 10 cartridges are prohibited devices in response to an inquiry from CBSA following an appeal of a seizure at the border. Following this seizure, the RCMP and CBSA have taken steps to inform and educate law enforcement, Chief Firearms Officers, and border services personnel of the legality of 10/22 platform magazines in Canada. The RCMP updated its website on July 27, 2016 to provide guidance to those that believe they may be in possession of a prohibited 10/22 platform magazine.

On August 21, 2016, a news release was issued to US media (all of US) announcing the CBSA firearm awareness campaign. The goal was to advise US travelers about Canadian firearm laws, to leave their guns at home and if they must travel with them, to declare at the first designated point of entry and/or face consequences. Media events to promote this same message/campaign were held in Pacific and Prairie regions on August 22 and 23; and in Southern Ontario Region on August 25 and September 1.

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**Question Period Note / Note pour la Période des questions**

**Chargeurs de plateforme 10/22**

**SUJET : Le statut légal des chargeurs de plateforme 10/22**

**RÉPONSE SUGGÉRÉE :**

- **Notre gouvernement croit en un contrôle efficace et mesuré des armes à feu qui priorise la sécurité publique tout en faisant en sorte que les propriétaires d'armes à feu respectueux des lois ne subissent pas un traitement injuste en vertu de la loi.**
- **Le statut légal des chargeurs de fusils de calibre 22 conçus pour les armes à feu de plateforme 10/22 demeure le même. Depuis 1993, les règlements du *Code criminel* interdisent l'utilisation de tout chargeur pouvant contenir plus de dix cartouches dans une arme de poing semi-automatique habituellement disponible au Canada.**
- **Les fusils et les armes de poing de plateforme 10/22 ont tous la même conception de port de chargeur, le même système d'alimentation en munitions et les mêmes chargeurs. Par conséquent, la GRC considère les chargeurs de calibre 22 conçus ou fabriqués pour les fusils de plateforme 10/22 comme étant intrinsèquement aussi conçus ou fabriqués pour les armes de poing de plateforme 10/22. C'est pourquoi il s'agit de dispositifs prohibés s'ils peuvent contenir plus de dix cartouches.**
- **Les chargeurs de plateforme 10/22 qui ont été modifiés de façon permanente de sorte à ne pas pouvoir contenir plus de dix cartouches ne constituent plus des dispositifs prohibés.**
- **Les personnes et les entreprises qui croient être en possession d'un dispositif prohibé peuvent communiquer avec le Programme canadien des armes à feu pour obtenir plus de renseignements.**
- **Nous nous sommes engagés à confier de nouveau à la police, qui est l'expert en la matière, la prise de décisions au sujet de la classification des armes à feu en fonction des principes imposés par la loi. Il n'y a pas, à notre connaissance, d'autre démocratie occidentale où un cabinet ou un ministère a le pouvoir de contourner les principes relatifs à la classification des armes à feu énoncés dans la loi.**

## Chargeurs de plateforme 10/22

**Contexte :**

La capacité maximale des chargeurs est la même depuis 1993 et est établie à la partie 4 du *Règlement désignant des armes à feu, armes, éléments ou pièces d'armes, accessoires, chargeurs, munitions et projectiles comme étant prohibés ou à autorisation restreinte 1998* (le Règlement). Un chargeur dont la capacité excède la capacité maximale permise en vertu du Règlement est un dispositif prohibé.

Les chargeurs conçus ou fabriqués pour être utilisés dans une arme à feu semi-automatique autre qu'une arme de poing semi-automatique (p. ex. certains fusils et fusils de chasse) sont assujettis à une limite de cinq cartouches à percussion centrale de n'importe quel calibre pour lequel le chargeur a initialement été conçu, conformément au sous-alinéa 3(1)a)(ii) de la partie 4 du Règlement.

Cependant, la limite de cinq cartouches ne s'applique pas aux chargeurs pour cartouches à percussion annulaire, conformément au sous-alinéa 3(2)a)(i) du Règlement. Les chargeurs pour cartouches à percussion annulaire peuvent légalement contenir un nombre illimité de cartouches. Le gouvernement a décidé dans le passé de ne pas imposer la limite de cinq cartouches aux chargeurs pour cartouches à percussion annulaire pour les raisons suivantes : 1) les cartouches à percussion annulaire ne sont généralement pas aussi puissantes que les cartouches à percussion centrale; 2) les chargeurs pour dix cartouches à percussion annulaire, dont l'utilisation est très répandue, deviendraient prohibés, ce qui toucherait un grand nombre de propriétaires d'armes à feu; 3) le plus gros chargeur pour cartouches à percussion annulaire pouvait contenir moins de 25 cartouches à l'époque.

Les chargeurs conçus ou fabriqués pour être utilisés dans des armes de poing semi-automatiques sont assujettis à la limite de dix cartouches, peu importe le calibre ou le type (cartouche à percussion centrale ou annulaire) pour lequel le chargeur a été initialement conçu, conformément au sous-alinéa 3(1)b) de la partie 4 du Règlement. Par conséquent, tout chargeur conçu ou fabriqué pour être utilisé dans une arme de poing semi-automatique et qui contient plus de dix cartouches est un dispositif prohibé.

Au cours des 50 dernières années, Ruger et des fabricants tiers ont produit des dizaines de modèles de fusils et d'armes de poing de plateforme 10/22 pour cartouches à percussion annulaire – tous ayant la même conception de port de chargeur, le même système d'alimentation en munitions et les mêmes chargeurs. Cela signifie que le chargeur de plateforme 10/22 Ruger est interchangeable et qu'il est conçu et fabriqué pour être utilisé dans tous les modèles de fusils et d'armes de poing semi-automatiques 10/22. Par conséquent, tous les chargeurs de plateforme 10/22 utilisés dans des fusils et des armes de poing sont assujettis à la limite de dix cartouches en vertu du Règlement parce qu'ils ont été conçus et fabriqués pour être utilisés dans des armes de poing semi-automatiques de plateforme 10/22.

En 2013, le PCAF a émis un bulletin spécial à l'intention des entreprises qui expliquait comment le Règlement devait être appliqué aux chargeurs conçus ou fabriqués pour être utilisés dans plus d'un type d'arme à feu (p. ex. fusils et armes de poing).

Une décision rendue par le Tribunal canadien du commerce extérieur (TCCE) en mars 2015 a confirmé le classement du chargeur Ruger BX-25x2 (50 cartouches) à titre de dispositif prohibé. Le TCCE est un tribunal administratif qui a compétence en ce qui concerne certaines questions commerciales, y compris les appels interjetés par des importateurs à la suite de décisions en matière d'importation prises par l'Agence des services frontaliers du Canada (ASFC). Quoiqu'il ne soit pas identique aux chargeurs de plateforme 10/22 disponibles actuellement, ce chargeur est semblable et il est donc très probable que le TCCE appliquerait le même raisonnement pour maintenir la désignation de dispositif prohibé pour les autres chargeurs de plateforme 10/22 contenant plus de dix cartouches.

En mai 2016, dans une réponse à une demande de renseignement de l'ASFC à la suite d'une saisie à la frontière faisant l'objet d'un appel, la GRC a confirmé que les chargeurs de plateforme 10/22 pouvant contenir plus de dix cartouches sont des dispositifs prohibés. À la suite de cette saisie, la GRC et l'ASFC ont pris des mesures pour informer les organismes d'application de la loi, les contrôleurs des armes à feu et le personnel des services frontaliers en ce qui concerne la légalité des chargeurs de plateforme 10/22 au Canada. La GRC a mis à jour son site Web le 27 juillet 2016 afin de fournir des directives aux personnes qui croient être en possession d'un chargeur prohibé de plateforme 10/22.

Le 21 août 2016, un communiqué de presse a été transmis aux médias américains (de tous les États-Unis) leur annonçant la campagne de sensibilisation sur les armes à feu de l'ASFC. Ce communiqué de presse visait à informer les voyageurs américains au sujet des lois sur les armes à feu du Canada, de laisser leurs armes à feu à la maison et, s'ils devaient voyager avec leurs armes, de les déclarer au premier point d'entrée désigné, car ils pourraient en subir les conséquences. Des événements médiatiques pour promouvoir ce message et cette campagne ont eu lieu dans la région du Pacifique et celle des Prairies les 22 et 23 août, ainsi que dans la région du Sud de l'Ontario les 25 août et 1<sup>er</sup> septembre.

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Date: July 22, 2016

Classification: UNCLASSIFIED

Branch / Agency: RCMP

**Question Period Note / Note pour la Période des questions****10/22 Platform Magazines****ISSUE:** The lawful status of 10/22 platform magazines.**PROPOSED RESPONSE:**

- **Our government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **The legal status of 22 Long Rifle (LR) calibre magazines designed for the 10/22 platform of firearms has not changed. Since 1993, *Criminal Code Regulations* have prohibited a cartridge magazine that is capable of containing more than 10 cartridges for use in a handgun commonly available in Canada.**
- **10/22 platform rifles and handguns all employ the same magazine port design, ammunition feed system, and magazines. Accordingly, the RCMP considers 22 LR calibre magazines designed for 10/22 platform rifles to also be inherently designed for 10/22 platform handguns. They are therefore prohibited devices if they are capable of containing more than 10 cartridges.**
- **A 10/22 platform magazine permanently altered, or “pinned”, so that it cannot hold more than 10 cartridges, is no longer considered to be prohibited.**
- **Individuals and businesses that believe they may be in possession of a prohibited device may contact the Canadian Firearms Program for more information.**
- **We have committed to once again having police, who are the experts in these matters, make decisions about weapons classification on the basis of principles set out in law. We know of no other western democracy in which a cabinet or government department has the authority to override legislated firearms classification principles.**

## 10/22 Platform Magazines

**Background:**

The maximum capacity of cartridge magazines has been the same since 1993 and is set out in Part 4 of the 1998 *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the Regulations). A magazine that has a capacity that exceeds the maximum permitted capacity under the Regulations is a prohibited device.

Magazines designed or manufactured for use in a semi-automatic firearm other than a semi-automatic handgun (e.g., some rifles and shotguns) are subject to a limit of five centre-fire cartridges of any calibre for which the magazine was originally designed as per subparagraph 3(1)(a)(ii) of Part 4 of the Regulations.

However, the five cartridge limit does not apply to rim-fire calibre rifle cartridges as per subsection 3(2)(a)(i) of the Regulations. Rim-fire rifle magazines can lawfully hold an unlimited number of cartridges. The Government previously decided not to impose a five cartridge limit on rim-fire rifle magazines because: 1) rim-fire calibre ammunition is generally not as powerful as centre-fire ammunition; 2) the popular and common 10 cartridge rim-fire rifle magazine would become prohibited and impact many firearms owners; and, 3) the largest rim-fire magazine at the time held less than 25 cartridges.

Magazines designed or manufactured for use in semi-automatic handguns are subject to a limitation of 10 cartridges of any calibre or type (centre-fire or rim-fire) for which the magazine was originally designed as per subsection 3(1)(b) of Part 4 of the Regulations. Therefore, any magazine that is designed or manufactured for use in a semi-automatic handgun and exceeds 10 cartridges is a prohibited device.

Over the last 50 years, Ruger and third-party manufactures have produced dozens of models of 10/22 platform rim-fire rifles and handguns – all of which employ the same magazine port design, ammunition feed system, and magazines. This means that a Ruger 10/22 platform cartridge magazine is interchangeable and is designed and manufactured for use in all 10/22 rifle and semi-automatic handgun models. Therefore, all 10/22 platform magazines used in rifles and handguns are limited to the 10 cartridge limit under the Regulations because they have been designed and manufactured to be used in 10/22 platform semi-automatic handguns.

In 2013, the CFP issued a Special Bulletin for Businesses explaining how the Regulations should be applied for cartridge magazines designed or manufactured for use in more than one type of firearm (e.g., rifles and handguns).

A March 2015 Canadian International Trade Tribunal (CITT) decision upheld the classification of the Ruger BX-25x2 (50 cartridge) magazine as a prohibited device. The CITT is an administrative tribunal with jurisdiction in relation to certain trade matters, including hearing appeals by importers from import decisions made by Canada Border Services Agency (CBSA). While this magazine is not identical to all 10/22 platform magazines presently available, it is similar, and thus it is very likely that the CITT would apply the same reasoning to uphold other 10/22 magazines that hold more than 10 cartridges as also prohibited.

In May 2016, the RCMP confirmed that 10/22 platform magazines that can contain more than 10 cartridges are prohibited devices in response to an inquiry from CBSA following an appeal of a seizure at the border. Following this seizure, the RCMP and CBSA are undertaking to inform and educate law enforcement, Chief Firearms Officers, and border services personnel of the legality of 10/22 platform magazines in Canada. The RCMP will soon be updating its website to provide guidance to those that believe they may be in possession of a prohibited 10/22 platform magazine.

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**Question Period Note / Note pour la Période des questions****Chargeurs de plateforme 10/22****SUJET : Le statut légal des chargeurs de plateforme 10/22****RÉPONSE SUGGÉRÉE :**

- **Notre gouvernement croit en un contrôle efficace et mesuré des armes à feu qui priorise la sécurité publique tout en faisant en sorte que les propriétaires d'armes à feu respectueux des lois ne subissent pas un traitement injuste en vertu de la loi.**
- **Le statut légal des chargeurs de fusils de calibre 22 conçus pour les armes à feu de plateforme 10/22 demeure le même. Depuis 1993, les règlements du *Code criminel* interdisent tout chargeur pouvant contenir plus de dix cartouches si on peut l'utiliser dans une arme de poing habituellement disponible au Canada.**
- **Les fusils et les armes de poing de plateforme 10/22 ont tous la même conception de port de chargeur, le même système d'alimentation en munitions et les mêmes chargeurs. Par conséquent, la GRC considère les chargeurs de calibre 22 conçus pour les fusils de plateforme 10/22 comme étant intrinsèquement aussi conçus pour les armes de poing de plateforme 10/22. C'est pourquoi il s'agit de dispositifs prohibés s'ils peuvent contenir plus de dix cartouches.**
- **Les chargeurs de plateforme 10/22 qui ont été modifiés de sorte à ne pas pouvoir contenir plus de dix cartouches ne constituent plus des dispositifs prohibés.**
- **Les personnes et les entreprises qui croient être en possession d'un dispositif prohibé peuvent communiquer avec le Programme canadien des armes à feu pour obtenir plus de renseignements.**
- **Nous nous sommes engagés à confier de nouveau à la police, qui est l'expert en la matière, la prise de décisions au sujet de la classification des armes à feu en fonction des principes imposés par la loi. Il n'y a pas, à notre connaissance, d'autre démocratie occidentale où un cabinet ou un ministère a le pouvoir de contourner les principes relatifs à la classification des armes à feu énoncés dans la loi.**

## Chargeurs de plateforme 10/22

### Contexte :

La capacité maximale des chargeurs est la même depuis 1993 et est établie à la partie 4 du *Règlement désignant des armes à feu, armes, éléments ou pièces d'armes, accessoires, chargeurs, munitions et projectiles comme étant prohibés ou à autorisation restreinte 1998* (le Règlement). Un chargeur dont la capacité excède la capacité maximale permise en vertu du Règlement est un dispositif prohibé.

Les chargeurs conçus ou fabriqués pour être utilisés dans une arme à feu semi-automatique, autre qu'une arme de poing semi-automatique (p. ex. certains fusils et fusils de chasse), sont assujettis à une limite de cinq cartouches à percussion centrale de n'importe quel calibre pour lequel le chargeur a initialement été conçu, conformément au sous-alinéa 3(1)a)(ii) de la partie 4 du Règlement.

Cependant, la limite de cinq cartouches ne s'applique pas aux chargeurs pour cartouches à percussion annulaire, conformément au sous-alinéa 3(2)a)(i) du Règlement. Les chargeurs pour cartouches à percussion annulaire peuvent légalement contenir un nombre illimité de cartouches. Le gouvernement a décidé dans le passé de ne pas imposer la limite de cinq cartouches aux chargeurs pour cartouches à percussion annulaire pour les raisons suivantes : 1) les cartouches à percussion annulaire ne sont généralement pas aussi puissantes que les cartouches à percussion centrale; 2) les chargeurs pour dix cartouches à percussion annulaire, dont l'utilisation est très répandue, deviendraient prohibés, ce qui toucherait un grand nombre de propriétaires d'armes à feu; 3) le plus gros chargeur pour cartouches à percussion annulaire pouvait contenir moins de 25 cartouches à l'époque.

Les chargeurs conçus ou fabriqués pour être utilisés dans des armes de poing semi-automatiques sont assujettis à la limite de dix cartouches, peu importe le calibre ou le type (cartouche à percussion centrale ou annulaire) pour lequel le chargeur a été initialement conçu, conformément au sous-alinéa 3(1)b) de la partie 4 du Règlement. Par conséquent, tout chargeur conçu ou fabriqué pour être utilisé dans une arme de poing semi-automatique et qui contient plus de dix cartouches est un dispositif prohibé.

Au cours des 50 dernières années, Ruger et des fabricants tiers ont produit des dizaines de modèles de fusils et d'armes de poing de plateforme 10/22 pour cartouches à percussion annulaire – tous ont la même conception de port de chargeur, le même système d'alimentation en munitions et les mêmes chargeurs. Cela signifie que le chargeur de plateforme 10/22 Ruger est interchangeable et qu'il est conçu et fabriqué pour être utilisé dans tous les modèles de fusils et d'armes de poing semi-automatiques 10/22. Par conséquent, tous les chargeurs de plateforme 10/22 utilisés dans des fusils et des armes de poing sont assujettis à la limite de dix cartouches en vertu du Règlement parce qu'ils ont été conçus et fabriqués pour être utilisés dans des armes de poing semi-automatiques de plateforme 10/22.

En 2013, le PCAF a émis un bulletin spécial à l'intention des entreprises qui expliquait comment le Règlement devait être appliqué aux chargeurs conçus ou fabriqués pour être utilisés dans plus d'un type d'arme à feu (p. ex. fusils et armes de poing).

Une décision rendue par le Tribunal canadien du commerce extérieur (TCCE) en mars 2015 a confirmé le classement du chargeur Ruger BX-25x2 (50 cartouches) à titre de dispositif prohibé. Le TCCE est un tribunal administratif qui a compétence en ce qui concerne certaines questions commerciales, y compris les appels interjetés par des importateurs à la suite de décisions en matière d'importation prises par l'Agence des services frontaliers du Canada (ASFC). Quoiqu'il ne soit pas identique aux chargeurs de plateforme 10/22 disponibles actuellement, ce chargeur est semblable et il est donc très probable que le TCCE appliquerait le même raisonnement pour maintenir la désignation de dispositif prohibé pour les autres chargeurs de plateforme 10/22 contenant plus de dix cartouches.

En mai 2016, dans une réponse à une demande de renseignement de l'ASFC à la suite d'une saisie à la frontière faisant l'objet d'un appel, la GRC a confirmé que les chargeurs de plateforme 10/22 pouvant contenir plus de dix cartouches sont des dispositifs prohibés. À la suite de cette saisie, la GRC et l'ASFC prennent des mesures pour informer les organismes d'application de la loi, les contrôleurs des armes à feu et le personnel des services frontaliers de la légalité des chargeurs de plateforme 10/22 au Canada. La GRC mettra à jour son site Web prochainement afin de fournir des directives aux personnes qui croient être en possession d'un chargeur prohibé de plateforme 10/22.

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**Question Period Note / Note pour la Période des questions****FIREARMS****ISSUE:** The classification of firearms.**PROPOSED RESPONSE:**

- **Our government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **As we made clear in our platform, we will repeal changes made by Bill C-42 that allow restricted and prohibited weapons to be freely transported without a permit, and we will put decision-making about weapons restrictions back in the hands of police, not politicians.**
- **Further, as indicated in the Budget, we will be working over the next year with our counterparts to develop a strategy on how the federal government can best support communities and law enforcement in their ongoing efforts to make it harder for criminals to acquire and use handguns and assault weapons, and to reduce gang violence.**

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## **ARMES À FEU**

**SUJET : La classification des armes à feu**

**RÉPONSE SUGGÉRÉE :**

- **Notre gouvernement croit en un contrôle efficace et équilibré des armes à feu, qui accorde la priorité à la sécurité publique tout en faisant en sorte que les propriétaires d'armes à feu respectueux des lois ne soient pas traités injustement.**
- **Comme nous l'avons clairement déclaré dans notre programme électoral, nous allons abroger les dispositions du projet de loi C-42 qui permettent le transport sans permis d'armes à feu prohibées et à autorisation restreinte, et nous allons de nouveau confier à la police – plutôt qu'aux politiciens – la prise de décision à propos de la classification des armes.**
- **De plus, tel qu'indiqué dans le budget, nous allons nous allons collaborer au cours de la prochaine année avec nos homologues en vue d'élaborer une stratégie quant à la façon dont le gouvernement fédéral peut soutenir le mieux les collectivités et les organismes d'application de la loi dans le cadre des efforts continus qu'ils déploient pour empêcher les criminels de se procurer et d'utiliser les armes de poing et les armes d'assaut, et pour réduire la violence des gangs de rue.**

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2016-2017 Supplementary Estimates (A)

**PRIVATE MEMBERS' BILL C-230,  
AN ACT TO AMEND THE CRIMINAL CODE  
(FIREARM – DEFINITION OF VARIANT)**

**PROPOSED RESPONSE:**

- **Our Government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **While I appreciate the sponsor's intent, the practical effect of the bill will be to both subject firearms owners to unfair treatment, and to make our communities less safe.**
- **Under the new definition of a variant proposed by C-230, many law-abiding firearms owners would suddenly find themselves in illegal possession of their firearms. At the same time, some weapons very similar to the AK-47 assault rifle would become non-restricted.**
- **Our Government has made clear that we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

## Backgrounder:

### Firearms Classification

Firearms are classified in two ways, either (a) by way of definitions in subsection 84(1) of the *Criminal Code*; or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class i.e., *Regulations Prescribing Certain Firearms and Other Weapons* (the Classification Regulations). The *Criminal Code* defines “**non-restricted firearm**” as firearms that are neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while “**restricted firearm**” (e.g., handguns; certain rifles and semi-automatics) and “**prohibited firearm**” (e.g., small handguns; fully automatic firearms; sawed-off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class.

The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and include, with the exception of the Swiss Arms (SA) and Ceska Zbrojovka (CZ) 858 models, all variants or modified versions of the firearms within the same classification.

The term “variant” is not currently defined in statute. The RCMP interprets “variant” to mean a firearm of the same lineage as the firearm listed in the Classification Regulations - a firearm that differs slightly from one listed in the Regulations, but is generally the same make and type. Firearms that are variants are restricted or prohibited based on the classification of the “parent” firearm.

However, considering that there are approximately 4,000 variants (RCMP estimate) that are not listed in the Classification Regulations, these regulations are not sufficiently transparent to firearms owners who must rely on the RCMP to determine which firearms are “variants” of restricted and prohibited firearms.

### Private Member’s Bill C-230

PMB C-230, *An Act to amend the Criminal Code* (firearm – definition of variant) was introduced in the House of Commons on February 24, 2016, sponsored by Mr. Larry Miller (Conservative Party of Canada). The Bill would add a definition of variant to the *Criminal Code* as follows: “variant, in respect of a firearm, means a firearm that has the unmodified frame or receiver of another firearm.” The Bill also includes variants in the definitions of “restricted firearm” and “prohibited firearm” in the *Criminal Code*. This means that any firearm that has the same unmodified frame or receiver of a firearm described in the classification definitions would have the same classification.

The RCMP has advised that, if Bill C-230 is passed, absent any other amendments, it would reclassify tens of thousands of firearms, because the proposed definition does not reflect the long-standing, consistently applied criteria used by the RCMP to assess whether a firearm is a “variant”.

Under Bill C-230, many firearms would be reclassified from their present classification to a more controlled class (e.g., some non-restricted hunting rifles and shotguns would become restricted; certain handguns, presently used for target shooting, would become prohibited). This means that thousands of firearms owners would be in illegal possession of firearms, because they would not have the firearms licence privileges to own a restricted or prohibited firearm.

In addition, thousands of firearms would be reclassified to a less controlled class (e.g., most of the currently prohibited variants of AK47s would become non-restricted or restricted). As non-restricted firearms, they could be imported into the country, transferred to anyone with a firearms licence with non-restricted privileges, transported more freely, and would be untraceable, given that there is no registration of non-restricted firearms. This reclassification of firearms would occur in the absence of a comprehensive analysis of the impacts on public safety and on firearms owners.

The Bill is currently being debated at Second Reading in the House of Commons. The second hour of debated is expected to occur on September 30, 2016.

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**Question Period Note – Senate Appearance**

**COMBATting GUN AND GANG VIOLENCE**

**PROPOSED RESPONSE:**

- **As Minister responsible for the safety and security of Canadians, I am committed to taking action to get handguns and assault weapons off our streets and to reduce gang violence.**
- **In Canada, over 75% of homicides involving firearms are gang related.**
- **Engagement with provinces and territories has confirmed that emerging gun and gang violence across jurisdictions requires targeted and collaborative action.**
- **To reduce gun and gang violence, we need an integrated approach that includes crime prevention, enforcement and diversion alternatives.**
- **In Budget 2016, the Government therefore committed to work with provincial, territorial and municipal leaders on a strategy to support communities and law enforcement in their ongoing efforts to restrict criminal access to firearms and to reduce gun and gang violence.**
- **The Government will also put in place an advisory committee of Canadians with diverse backgrounds to provide advice on the reform of Canada's firearms laws and regulations as we advance appropriate controls on hand guns and assault weapons.**

## COMBATTING GUN VIOLENCE

### BACKGROUND:

Strengthening control over handguns and assault weapons and taking these firearms off Canada's streets is an important part of the mandate of the Minister of Public Safety. In its electoral platform, the Government committed to a number of gun safety measures to make it harder for criminals to get and use hand-guns and assault weapons. This commitment includes providing \$100 million of funding each year to provinces and territories to support guns and gangs police task forces to take illegal guns off our streets and reduce gang violence.

### Next Steps

Work is underway to develop a strategy on how to support communities and law enforcement in their ongoing efforts to restrict criminal access to weapons and to reduce gun and gang violence.

To strengthen control over firearms, the Government is proposing to put decision making in the hands of experts with regard to firearms classification, and to bring into force the *Firearms Marking Regulations* which will assist domestic and international law enforcement in investigating firearms trafficking and tracing guns used in crime. The Government has also undertaken to explore the requirement of firearms vendors to keep records of all inventory and sales to assist police in investigating the criminal use of firearms. Additionally, all sellers of firearms would be required to confirm that a licence is valid before completing the sale.

The Government has also proposed to repeal changes made by the 2015 *Common Sense Firearms Licensing Act* (Bill C-42) that allow restricted and prohibited firearms to be more freely transported. It is planning to establish an advisory committee that includes knowledgeable law enforcement officers, public health advocates, representatives from women's groups, and members of the legal community to provide advice on the reform of Canada's firearms laws and regulations.

### Building on Previous Government initiatives

Work underway will look to leverage previous federal investments aimed at combatting gun violence and creating safer neighbourhoods and communities, particularly:

**Investments to Combat the Criminal Use of Firearms:** The *Investments to Combat the Criminal Use of Firearms* (ICCUF), created in 2004, is aimed at, among other objectives, improving the capacity of law enforcement agencies to address gun crime and smuggling. The ICCUF operates as a horizontal initiative involving Public Safety Canada and portfolio agencies including the CBSA and the RCMP, as well as the Criminal Intelligence Service Canada. An integral part of the ICCUF, the National Weapons Enforcement Support Team (NWEST) supports inter-agency partnerships among federal, provincial and municipal police services with respect to services.

**National Crime Prevention Strategy:** Established in 1998, the National Crime Prevention Strategy is an important component of the federal effort to create safer neighbourhoods and communities. Public Safety Canada provides time-limited funding for the development, implementation, and evaluation of evidence-based crime prevention interventions. One such project is the Youth Gang Prevention Fund (YGPF), collaboration between Public Safety Canada, municipal, provincial, and territorial governments, and community-based groups to support initiatives in communities where youth gangs are an existing or emerging threat.

Although there are distinct federal initiatives focused on the prevention and rehabilitation of gang and drug involved youth, as well as initiatives addressing gun crime and smuggling, there is no comprehensive and coordinated national effort to combat gun and gang-related violence.

### Stakeholder Consultations

Through the summer of 2016, Public Safety Canada consulted with provinces, territories and other stakeholders to facilitate a collaborative approach to addressing their needs in combating gun and gang-related violence. Several overarching principles for an approach to guns and gangs emerged, including: flexibility to allow for regional variations; greater horizontal and vertical integration of policing efforts; strengthened collaboration among FPT stakeholders and the ability of police services to quickly target and address local issues. Consultations also confirmed the link between guns, gangs and other illicit markets such as drug trafficking which needs to be taken into consideration.

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2015-2016 Supplementary Estimates (C)

**PRIVATE MEMBERS' BILL C-230,  
AN ACT TO AMEND THE CRIMINAL CODE  
(FIREARM – DEFINITION OF VARIANT)**

**PROPOSED RESPONSE:**

- **Our Government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **Our Government has made clear that we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**
- **My officials are analyzing Bill C-230 to identify its impacts on public safety and firearms owners.**

**Backgrounder:**

Firearms Classification

Firearms are classified in two ways, either (a) by way of definitions in subsection 84(1) of the *Criminal Code*; or (b) prescribed through regulations allowing for firearms to be reclassified despite otherwise meeting the definition of another class (i.e., *Regulations Prescribing Certain Firearms and Other Weapons* (“the Classification Regulations”). The *Criminal Code* defines “**non-restricted firearm**” as firearms that are neither restricted nor prohibited (e.g., ordinary hunting rifles and shotguns); while “**restricted firearm**” (e.g., handguns; certain rifles and semi-automatics) and “**prohibited firearm**” (e.g., certain handguns; fully automatic firearms; sawed-off rifles and shotguns) are specifically defined. In addition, all three classes include firearms that are prescribed to belong to that class.

The Classification Regulations enumerate specific makes and models of firearms as prohibited, restricted or non-restricted and include, with the exception of the Swiss Arms (SA) and Ceska Zbrojovka (CZ) 858 models, all variants or modified versions of the firearms within the same classification.

The term “variant” is not currently defined in statute. The RCMP interprets “variant” to mean a firearm of the same lineage as the firearm listed in the Classification Regulations - a firearm that differs slightly from one listed in the Regulations, but is generally the same make and type. Firearms that are variants are restricted or prohibited based on the classification of the “parent” firearm.

However, considering that there are approximately 4,000 variants (RCMP estimate) that are not listed in the Classification Regulations, these regulations are not sufficiently transparent to firearms owners who must rely on the RCMP to determine which firearms are “variants” of restricted and prohibited firearms.

Private Member’s Bill C-230

PMB C-230, *An Act to amend the Criminal Code* (firearm – definition of variant) was introduced in the House of Commons on February 24, 2016, sponsored by Mr. Larry Miller (Conservative Party of Canada). The Bill would add a definition of variant to the *Criminal Code* as follows: “variant, in respect of a firearm, means a firearm that has the unmodified frame or receiver of another firearm.” The Bill also includes variants in the definitions of “restricted firearm” and “prohibited firearm” in the *Criminal Code*. This means that any firearm that has the same unmodified frame or receiver of a firearm described in the classification definitions would have the same classification.

The RCMP has advised that the Bill would result in the reclassification of thousands of firearms. For example, some firearms would be reclassified from non-restricted to restricted. This could impact thousands of firearm owners who may not have the appropriate licence privileges to own a restricted firearm, and who would then have to have their firearms registered. These impacts are at odds with the stated purpose of the Bill to limit the application of the term “variant” to certain firearms.

This kind of amendment, a definition of the term “variant”, would benefit from extensive analysis in the broader context of a review of the firearms classification system as a whole.

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## FIREARMS

- I have mandated the Minister of Public Safety to take action to get handguns and assault weapons off our streets by working with the Minister of Justice to strengthen controls on hand-guns and assault weapons, including by repealing some elements of Bill C-42.
- Recently we established a more representative Canadian Firearms Advisory Committee. Retired Supreme Court Justice John Major is serving as chair. The vice-chairs are Lynda Kiejko (*cake-o*), an Olympic sport shooter from Calgary, and Nathalie Provost (*pro-vo*), a survivor of the Polytechnique shooting.
- The government has made it very clear that it will not re-introduce the long-gun registry
- The government believes in balanced, effective measures with respect to firearms that prioritize public safety while ensuring law-abiding gun-owners do not face unfair treatment under the law.
- Recently we established a more representative Canadian Firearms Advisory Committee. Retired Supreme Court Justice John Major is serving as chair. The vice-chairs are Lynda Kiejko (*cake-o*), an Olympic sport shooter from

Calgary, and Nathalie Provost (*pro-vo*), a survivor of the Polytechnique shooting.

- The government will continue working with all Canadians to achieve the shared goal of reducing gun violence in Canada

## BACKGROUND

### **Legislation**

The Minister of Public Safety has been mandated to take action to get handguns and assault weapons off the streets by working with the Minister of Justice to strengthen controls on hand-guns and assault weapons, including by repealing some elements of Bill C-42. The government has made it very clear that it will not re-introduce the long-gun registry.

### **Firearms Classification**

The RCMP Canadian Firearms Program (CFP) is responsible for the technical determination of the classification of firearms in accordance with the classification criteria stipulated in the *Criminal Code*. The RCMP maintains a Firearms Reference Table (FRT), an administrative tool used to record information on firearms in the global market, including the RCMP'S technical assessment/opinion of the firearm's classification. Though it does not have force of law, the FRT is considered in practice by law enforcement to indicate a firearm's classification. Occasionally, new information comes to the attention of the RCMP CFP indicating that a firearm has been incorrectly described in the FRT. Upon further inspection, the determination of a firearm classification may be changed to reflect the proper application of the law. Such changes can have significant impacts on owners (e.g., firearms previously understood to be restricted may be redetermined to actually be prohibited). In these circumstances, the Government can choose to grandfather affected owners by statutory amendment, or require the firearms to be surrendered or transferred (with or without compensation).

Examples of such redeterminations are the Swiss Arms (SA) family of firearms and the Ceska Zbrojovka (CZ) 858 rifles, which were initially identified by the RCMP as non-restricted or restricted, depending on barrel length, in 2001 and 2005 respectively. In 2013, as a result of new information made available to the RCMP, the SA firearms and the CZ 858 rifles (imported in or after 2007) were determined to be prohibited pursuant to the *Criminal Code*. The SA firearms were variants of the prohibited SG 550 rifle, and some of the SAs and all the CZs were converted automatic firearms. This meant that nearly 11,000 individuals were in unlawful possession of prohibited firearms and were thus potentially exposed to criminal sanctions. The RCMP's determination of prohibited classification became public on February 26, 2014. The SAs are worth \$3,000 to \$4,000 each, and the CZs, \$500 to \$1,000 each.

In June 2015, the *Common Sense Firearms Licensing Act* amended the *Criminal Code* to give authority to the Governor in Council (GIC) to make regulations to prescribe a firearm as non-restricted or restricted. The GIC used this authority in July 2015 to reclassify eleven (11) models of SA firearms and four (4) models of CZ-858 firearms as non-restricted or restricted depending on barrel length.

### ***CZ-858 Spartan Rifle (entered into FRT in January 2017)***

On October 24, 2016, the RCMP CFP discovered a firearms business advertising for public sale a previously unknown CZ-858 model as non-restricted – the CZ-858 Spartan – on a firearm enthusiast website. The CZ-858 rifles are classified as prohibited unless they are specifically named in Part 2.1 of the Classification Regulations (i.e., CZ-858 models reclassified in July 2015). Therefore, the RCMP CFP notified the Chief Firearms Officer for Manitoba who subsequently instructed the business to refrain from distributing its stock of CZ-858 Spartans. Samples of the Spartan were inspected by the RCMP and confirmed to be prohibited in accordance with the *Criminal Code*.

### **AR-15**

On May 13, 2016, Mr. Bob Zimmer, M.P., presented Petition e-111 (firearms) calling upon the Minister of Public Safety to reclassify the Armalite Rifle (AR) – 15 to the non-restricted

classification so that it can be used for hunting. The Government's response (no. 421-00292) was that the AR-15 is prohibited because of its lineage to the military-issued M-16 assault rifle, and that the government has no intention of using the deeming provisions to change the classification of the AR-15.

### ***22 Long Rifle calibre magazines for 10/22 platform firearms***

The maximum capacity of a cartridge magazine is set out in Part 4 of the Classification Regulations; a magazine that has a capacity which exceeds the maximum permitted capacity is a prohibited device. Specifically, paragraph 3 (1)(b) of the Classification Regulations prohibits a cartridge magazine that is capable of containing more than 10 cartridges of the type for which the magazine was originally designed and that is designed or manufactured for use in a semi-automatic handgun that is commonly available in Canada.

22 Long Rifle calibre magazines designed or manufactured for 10/22 platform rifles are also inherently designed or manufactured for 10/22 platform handguns. Because 22 Long Rifle calibre 10/22 platform magazines are designed or manufactured for use in a semi-automatic handgun, they are prohibited devices if they are capable of containing more than 10 cartridges. The 10 cartridge limit for the 10/22 platform applies irrespective of the type of firearm it is used in.

### ***12(6) licence privileges given in error***

In February 2015, an error was acknowledged within the Canadian Firearms Information System (CFIS) whereby Section 12(7) privileges were altered to Section 12(6) when clients renewed their firearms licence. This error within CFIS had existed since 2003 when the licence renewal process was modified. This means that individuals with a licence to possess Section 12(6) firearms through the Section 12(7) authority (from a relative) had a licence to acquire additional Section 12(6) firearms (not from a relative).

Analysis has determined that 1,356 Firearms Licences require corrective action to be taken to alter the Section 12(6) privilege to Section 12(7) possession. Of the 1,356 licencees identified, 1,315 are only in possession of the original Section 12(6) firearm, legitimately acquired via the Section 12(7) authority. The CFP has taken immediate corrective action, and the 1,315 Firearms Licences have been corrected to reflect Section 12(7) possession privileges within CFIS. Of the 1,356 licencees, 41 have acquired additional Section 12(6) firearms that they were not legally entitled to acquire and corrective action is being taken. There are 114 firearm acquisitions associated to these 41 licencees.

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**Question Period Note / Note pour la Période des questions**

**IMPORTATION OF FIREARMS**

**ISSUE:** Media is reporting on the importation of restricted firearms into Canada

**PROPOSED RESPONSE:**

- **The safety of Canadians is a top priority for this government and that includes ensuring that prohibited firearms are not allowed entry into Canada and that restricted firearms are only allowed in for legitimate purposes.**
- **Last year the Canada Border Services Agency seized just over seventy-four hundred prohibited weapons and firearms.**
- **We will be reviewing the increase in the number of restricted firearms that have entered in recent years to ensure all the rules have been followed.**
- **We are highly concerned about illegal weapons already in Canada which is why we are working hard to create a new fund to support guns and gangs police task forces across the country.**
- **This funding will help law enforcement officials take illegal guns off of our streets.**

## IMPORTATION OF FIREARMS

### BACKGROUND:

Canadian firearms laws are clear. All travellers must declare any firearms in their possession when they enter Canada. Anyone who does not declare them upon arrival can face prosecution and the firearms, and the vehicle used to carry them, may be seized.

A border services officer may detain firearms, weapons or other devices, including parts and components for the fabrication or manufacture of firearms. The officer will determine whether a certain item is admissible and if so, whether the latter is accompanied by the appropriate documentation and import procedures.

Canadian residents and non-residents importing firearms into Canada must meet all licensing and registration requirements under the *Firearms Act*.

Residents who import a non-restricted firearm are required to produce a valid firearms licence.

Residents who import a restricted firearm are required to:

- produce a valid firearms licence;
- produce a registration certificate; and
- an Authorization To Transport as a condition of the firearms licence, for certain transportation situations.

Residents may only import a prohibited firearm if they:

- properly exported the firearm by presenting an export permit to the Canada Border Services Agency upon exportation;
- present a valid firearms licence authorizing possession of that class of firearm;
- produce a registration certificate for the firearm;
- produce an import permit for the firearm; and
- an Authorization To Transport as a condition of the firearms licence, for certain transportation situations.

Visitors may temporarily import non-restricted firearms, such as common hunting rifles and shotguns, and restricted firearms, such as handguns, if they complete a Non-Resident Firearm Declaration, pay a \$25 fee and have a valid purpose (e.g. hunting, target shooting, for protection from wild animals in remote areas where firearms are allowed). In the case of a restricted firearm, an Authorization To Transport issued by the Chief Firearms Officer of the province being visited will also be required.

Visitors may not temporarily import prohibited firearms into Canada.

Travellers who have fully declared their firearms, but don't have the required licence or permit to import them into Canada, will have the option of obtaining the required documentation, exporting the goods under the supervision of the Canada Border Services Agency, abandoning the goods to the Crown or appealing the prohibited classification of the goods in question. Goods may be exported immediately or the Canada Border Services Agency may hold the item until the importer has made necessary arrangements for the goods to be exported by a company licensed to transport the type of firearm or weapon in question.

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## **IMPORTATION DES ARMES À FEU**

**SUJET :** Couverture médiatique sur l'importation d'armes à feu à autorisation restreinte au Canada

**RÉPONSE SUGGÉRÉE :**

- **La sécurité des Canadiens est la plus haute priorité du gouvernement, ce qui signifie, entre autres, qu'il veut s'assurer que les armes à feu prohibées n'entrent pas au Canada et que les armes à feu à autorisation restreinte sont seulement autorisées à des fins légitimes.**
- **L'an dernier, l'Agence des services frontaliers du Canada a saisi un peu plus de sept mille quatre cent armes et à armes à feu prohibées.**
- **Nous examinerons la situation de l'augmentation du nombre d'armes à feu à autorisation restreinte qui sont entrées au pays ces dernières années et nous nous assurerons que toutes les règles ont été respectées.**
- **La situation des armes à feu illégales au Canada nous préoccupe réellement, voilà pourquoi nous tentons de mettre sur pied un fonds pour financer les activités de forces de police spéciales pour lutter contre les armes à feu et les groupes de malfaiteurs d'un bout à l'autre du pays.**
- **Ce fonds aidera les forces de l'ordre à retirer de la circulation les armes à feu illicites afin qu'elles ne se retrouvent pas dans nos rues.**

## IMPORTATION DES ARMES À FEU

### CONTEXTE :

Les lois canadiennes en matière d'arme à feu sont claires. Tous les voyageurs doivent déclarer toutes armes à feu en leur possession lorsqu'ils entrent au Canada. Quiconque ne déclare pas les armes à feu à leur arrivée peut faire l'objet d'une poursuite et les armes à feu ainsi que les véhicules utilisés pour les transporter, peuvent être saisies.

Un agent des services frontaliers peut détenir des armes à feu, des armes et autres dispositifs, incluant des parties et composants servant à la fabrication d'armes à feu. L'agent sera responsable d'établir l'admissibilité de certains articles et de s'assurer que ces articles sont accompagnés des documents appropriés et qu'ils respectent les procédures d'importation.

Les résidents canadiens et les non-résidents qui importent des armes à feu au Canada doivent répondre à toutes les exigences matière de permis et d'enregistrement en vertu de la *Loi sur les armes à feu*.

Les résidents qui importent une arme à feu sans restrictions sont dans l'obligation de fournir un permis d'arme à feu valide.

Les résidents qui importent une arme à feu à autorisation restreinte doivent :

- fournir un permis d'arme à feu valide;
- fournir un certificat d'enregistrement;
- avoir une autorisation de transport, condition du permis d'arme à feu, pour certaines situations de déplacements.

Les résidents peuvent importer une arme à feu prohibée seulement :

- s'ils ont procédé à l'exportation de l'arme en présentant son permis d'exportation à l'Agence des services frontaliers du Canada après l'exportation;
- s'ils présentent un permis d'arme à feu valide qui autorise le titulaire à avoir en sa possession une arme de la classe particulière de l'arme à feu en question;
- s'ils fournissent un certificat d'enregistrement de l'arme à feu;
- s'ils fournissent un permis d'importation pour l'arme à feu; et
- s'ils ont une autorisation de transport, condition du permis d'arme à feu, pour certaines situations de déplacements.

Les visiteurs peuvent importer de façon temporaire des armes à feu à autorisation non restreinte, telles que des fusils et des fusils de chasse communs, s'ils remplissent le formulaire Déclaration d'armes à feu pour non-résident, paye les frais de 25 \$ et ont un motif acceptable de le faire (par exemple, la chasse et le tir à la cible, ou pour assurer leur protection contre les animaux sauvages dans des zones éloignées où les armes à feu sont permises). Dans le cas des armes à feu à autorisation restreinte, ils doivent, en plus de ces exigences, remplir une demande d'autorisation de transport d'armes à feu à autorisation restreinte et d'armes à feu prohibées, et l'envoyer au contrôleur des armes à feu de la province ou du territoire où ils souhaitent importer une arme à feu à autorisation restreinte.

Les visiteurs ne peuvent en aucun cas importer d'armes à feu prohibées.

Les voyageurs qui ont déclaré leurs armes à feu, mais qui n'ont pas le permis requis pour l'importation de leurs armes à feu au Canada, auront l'option d'obtenir les documents nécessaires, d'exporter les marchandises sous la supervision de l'Agence des services frontaliers, d'abandonner les marchandises au profit de la Couronne ou en appeler de la classification des marchandises en questions. Les marchandises peuvent être exportées immédiatement ou l'Agence des services frontaliers du Canada peut détenir les articles jusqu'à ce que l'importateur ait fait les arrangements nécessaires pour que les marchandises soient exportées par une compagnie de transport autorisée à transporter le type d'arme à feu ou d'arme en question.

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## Question Period Note / Note pour la Période des questions

## FIREARMS

ISSUE: The classification of firearms.

## PROPOSED RESPONSE:

- **Our government believes in balanced, effective gun control that prioritizes public safety while ensuring law-abiding firearms owners do not face unfair treatment under the law.**
- **As we made clear in our platform, we will work with Canadians to achieve the shared goal of reducing gun violence in Canada.**

*If asked about weapons classification:*

- **We have committed to once again having police, who are the experts in these matters, make decisions about weapons classification on the basis of principles set out in law. We know of no other western democracy in which a cabinet or government department has the authority to override legislated firearms classification principles.**

*If asked about the classification of a particular weapon:*

- **In accordance with our policy of putting decision-making about weapons classifications back in the hands of police, I will not speculate about decisions the RCMP may make.**

*If asked about firearms marking regulations:*

- **The regulations are currently scheduled to come into force on June 1, 2017. However, the Government is working to ensure that they come into force as quickly as is feasible.**
- **We will work collaboratively with firearms owners and businesses as we implement common-sense measures to prevent gun violence, support law enforcement, and comply with our international obligations.**

*If asked about the Canadian Firearms Advisory Committee:*

- **Work to renew its membership and mandate is underway. Further details will be announced in due course.**

*If asked about the long-gun registry:*

- **We will not bring back the long-gun registry.**

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## ARMES À FEU

**SUJET :** La classification des armes à feu

**RÉPONSE SUGGÉRÉE :**

- **Notre gouvernement croit en un contrôle efficace et équilibré des armes à feu, qui accorde la priorité à la sécurité publique tout en faisant en sorte que les propriétaires d'armes à feu respectueux des lois ne soient pas traités injustement par la loi.**
- **Comme nous l'avons précisé dans notre programme, nous collaborerons avec les Canadiens en vue d'atteindre l'objectif commun de réduire la violence armée au Canada.**

*À propos de la classification des armes*

- **Nous nous sommes engagés à nouveau à faire en sorte que les policiers, qui sont des experts en la matière, prennent les décisions à propos de la classification des armes à feu selon les principes établis par la loi. Nous ne connaissons aucune autre démocratie occidentale au sein de laquelle un cabinet ou un ministère a le pouvoir d'outrepasser les principes de classification des armes à feu imposés par la loi.**

*À propos de la classification d'armes particulières*

- **Conformément à notre politique de confier la prise de décision à propos de la classification des armes entre les mains de la police, je ne me livrerai à aucune spéculation sur les décisions adoptées par la Gendarmerie royale du Canada (GRC).**

*À propos du Règlement sur le marquage des armes à feu*

- **Il est prévu que la réglementation entrera en vigueur le 1<sup>er</sup> juin 2017. Toutefois, le gouvernement s'emploie à faire en sorte que celle-ci prenne effet aussi rapidement que possible.**
- **Nous collaborerons avec les propriétaires et les commerces d'armes à feu au fur et à mesure que nous mettrons en application des mesures fondées sur le bon sens visant à prévenir la violence armée, à appuyer l'exécution de la loi et à respecter nos obligations internationales.**

*À propos du Comité consultatif canadien sur les armes à feu (CCCAF)*

- **Le travail est en cours pour renouveler la composition de ses membres et de son mandat. De plus amples détails seront annoncés en temps voulu.**

*À propos du registre des armes d'épaule*

- **Nous ne reconduirons pas le registre des armes d'épaule.**

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**Question Period Note / Note pour la Période des questions**

***Firearms Marking Regulations***

**ISSUE:** *Firearms Marking Regulations* scheduled to come into force June 1, 2017.

**PROPOSED RESPONSE:**

- **The *Firearms Marking Regulations* would set marking requirements for firearms that are newly imported into Canada or manufactured in this country.**
- **These Regulations would help to enable law enforcement to trace crime guns, and the trafficking and stockpiling of firearms, in the interests of public safety and national security.**
- **The Regulations are currently scheduled to come into force on June 1, 2017.**
- **However, the Government is working to ensure the regulations come into force as quickly as is feasible.**
- **To that end, we are working to determine the precise nature of possible amendments to the Regulations to help law enforcement trace guns used in the commission of a crime, without being too onerous for firearms owners and businesses.**
- **We will work collaboratively with firearms owners and businesses as we implement common-sense measures to prevent gun violence, support law enforcement, and comply with our international obligations.**

## Firearms Marking Regulations

**BACKGROUND:**

Canada has signed, but not ratified, the *United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition* (UN Firearms Protocol) (2002) and the *Organization of American States (OAS) Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials* (CIFTA) (1997). The marking of firearms is one of several requirements of these international treaties. In order to comply with these agreements, Canada requires a scheme for the marking of firearms. In addition to being treaty imperatives, firearms markings have value for domestic and international law enforcement as they, when coupled with records, can be used to trace crime guns.

The Regulations, drafted to respond to the international treaties, were made by the Governor in Council in 2004 but not brought into force. They stipulate the markings that need to be permanently stamped or engraved on the frame or receiver of all firearms imported into, or manufactured in, Canada. Domestically manufactured firearms must bear the name of the manufacturer, serial number and "Canada" or "CA"; imported firearms must be marked with "Canada" or "CA" and the last two digits of the year of import (e.g., "16" for 2016).

In response to requests by firearms businesses for additional preparatory time, the coming into force of the existing Regulations was amended to April 1, 2006, deferred to December 1, 2007, and deferred again to December 1, 2009. During the 2007-2009 deferral period, an independent study was undertaken by Government Consulting Services Canada to look at the utility of markings from a law enforcement perspective, the various marking technologies available, and the implications for the Canadian firearms industry and users. The study found that markings help to expedite law enforcement tracing efforts by focusing investigations to the last legal owner of the firearm or the most recent country of import, rather than to the manufacturer. The study further determined that the cost to stamp or engrave markings would be low for Canadian manufacturers and large importers (i.e., ranging from zero to \$25 per firearm depending on when markings are applied), although it was not possible to determine the financial impact on individuals and small importers.

The Regulations were deferred again until December 1, 2010, to consider a proposal from firearms advocates to place the information required by international treaties on adhesive metallic strips. The Regulations were subsequently deferred to December 1, 2012, to permit examination of program design and implementation issues associated with the current (e.g., permanent stamping or engraving) and alternative (e.g., adhesive metallic strip) marking options in order to determine a marking scheme that would contribute to public safety, meet international obligations, minimize costs to the Canadian firearms industry and firearms owners, and facilitate law enforcement tracing efforts.

Consequently, in 2011, the Royal Canadian Mounted Police (RCMP) conducted tests examining the industry proposal to mark firearms with adhesive metallic strips. Working with industry, adhesive technologies known to be among the strongest binding agents available were identified for testing. The RCMP subjected these adhesives to conditions (e.g., extreme temperature variations) and elements (e.g., cleaning solvents) to which firearms are commonly exposed. It was concluded that the marking of firearms with adhesive metallic strips is not practically viable given the challenges in ensuring adequate adhesion under a range of conditions.

On October 13, 2012, the Government published in the *Canada Gazette*, Part I, proposed amendments to the Regulations. Pursuant to the proposed amended regulations, a firearm manufactured in, or imported into, Canada would be permanently stamped or engraved, on the frame or receiver with a serial number, name of manufacturer and any other markings as required to distinguish them from other firearms. There would be no requirement to mark "Canada" (or "CA") and, in the case of imported firearms, the year of import. Exempted from the proposed requirements of the amended regulations would be rare firearms or firearms that are of a value that is unusually high for that type of firearm. Markings would only need to be visible without disassembly using tools or implements. The proposed amendments were never tabled in both Houses of Parliament, as required by the *Firearms Act*, nor published in the *Canada Gazette*, Part II.

The Regulations were again deferred for one year, until December 1, 2013. This was followed by a deferral until December 1, 2015 to allow the previous Government to continue to consult with a view to determining the precise nature of possible amendments to the Regulations, including their repeal.

The Regulations are now scheduled to come into force on June 1, 2017.

<b>CONTACTS:</b>			
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### ***Le Règlement sur le marquage des armes à feu***

**SUJET :** Le *Règlement sur le marquage des armes à feu* devrait entrer en vigueur le 1<sup>er</sup> juin 2017

**RÉPONSE SUGGÉRÉE :**

- **Le *Règlement sur le marquage des armes à feu* définit les exigences relatives au marquage des armes à feu nouvellement importées au Canada ou fabriquées au pays.**
- **Le Règlement aidera à permettre aux organismes d'application de la loi de dépister les armes à feu utilisées à des fins criminelles ainsi que le trafic et les réserves d'armes à feu pour assurer la sécurité de la population et du pays.**
- **Le Règlement devrait entrer en vigueur le 1 juin 2017.**
- **Le gouvernement cherche toutefois à le faire entrer en vigueur le plus rapidement possible.**
- **Pour y arriver, il travaille à déterminer la nature précise des modifications possibles à apporter au Règlement pour aider les organismes d'application de la loi à trouver les armes utilisées à des fins criminelles sans qu'il en coûte trop cher aux propriétaires et aux entreprises d'armes à feu.**
- **Nous collaborerons avec les propriétaires et les entreprises d'armes à feu dans le cadre de la mise en œuvre de mesures sensées visant à prévenir la violence armée et à soutenir les organismes d'application de la loi conformément à nos obligations internationales.**

## **Le Règlement sur le marquage des armes à feu**

### **CONTEXTE :**

Le Canada a signé, sans toutefois le ratifier, le *Protocole des Nations Unies contre la fabrication et le trafic illicites d'armes à feu, de leurs pièces, éléments et munitions* (protocole de l'ONU sur les armes à feu) (2002) et la *Convention interaméricaine contre la fabrication et le trafic illicites d'armes à feu, de munitions, d'explosifs et d'autres matériels connexes* (CIFTA) de l'Organisation des États américains (OEA) (1997). Le marquage des armes à feu est l'une des exigences prévues à ces traités internationaux. Afin de s'y conformer, le Canada doit se doter d'un règlement sur le marquage des armes à feu. En plus de répondre aux obligations prévues à ces traités, le marquage des armes à feu est utile pour les organismes d'application de la loi tant nationaux qu'internationaux, car, combiné à une base de données, il peut servir au dépistage des armes à feu utilisées à des fins criminelles.

Rédigé pour répondre aux exigences des traités internationaux, le *Règlement sur le marquage des armes à feu* a été pris par le gouverneur en conseil en 2004, mais il n'est jamais entré en vigueur. Il stipule le marquage qui doit être effectué par estampage ou gravure indélébile sur la carcasse ou la culasse de toutes les armes à feu fabriquées ou importées au Canada. Toute arme à feu fabriquée au pays doit porter le nom de son fabricant, un numéro de série et le mot « Canada » ou les lettres « CA », tandis que les armes à feu importées doivent porter le mot « Canada » ou les lettres « CA » et les deux derniers chiffres de l'année d'importation (p. ex. « 16 » pour 2016).

En réponse à la demande de certaines entreprises d'armes à feu d'avoir davantage de temps de préparation, l'entrée en vigueur du Règlement a été reportée à trois reprises soit au 1<sup>er</sup> avril 2006, au 1<sup>er</sup> décembre 2007 et au 1<sup>er</sup> décembre 2009. Au cours de la période de 2007-2009 visée par le report, une étude indépendante a été effectuée par les Services conseils du gouvernement en vue d'évaluer l'efficacité du marquage du point de vue des organismes d'application de la loi, les diverses technologies de marquage disponibles ainsi que les répercussions sur l'industrie et les utilisateurs d'armes à feu au Canada. L'étude a permis d'établir que le marquage accélère les enquêtes des organismes d'application de la loi en les orientant vers le dernier propriétaire légitime de l'arme à feu ou le dernier pays d'importation, plutôt que sur le fabricant. L'étude a également permis de déterminer que le coût du marquage ne serait pas élevé pour les fabricants et les grands importateurs canadiens (c.-à-d. entre 0 et 25 \$ par arme à feu, en fonction du type de marquage et du moment où il est appliqué), même s'il s'est avéré impossible d'établir les répercussions financières pour les particuliers et les petits importateurs.

L'entrée en vigueur du Règlement a de nouveau été reportée au 1<sup>er</sup> décembre 2010 afin d'étudier une proposition formulée par des représentants de l'industrie des armes à feu visant à consigner les renseignements requis par les traités internationaux sur des bandes adhésives métalliques. L'entrée en vigueur du Règlement a encore été reportée, cette fois au 1<sup>er</sup> décembre 2012, afin de permettre l'examen des problèmes de conception et de mise en œuvre associés aux options de marquage actuelles (p. ex. estampage ou gravure indélébile) et à celles proposées (p. ex. bandes adhésives métalliques) pour déterminer la meilleure façon de contribuer à la sécurité publique, de respecter les obligations internationales, de minimiser les coûts pour l'industrie et les propriétaires d'armes à feu canadiens ainsi que de faciliter les enquêtes des organismes d'application de la loi.

Par conséquent, la Gendarmerie royale du Canada a mené des tests en 2011 sur la proposition de l'industrie visant à marquer les armes à feu avec des bandes adhésives métalliques. En collaboration avec l'industrie des adhésifs et des scellants, elle a relevé les technologies utilisant des agglutinants parmi les plus puissants connus aux fins d'essai. Ces adhésifs ont été soumis à des conditions (p. ex. variations de température extrêmes) et à des éléments (p. ex. solvants de dégraissage) auxquels les armes à feu sont fréquemment exposées. Cet examen a permis de conclure que le marquage avec des bandes adhésives n'était pas viable d'un point de vue pratique, car il est difficile de garantir l'adhésion sous toutes les conditions.

Le 13 octobre 2012, le gouvernement a publié dans la Partie I de la Gazette du Canada la proposition de modifications au Règlement. Conformément aux modifications proposées, une arme à feu importée ou fabriquée au Canada devrait être estampée ou gravée de façon indélébile sur la carcasse ou la culasse d'un numéro de série, du nom du fabricant et de tout autre renseignement permettant de distinguer les armes à feu. Il ne serait pas nécessaire de marquer « Canada » (ou encore « CA ») ou, dans le cas des armes à feu importées, l'année d'importation. Les exceptions aux exigences proposées au Règlement comprennent les armes à feu rares et celles qui ont une valeur exceptionnellement élevée pour ce type d'arme à feu. Le marquage devrait être visible sans qu'il soit nécessaire de démonter l'arme au moyen d'outils ou d'instruments. Les modifications proposées n'ont jamais été déposées devant les deux Chambres du Parlement comme l'exige la *Loi sur les armes à feu*, ni publiées dans la Partie II de la Gazette du Canada.

L'entrée en vigueur du Règlement a de nouveau été reportée d'un an, soit au 1<sup>er</sup> décembre 2013, puis encore une fois au 1<sup>er</sup> décembre 2015 pour permettre à l'ancien gouvernement de continuer à mener des consultations en vue de déterminer la nature précise des modifications possibles au Règlement, y compris l'annulation.

L'entrée en vigueur du Règlement est maintenant prévue le 1<sup>er</sup> juin 2017.

### **CONTACTS :**

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Approuvée par  
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Public Safety / Sécurité publique  
Canada / Canada  
Deputy Minister / Sous-ministre  
Ottawa, Canada  
K1A 0P8

*Paper filing  
ASAP - no  
need to wait  
for  
Routine  
proceedings.*

**UNCLASSIFIED**

DATE: DEC 07 2015

File No.: 412-1307 / PS-003603  
RDIMS No.: 1306794

**MEMORANDUM FOR THE MINISTER**

**TABLING OF THE COMMISSIONER OF FIREARMS 2014 REPORT**

(Signature required)

**ISSUE**

Tabling in Parliament of the Commissioner of Firearms 2014 Report.

**BACKGROUND**

The report was received by the Department on July 20, 2015. Subsection 93(1) of the *Firearms Act* (the Act) requires the Commissioner of Firearms to report on the administration of the Act each calendar year. The legislation further requires that the report be tabled within 15 sitting days of its receipt.

**REPORT OVERVIEW**

The Royal Canadian Mounted Police (RCMP) Canadian Firearms Program (CFP) administers the *Firearms Act* and provides other firearms related services and support. Its main goal is to enhance public safety by helping to reduce the risk of harm from the misuse of firearms.

The 2014 report covers the eighth year that the CFP has been administered by the RCMP and provides a factual overview of the Program's activities and its operational environment for the 2014 calendar year. The report is largely consistent with reports from previous years.

The highlights from 2014 include:

- There were 411,435 individuals who applied for a new firearms licence or renewed their existing licence:
  - 302,539 were issued a Possession and Acquisition Licence (PAL);
  - 104,138 were issued a Possession Only Licence (POL); and,
  - 4,758 were issued a Minor's Licence.

.../2

**Canada**

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- A total of 355,787 individual POL and PAL licences expired.
  - Of these, 253,275 were renewed and 102,512 were not.
- The introduction of an online licence renewal initiative for individual licence holders (in addition to ongoing paper applications). Approximately 16,600 licence renewal applications were received online by the end of the 2014 calendar year (representing approximately seven percent of all renewal applications received).
- A total of 805 applicants for a firearms licence were refused, and 2,354 firearms licences were revoked. The main reasons for licence refusals and revocations were: court ordered prohibition/probation, potential risk to others or self, and mental health.
- A total of 726,705 restricted firearms and 185,793 prohibited firearms were registered to individuals and businesses in 2014.

The total number of active cumulative and on-going court imposed firearms prohibitions for individuals in 2014 was 387,168.

The Annual Report is not intended to be a financial report. Full program costing is reported in the RCMP's *Report on Plans and Priorities* and its *Departmental Performance Report*.

### **CURRENT STATUS**

Enclosed are materials in preparation for the tabling, including:

- a copy of the correspondence from the Commissioner of the RCMP, transmitting the report (**TAB A**);
- the report in both official languages (**TAB B**);
- letters for your signature to the Clerks of the Senate and the House of Commons in both official languages (**TAB C**); and
- a Question Period Note (**TAB D**).

Parliamentary Affairs has retained the necessary copies for depositing the reports with the Clerks of the Senate and the House of Commons and is also prepared to provide you with a statement, should you wish to table the reports during Routine Proceedings.

NO

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**RECOMMENDATION**

It is recommended that you table the Annual Report at the earliest convenience or before the statutory deadline of February 3, 2016.

Should you require additional information, please do not hesitate to contact me or Paul MacKinnon, Assistant Deputy Minister, Portfolio and Communications Branch, at 613-949-6435.

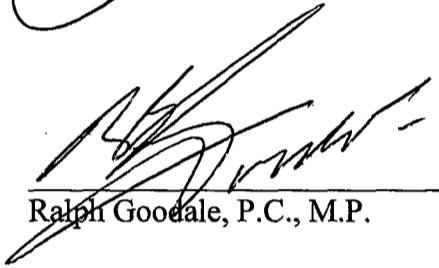


François Guimont

Enclosure: (4)

I approve:

I do not approve:



Ralph Goodale, P.C., M.P.

\_\_\_\_\_

Ralph Goodale, P.C., M.P.

Prepared by: Catherine Chartrand and Hilary Seddon

**Pages 513 to / à 566  
are not relevant  
sont non pertinentes**



Sécurité publique    Public Safety  
Canada                    Canada

Sous-ministre            Deputy Minister

Ottawa, Canada  
K1A 0P8

**UNCLASSIFIED**

DATE:    MAY 09 2017

File No.: 421-1307 / PS-016115  
RDIMS No.: 2208426

**MEMORANDUM FOR THE MINISTER**

**TABLING OF THE COMMISSIONER OF FIREARMS 2016 REPORT**

(Signature required)

**ISSUE**

Tabling in Parliament of the 2016 Commissioner of Firearms Report.

**BACKGROUND**

The report was received by the Department on April 19, 2017. Subsection 93(1) of the *Firearms Act* (the Act) requires the Commissioner of Firearms to report on the administration of the Act each calendar year. The legislation further requires that the report be tabled within 15 sitting days of its receipt, thus by May 19, 2017.

Since 2006, the RCMP Canadian Firearms Program (CFP) administers the *Firearms Act* and provides other firearms-related services and support. Its main goal is to enhance public safety by helping to reduce the risk of harm from the misuse of firearms.

**REPORT OVERVIEW**

The 2016 Annual Report provides a factual overview of the CFP's activities and its operational environment for the 2016 calendar year. The Report is largely consistent with reports from previous years. The highlights from 2016 include:

- May 17, 2016, marked the tenth anniversary of when the CFP became part of the RCMP;
- In 2016, the CFP issued 406,592 firearms licences, including new licences and renewals, compared to 399,086 in 2015;
  - 402,138 individuals were issued a Possession and Acquisition Licence (PAL)
  - 4,454 individuals were issued a Minor's Licence

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**UNCLASSIFIED**

- 2 -

- A total of 30,857 individual licences expired. Of these, 27,205 individuals renewed their licence, and 3,652 did not;
- Of the licences that were renewed in 2016, 50 percent of firearms licence holders used the CFP's online licence renewal tool through its web portal;
- The CFP has more than 2 million clients, including individuals, businesses and law enforcement agencies;
- In 2016, there were 422,887 individuals prohibited from possessing firearms and 2,223 firearms licences were revoked in 2016;
- In 2016, there were 59 firearm registration applications refused and 6,825 firearm registration certificates revoked;
- As of December 31, 2016, there were 1,022,628 restricted or prohibited firearms registered to individuals or businesses in Canada.

The Annual Report is not intended to be a financial report. Full program costing is reported in the RCMP's *Report on Plans and Priorities* and its *Departmental Performance Report*.

### **CURRENT STATUS**

Enclosed are materials in preparation for the tabling, including:

- a copy of the correspondence from the Commissioner of the RCMP, transmitting the report (**TAB A**);
- the annual report in both official languages (**TAB B**);
- letters for your signature to the Clerks of the Senate and the House of Commons in both official languages (**TAB C**); and
- a Question Period Note (**TAB D**).

Parliamentary Affairs has retained the necessary copies for tabling the reports with the Clerks of the House of Commons and of the Senate. A tabling statement will be provided to you, should you wish to table the Report during Routine Proceedings.

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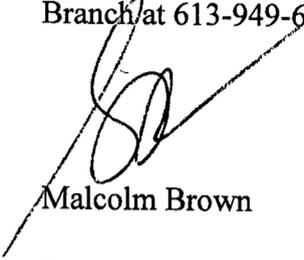
**UNCLASSIFIED**

- 3 -

**RECOMMENDATION**

It is recommended that you sign the enclosed letters to the Clerks of the House of Commons and the Senate at your earliest convenience, so that the Annual Report may be tabled before the statutory deadline of May 19, 2017.

Should you require additional information, please do not hesitate to contact me or Jill Wherrett, A/Assistant Deputy Minister, Portfolio Affairs and Communications Branch at 613-949-6435.

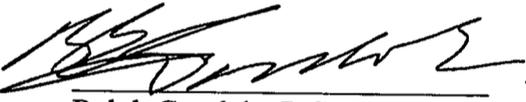


Malcolm Brown

Enclosures: (4)

I approve:

I do not approve:



Ralph Goodale, P.C., M.P.

Ralph Goodale, P.C., M.P.

Prepared by: Sarah Tremblay and Pierre Bellefeuille

**Page 570**  
**is not relevant**  
**est non pertinente**

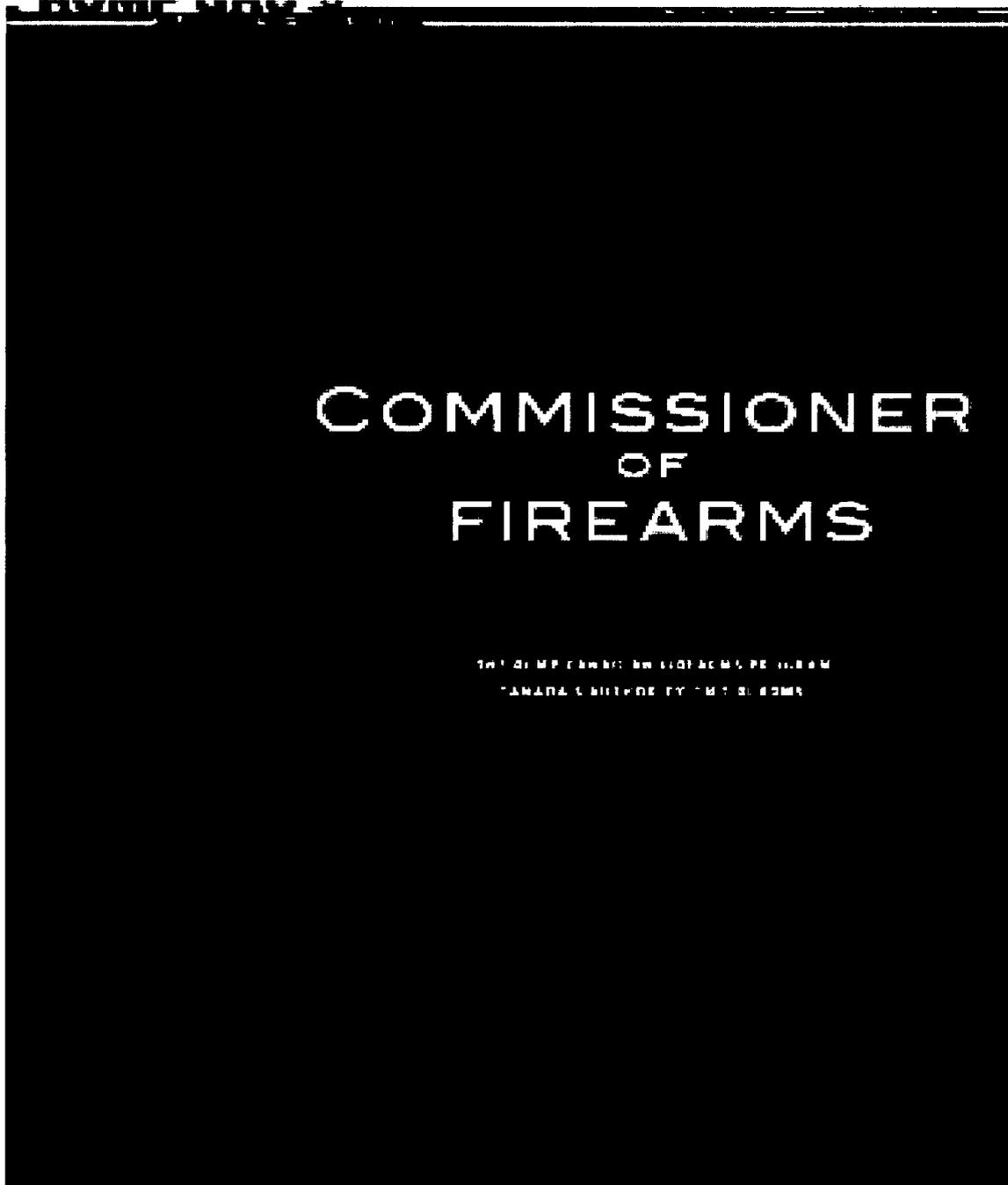
The following report can be found at the following URL Address:

**2016 Commissioner of Firearms report**

<http://www.rcmp-grc.gc.ca/en/2016-commissioner-firearms-report>

**Rapport du commissaire aux armes à feu de 2016**

<http://www.rcmp-grc.gc.ca/fr/rapport-du-commissaire-aux-armes-a-feu-2016>



**Pages 572 to / à 573  
are not relevant  
sont non pertinentes**

QUESTION PERIOD NOTE

Date: Date to be tabled  
Classification: UNCLASSIFIED  
Branch / Agency: RCMP

**Question Period Note**

**2016 COMMISSIONER OF FIREARMS REPORT**

**ISSUE:** Tabling of the Commissioner of Firearms 2016 Report on the administration of the *Firearms Act*, as required by subsection 93(2) of the Act.

**PROPOSED RESPONSE:**

- **The 2016 Report notes that the Canadian Firearms Program continues to carefully screen those who apply for or hold firearms licences in order to enhance firearms safety and reduce the risk of harm from firearms.**
- **Working with, and providing services and information to law enforcement groups across Canada, the Canadian Firearms Program's experts play a crucial role in the investigation and prosecution of persons involved in the illegal movement and criminal use of firearms.**

## 2016 COMMISSIONER OF FIREARMS REPORT

### BACKGROUND:

The *Firearms Act* requires the Commissioner of Firearms to report on the administration of the Act each calendar year. The 2016 Report provides information on the activities and accomplishments of the RCMP Canadian Firearms Program in administering the Act, supporting law enforcement and protecting public safety.

The Act requires that the Minister of Public Safety and Emergency Preparedness table the Report in both Houses of Parliament within 15 sitting days of receiving it from the Commissioner of Firearms, who is also the Commissioner of the RCMP.

### REPORT HIGHLIGHTS:

The following are some of the highlights from the Commissioner of Firearms 2016 Report:

- May 17, 2016, marked the tenth anniversary of when the CFP became part of the RCMP.
- Of the licences that were renewed in 2016, 50 percent of firearms licence holders used the CFP's online licence renewal tool through the Program's web portal.
- In 2016, the CFP issued 406,592 firearms licences, including new licences and renewals.
- The CFP has more than 2 million clients, including individuals, businesses and law enforcement agencies.
- In 2016, there were 422,887 individuals prohibited from possessing firearms.

### CONTACTS:

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Approved by  
Peter Henschel,  
Deputy Commissioner  
Specialized Policing Services

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## **RAPPORT DU COMMISSAIRE AUX ARMES À FEU 2016**

**SUJET :** Dépôt du rapport du commissaire aux armes à feu de 2016 sur l'application de la *Loi sur les armes à feu*, comme l'exige le paragraphe 93(2) de la Loi.

### **RÉPONSE SUGGÉRÉE :**

- **Dans le rapport de 2016, il est signalé que le Programme canadien des armes à feu continue de soumettre à un examen rigoureux de les demandeurs et les détenteurs de permis d'armes à feu afin d'améliorer la sécurité en matière d'armes à feu et de réduire les risques posés par celles-ci.**
- **Les experts du Programme canadien des armes à feu, qui travaillent avec les groupes d'application de la loi du pays et leur fournissent des services et de l'information, jouent un rôle crucial dans les enquêtes et les poursuites visant les personnes impliquées dans la circulation illégale et l'utilisation criminelle d'armes à feu.**

## RAPPORT DU COMMISSAIRE AUX ARMES À FEU 2016

### CONTEXTE :

La *Loi sur les armes à feu* exige que le commissaire aux armes à feu rende compte chaque année de l'application de cette loi. Le rapport de 2016 contient des renseignements sur les activités et les réalisations du Programme canadien des armes à feu (PCAF) de la GRC pour appliquer cette loi, appuyer les organismes d'application de la loi et assurer la sécurité du public.

Comme l'exige la Loi, le ministre de la Sécurité publique et de la Protection civile doit déposer ce rapport devant les deux chambres du Parlement dans les quinze jours de séance suivant sa transmission par le commissaire aux armes à feu, qui est aussi le commissaire de la GRC.

### POINTS SAILLANTS DU RAPPORT :

Voici les points saillants du rapport du commissaire aux armes à feu de 2016 :

- Le 17 mai 2016, cela fera dix ans que le PCAF fait partie de la GRC.
- Cinquante pour cent des détenteurs de permis d'armes à feu qui ont renouvelé leurs permis en 2016 l'ont fait au moyen de l'outil de renouvellement en ligne offert sur le portail Web du Programme.
- En 2016, le PCAF a délivré 406 592 permis d'armes à feu, nouveaux permis et renouvellements de permis confondus.
- Le PCAF compte plus de deux millions de clients, et ceux-ci sont des particuliers, des entreprises et des organismes d'application de la loi.
- En date de 2016, 422 887 personnes sont visées par un interdiction de possession d'armes à feu.

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auprès des clients et des  
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armes à feu

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Approuvée par  
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Sous-commissaire  
Services de police spécialisés

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613-843-4494

**Page 578**  
**is not relevant**  
**est non pertinente**



Public Safety Canada / Sécurité publique Canada

Deputy Minister / Sous-ministre

Ottawa, Canada  
K1A 0P8

**UNCLASSIFIED**

DATE: <sup>MAY</sup> 16 2016

File No.: PS 008887  
RDIMS No.: 1829002

**MEMORANDUM FOR THE MINISTER**

**TABLING OF THE COMMISSIONER OF FIREARMS 2015 REPORT**

(Signature required)

**ISSUE**

Tabling before Parliament of the *Commissioner of Firearms 2015 Report* (the Annual Report) prior to May 20, 2016.

**BACKGROUND**

The Annual Report was received by the Department on April 26, 2016. Subsection 93(1) of the *Firearms Act* (the Act) requires the Commissioner of Firearms to report on the administration of the Act each calendar year. The legislation further requires that the Annual Report be tabled within 15 sitting days of its receipt.

Since 2006, the RCMP Canadian Firearms Program (CFP) administers the *Firearms Act* and provides other firearms-related services and support. Its main goal is to enhance public safety by helping to reduce the risk of harm from the misuse of firearms.

**REPORT OVERVIEW**

The 2015 Annual Report provides a factual overview of the Program's activities and its operational environment for the 2015 calendar year. The report is largely consistent with reports from previous years. The highlights from 2015 include:

- In April 2012, the *Ending the Long-gun Registry Act* (Bill C-19) removed the requirement to register non-restricted firearms and required the destruction of non-restricted registration records. However, due to ongoing litigation, Quebec residents were still registering their non-restricted firearms with the CFP until the Supreme Court of Canada ruled on March 27, 2015, that non-restricted registration records for residents of Quebec are to be destroyed.

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- On June 18, 2015, the *Common Sense Firearms Licencing Act* (Bill C-42) received Royal Assent. This legislation amended the *Firearms Act* and the *Criminal Code* to, among other things, make classroom participation in firearms safety courses mandatory for first-time licence applicants, and eliminate the Possession Only Licence (POL) - converting all valid POLs to Possession and Acquisition Licences (PALs).
- There were 399,086 individuals who applied for a new firearms licence or renewed their existing licence:
  - 326,754 were issued a PAL;
  - 67,329 were issued a POL; and
  - 5,003 were issued a Minor's Licence.
    - The 35 percent decrease in POLs and eight percent increase in PALs issued may be attributed to the changes to the licencing regime made by Bill C-42.
- A total of 336,604 individual POL and PAL licences expired. Of these, 229,363 were renewed and 107,241 were not renewed.
- The CFP has received over 100,000 online licence renewal applications since the implementation of online renewals for individuals in September 2014. In 2015 only, there were 92,759 online renewals.
- A total of 688 applicants for a firearms licence were refused, and 2,347 firearms licences were revoked. The main reasons for licence refusals and revocations were: court-ordered prohibition/probation, potential risk to others or self, and mental health.
- A total of 795,854 restricted firearms and 182,493 prohibited firearms were registered to individuals and businesses in 2015.
- A total of 60 registration applications were refused and 7,159 registration certificates were revoked, representing a 43 percent and 88 percent decrease respectively since 2014. The significant decrease is attributed to the deletion of the non-restricted registration records for Quebec.
- The total number of active cumulative and on-going court imposed firearms prohibitions for individuals in 2015 was 405,440.

The Annual Report is not intended to be a financial report. Full program costing is reported in the RCMP's *Report on Plans and Priorities* and its *Departmental Performance Report*.

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**CURRENT STATUS**

Enclosed are materials in preparation for the tabling of the Annual Report, including:

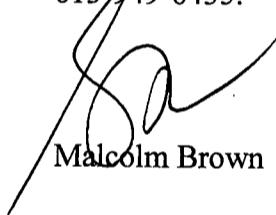
- A copy of the correspondence from the Commissioner of the RCMP, transmitting the report (**TAB A**);
- The report in both official languages (**TAB B**);
- Letters for your signature to the Clerks of the Senate and the House of Commons in both official languages (**TAB C**); and
- A Question Period Note (**TAB D**).

The Parliamentary Affairs Division has retained the necessary copies for depositing the reports with the Clerks of the Senate and the House of Commons. Parliamentary Affairs is also prepared to provide you with a statement, should you wish to table the reports during Routine Proceedings.

**RECOMMENDATION**

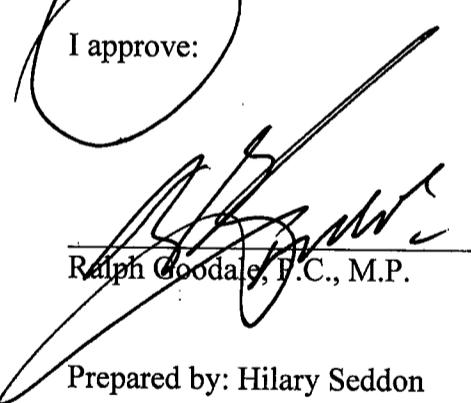
It is recommended that you sign the enclosed letters to the Clerks of the House of Commons and the Senate (**TAB C**) and to table the Annual Report at the earliest convenience or before the statutory deadline of May 20, 2016.

Should you require additional information, please do not hesitate to contact me or Paul MacKinnon, Assistant Deputy Minister, Portfolio and Communications Branch, at 613-949-6435.

  
Malcolm Brown

Enclosures: (4)

I approve:

  
Ralph Goodale, P.C., M.P.

I do not approve:

\_\_\_\_\_  
Ralph Goodale, P.C., M.P.

Prepared by: Hilary Seddon

**Page 582**  
**is not relevant**  
**est non pertinente**

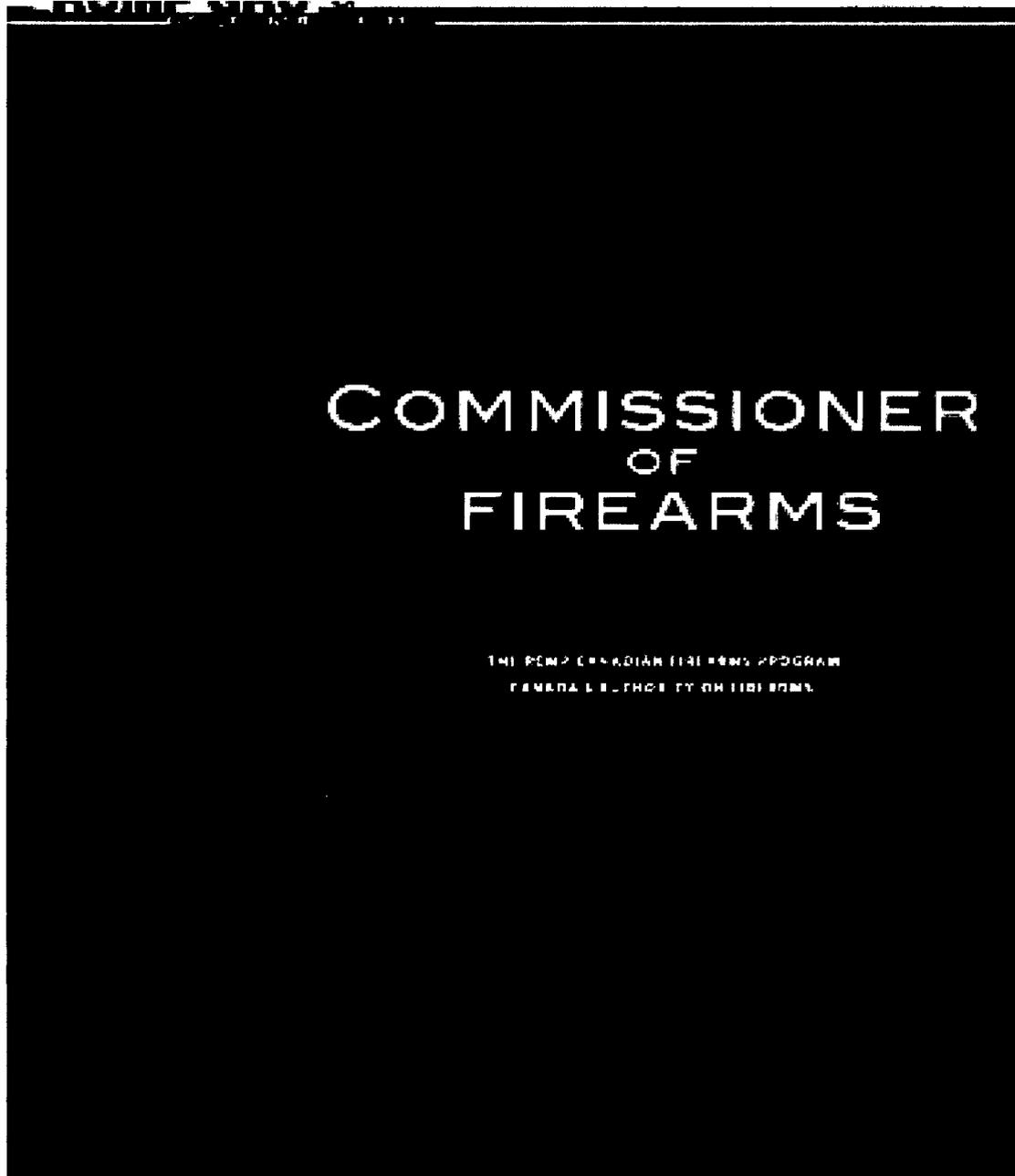
The following report can be found at the following URL Address:

**2015 Commissioner of Firearms report**

<http://www.rcmp-grc.gc.ca/en/2015-commissioner-firearms-report>

**Rapport du Commissaire aux armes à feu de 2015**

<http://www.rcmp-grc.gc.ca/fr/rapport-du-commissaire-aux-armes-a-feu-2015>



**Pages 584 to / à 586  
are not relevant  
sont non pertinentes**

QUESTION PERIOD NOTE

Date: TBC

Classification: UNCLASSIFIED

Branch / Agency: RCMP

**COPY**  
Question Period Note / Note pour la Période des questions

**2015 COMMISSIONER OF FIREARMS REPORT**

**ISSUE:** Tabling of the Commissioner of Firearms 2015 Report on the administration of the *Firearms Act*, as required by subsection 93(2) of the Act.

**PROPOSED RESPONSE:**

- **The Commissioner of the RCMP is also the Commissioner of Firearms.**
- **Section 93 of the *Firearms Act* requires the Commissioner of Firearms to report annually on the administration of the Act; and it requires the Minister of Public Safety and Emergency Preparedness to table this report before both Houses of Parliament.**
- **This Annual Report informs Parliament about the RCMP Canadian Firearms Program's activities during the 2015 calendar year.**
- **The 2015 Report notes that the Canadian Firearms Program continues to carefully screen those who apply for or hold firearms licences in order to enhance firearms safety and reduce the risk of harm from firearms.**
- **Working with, and providing services and information to law enforcement groups across Canada, the Canadian Firearms Program's experts play a crucial role in the investigation and prosecution of persons involved in the illegal movement and criminal use of firearms.**

## 2015 COMMISSIONER OF FIREARMS REPORT

### BACKGROUND:

The *Firearms Act* requires the Commissioner of Firearms to report on the administration of the Act each calendar year. The 2015 Report provides information on the activities and accomplishments of the RCMP Canadian Firearms Program in administering the Act, supporting law enforcement and protecting public safety.

The Act requires that the Minister of Public Safety and Emergency Preparedness table the Report in both Houses of Parliament within 15 sitting days of receiving it from the Commissioner of Firearms, who is also the Commissioner of the RCMP.

### REPORT HIGHLIGHTS:

The following are highlights from the Commissioner of Firearms 2015 Report:

- The Supreme Court of Canada released its decision regarding the non-restricted firearms registration records for residents of Quebec on March 27, 2015. The Court dismissed Quebec's appeal challenging the constitutionality of the provisions of the *Ending the Long-gun Registry Act* requiring the destruction of non-restricted registration records, and refused to order the transfer of these records to Quebec.
- On June 18, 2015, the *Common Sense Firearms Licensing Act* received Royal Assent. This legislation amended the *Firearms Act* and the *Criminal Code*.
- Since the September 2014 implementation of online firearms licence renewals for individuals, the CFP received over 100,000 online licence renewal applications by December 2015.
- In 2015, the CFP issued 399,086 firearms licences, including new licences and renewals.
- The CFP has more than 2 million clients, including individuals, businesses and law enforcement agencies.
- 405,440 individuals were prohibited from owning a firearm in 2015.

### CONTACTS:

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Approved by  
Peter Henschel,  
Deputy Commissioner  
Specialized Policing Services

Tel. no.  
613-843-4494

## **RAPPORT DU COMMISSAIRE AUX ARMES À FEU 2015**

**SUJET :** Dépôt du rapport du commissaire aux armes à feu de 2015 sur l'application de la *Loi sur les armes à feu*, comme l'exige le paragraphe 93(2) de la Loi.

### **RÉPONSE SUGGÉRÉE :**

- **Le commissaire de la GRC est aussi le commissaire aux armes à feu.**
- **Comme l'exige l'article 93 de la *Loi sur les armes à feu*, le commissaire aux armes à feu doit produire chaque année un rapport sur l'application de cette loi, et le ministre de la Sécurité publique et de la Protection civile doit déposer ce rapport devant les deux chambres du Parlement.**
- **Ce rapport annuel sert à informer le Parlement des activités du Programme canadien des armes à feu de la GRC au cours de l'année 2015.**
- **Dans le rapport de 2015, il est signalé que le Programme canadien des armes à feu continue de soumettre à un examen rigoureux les demandeurs et les détenteurs de permis d'armes à feu afin d'améliorer la sécurité en matière d'armes à feu et de réduire les risques posés par celles-ci.**
- **Les experts du Programme canadien des armes à feu, qui travaillent avec les groupes d'application de la loi du pays et leur fournissent des services et de l'information, jouent un rôle crucial dans les enquêtes et les poursuites visant les personnes impliquées dans la circulation illégale et l'utilisation criminelle d'armes à feu.**

QUESTION PERIOD NOTE

Date: December 3, 2015  
Classification: UNCLASSIFIED  
Branch / Agency: RCMP

**Question Period Note / Note pour la Période des questions**

**BOWWOLF FIFTY CALIBRE MAGAZINE**

**ISSUE:** The fifty calibre Beowulf firearm cartridge magazine

**PROPOSED RESPONSE:**

- **Our Government is strongly committed to taking action to get handguns and assault firearms off our streets.**
- **A fifty calibre Beowulf magazine that can hold more than five cartridges is already a prohibited device in Canada as defined under the *Criminal Code* Regulations.**
- **Canadians who have questions concerning firearms or magazines can contact the Canadian Firearms Program for more information.**

## **UN CHARGEUR BEOWULF DE CALIBRE CINQUANT**

**SUJET:** Un chargeur Beowulf de calibre cinquante

**RÉPONSE SUGGÉRÉE :**

- **Notre gouvernement est fermement engagé à prendre des mesures pour retirer les armes de poing et les armes d'assaut de nos rues.**
- **Un chargeur Beowulf de calibre cinquante pouvant contenir plus de cinq cartouches est déjà un dispositif prohibé au Canada au sens des règlements d'application du *Code criminel*.**
- **Les Canadiens et les Canadiennes qui ont des questions au sujet des armes à feu ou des chargeurs peuvent communiquer avec le Programme canadien des armes à feu.**

## BEOWULF FIFTY CALIBRE MAGAZINE

**BACKGROUND:**

The maximum capacity of a cartridge magazine is set out in Part 4 of the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the Regulations) under the *Criminal Code*. Pursuant to the Regulations, a magazine that has a capacity which exceeds the maximum permitted capacity is a prohibited device.

The maximum capacity outlined in the Regulations is five cartridges for a magazine designed for a semi-automatic, centre-fire long gun, and 10 cartridges for a magazine designed for a handgun. Larger-capacity magazines designed for these types of firearms are classified as prohibited devices and individuals cannot lawfully possess them.

Firearms magazines commonly known as the 50 calibre Beowulf magazine have recently been manufactured in, or imported to Canada, with markings suggesting they were designed exclusively for 50 Beowulf calibre ammunition. However, the magazine is based on the design used for the U.S. M16 assault rifle and its civilian variants. It has been constructed to hold the 50 calibre Beowulf ammunition, but is also still capable of holding 11 to 14 cartridges of the ammunition used by the M16 or its civilian variants. As such, the 50 calibre Beowulf magazine exceeds the maximum permitted capacity and has been a prohibited device since its introduction. The RCMP has consistently indicated that the magazine is a prohibited device since questions over its status were first raised by a firearms dealer in 2012. Recently, the RCMP replied to a business query reaffirming that the 50 calibre Beowulf magazine is a prohibited device under the *Criminal Code*. The RCMP's response was posted on social media.

The RCMP's Firearms Reference Table (FRT) identifies the 50 calibre Beowulf magazine as a prohibited device. The RCMP evaluates firearms according to the criteria set out in subsection 84(1) of the *Criminal Code*, and incorporates the results into the FRT.

The RCMP actively works with Global Affairs Canada, the Canada Border Services Agency, and law enforcement agencies across Canada to administer and enforce the *Firearms Act* and the *Criminal Code*.

**CONTACTS:**

Prepared by Chris Lynam Director/Directeur Strategic Policy and Integration/Politique stratégique et intégration Specialized Policing Services/Services de police spécialisés	Tel. no. 613 843-4494	Approved by Deputy Commissioner Peter Henschel Specialized Policing Services	Tel. no. 613 843-4494
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