



Gun Control & Violence Prevention

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

**Brief submitted by the Canadian Women's Foundation to the Standing Committee on Public Safety and National Security
May, 2018**

The Canadian Women's Foundation is Canada's national public foundation dedicated to improving the lives of women and girls. Since 1991, we have invested in more than 1,500 community programs across Canada that help women and girls move out of violence, out of poverty, and into confidence and leadership.

Since 1993, the Canadian Women's Foundation has invested more than \$18 million in violence prevention programs across Canada. We invest in programs that work along a continuum of violence prevention and rebuilding lives, including programs and shelters which build the community and capacity of organizations working to end gender-based violence. Through this work we've learned that ending domestic violence creates safer communities for everyone: when mothers are safe, their children are less likely to grow up experiencing violence in their own lives.

In Canadian households, the presence of firearms in the home is the single greatest risk factor for lethality of domestic violence. With online organizing by men involved in violent misogyny on the rise, it's time to move swiftly and surely to strong regulation of firearms in Canada to increase protection for women and girls.

Women comprise 80% of those killed by intimate partners annually. With 72 intimate partner homicides in 2016, 85 in 2015, and 83 in 2014, on average a Canadian woman is killed by her intimate partner every six days. To date this year, 57 women have already been murdered in Canada, almost one every second day for the first four months of the year.¹

Rural women are particularly vulnerable to homicide by firearms. Saskatchewan reported the highest rate of firearm-related homicides in 2016, and Alberta experienced the second highest rate. Shotguns and rifles commonly kept in rural homes have been referred to as "the weapons of choice" when it comes to domestic violence by the Canadian Association of Police Chiefs. In violent homes, these weapons have been used to intimidate and control women living in rural areas.



Firearms cause harm to Canadian women in a variety of ways. Access to a firearm in the home closely correlates with risk of completed suicide and homicide. Firearm use is prevalent in spousal murder-suicides. We would also note the link between death rates from unintentional firearm injuries and rates of firearm ownership in the home.

To escape abusive homes, 3,500 women and 2,750 children are sleeping in emergency anti-violence shelters on an average night in Canada. Gun violence - including intimidation, control and the threat of homicide - is a factor in many of these situations.

Effective national gun control is an essential element in violence prevention. The Canadian Women's Foundation welcomes the federal government's effort to strengthen control of firearms in Canada through key positive measures in Bill C-71 such as:

- verification of licenses
- referral of classification of firearms to the RCMP
- restoration of discretion of the Chief Provincial Firearms Officer
- providing access to the registry data for the Province of Quebec
- extending the licensing screening period to ten years.

These measures will help increase safety for women and girls in Canada. Additional amendments to *Bill C-71* can provide women in Canada with increased protection from firearm-related death and injury.

Bill C-71 should re-affirm a prohibition on ownership by civilians of military assault weapons, and provide for classification of restricted and prohibited firearms to be updated urgently through Orders in Council, based on regular and frequent review and recommendations from the RCMP and Canadian police experts.

Licensing Criteria

In amending the *Firearms Act*, the legislation should strengthen firearm licensing provisions, which are fundamental to effective regulation. Screening is necessary to reduce the risk that persons who pose a threat to themselves or others, including children and youth, will obtain or maintain access to firearms. Current provisions assess risk of domestic violence, suicide, political violence and crime. The proposed provisions represent narrow criteria and should be amended to better embody the intent of the law, by adding "(d) or for any other reason is considered a threat to themselves or others" to the *Firearms Act*, section "Public Safety," subsection 5 (2).²



This additional criteria will specify that a broader range of issues or circumstances may be considered, including but not limited to, the concerns of a spouse or family member, and that references are contacted.

Controls on Sales of Unrestricted Firearms

Bill C-71 should restore controls respecting the sale of rifles and shotguns that were in place in 1977 requiring the licensed firearms dealer to record the Firearms Acquisition Certificate (now License) number, make model and serial number of firearms, and subject these records to annual inspection. These provisions enabled police to inspect records without a warrant as needed to trace firearms, without additional authorization, while requiring a warrant for more in-depth investigations, for example, when conducting a criminal investigation of a firearms dealer.

Controls on Handguns

Handguns and other restricted weapons are deemed to be particularly dangerous because of their concealability or fire power and therefore are subjected to additional controls. Handguns are not used for hunting or livestock protection. Restricted weapons permits should only be issued after careful assessment of the legitimate purposes claimed by the applicant (livelihood, member of a shooting range, bona fide gun collector). Transport and movement should be carefully controlled to reduce the chances of misuse, theft or diversion.

The controls on handguns as restricted and prohibited weapons should be reinstated through the restoring of strict issuance of Authorizations to Transport (ATT). Previous legislation allowed restricted and prohibited weapons to be transported between two or more defined locations; the proposed amendment to issuance of ATTs allows them to be transported to any gun club or range in the owner's province of residence, with no compensating measures to check proliferation or mitigate the risk of diversion. The risk to the public is too great and vastly outweighs the inconvenience to owners. Restricted and prohibited weapons need to be strictly regulated and should only be transported between pre-defined locations.

Additional Measures

Bill C-71 provisions should include additional measures to:

- Subject individuals and dealers who are owners of multiple firearms to greater scrutiny to mitigate the risk of diversion, including through stronger application of existing powers to conduct annual inspection of storage facilities. Owners of multiple firearms present an increased risk to public safety because of the potential for theft and diversion and should be subject to higher levels of scrutiny,

for example, safe storage inspection with notice of collections of more than 25 firearms. We also recommend introducing mechanisms to track stockpiling.

- Require health care professionals and others to report, to the RCMP or provincial Chief Firearms Officers, individuals who are a threat to themselves or others and who should not have access to firearms paralleling current provincial legislation on drivers' licenses and, extend the mandatory reporting by health care professionals of firearms injuries which is in place in some provinces, to a national reporting requirement.
- Restore transparent firearms data collection and analysis, evidence-based policies and public education about the public health and public safety risks of firearms.
- Establish within the *Firearms Act* requirements for investment in children and youth and primary prevention services, and services for victims of gun violence and their families.
- Provide appropriate mechanisms to address non-powder firearms which are a significant threat particularly to children and youth.

As noted, the Canadian Women's Foundation welcomes the direction of the federal government in *Bill C-71* toward strengthening licensing and screening provisions. We strongly encourage the members of the Standing Committee on Public Safety and National Security to take further steps in this positive direction, to prevent violence against women and children in Canada. Effective gun control can significantly reduce harm caused to women through violent use of firearms. The Committee Members can seize this opportunity to increase protection of women in Canada against firearm-related violence.

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¹ David, Homicide in Canada 2016, Statistics Canada, 2017.

² *Firearms Act*

Public Safety

5 (1) A person is not eligible to hold a licence if it is desirable, in the interests of the safety of that or any other person, that the person not possess a firearm.

Criteria

- (2) In determining whether a person is eligible to hold a licence under subsection (1), a chief firearms officer or, on a reference under section 74, a provincial court judge shall have regard to whether the person, within the previous five years,
- (a) has been convicted or discharged under section 730 of the *Criminal Code* of
 - (i) an offence in the commission of which violence against another person was used, threatened or attempted,
 - (ii) an offence under this Act or Part III of the *Criminal Code*,

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- (iii) an offence under section 264 of the *Criminal Code* (criminal harassment), or
 - (iv) an offence relating to the contravention of subsection 5(1) or (2), 6(1) or (2) or 7(1) of the *Controlled Drugs and Substances Act*;
 - (b) has been treated for a mental illness, whether in a hospital, mental institute, psychiatric clinic or otherwise and whether or not the person was confined to such a hospital, institute or clinic, that was associated with violence or threatened or attempted violence on the part of the person against any person; or
 - (c) has a history of behaviour that includes violence or threatened or attempted violence