

## A few points regarding the Liberals' [Bill C-21](#)

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### 1) Regarding the [possibility of transferring to Quebec](#) the power to ban handguns, our statement:

*"While at first glance the idea of transferring the power to ban handguns to Quebec may seem positive, in hindsight it would play into the hands of the Liberals who are desperately trying to defend their bill and resurrect any credibility they once had in relation to gun control.*

*In fact, it turns out that it would be a very bad idea for Quebec, at least in the context of Bill C-21, to ask for or accept the power to ban handguns. It's a trap. It's just another way to offload the federal responsibility to restrict handguns to another jurisdiction and would also allow the Liberals to secure a credible supporter for at least one element in this empty shell of a bill.*

*So unless the CAQ government is prepared to commit to banning handguns tomorrow morning, a provincial ban will remain nothing but more than an abstract possibility, and this transfer of power another empty measure.*

*Moreover, such a power would set a dangerous precedent. It would delegate the most central of gun control measures to a province, which raises all kinds of jurisdictional and constitutional issues, in addition to moral ones, such as is it ok to simply pass the buck to other jurisdictions with respect to the duty to adopt criminal policy aimed at reducing crime and save lives.*

*It took six years to adopt the Quebec registry, even with the support of all parties in the National Assembly from the start. It was a difficult fight for all the political parties and was very divisive. The families of the victims are exhausted. This is our last battle. Meanwhile, the gun lobby is getting stronger and stronger.*

*If Quebec were to get this power, it would only mean that the fight against the proliferation of handguns would be shifted to Quebec, launching another debate that will never end, and the federal government would have successfully shirked its responsibility and divert the federal debate on handguns that has been raging since 2005.*

*Bill C-21 is an empty shell. No one has been consulted. Unless the Liberals backtrack and give Canadians the mandatory assault weapons buy-back program they promised, it is hard to imagine what could be done to make this bill salvageable.*

*For us, the most obvious option is for the Liberals to go back to the drawing board and come up with a serious bill that truly aims to protect the public and not just generate hollow talking points designed for political theater."*

- 2) **Regarding to the "red flag" measure:** Orders prohibiting the possession of firearms already exist. Potential victims, relatives and neighbours can call police, and it is the police's duty to intervene. The new "measure" does not address any of the flaws identified by several coroner's inquests and investigative media reports with respect to cases where police had been alerted about potential risks but did nothing to remove the guns. One of the main problems regarding preventative prohibition orders is the failure of authorities to take warnings seriously (like in these high profile cases: [Mark Jones](#), [Gabriel Wortman](#), [Lionel Desmond](#), [Cory Lewis](#), [Kevin Runke](#)). While C-21 adds a new and more cumbersome process for potential victims, the same criteria and discretion that allowed these perpetrators to fall through the cracks remain. The proposed "red flag law" in C-21 places an additional burden on potential victims and family members and would take longer than what currently exists, despite the [Canadian Association of Emergency Physicians](#) calling for a more expeditious process. Their call for giving health professionals the authority to notify police in cases of "soft threats" that don't involve immediate and direct threats of danger [also fell on deaf ears](#).
- 3) **Regarding to combatting "straw purchases"** (purchased legally and resold illegally): The only related measure in C-21 is to say that citizens who suspect that someone is engaged in this activity

can alert the authorities (which any Canadian can do presently), except that this would trigger a "yellow flag" inside the system. A yellow flag would allow the revocation of the possession and acquisition license (for 30 days) during an investigation. There are no structural or preventive measures, and it all relies on the vigilance of regular members of the public.

- 4) **Regarding modifiable magazines:** Instead of banning 20, 30, 50 and even 100 capacity magazines that are blocked with a pin to hold 5 or 10 bullets (depending on the type of firearm), C-21 only adds an offence: in addition to the current offence of "possessing" a modified magazine, they are adding the offence of "modifying" the magazine (removing the pin). In other words, nothing that would prevent potential mass murderers from acquiring and modifying such magazines, as Bourque (Moncton), Bain (Metropolis), Bissonnette (Mosque) and Raymond (Fredericton) have done. And nothing to address the multitude of loopholes and exemptions in the current legislation.
- 5) **Regarding municipal handgun bans/restrictions:** Research says there is no evidence that local bans are effective.
- 6) **Regarding the measure to "limit the glorification of violence in firearms marketing and sales":** During the C-21 technical briefing, Public Safety officials were unable to identify a single case of such advertising in Canada.
- 7) **Regarding Bill C-71:** The Liberal's Bill C-71, introduced in 2018 and passed in 2019, has not yet been implemented. If it were, authorities would have the commercial sales data for all non-restricted assault weapons sold since, firearms officers would have better tools to investigate licence applicants (among other things to help protect conjugal abuse victims) and both commercial and private sellers would have to verify the validity of a potential buyer's license (which might have prevented this domestic murder).

- 8) **Finally, the most critical question with respect to the viability of C-21 is: What will the New Democrats do?** Will they support the Liberals and allow C-21 to pass, or will they side with gun control advocates (and the pro-gun lobby, as it were) to oppose the legislation in its current form? Since Jack Layton became leader in 2003, the party has generally sat on the fence, never clearly siding with one camp or the other. Is history repeating itself? At the time of the Conservatives' attempts to abolish the long-gun registry, Layton held the survival of the registry in his hands. He allowed a free vote on C-391 (which would have ended the registry), provoking intense pressures from victims' families begging him not to let Harper destroy the registry. (The bill was defeated by one vote: 151 vs. 153, with a tie-breaker vote that would have been in favour).

