

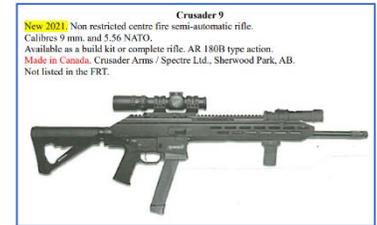
BILL C-21: SOME KEY AMENDMENTS TO WATCH OUT FOR

Clause-by-clause starting November 22' 2022, at 3h30 p.m. before the
[Standing Committee on Public Safety and National Security \(SECU\)](#)

1) Introducing a comprehensive ban on assault weapons

Overview: On the day Bill C-21 was tabled, Public Safety Minister Marco Mendicino [promised to](#) amend the bill in order to ensure a comprehensive ban on assault weapons: “New specifications of assault-style firearms have entered the market that are not fully captured by the terms of the [May 2020] ban. We recognize the need to ensure a comprehensive ban on assault firearms in the legislation, which is why our government is committed to adding this to our bill through an amendment.”

Safety considerations: Despite the May 2020 Orders in Council, [many assault-style firearms](#) are not listed in the [regulation](#) or covered by the [added criteria](#) – including those that are deemed not “of modern design” (like the SKS - used in numerous mass and police shootings) or that are not “present in large volumes in the Canadian market” (like any new model).



Political considerations: Both [the NDP](#) and [the Bloc Québécois](#) committed in the last election to supporting a new definition of “prohibited weapons” in the Criminal Code in order to ban all assault-style weapons. BQ SECU member and Public Safety Critic said that if the Liberals fail to do so, “[you can count on the Bloc Québécois to propose such an amendment](#)”.

2) Broadening the exemption for sports shooters under the handgun purchase freeze

Overview: During the hearings, witnesses like the [International Practical Shooting Confederation \(IPSC\)](#) asked to be exempted from the freeze. IPSC (which is [funded](#) by the gun industry and, for all practical purposes, is [part of the gun lobby](#)) involves [shooting at targets that represent humans](#) in home invasion, hostage or street gang scenarios.

Legislative considerations: Exempting IPSC would render the freeze meaningless. Since IPSC can certify any shooting discipline it wants, since the vast majority of handgun owners acquired their handguns for target practice and since any gun club could offer IPSC competitions, it follows that most if not all gun club members could be exempt. Indeed, in a [now-deleted](#) post, [IPSC-BC said](#) that should they be granted such an exception, “we will be come the gateway to handgun ownership in Canada and can expect a huge increase in membership.”

Safety considerations: Apart from potentially cancelling the freeze and preventing the reduction of the number of handguns in Canada, exempting IPSC would further legitimize guns designed for lethality rather than sport. IPSC involves high-powered [handguns](#) and assault-style weapons. It [trains ordinary citizens](#) to shoot in ways that are not a recognized purpose for owning guns in Canada (“[self-defence shooting skills](#)”). Many mass shooters – Valery Fabrikant (Concordia), Kimveer Gill (Dawson), Mark Vijay Chahal (Vernon) and Justin Bourque (Moncton) - trained in gun clubs. One IPSC executive [kept 200 guns in his home](#).



Political considerations: The outcome of such a proposed amendment is anyone's guess:

- ➔ Given the various [statements](#) of the Conservative leader and [his close ties](#) with the gun lobby, it's almost certain the party opposes C-21 and will side with pro-gun witnesses, including IPSC.
- ➔ Based on the discussions at committee, there is concern that members with the best of intentions may support amendments that significantly weaken the freeze.
- ➔ The [Bloc Québécois member](#) (16:02:28) agreed that exempting other disciplines like IPSC would render the measure useless.

3) Tightening up the exemptions under the freeze on new handgun purchases

Overview: Witnesses like [PolySeSouvient](#), the [Danforth Families](#) and the [Coalition for Gun Control](#) raised concerns about the Olympic exemption, saying that it is vulnerable to being exploited in order to allow sudden waves of new "beginners" to be exempt. Also, given IPSC's [decades-long campaign](#) to become an Olympic discipline, the legislation may automatically exempt IPSC in the future. Finally, the bill exempts all gun clubs and ranges from the freeze, allowing them to accumulate unlimited numbers of new handguns and sustain the "sporting" handgun culture. Gun control groups proposed limiting the exemption to current Olympic disciplines and to current athletes and coaches, exempting only the types of handguns used at the Olympics, requiring continuous eligibility (ex: yearly instead of lifetime), and removing gun clubs and ranges from the exemption.

Safety considerations: Any exemption risks undermining the entire measure. Much depends on individual shooting governing bodies and provincial CFOs, and regulations could potentially tighten the exemptions. However, at this point, anything is possible including the worst-case scenarios.

Political considerations: The stakes for Canada are not high. In the 2020 Tokyo Olympics, for example, there was only one Canadian athlete competing in a shooting discipline. Canada brought home only one shooting-related medal in 65 years. Committee members heard many witnesses on this issue but made few notable comments.

4) Eliminating the "ex-parte" measure inviting victims to go to court to seek the removal of an abuser's guns

Overview: A [long list of women's groups](#) stated their objections to both the first version of this "red flag" type measure initially introduced in the 2021 Bill C-21 (which died on the order paper), as well as the [revamped one](#) in the current Bill-C21. Groups like PolySeSouvient and the Quebec's women's shelters [have asked](#) for this measure be removed.

Safety considerations: [Women's groups explained](#) that the "ex-parte" measure risks allowing police to offload their duty to protect victims from potential firearm threats or violence to victims themselves, placing them in greater danger, going against hard-fought reforms aimed at removing any responsibility from victims (like charging an offender) and undermining reforms that are needed to ensure police take women's complaints seriously (see [Nova Scotia](#) and a long list of domestic murders).

Legal considerations: In [its brief](#), the Canadian Bar Association writes that the enhancements added to the initial *ex-parte* measure that aim to protect the identity of a complainant "will make it ripe for Charter litigation surrounding an accused's right to a fair trial and full answer and defence."

Political considerations: During the [SECU hearings](#), representatives of all the opposition parties (NDP, Bloc Québécois and Conservatives) asked witnesses questions regarding this measure, meaning that questions regarding its value are on their radar.

5) Strengthening sections aimed at better protecting against domestic violence involving guns

Overview: The [National Association of Women and the Law's brief](#) offers the most comprehensive set of amendments aimed at improving measures in Bill C-21 that seek to better protect women, including:

- 1) extending automatic prohibition orders (to own guns) to individuals who have been convicted of a violent offence against an intimate partner or ex-partner
- 2) strengthening the language directing the Chief Provincial Firearms Officer (CFO) to revoke the license of an individual where there are reasonable grounds to suspect they engaged in domestic or family violence
- 3) embedding into the law a comprehensive definition of "Family Violence"
- 4) eliminating the section allowing an individual whose license was revoked (because they are subject to a protection order) to dispose of their firearms in the manner they chose.
- 5) ensuring the removal of guns within a fixed timeline (24hrs) when a license is revoked for reasons linked to domestic violence or because an individual placed under a protection order.
- 6) removing provisions exempting individual who use firearms for employment (ex: police and security personnel) from losing their license for domestic violence related reasons.

Safety considerations: The proposed changes seek to strengthen measures in C-21 that consist of concrete progress for victims of domestic violence - fewer exemptions, strengthened safety criteria and faster response – as details like "exemptions" can make all the difference. For example, a number of women's groups asked why a potential victim's life should be worth less than a suspect's employment, particularly as policing families [are not immune](#) to domestic violence.

Political considerations: Members of SECU of all opposition parties raised one or more of these concerns. The NDP and the Bloc Québécois public safety critics both indicated that they were open to such improvements.

- PolySeSouvient, Danforth Families for Safe Communities / Coalition for Gun Control - November 21, 2022