



## BILL C-21

“An Act to amend certain Acts and to make certain consequential amendments (firearms)”

Brief presented to:

**The Standing Committee on  
Public Safety and National Security**

*October 2022*

## INTRODUCTION

Poly Remembers (or PolySeSouvient) consists of students and graduates of the École Polytechnique as well as families and loved ones of the victims of the 1989 tragedy who support stricter gun control. We also cooperate with other survivors and families who have lost loved ones or been injured in shootings, such as those linked to the shootings at Dawson College and the Quebec Mosque.

Our mission is simple: to reduce the number of accidents, suicides, homicides, threats and other crimes carried out with firearms. Having witnessed or experienced the massive human suffering that a single firearm in the wrong hands can cause, we feel it is our duty to speak up in the gun control debate to defend every person's right to life and security. We are motivated by our firm determination to prevent other families from experiencing the pain and suffering caused by avoidable tragedies.

Firearms are designed for killing. While firearms on their own do not kill, they make it easier and more efficient to kill. *Guns don't kill people; people with guns kill people.* Owning a gun is not a right but a privilege, and this privilege must be governed by strict and enforceable and must be accompanied by a range of responsibilities.

## SUMMARY RECOMMENDATIONS

We welcome the opportunity to comment on Bill C-21 and wish to provide the House of Commons Standing Committee on Public Safety and National Security the following analysis and recommendations. In summary, we recommend the following improvements:

### A) Military-style assault weapons not reasonably used for hunting, and accessories

- 1) Amend the bill to expand the definition of prohibited weapons in the Criminal Code to include all military-style weapons, including those that were not captured by the May 2020 OICs.
- 2) Introduce new regulations to implement a pre-authorization process for all new models of firearms entering the market, so that only those that are deemed "non-restricted" or "restricted" and given Firearm Reference Number (FRN) by the relevant authorities would be legal.
- 3) Amend the regulations prohibiting certain accessories to remove all loopholes and exemptions with respect to the theoretical ban on large-capacity magazines (5/10).
  - a) Implement a three-year phase-out for modifiable magazines that are currently in circulation.
  - b) Ensure that the ban on modifiable magazines also applies to magazines for restricted firearms that are limited to 10 bullets.
  - c) Withdraw the official 2011 RCMP interpretation which says that if a magazine is not purposely designed for a specific gun in which it fits, it is exempted from the 5/10 limits.
  - d) Eliminate the exemption for magazines designed for rimfire ammunition, for which there are currently no limits.
  - e) Eliminate the exemption for magazines holding centre-fire cartridges that are designed for a long gun that is not a semi-automatic rifle.
- 4) Require a valid PAL to purchase magazines.

## B) Further protecting victims of stalking or intimate violence

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- 5) Introduce a stronger public safety bias in relation to the list of risk factors that **chief firearms officers (CFO)** must consider with respect to licence eligibility and include mental illness that is not necessarily characterized by violence
- 6) Require a mandatory follow-up telephone interview with the applicant's partner, as well as both references
- 7) Remove sections 4, 6, 7, 8, 9, 10, 11 and 12, that introduce the *ex-parte* option for victims to go to court themselves to seek the removal of an abuser's firearms. However, the amended section 117.0101 that allows for prohibition orders against individuals cohabiting with someone prohibited from owning firearms should be retained.
- 8) Amend section 16 of the bill to limit the ineligibility to own guns for individuals who were the subject of a protection order in the past.
- 9) Strengthen section 34 of the bill (Yellow flag) to say that if a CFO has reasonable grounds to suspect that an individual is no longer eligible to hold a licence, the CFO shall (not may) suspend use and acquisition of firearms.
- 10) Strengthen the wording of section 36 of the bill instructing CFOs to refuse or revoke a licence when they have reasonable grounds to believe that an individual has been involved in domestic or family violence.
- 11) Include an expansive definition of 'domestic violence' that includes all intimate and family violence, as well as non-physical forms of violence like coercive control and threats of suicide.
- 12) Amend section 36 of the bill to exclude employment as a justification for exempting an individual from licence revocation linked to a protection order (which would allow possession under a licence with "special conditions").
- 13) Amend section 37 of the bill to remove the ability of individuals subject to a prohibition order to dispose of their guns in a manner of their choice.
- 14) Amend section 41 to impose a fixed timeline of 24 hours to inform the CFO of a new protection order instead of the vague "without delay", along with the adoption of regulations ensuring police follow-up in all cases of prohibition orders and licence revocation or expiration.

## C) Freeze on handgun purchases

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- 15) Add businesses – other than retailers who provide specific handguns to police or security firms - to the ban on new handgun purchases, by strengthening section 17 of the bill (amending section 12 of the Act).
- 16) Limit the exemption in section 43 of the bill for shooting disciplines that are currently on the program of the Olympics or the Paralympics.
- 17) Amend section 43 of the bill in order to limit the exemption to athletes that currently compete, train or coach in a handgun-shooting Olympic or Paralympic discipline, instead of the blanket exemption for any and all future "beginners".
- 18) Strengthen the bill to ensure continuous eligibility, both for the competition exception (section 43 of the bill adding section 97.1 to the Act) by requiring an annual letter to the CFO, as well as the qualification to own a restricted weapon (section 28 of the Act) by requiring an annual submission demonstrating active membership in a gun club.

#### D) Other regulations

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- 19) Ensure that related regulations are drafted and adopted in the same approximate timeframe as the legislation.
- 20) Define “protection order” to cover all relevant forms of protection orders based on consultations with knowledgeable women’s organizations.
- 21) Strengthen storage regulations for businesses to avoid the type of break-in and theft of gun businesses that have lately taken place.

#### E) Other legislative measures

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- 22) Eliminate paragraph 64 (1.1) in the Act that grants a six-month grace period for those who do not renew their licences.
- 23) Ensure that police have easy and timely access to these records, without any procedural obstacles, including search warrants.

#### F) Enforcement

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- 24) Provide major investments for improved enforcement activities including training, more rigorous screening, and better use of the Firearm Incident Police (FIP) system.

### RISKS ASSOCIATED WITH ACCESS TO FIREARMS

Access to guns is a primary risk factor for armed violent behaviour. The simple fact that a firearm is present in a home [increases the risks of violence and intimidation](#) for the women and children who live there. Intimate partner violence (a subset of domestic violence restricted to current or previous romantic partners) that involves a firearm is [12 times more likely to result in death](#) than similar incidents that do not involve a firearm. A [study](#) from the University of Texas [made public in 2019](#) found that individuals who had gun access were approximately 18 times more likely to have threatened someone with a gun, compared to 3.5 for individuals with high hostility. Counter to public beliefs, the majority of mental health symptoms examined were not related to gun violence. Instead, access to firearms was the primary culprit. Access to guns in the home [triples the likelihood of homicide](#) and [multiplies the risk of suicide by five](#).

Even though assault weapons are not often used in violent crimes, they nevertheless represent unreasonable and enormous risks for the entire population, giving someone who wishes to do harm the power to kill dozens of people in mere minutes, simply with the pressure on a trigger. These weapons are able to pierce the armour and other protective equipment used by the police. The Polytechnique massacre and the shootings of police officers (two in [Innisfil](#) last week, four in [Mayerthorpe, 2005](#), three in [Moncton, 2014](#), two in [Fredericton, 2018](#), one in [Abbotsford, 2016](#), seven injured in [2022 botched B.C. bank robbery](#), etc.) demonstrate the enormous destructive potential associated with civilian access to these types of weapons.

As for handguns, it is important to counter the prevailing belief, promoted both by [civilian/corporate](#) and [political](#) opponents of gun control, that the problem of gun crime lies mainly with illegally imported handguns, particularly those in the hands of street gangs. In fact, [Statistics Canada's most recent report on gun violence](#) shows that only 6% of firearm-related violent crimes involve a criminal organization or a street gang. And [recent statistics from the RCMP tabled in the House of Commons](#) reveal that the problem is far

from being limited to illegally imported handguns: overall, 68% of guns seized by law enforcement throughout the country, including 40% of all handguns, are domestically sourced. [Various reports from all kinds of jurisdictions](#) show that source of crime guns vary from city to city, from province to province, and in time. Legal handguns also end up being used to commit crimes.

While combatting illegal trafficking remains a priority, it is not the main goal of Bill C-21. Reducing the number of legal handguns is primarily aimed at preventing the misuse by their owners (ex: Quebec Mosque shooting), at ending their purchase for illegitimate purposes like self-protection, and at preventing their theft (for example [an average of 700 handguns were stolen annually between 2000 and 2012](#)). Gun control and crime control are not mutually exclusive: we can - and should - do both.

## TRENDS - GUN CRIME AND VIOLENCE

Data from Statistics Canada show that the opponents of gun control, as they insist that the focus should rest solely on fighting illegally imported handguns and gang violence, are mistaken: most guns seized by police [are domestically sourced](#), and most gun crime [is not gang related](#). In fact, while the numbers may have changed since 2020, [the latest available nationwide statistics](#) show that gang-related firearms murders have gone down: “the rate of gang-related homicides decreased 10% from 2019” and is now “the lowest rate since 2016”, and the proportion of gang-related homicides [involving guns](#) has “declined to its lowest level since 2013, from 83% of all gang-related homicides in 2019 to 72% in 2020.” Altogether, “in 2020, 39% of firearm-related homicides were related to gang activity, the lowest proportion since 2015.”

But what is most important is the overall number of firearm-related homicides which continues to trend upwards since the 2012 weakening of the law, which includes the adoption of Bill C-19 in 2012 (abolishing registration of non-restricted firearms, mandatory verification of the validity of a buyer’s licence and sales ledgers) and Bill C-42 in 2015 (weakening control over the transportation of restricted firearms, increasing access to assault weapons and allowing thousands of gun owners to acquire new guns without screening via the transformation of the Possession Only Licence held by owners before 1995 into a Possession and Acquisition Licence). Enforcement has also been weakened coinciding with the advent of the Conservative government in 2008, with [lackadaisical screening](#) and [record increases](#) in the number of licences, including RPALs for restricted firearms. (It should be noted that while Bill C-71 passed in May 2019, it only started being implemented this year, meaning it’s too early to detect any potential impact.)

According to the [latest data from Statistics Canada](#), “the rate of firearm-related homicides has been generally increasing over the last eight years, seeing a 91% increase from 2013 to 2020”. In fact, the number of homicides has increased each year since 2013 except one. In 2017, the *rate* of gun homicides (0.72 per 100,000 population) was deemed “the highest rate of firearm-related homicides seen in Canada since 1992.” The latest statistics (for 2020) sets the rate at 0.73. This growing trend arrives after a long period of decline that started in the 1980s (with a peak around 1991) and reached [the lowest rate in 40 years](#) in 2013<sup>1</sup> with “much of the decline in firearm-related homicide since the early 1980s ... [attributed to a decrease in homicides involving a rifle or shotgun](#).” Some may argue that the year 2013 was an outlier, but Statistics Canada deems it an “inflection point”.

<sup>1</sup> “As a result of the decline in shootings, the 2013 rate of firearm-related homicides was the lowest recorded by the Homicide Survey since comparable data became available in 1974 (0.37 per 100,000 population)”. **Statistics Canada**, Juristat 2013, <http://www.statcan.gc.ca/pub/85-002-x/2014001/article/14108-eng.htm> and <http://www.statcan.gc.ca/pub/85-002-x/2014001/article/14108/c-g/desc/desc04-eng.htm>

Year	Firearm homicides	Firearm homicides (rate per 100,000 population)
<b>2011</b> – Last complete year covered by Bills C-17 and C-68	158	0.46
<b>2012</b> – Passage of C-19	172	0.49
<b>2013</b> – First full year without controls on rifles and shotguns (registration, sales records) except in Quebec	131	0.38
<b>2014</b>	156	0.44
<b>2015</b> – Passage of C-42 / registration ends in Quebec / other measures weakened	178	0.50
<b>2016</b>	223	0.62
<b>2017</b>	266	0.72 <sup>2</sup>
<b>2018</b>	249	0.68
<b>2019</b>	262	0.70
<b>2020</b>	277	<b>0.73</b>

## BILL C-21

PolySeSouvient strongly supports the [gun control package](#) that was announced on May 30, 2022, which included not only legislation (Bill C-21), but also commitments to strengthen regulations and to [amend the bill](#) in order to ensure a comprehensive “evergreen” type measure to ban *all* assault weapons.

While we applaud the freeze on new handgun purchases, the exemptions for businesses and Olympic disciplines risk undermining the goal of the freeze.

We strongly support the automatic prohibition to own guns for any individual subject to a protection order and the mandatory licence revocation for anyone engaged in domestic violence, although both measures need to be strengthened to prevent their circumvention by pro-gun provincially appointed Chief Provincial Firearms Officers.

While we have some concerns regarding the “yellow flag” measure, we stand in solidarity with major women’s organization [who oppose](#) the *ex-parte* “red-flag” measure inviting victims to go to court themselves to have firearms removed from their abusers.

Finally, we generally support the measures to combat gun smuggling and trafficking, as we do the prohibition of mid-velocity replica airguns.

<sup>2</sup> **Statistics Canada**, *Homicide in Canada, 2017*, “At 0.72 per 100,000 population, this marked the highest rate of firearm-related homicides seen in Canada since 1992.” <https://www150.statcan.gc.ca/n1/pub/85-002-x/2018001/article/54980-eng.htm>



These and the other signature measures render Bill C-21 worthy of strong and enthusiastic support, although these measures should be strengthened in order to optimize their public safety potential - in addition to the promised amendment to ban all assault weapons.

## DETAILED RECOMMENDATIONS

### A) Military-style assault weapons not reasonably used for hunting, and accessories

There is no rational reason to justify private ownership of firearms designed to kill humans. All firearms are dangerous, but some are more than others. Studies show that in active shooter situations semi-automatic rifles [wound and kill twice as many people](#) as those using weapons that don't self-load<sup>3</sup>, and fatality rates from gunshot injury [increase significantly with the calibre](#) of the firearm<sup>4</sup>. Research also shows that attacks involving large capacity magazines [resulted in](#) a much higher average death toll, with jurisdictions that allow these devices having twice as many mass-shooting as those that [ban](#) them. Moreover, the RCMP has repeatedly [alerted the federal Minister of Public Safety](#) as to the risk posed to public safety by the availability of these weapons.

In addition, [80% of Canadians](#) consistently favour a ban on assault weapons according to numerous polls, with support predominant in all regions including western provinces. Even a majority of gun owners back the measure, and support is the same in urban as in rural areas.

#### 1) Amend the bill to expand the definition of prohibited weapons in the Criminal Code to include all military-style weapons, including those that were not captured by the May 2020 OICs.

The May 2020 Orders in Council banned some 1,500 models, with approximately 300 additional ones deemed prohibited since. However, [these OICs does not constitute a ban on assault weapons](#), since [many models escaped](#) the list of models and related criteria in the OICs.

For example, the criteria limit the prohibitions to models that are “[of modern design](#)”. This excludes weapons like the Russian military weapon, the “SKS”. According to [an investigative report](#), the non-restricted semi-automatic SKS rifle falls under the definition of an assault weapon under the American 1994 Federal Assault Weapon Ban. The SKS has been used in several mass shootings, including murders of police officers ([South Simcoe](#), [Saanich](#), [Fredericton](#), [north of B.C.](#)). In September 2021, the Sûreté du Québec possibly prevented a massacre with this weapon in a North Shore high school by arresting a young man who said he wanted to shoot several people.



Another problematic criterion is the one that limits the prohibited status to firearms that “are present in large volumes in the Canadian market”, which essentially exempts any new model that is not a

<sup>3</sup> JAMA, *Lethality of Civilian Active Shooter Incidents With and Without Semi-automatic Rifles in the United States*, September 11, 2018. <https://jamanetwork.com/journals/jama/article-abstract/2702134>; National Post, *Active shooter study: Semi-automatic rifles more deadly*, September 11, 2018. <https://nationalpost.com/pmnlife-pmn/active-shooter-study-semi-automatic-rifles-more-deadly>

<sup>4</sup> JAMA, *The Association of Firearm Calibre With Likelihood of Death From Gunshot Injury in Criminal Assaults*, <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2688536>

variant of one of those on the list, as new models by definition are not already present on the market. This has resulted in a number of [new centre-fire military-style semi-automatic firearms](#) having been introduced to the market since the 2020 OICs...



[Lockhart Tactical Raven 9 Semi Auto Pistol Calibre Carbine](#)  
(2022) – non-restricted



[Sterling Arms R 18 Mk.2](#)  
(2022) – non-restricted



[Crusader 9](#)  
(2021) – non-restricted



[RS-Q2 Osprey](#)  
(2021) – non-restricted

... demonstrating the futility of the same failed approach that was implemented in [1991/1995](#) to ban these same types of weapons. This approach consisted of a list of restricted and prohibited weapons that was [supposed to be updated](#) on a regular basis, as [gun manufacturers](#) attempt to circumvent the intent of Parliament through minor changes to formerly restricted or prohibited military-style weapons.<sup>5</sup> A more comprehensive and permanent (“evergreen”) approach is needed, one that does not rely on successive governments to proactively respond every time a new model hits the market.

**The absence of regularly updating the regulations has allowed firearms to enter the Canadian market as non-restricted firearms, but that would have been classified as either restricted or prohibited had they existed in 1995. This poses a risk to public safety by allowing firearms designed for military and para-military purposes to be easily available to the public.**

- 2) Introduce new regulations to implement a pre-authorization process for all new models of firearms entering the market, so that only those that are deemed “non-restricted” or “restricted” and given Firearm Reference Number (FRN) by the relevant authorities would be legal.

While the Liberal government said it would inspect all new models before they can enter the market, there is no legal obligation for it to do so. Until recently, most inspections were carried out [by the industry itself](#). Future governments could just as easily decide to close their eyes to new entries onto the market and once again rely on manufacturers or importers to classify their weapons (note the

<sup>5</sup> [Translation] « *Firearms and ballistics expert Alan Voth explained that gun manufacturers study the laws of each country and create adapted versions to suit the laws in each market, to increase sales opportunities*”, *La Presse*, Tragédie de Dawson : l'arme du tueur plus accessible qu'il y a dix ans (The Dawson College Tragedy: killer's weapon easier to get than a decade ago), 2016. <http://www.lapresse.ca/actualites/justice-et-affaires-criminelles/faits-divers/201609/12/01-5019503-tragedie-de-dawson-larme-du-tueur-plus-accessible-qu'il-y-a-dix-ans.php> (translation)



blatant conflict between economic and public safety interests). This is precisely what led to the 2015 [Swiss Arms/CZ 858](#) fiasco, where the RCMP noticed the wrong classification allowing prohibited weapons to enter the market as non-restricted firearms. On the contrary, all new models should be prohibited unless having been subject to mandatory physical inspection, properly classified by the RCMP and given an FRN before being allowed on the market. Alternatively, the regulations could require manufacturers of importers to notify to the RCMP of planned new models including all their specification, granting the authorities the timeline needed to intervene in the case of models that are deemed prohibited or judged to merit prohibition.

3) Amend the [regulations prohibiting certain accessories](#) to remove all loopholes and exemptions with respect to the theoretical ban on large-capacity magazines.

Modifiable magazines are designed to hold 20, 30, even 50 rounds but are “pinned” to block more than 5 for long guns and 10 for handguns. However, [according to the RCMP](#), these pinned magazines are readily restorable to their full (and illegal) capacity, and that is exactly what several recent mass shooters [have done](#) before embarking on their killing sprees.

The Liberal election promise and the minister’s [mandate letter](#) state that the government will “[require] the permanent alteration of long-gun magazines so that they can never hold more than five rounds” and “[ban] the sale or transfer of magazines capable of holding more than the legal number of bullets”. We understand this to mean that regulatory changes will force the permanent conversion of existing modifiable magazines and prevent new ones from being sold. However, no further details have been released. This is long overdue, given the [many mass shooters](#) who modified their legally acquired magazines in order to increase the lethality of their weapons.

Yet, while extremely positive, this one measure is not enough to ensure that large capacity magazines are banned and actually limited to 5/10 rounds. [Other loopholes](#) will continue to undermine these limits unless the changes are comprehensive. The government also needs to further strengthen the law and regulations, including the elimination of [other loopholes and exemptions](#):

- f) Implement a phase-out for modifiable magazines that are currently in circulation. These devices should be permanently modified or out of circulation in a timely manner, for example not more than three years.
- g) Ensure that the ban on modifiable magazines also applies to magazines for restricted firearms that are limited to 10 bullets.
- h) Withdraw the official 2011 RCMP interpretation which says that if a magazine is not purposely designed for a specific gun in which it fits, it’s exempted from the 5/10 limits. This loophole was [blamed](#) by the coroner investigating the 2006 Dawson school shooting for allowing the gunman to use 10-round magazines for his long gun (the Beretta CX4 Storm) which otherwise would have been limited to five rounds.
- i) Eliminate the exemption for magazines designed for rimfire ammunition, for which there are currently no limits ([magazines that can hold 110 cartridges](#) are for sale online).
- j) Eliminate the exemption for magazines holding centre-fire cartridges that are designed for a long gun that is not a semi-automatic rifle.



4) Require a valid PAL to purchase magazines. It is incomprehensible that there are no requirements whatsoever to purchase magazines. The Danforth shooter, who had a stolen handgun, was legally able

to buy the magazines with which he shot his victims. Purchasing magazines should require the presentation of a valid gun licence, just like for the purchase of ammunition.

## B) Further protecting victims of stalking or intimate violence

### 5) Introduce a stronger public safety bias in relation to the list of risk factors that CFOs must consider with respect to licence eligibility and include mental illness that is not necessarily characterized by violence.

Apart from criminal convictions spelled out in [section 106 of the Criminal Code](#)<sup>6</sup>, the Firearms Act requires authorities to *consider* a relatively limited list of risk factors and other convictions<sup>7</sup>. However, nothing in the law prevents judges or firearms officers, if they choose to do so, from allowing access to guns for people who clearly display serious risk factors included in this list. So, while there is need for discretion, there are too many cases that show the system is not working as it should. Indeed, there have been numerous tragedies where authorities had knowledge of risky behaviour but did not make any (serious) attempt to remove a potential abuser's guns. For example:

- [Raymond Papatie](#) of Val-d'Or (Quebec) had a well-known history of violent and suicidal incidents spanning years. The police had had many interactions with Papatie and confiscated his weapons in late 2015. In fact, it was Thierry himself, on the orders of his superiors, who returned Papatie's firearms to him, including the one that ended up killing him a few months later. Before the murder-suicide, Papatie had even acquired two new weapons, including an SKS assault rifle.
- [Bryce McDonald](#) from B.C. had a criminal conviction for uttering threats and suffered from a major head injury that erased all his childhood memories. Despite this, he was approved for a restricted firearm licence and eventually purchased [49 restricted weapons, mostly handguns](#). He was arrested in 2013 and convicted various firearm offences. At least five of his guns have been involved in [crimes in B.C. and Alberta](#).
- [Adrian Clavier](#) of Saskatchewan had a long history of depression. He had been under psychiatric care for 35 years and was on heavy medication, information that he disclosed on his gun licence application. Members of his family tried, unsuccessfully, to warn the RCMP and asked for his guns to be confiscated, but their concerns were "blown off". He shot and killed himself in 2015.

<sup>6</sup> An indictable offence involving violence that carry a minimum 10-year sentence, the use of a firearm in commission of a crime, firearm-related offences and drug trafficking: "109 (1) Where a person is convicted, or discharged under section 730, of (a) an indictable offence in the commission of which violence against a person was used, threatened or attempted and for which the person may be sentenced to imprisonment for ten years or more, (a.1) an indictable offence in the commission of which violence was used, threatened or attempted against (i) the person's current or former intimate partner, (ii) a child or parent of the person or of anyone referred to in subparagraph (i), or (iii) any person who resides with the person or with anyone referred to in subparagraph (i) or (ii), (b) an offence under subsection 85(1) ([using a firearm in commission of offence](#)), subsection 85(2) ([using an imitation firearm in commission of offence](#)), 95(1) ([possession of prohibited or restricted firearm with ammunition](#)), 99(1) ([weapons trafficking](#)), 100(1) ([possession for purpose of weapons trafficking](#)), 102(1) ([making an automatic firearm](#)), 103(1) ([importing or exporting knowing it is unauthorized](#)) or section 264 ([criminal harassment](#)), (c) 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, or (d) an offence that involves, or the subject matter of which is, a firearm, a cross-bow, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition, any prohibited ammunition or an explosive substance and, at the time of the offence, the person was prohibited by any order made under this Act or any other Act of Parliament from possessing any such thing". Section 109 of the Criminal Code. <http://laws-lois.justice.gc.ca/eng/acts/C-46/FullText.html>

<sup>7</sup> "(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, (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 on the part of the person against any person." Section 5(2) of the Firearms Act. <http://laws-lois.justice.gc.ca/eng/acts/F-11.6/FullText.html>

- [Éric Bergeron](#) of Chicoutimi was able to legally recover his firearms despite them having been confiscated following a 2013 standoff with the police during which he barricaded himself with his guns. In September 2017, Bergeron was charged with four counts, including making death threats against high school students and School Board employees.
- In 2018, Burk's Falls hunter and gun club member [Mark Jones](#) killed his neighbour, her son, her mother and himself, despite the fact that the main victim (Ulla Theoret) reported to police that she had being violently sexually assaulted by him, and despite his driver's license being revoked because of his dementia.
- [Lionel Desmond](#) of Nova Scotia was allowed to keep his licence [despite](#) extensive mental health issues, including PTSD, and despite his wife warning the police that he would harm himself, Desmond. One morning in 2017 he bought an SKS and shot his family and himself in their rural Nova Scotia home: his 31-year-old wife, their 10-year-daughter Aaliyah, and his mother Brenda, 52, before killing himself.
- In 2013, Lindsay Wilson was murdered by an [obsessive ex-partner](#) who was given a firearms licence despite convictions for forcible confinement and assault. He bought five guns in a private sale in 2007 and was charged with theft after being accused of stealing jewelry during the sale. Yet his gun licence was renewed in 2009, and he was allowed to keep it despite being hospitalized after threatening suicide in 2012. The coroner's found that her killer had 16 different risk factors for intimate partner homicide, including obsessive behaviour, unemployment, drug and alcohol use, a history of controlling behaviour, sexual jealousy, access to firearms, and the "victim's intuitive sense of fear of the perpetrator."
- Multiple witnesses told police they knew about [Gabriel Wortman's](#) weapons and that they assumed he had a licence. Former neighbour Brenda Forbes said she reported his illegal guns, but police didn't take her complaints seriously or make efforts to properly investigate the accusation.

The Firearms Act should be strengthened to introduce the clear undesirability of licence eligibility for individuals with prior violence-related convictions or recent risk factors. In other words, the existence of a range of circumstances and risk factors should act as presumptive grounds of disqualification for a licence. **This could be achieved by amending subsection 5(2) of the Firearms Act in a way that compels the CFO to have primary regard to the undesirability for a person to possess a firearm if they present one or some of the enumerated risk factors.** It should be underlined that a false negative (failing to identify a situation of domestic violence and failing to remove the firearms) can have dramatic life-and-death consequences, while a false positive (losing one's gun without having engaged in domestic violence) is a temporary suspension of a privilege.

#### 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, a crossbow, a prohibited weapon, a restricted weapon, a prohibited device, ammunition or prohibited ammunition.

**(2)** In particular, among the risk factors to be considered 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 the undesirability that the person possess a firearm if the person:

[list of risk factors]

In addition, the list of risk factors that judges and CFOs must consider should be expanded to include mental illness that is not necessarily characterized by violence. Most people who suffer from schizophrenia, Alzheimer's or alcoholism are not violent, but many probably shouldn't own firearms. These ailments should at the very least be part of the factors that must be *considered*. In addition, given the [increasing concern](#) over the secondary effects on suicidal and even violent behaviour of certain antidepressants (as in the case of [Alexandre Bissonnette](#)), the fact that someone is taking antidepressants should also be part of the list of risk factors that should be taken into account.

- 6) **Require a mandatory follow-up telephone interview with the applicant's partner**, as recommended by the [fatality report](#) of Corey Lewis's death, **as well as both references**.

[According to](#) one gun-rights group, less than 10% of references are checked. In its [2010 evaluation](#) of the Canadian Firearms Program, the RCMP pointed to *"several instances where applicants falsified the names and signatures of references, as well as instances where references indicate they signed forms under duress by the applicant. Others have confided that even if they signed the form, some circumstances have changed which caused them to change their minds or they believed the applicant should never possess a firearm."* This revelation, in and of itself, justifies the mandatory follow up with all listed references.

- [Corey Lewis](#) of Alberta was known to have been violent towards his family, to have suffered severe bouts of depression and to have experienced periods of wanting to kill himself. While he disclosed much of this information on his application, he was granted a licence anyway, including one for restricted weapons. In 2010, he assaulted his wife and stepson and then barricaded himself with his five legal guns. A tactical unit was called in to deal with the shotgun-wielding Lewis, a situation which ended with his "suicide by cop". Even though he disclosed that he was under investigation for an alleged assault involving his stepson, [the licensing officer didn't](#) talk to Lewis' wife nor did he check publicly available court documents that would have detailed his issues with police.

The judge who authored the [fatality report](#) of Lewis's death wrote that *"the screening process used to grant the gun licences to Mr. Lewis lacked diligence and common sense"* and called for major changes in the way licences are granted, including mandatory standard operating procedures including a telephone interview with the applicant's partner, a review of all public court documents and an independent verification of criminal convictions, restraining orders or a history of depression, alcohol or substance abuse or allegations of violence.

- 7) **Remove sections 4, 6, 7, 8, 9, 10, 11 and 12, which introduce the *ex-parte* option for victims to go to court themselves to seek the removal of an abuser's firearms**

There is no support from any recognized feminist or anti-intimate violence organizations for the "red flag" measure proposed by C-21, under which victims or potential victims would be entitled to make an application to a court for an order to remove the firearms from a stalker or an abuser. This option goes against the hard-fought principle of removing any responsibility from a victim with respect to decisions to charge an abuser, as this can further endanger the victim. The introduction of new procedures for victims also shows a lack of understanding of the nuances of intimate abuse. Indeed, it is unrealistic to expect victims to have the means and the fortitude to go to court while they face the simultaneous challenges of escaping abuse, caring for children and keeping their jobs.

Canada's law provides wide latitude and authority to CFOs and police to refuse a licence to any person who is a threat to themselves or to any other person and to remove guns when risks are identified. The Firearms Act enumerates a range of considerations that could be weighed in deciding whether a licence

should be granted or not. These considerations are in no way limiting. This is not the case in the United States, where gun ownership is considered a right and judicial action is more relevant. Even so, [many questions remain](#) regarding the effectiveness of state “red flag laws”.

Instead of adding a new procedure based on the very same criteria that allow too many perpetrators to fall through the cracks, both the law and enforcement of the law should be strengthened to better protect potential victims.

That being said, **the amended section 117.0101 that allows for prohibition orders against individuals cohabiting with someone prohibited from owning firearms should be retained.**

**8) Amend section 16 of the bill to limit the ineligibility to own guns for individuals who were the subject of a protection order in the past.**

The prohibition to own guns for people subject to a protection order (ex: restraining order) in sections 15 and 16 will bring Canada in line with comparable controls for domestic abusers that have been in place for years in the United States, where the law [explicitly bans gun ownership](#)<sup>8</sup> for individuals subject to a restraining order involving an [intimate partner](#). The measure is fully justified by the fact that [abused women are](#) five times more likely to be killed if their abuser owns a firearm, and domestic violence assaults involving a gun are [12 times more likely to end in death](#) than assaults with other weapons or physical harm.

The introduction of this measure comes seven years after the Manitoba government [considered](#) including a mandatory gun ban in all restraining orders in cases of domestic violence.

- [Kevin Runke](#) was the subject of a restraining order, granted at the request of his estranged wife Camille Runke. That order did not include a prohibition to own guns, despite the fact that when she applied for the order, she noted that he had access to guns, and she was afraid he would use them against her. He shot and killed Camille in October 2015 at her St. Boniface workplace. Unfortunately, the government’s attempt to implement the mandatory ban in all restraining orders failed, as the [revised Manitoba Domestic Violence and Stalking Act](#) only makes such a ban optional.
- Calgary resident [Robert Leeming](#) had a restraining order against him, to protect his ex-wife, yet he was allowed to keep his guns. In 2019, he used one of them to shoot and kill his more recent ex-girlfriend Jasmine Lovett and her two-year old daughter (Aliyah Sanderson).

We fully support this measure, as does the National Association of Women and the Law (NAWL).

However, extending the eligibility removal to any individual who has ever been subject of a protection order in the past, while having merit, could have some unintended consequences. For example, some

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<sup>8</sup> “Federal Restrictions on Gun Ownership by Convicted Felons”, <http://www.shestokas.com/general-law/federal-restrictions-on-gun-ownership-by-convicted-felons/>; “It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person-- (1) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year; (2) is a fugitive from justice; (3) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)); (4) has been adjudicated as a mental defective or has been committed to any mental institution; (5) who, being an alien... (6) who has been discharged from the Armed Forces under dishonourable conditions; (7) who, having been a citizen of the United States, has renounced his citizenship; (8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child ... or (9) has been convicted in any court of a [misdemeanour crime of domestic violence](#).” 18 U.S.C. § 922 - U.S. Code, <http://codes.findlaw.com/us/title-18-crimes-and-criminal-procedure/18-usc-sect-922.html>

judges could hesitate in granting protection orders if they come with a lifetime ban for owning firearms, especially for subsistence hunters. Moreover, NAWL sees a risk that abusers, knowing that they may lose their guns forever, will start contesting applications for a protection order. These orders are often granted with consent, so more contested applications will mean longer court processes and more delays experienced by victims of domestic violence. The government should consider limiting the ineligibility for past protection orders (ex: last three years)

- 9) **Strengthen section 34 of the bill (Yellow flag) to say that if a CFO has reasonable grounds to suspect that an individual is no longer eligible to hold a licence, they shall (not may) suspend use and acquisition of firearms.**

- 10) **Strengthen the wording of section 36 of the bill instructing CFO's to refuse or revoke a licence when they have reasonable grounds to believe that an individual has been involved in domestic or family violence.**

The idea behind section 36 of the bill represents a critical improvement for women's safety, as it instructs the CFO to refuse or revoke a licence to an individual engaged in domestic violence. However, the discretion of the CFO to subjectively 'determine' whether domestic violence or stalking has occurred should be circumscribed, especially now that some provinces [are appointing](#) CFOs to "assist in advocacy" aimed at "(standing) beside law-abiding ... firearm owners".

The wording of section 70.1 of the Act should be strengthened as follows: "if a chief firearms officer receives information that would satisfy a reasonable person that an individual who holds a licence may have engaged in an act of domestic or family violence or stalking, the chief firearms officer must revoke the licence."

- 11) **Include an expansive definition of 'domestic violence' that includes all intimate and family violence, as well as non-physical forms of violence like coercive control and threats of suicide.**

In the absence of a definition of domestic violence, there is a risk that CFOs will adopt a restrictive definition that only includes physical assault. However, [experts know](#) that sexual, psychological and financial abuse are central to domestic abuse and control. Threats against a third party, sexual control, violence against a pet, threats of self-harm to induce compliance, surveillance are all forms of "coercive control" and should be considered as risk factors that can lead to fatal violence. We recommend copying or referring to the definition of 'family violence' recently adopted into the Divorce Act.

- 12) **Amend section 36 of the bill to exclude employment as a justification for exempting an individual from licence revocation linked to a protection order (which would allow possession under a licence with "special conditions").**

The exemption for employment in cases justifying revocation of a licence should be removed. Security guards and especially police officers are just as likely ([or more](#), according to American research) to be engaged in domestic violence. The life of a potential victim should be paramount and not superseded by employment preferences. (While the bill specifies these special conditions would apply only to those employed "in the ONLY vocation open to the individual", it beggars the mind to imagine a security guard or police officer who could not find any other job - which renders this condition suspect.) It should further be argued that anyone engaged in domestic abuse should definitely not be employed in a job that consists of protecting people and that requires firearms. There are [over 100,000](#) private security guards and [over 70,000](#) police officers in Canada.



- In 2017, [Martin Nguyen](#) was arrested for the violent kidnapping of a Montreal resident and was suspected of having threatened other victims in recent months. Despite this, a court allowed him to possess a firearm as part of his job as a security guard.

**13) Amend section 37 of the bill to remove the ability of individuals subject to a prohibition order to dispose of their guns in a manner of their choice.**

There is no justification to allow a gun owner under a prohibition order to dispose of their guns themselves as the risk of such a privilege goes counter to the whole idea of removing the guns. An owner could give or sell his gun to a friend or family member with the understanding that he would still have access to it. The focus should be the swift and safe removal of firearms by police.

**14) Amend section 41 to impose a fixed 24-hour timeline to inform the CFO of a new protection order instead of the vague “without delay” along with the adoption of regulations ensuring police follow-up in all cases of prohibition orders and licence revocation or expiration.**

There is a very real possibility that, as soon an individual knows that he may lose his guns, he might hide them or commit irreparable harm against his partner or ex-partner. It is therefore critical that the specific regulatory and administrative measures ensure timely and effective removal of the weapons, including a fixed deadline once a prohibition order has been issued: the Act should establish a timeline of 24 hours instead of the vague and subjective “without delay”.

Whether it be through prohibition order, revocation of a licence, or expiration of a licence, regulations are needed to ensure immediate follow-up to remove firearms from affected individuals.

- Despite a lifetime prohibition to own guns after being convicted on domestic charges for threatening to “hang” the son of his partner, [Basil Borutski](#) still carried a firearms possession and acquisition licence in his wallet - up to the day he killed three women, two with a shotgun, in September 2015.
- The man charged with the 2017 first-degree murder of Constable John Davidson of Abbotsford (B.C.), [Oscar Arfmann](#), had an expired licence.

### **C) Freeze on handgun purchases**

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**15) Add businesses – other than retailers who provide specific handguns to police or security firms - to the ban on new handgun purchases, by strengthening section 17 of the bill (amending section 12 of the Act).**

Why should commercial interests be given an advantage over individuals with respect to access to handguns? As it is written, there are no limits on businesses to purchase new handguns. Gun club and ranges, for example, could amass limitless amounts of handguns, thereby sustaining and even sanctioning the expansion of handgun sports or combat shooting - and the associated American-style gun culture that comes with these. The ban on new purchases should apply to all businesses except for gun retailers that sell specific handguns to policing institutions and security firms. Allowing gun clubs, gunsmiths, museums and any other commercial enterprise to import or purchase new handguns goes squarely against the spirit and objective of law, that is to [cap the market](#) for handguns.

**16) Limit the exemption in section 43 of the bill for shooting disciplines that are currently on the program of the Olympics or the Paralympics.**

In Canada, there exists multiple shooting sports organizations where competitors use handguns, [including](#) the Shooting Federation of Canada (SFC), the International Practical Shooting Confederation (IPSC), the International Defensive Pistol Association (IDPA), the Dominion of Canada Rifle Association, Service Pistol discipline (DCRA), Cowboy Action Shooting and Bullseye.

The most vocal pro-gun groups and enthusiasts have called for IPSC to be included in the exemption granted to Olympic or Paralympic disciplines with respect to the freeze on new handgun acquisitions.

Exempting IPSC could render the measure meaningless. Indeed, IPSC can certify any shooting “sport” that it chooses. Since the vast majority of handgun owners acquired their handguns based on their stated intention to engage in target practice, and since every gun club could decide to offer IPSC shooting practices, it follows that most if not all gun club members could be exempt from the freeze on handgun purchases. Indeed, [IPSC-BC says](#) 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.” This could mean that, in practice, nothing would change from the status quo.

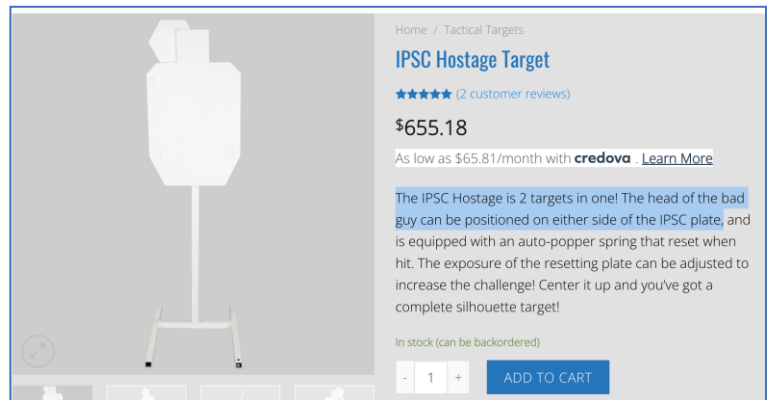
Bill C-21 should not be amended to exempt competitions other than Olympic disciplines from the freeze on new gun handgun acquisitions. In addition, it should legislate with the possibility in mind that IPSC could one day achieve recognition by the International Olympics Committee. Amending Bill C-21 to limit the exemption to current Olympic or Paralympics competitions would prevent a future scenario which would render the freeze on new handguns meaningless.

*Who is IPSC*

International Practical Shooting Confederation (IPSC) is the international organization representing combat shooters, which has chapters in over 70 countries, including Canada. IPSC Canada's individual members [belong to](#) hundreds of existing gun clubs that own shooting ranges. The provincial IPSC chapters [work with](#) gun clubs to organize IPSC shooting events at their ranges, promote and organize competitions and train participants.

*What is practical shooting?*

The US Violence Policy Center [describes](#) practical shooting as the almost complete opposite of traditional target shooting sports. “Competitors conduct their activities over a ‘run-and-gun’ obstacle course where they face a variety of ‘real world’ or ‘practical’ shoot/don’t shoot situations, such as firing at the human silhouette of a ‘hostage taker’ while sparing the ‘hostage.’ Unlike traditional target sports, the weapons used are most often large-calibre pistols, assault rifles, and riot shotguns.”



Although enthusiasts publicly refer to this sport as "practical" shooting, among themselves they commonly refer to it as "combat" or "tactical" shooting. Competitions often take place in a landscape of wrecked cars, alleyways, houses and businesses, with titles like "Save the Bank," "The Bodyguard," "Cartel House Raid," and "Carjacked by Gang Members" reflecting the self-defence or hostage liberating fantasies of combat shooters.

To illustrate the kind of gun culture espoused by IPSC, it should be noted that the entity is [heavily funded](#) by the gun industry, including manufacturers of [handguns and assault weapons](#). The Canadian chapter [has donated](#) close to 30 thousand dollars to the Canadian Coalition for Firearms Rights' legal challenge fund, which aims to declare the May 2020 prohibition of some 1,500 models of military-style weapons unconstitutional.



### *How combat shooters could be exempt from handgun freeze*

There are two ways that the Canadian gun lobby can manage to exempt “practical” or “combat” shooting from the ban on new handgun purchases: amend the bill to specifically exempt IPSC competitions or have IPSC competitions be recognized as an added [shooting discipline](#) by the Olympics.

### *Campaign to amend C-21*

The Canadian Coalition for Firearm Rights (CCFR) has [already signalled](#) it intends to submit to the Standing Committee on Public Safety and National Security a request for an amendment to exempt IPSC, and [Wolverine supplies](#) and [others](#) have launched a call to action aiming for the same goal, which is being [distributed](#) by various pro-gun groups.


**Canadian Coalition for Firearm Rights**

June 2 · 🌐

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IPSC is recognized by the Global Association of International Sports Federations (GAISF) and Alliance of Independent Recognized Members of Sport (AIMS), both are feeder organizations for the International Olympic Committee (IOC).


The CCFR is of the opinion this accreditation should qualify as "elite sports shooters who compete or coach in a handgun discipline recognized by the International Olympic/Paralympic Committee" as outlined in the exemptions to the handgun "freeze".

We are vigorously exploring this position and will be submitting a recommendation to the Standing Committee on Public Safety and National Security to include IPSC in the exemptions, should this ridiculous regulation be implemented.

Stay tuned for more updates on this as we progress through the process and implement an advocacy campaign to this end.



We will never stop.


-Tracey Wilson, Registered Lobbyist, CCFR

**Mr Wolverine •**  
 Wolverine Supplies - CGN Sponsor  
  
 Join Date: Mar 2004  
 Location: Manitoba, Canada  
 Posts: 654






**Urgent calling all IPSC Black Badge competitors**  
 Urgent action needed today June 1st 2022 to save IPSC No fooling around.  
 There is of course bill c-21 which is a full press attack in handguns . But there is a more present issue RIGHT NOW !!!!  
 To effect the shut down of the handgun sports and to give a full stop to IPSC the Liberals have introduced a Regulation yesterday and it is being ushered through the HoC and Senate now , right now. It will stop all handgun transfers. But it has exemptions. One exemption is the Olympic handgun shooters. I have attached the regulation . What is missing are the msn handguns sports in Canada. Those are IPSC, IDPA , PPC and DCRA service pis . They Must be included in the exemptions NOW , This regulation can be hanged IF all of the competitors and all of their influential friend IMMEDIATELY get going and put their time and money into contacting all MP's and Senators. NOW  
 Please spread this Today  
 The fact is the regulation is before Parliament and can be passed quickly Then its over. Lets show all the strenth we have.  
 This can make a difference.  
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### *Recognition as an Olympic discipline*


 Posted by u/JohnnyCanuck133 4 months ago
 

19  

**How does one go about petitioning the International Olympic Committee to allow IPSC as an event?**

Asking for us Canadians who's entire IPSC scene is about to get nuked following our extremely short-sighted governments new proposed law that is going to ban all handguns sales short of those needed for training for an Olympic event? [If we could somehow get IPSC into the Olympics, it would allow all those of us with a passion for it to continue to enjoy our sport and keep the scene alive.](#) Go figure they tabled this right when I finally got my rig all purchased and was about to go take by Black Badge and start competing.

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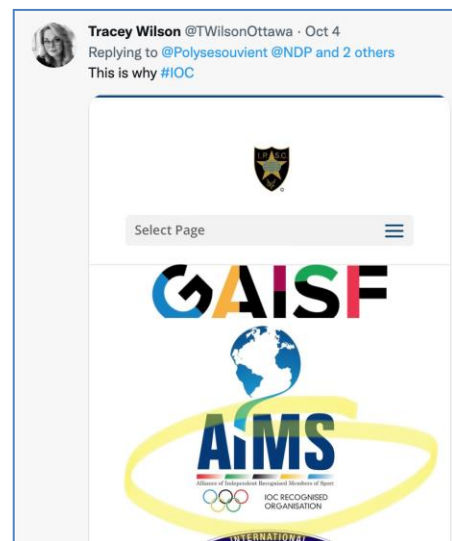


The efforts to recognize combat shooting as an Olympics discipline is headed by IPSC. According to the US Violence Policy Center, the gun lobby in the USA is engaged in a multi-year international campaign to make “combat shooting” an Olympic sport. They explain that combat shooting enthusiasts hope that by associating their “sport” with the Olympics, under the euphemistic expression of “practical shooting”, will legitimize and popularize both their competitions and the increasingly lethal weapons they use. The VPC further states that “by establishing combat shooting as an international sport, the gun lobby would also advance several of its most cherished goals. Olympic status for combat shooting would create new legal arguments in favour of non-sporting firearms, new opportunities to attract children into the gun culture, and new marketing opportunities for struggling gun makers.”

The International Shooting Sports Federation (ISSF), which formally recognized by the International Olympic Committee (IOC) as the sole controlling body administering the shooting sport at national level. In 1998, the leaders of the ISSF, Secretary General Horst G. Schreiber, reacted this way to IPSC’s direct application to the IOC for combat shooting to be recognized as an Olympic discipline: “We want nothing to do with them. ... It is not a sport. I think it's a camouflage for those who are supposed to deliver their high-power .45 pistols to the government, and they [seek to] find some sort of a legal possibility to keep possession of their revolvers or pistols.”

Unfortunately, years of worldwide lobbying has moved IPSC closer to its goal. In the last year, it became a full member of the Global Association of International Sports Federations or GAISF - the umbrella organization for all Olympic and non-Olympic international sports federations as well as organizers of multi-sports games and sport-related international associations. It also became a full member of the Alliance of Independent Recognized Members or AIRM - an international sports federation representing the interests of sports not recognized by the International Olympic Committee but that is itself fully recognized by the IOC.

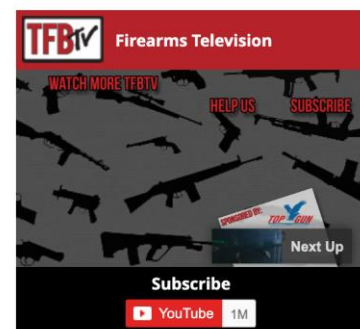
In other words, the eventual IPSC recognition is a very real possibility, especially given the lopsided efforts where multiple worldwide pro-gun networks are actively lobbying the IOC and gun control organizations are generally absent, in addition to being comparatively minuscule, understaffed, and underfunded.



## IPSC Practical Shooting one step closer to becoming an Olympic Sports

Posted November 13, 2019 in [Daily News](#), [Shooting Sports](#) by [Eric B](#) with [18 Comments](#)

Tags: [EU gun ban](#), [ipsc](#), [IPSC World Shoot](#), [Olympic shooting](#), [Olympics](#)



- 17) Amend section 43 of the bill in order to limit the exemption to athletes that currently compete, train or coach in a handgun-shooting Olympic or Paralympic discipline, instead of the blanket exemption for any and all future “beginners”.

We were unable to envision further circumscriptions aimed at preventing the potential abuse of this exception. As it stands, the exemption for anyone “training, competing or coaching in a (Olympic) handgun shooting discipline” would disqualify no one from entering the sport. Anyone claiming to be interested in one day competing in a handgun-shooting Olympic discipline could be accepted in a beginner course and be exempted. In addition, the requirement to providing a letter from a shooting sports governing body indicating “that the handgun in question is necessary for training, competing or coaching in those disciplines” opens the door to any handguns not actually used in Olympic disciplines, as coaches can easily justify that other handguns are necessary for training purposes.

IPSC is already planning how they would do this were they to receive a similar exemption: “The concern presented to me is how we will allow new shooters after the legislation come into affect to become members without actually owning a gun... If we were to expand the role of black badge instructors into more of a coach with an expanded Black Badge course with a pre-course using a gun provided by the coach we maybe able to make it work.”

In our view, the only way to close this massive loophole is to grandfather current athletes and coaches, limiting new handgun purchases to only those individuals.

- 18) Strengthen the bill to ensure continuous eligibility, both for the competition exception (section 43 of the bill adding section 97.1 to the Act) by requiring an annual letter to the CFO, as well as the qualification to own a restricted weapon (section 28 of the Act) by requiring an annual submission demonstrating active membership in a gun club.

On the federal level, the most popular reason given to justify the acquisition of a restricted firearm is target practice (Section 28 of the Act: “the purpose for which the individual wishes to acquire the restricted firearm or handgun is (i) for use in target practice”). This is a condition that is limited to the time of the application, where one presumably needs to be an active member of a gun club. Bizarrely, there is no requirement to maintain such a membership once the restricted firearm is purchased. This does not make sense. In Quebec, the Anastasia Law obliges owner of restricted weapons to be actively practicing target shooting (at least once a year) in order to keep owning such guns.

The need to validate continuous eligibility is obvious and should be applied to both the owner of restricted weapons and individuals training in Olympic shooting sports using handguns. The bill should be amended to require an annual submission demonstrating membership in a gun club and an annual letter from a shooting federation attesting to the participation in Olympic disciplines.

#### D) Other regulations

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- 19) Ensure that related regulations are drafted and adopted in the same approximate timeframe as the legislation.

Bill C-71, which brought in some moderate improvements linked to 2015 Liberal election promises, was tabled in March 2018 and adopted by the Senate a year later in May 2019. The draft enabling regulations, however, did not materialize until June 2021 (on the eve of a new federal election). It was



only in May 2022 that the measures came fully into effect – more than three years after the bill passed. Such a delay is unacceptable as it can cost lives. We strongly recommend that the current government include the drafting of regulations in its current efforts surrounding Bill C-21 in order to avoid a similar fiasco. Unveiling the regulations in a timely matter is especially important in the context of gun control as the details can “make or break” a measure, as we saw with the [draft regulations on licence verification](#) (which in the end were [fortunately corrected](#)). The definition of prohibited devices with respect to large-capacity magazines, the definition of “Protection orders”, and the new rules for commercial storage are critical.

**20) Define “protection order” to order to cover all relevant forms of protection orders based on consultations with knowledgeable women’s organizations.**

The definition of “protection orders” is to be set out in accompanying regulation. “Protection orders”, could mean a variety of things. According to women’s organizations that work to prevent domestic violence, all relevant forms of protection orders should be covered. Their feminist groups and experts must be consulted in developing the new definition of “protection order”. In addition, the definition of “protection order” should come into force at the same time as Bill C-21.

The National Association of Women and the Law (NAWL) recommends that “Protection order” includes an order or injunction that is made under the relevant provincial, territorial, federal or First Nations legislation in the context of civil or family law proceedings, as well as peace bonds under sections 810, 810.02, 810.1 or 810.2 of the Criminal Code, that are made to protect the safety of one or more persons and that prohibit the person subject to the order from:

- a) being in physical proximity to a specified person or following a specified person from place to place;
- b) contacting or communicating with a specified person, either directly or indirectly;
- c) attending at or being within a certain distance of a specified place or location;
- d) engaging in harassing or threatening conduct directed at a specified person;
- e) occupying a family home or a residence; or
- f) engaging in family violence.

**21) Strengthen storage regulations for businesses to avoid the type of break-in and theft of gun businesses that have lately taken place.**

Guns stolen from gun clubs or gun stores are not uncommon. The [majority](#) of these guns are never recovered. Regulations for commercial storage should be strengthened to prevent such incidents.

- The handgun used in the [Danforth](#) shooting was stolen from a Saskatchewan gun store.
- In October 2018, a man broke into the [NAS Guns and Ammo store](#) in Fonthill, southeast of Hamilton, stealing 21 handguns.
- Last May, a significant number of restricted guns were stolen from southern [a Dunmore, AB gun club](#).
- In February, a trailer from Savage Arms Inc carrying thousands of firearms (3409) and magazines (6568) was stolen in [Peterborough, ON](#). The stolen trailer was eventually recovered, but the danger to public safety of such an arsenal would have been mindboggling had it not been recovered.

## E) Other legislative measures

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### 22) Eliminate paragraph 64 (1.1) in the Act that grants a six-month grace period for those who do not renew their licences.

The accuracy of the information in the licensing system is always paramount. One only has to recall the murder of Officer Daniel Tessier of Laval during a raid on a Laval residence to demonstrate the importance for police to have access to updated data related to possession permits:

- According to the [Occupational Health and Safety Commission](#), the Daniel Tessier had not reported his change of address, and the police, having consulted the system based solely on the residence's address – not his Tessier's name, were not alerted to the presence of firearms.

### 23) Ensure that police have easy and timely access to these records, without any procedural obstacles, including search warrants.

Procedural obstacles like obtaining a warrant or any other type of “judicial authority” contravene one of the main purposes of sales and inventory records: the prevention of criminal activities through normal and periodic inspections, as well as the ability to analyze data for research and policy purposes. [According to the Chief Firearms Officer in Saskatchewan](#), sales and inventory data were routinely inspected to make sure various laws were respected: *“A firearm business inspection involves a 100% manual count of all firearms on site. As part of the inspection, the firearms business ledgers — which are a business tool and the property of the business — are consulted on site and compared to the results of the manual count. If the numbers from the manual count and business ledgers do not match, a follow-up investigation may be conducted to determine why the numbers are different and to determine the whereabouts of the business firearms.”* Procedural prerequisites risk limiting investigations of crimes to those that have already been, or are about to be, committed, and may prevent routine inspections to ensure compliance and data analysis for research purposes.

## F) Enforcement

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### 24) Provide major investments for improved enforcement activities including training, more rigorous screening and better use of the Firearm Incident Police (FIP) system.

As thoroughly described in [a Le Devoir investigative report](#), there are major flaws at the implementation level surrounding access to gun licences, including those recommended in the RCMPs [2010 evaluation](#) of the Canadian Firearms Program.

- Alexandre Bissonnette has been treated for years by a professional for mental health issues, but was nevertheless allowed to own [several handguns and assault weapons](#).

Actions are required to ensure that the system does better at identifying at-risk individuals and carrying out preventative actions. These efforts should include better education about potential risks for judges, police, communities and health practitioners, as well as their role and responsibilities as they pertain to prevention.

When an individual 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) and cross referenced with the gun license database, producing a Firearms Interest to Police event (FIP) which is

then sent to the relevant firearms officer for review. This is the “daily vetting” that gun groups always refer to. However, [a recent media report](#) unveiled data that shows that the system is often neglected by police, who are supposed to enter critical information, like when someone is stalking an ex-partner. For example, police in Quebec issue more than four times as many entries per capita than police in British Columbia. The use of this critical tool should be optimized and applied universally across the country.

The law is a tool. Unfortunately, it is not being used adequately to protect victims against abusers and potential abusers.