

Position Paper

Weakening Gun Control in Canada: How Bill C-391 threatens the safety and security of Canadian women and children

PATHS Official Position: PATHS strongly opposes Bill C-391. Further, the association supports the maintenance of a Long-Gun Registry to ensure the strength and integrity of gun control laws in Canada as one means of preventing deaths, violence, and abuse against women and children.

“The primary objective of regulating firearms should be to ensure that Canada remains a peaceful and civilized country.”

-Former Justice Minister Allan Rock

The Provincial Association of Transition Houses and Services of Saskatchewan, also known as PATHS, is a non-profit organization whose membership include shelters for women who have experienced violence and their children, second stage housing programs, and services whose primary mandate is to provide support and referrals for abused women. PATHS was established in 1984 with the purpose of working towards creating a society free of violence against women and children.

Intimate partner violence and abuse is a serious social concern in Canada with far reaching consequences. Violence against women and children not only affects the individuals who are directly involved in these acts but also has costly impacts on our communities, cities, and Canadian society at large. For the woman, the effects of abuse are serious and long lasting. In some cases, the consequences are fatal (Bryant, 1994). The spousal homicide rate against women in Canada is 5 times higher than that against men and the weapon of choice for males who commit intimate partner homicide are rifles and shotguns (long-guns) with over 88% of all intimate partner homicides against women being completed with a long gun (Canadian Association of Emergency Physicians [CAEP], 2009). In Canada, over 76% of gun owners own a rifle or shot-gun (CAEP, 2009). It is generally accepted that the presence of a firearm in the home is a risk factor for intimate partner homicide and increases the risk of physical harm, threats, and intimidation. Easy access to firearm ownership and possession increases the risk for intimate partner violence, abuse, and homicide and leaves women at greater risk in their own homes.

Bill C-391, *An Act to amend the Criminal Code and the Firearms Act* (repeal of long-gun registry) will weaken Canadian gun control and efforts to prevent violence against women and children. Dismantling the gun registry poses a great threat to public safety

and causes deep concern to those who fight for the advancement and safety of women and girls in this country. PATHS, along with numerous other organizations and associations including but not limited to the Canadian Association of Chiefs of Police, Canadian Association of Emergency Physicians, the Canadian Federation of Nurses Union, the Ontario Coalition of Rape and Crisis Centres, the Canadian Federation of Business and Professional Women's Clubs, the Canadian Federation of University Women, the Canadian Federation of Business and Professional Women's Clubs, the Canadian Public Health Association, the Canadian Trauma Association, the YWCA of Canada, ***strongly oppose Bill C-391.***

In 1995, after years of efforts to strengthen gun control in this country, Bill C-68, *The Firearms Act*, was passed. This legislation was in part brought to reality as a result of the tireless efforts of those who recognized the importance of responding to the tragic events that took place December 6th, 1989 where 14 young women were massacred at Montreal's Ecole Polytechnique. The perpetrator of the Montreal Massacre, an atrocious act of violence against women, used a legally obtained semi-automatic rifle.

Bill C-68: The Firearms Act

The *Firearms Act* has been instrumental in toughening gun control and increasing public safety in Canada. Major components of the Act include (CAEP, 2009; Cukier, 2000; Mauser, 2007):

- Mandatory registration of all firearms (unrestricted and restricted)
- Owner licensing
- Controls on ammunition sales
- Tighter provisions on storage
- Mandatory spousal notification of an application for new or renewed licenses or registration of firearms
- Ban on semiautomatic military weapons and short-barreled handguns
- Mandatory passing of Canadian Firearms Safety Course
- Longer sentences for those convicted of using firearms in serious crimes

The universal registration of all firearms and the licensing of all firearms owners are fundamental components of maintaining the integrity and strength of the Act. The Canadian Firearms Program (the program in which the laws and regulations stated in Bill C-68 are put into action) is enforced by the RCMP and the Canadian Criminal Code. Under the current laws within the Canadian Firearms Program, Canadian citizens who wish to own a firearm must apply for a Possession and Acquisition License (PAL) under the *Firearms Act*. All individuals applying for a PAL for any non-restricted guns must have also passed the test for the Canadian Firearms Safety Course and are subject to a variety of extensive background checks and investigations for screening purposes. The PAL allows the license holder to possess and acquire firearms and ammunition. Once a PAL is obtained and a firearm is acquired, all holders must register each firearm and obtain a Canadian Registration Certificate. The registration of firearms links firearms to their licensed owners. The Canadian Firearms Program maintains that this requirement

increases gun owners' accountability for safe operations and storage of their firearms and helps law enforcement to identify and trace firearms and their owners.

Benefits of Firearms Registry:

Since the implementation of this legislation there has been an abundance of research and statistical evidence to indicate a significant reduction in the overall number of firearms-related deaths, the number of crimes involving firearms, and the number of firearms owners (CAEP, 2009; Mauser, 2007). In relation to violence against women, it has also been shown that there has been a significant reduction in the number of intimate partner homicides as well (CAEP, 2009). The license and registration requirements of this legislation make gun ownership and possession a thoughtful process for potential firearm holders and a traceable action to aid law enforcement in the event of a crime. In addition, spousal notification of applications for firearms licenses and registrations serve as an important preventative measure to help reduce domestic firearms-related domestic homicides, violence, and abuse.

What will change if Bill C-391 is passed?

- No requirement to register long-guns
- Destruction of records for over 7 million firearms
- Law enforcement will not have access to vital information with regards to firearm possession
- No notification of spouses when a firearm is acquired

'Every gun has a story...'

With almost 7 million firearms registered in Canada and more than 1.9 million firearm licence holders, perhaps the most immediate consequence of passing Bill C-391 will be seen in terms of law enforcement and effective policing (Canadian Association of Chiefs of Police [C.A.C.P.], 2009; CAEP, 2009). The gun registry is a highly important tool used by police on a daily basis. Some estimates maintain that police access the registry over 10 000 times per day (C.A.C.P., 2009). The Canadian Association of Chiefs of Police vehemently stand by the maintenance of a long gun registry because they believe it makes Canada a safer place. They strongly believe that the dismantling of the registry will compromise the ability of law enforcement to deal effectively with gun violence. The registry enables law enforcement officers to access important information about the presence of firearms when responding to calls. It also allows officers to trace ownership for investigative purposes. The association also acknowledges that one of the most important concerns they have with the potential dismantling and destruction of the registry and its records is the issue of domestic violence and police response (C.A.C.P., 2009). The registry and the information it provides is an essential component in protecting those involved in a domestic dispute as well as the officers that must respond to those calls. The Canadian Association of Chiefs of Police strongly believe that the registry saves lives.

Much of the literature, research, and reporting of this issue with regards to intimate partner violence focuses on firearms related deaths and injuries. However guns have also been shown to be used in other ways as a means of gaining and maintaining power and control over female intimate partners (CAEP, 2009). Reports of abusers using guns to intimidate, threaten, and coerce their partners are commonplace in shelters and services aimed to support victims of abuse. Batterers' themselves have admitted to this behaviour. They have described how threatening to shoot their partners, a pet, or someone they love, cleaning, holding or loading a gun during an argument, or firing a gun during an argument have all been successful tactics in controlling their partners (Rothman, Hemenway, Miller, Azrael, 2005).

The existence of costly flaws in the current registry system has been well-documented particularly in media coverage. On close analysis, however, it seems that the flaws lie within the current management of the gun registry, and provincial governments attitudes towards enforcement, and not the gun registry itself. In our opinion, the solution to these problems does not rest in the outright abolition of the registry, but in a restructuring of the maintenance and operation of the system.

Recommendations:

1. Continuation of a gun registry
2. Examination of the flaws in the current system and the restructuring of the maintenance and operation of the registry to ensure that it is functioning at its fullest capacity

Concluding Remarks:

Allowing Bill C-391 to pass will be a disappointing and concerning step backwards for Canadian gun control and the prevention of violence against women and children. Perhaps most distressing will be the strong message that will be sent to Canadian citizens about the stance the government holds with regards to violence against women and children. Passing this piece of legislation suggests that our government does not take family violence as a serious social problem and that making long gun possession easier and more convenient is more important than preventing future violence, abuse, and trauma in our Canadian households. Take this opportunity to reaffirm your commitment to a Canada free from violence and a safe place for women and children. PATHS strongly urges you to support the maintenance of a long-gun registry.

References:

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