

Brief Submitted to the House of Commons Standing Committee on Public Safety and  
National Security Regarding Bill C-71

An Act to amend certain Acts and Regulations in relation to firearms

Prepared by the National office of the Canadian Federation of University Women  
(CFUW)

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## INTRODUCTION

The Canadian Federation of University Women (CFUW) is an equality seeking organization with more than 8000 members across Canada that works to ensure that all girls and women have equal opportunities with equal access to quality education within a peaceful and secure environment. Since the 1989 Polytechnique Massacre, CFUW and its 100 clubs across Canada have been relentless advocates for strong gun control legislation. CFUW was involved in the original process to strengthen gun control in 1995. We were also involved in a campaign to defend the long-gun registry from 2009 to 2012.

We are pleased to see the introduction of Bill C-71 to help guarantee the safety of all Canadians. In that respect we want to ensure that Bill C-71 includes strong provisions that reduce the risks of firearms being used inappropriately. The proposed Bill reintroduces important provisions to ensure the safety of all Canadians, but additional provisions related to the criteria for screening and licensing, tracking and control of sales, assault weapons, control and transport of restricted weapons are needed to respond adequately to key public safety concerns.

As Canada registers its highest rate of firearm-related homicide since 2005 with 0.61 firearm-related homicides per 100,000 population and as the ownership of restricted firearms doubled between 2004-2015 (*data on sales of unrestricted firearms, namely rifles and shotguns, are no longer available*), we are increasingly preoccupied with the safety of Canadians, particularly of women vulnerable to the use of firearms in intimate partner violence (IPV) or for individuals to access firearms for the purpose of committing suicide or self-harm.<sup>i</sup>

### 1) Gun availability and intimate partner violence

Guns facilitate violence and increase the vulnerability of women and children living in abusive situations to serious physical and psychological harm and to homicide. Research studies and coroners reports consistently show a strong positive correlation between the availability of firearms in the home and the risk of homicide and suicide.<sup>ii</sup> As Barbara Frey, UN Special Rapporteur on the Prevention of Human Rights Violations, Committed with Small Arms and Light Weapons (SALW) points out, “Firearms have a transformational or multiplier effect because a single weapon could turn a dispute into a massacre [...]”.<sup>iii</sup> A study that analyzed 25 populous high-income countries concluded that, “Where firearms are more available, more women are homicide victims.”<sup>iv</sup>

In Canada, many service providers and health care professionals, including the Canadian Pediatric Society, the Barbra Schlifer Clinic and the Public Health Directors of Quebec have flagged the presence of firearms in the home as a serious risk factor to public health and safety. While criminal activity and the illegal possession of a firearm is a concern, the majority of firearm deaths are in fact not related to criminal activities; acts of suicides, represent 80% of all firearms-related deaths.<sup>v</sup> A Canadian report on family murder-suicides from 2001 to 2011 found that firearms were the most common cause of death in spousal murder-suicides and in murder-suicides involving child and youth victims.<sup>vi</sup>

Because of different gendered attitudes towards guns and violence, a gender analysis of the cause and consequences of gun violence is essential to inform comprehensive legislation and policies that work for everyone. While men represent the majority of victims and perpetrators of firearms-related homicides, women are disproportionately represented in violence, intimidation and death by firearms committed in the context of IPV.<sup>vii</sup> Intimate partner violence is the most “common” form of violence against women in Canada, and women represent approximately 80% of the victims of IPV.<sup>viii</sup>

Moreover, in situations of IPV where guns are available, “hostile gun display” is frequent and is used as a means of intimidation to increase an abuser’s control over their victims resulting in severe psychological trauma and perpetrating the continuum of violence.<sup>ix</sup> In the US, where gun ownership in the home is significantly high, statistics are particularly alarming.<sup>x</sup> Approximately 4.5 million American women alive today have been threatened by intimate partners with firearms. One million have actually been shot or shot at by their abusers.

In Canada, the use of firearms as a means of threat and power in IPV was reported by service providers such as women’s shelters as well as the RCMP. GSS on victimization reports that Canadian women are more likely than men to be threatened with or have a firearm used against them, in the context of IPV. The RCMP specifically reported in Canadian rural settings the daily use of hunting rifles by abusers to intimidate and threatened women.<sup>xi</sup>

The Barbra Schlifer clinic also highlights that: “While men are disproportionately harmed by handguns, women are disproportionately harmed by rifles and shotguns”.<sup>xii</sup> According to statistics Canada, in 2005 long-guns were used in 72% of firearm-related spousal homicides, and 77% of police officers killed on the job between 1995-2005 were killed by long-guns.

## **Rights Protection and International Obligations**

Gun control has nothing to do with limiting rights, rather it has everything to do with protecting them. Canada has obligations under National and International law to adequately regulate firearms in order to protect the right to life, liberty and security of the person (Art. 7, Canadian Charter of Rights and Freedoms), the right to equality before and under law (art.15, Canadian Charter of Rights and Freedoms) and its commitment to the Convention on the Elimination of All of the Forms of Discrimination Against Women (CEDAW), among other international instruments.

Owning a firearm is a privilege, and governments are obligated under international and national law to regulate firearms to mitigate the likelihood of firearms being used for self-harm or homicide. The UN Special rapporteur on the Prevention of Human Rights Violations, Committed with Small Arms and Light Weapons in its July 2006 report to the United Nations highlighted the international responsibility of the States to comply to the legal principle of due diligence and to take proactive steps to minimize armed violence

committed by private actors. She specifically highlighted the State obligations to protect vulnerable groups from abuses with small arms, namely victims of domestic violence.

### **The role of firearm legislation in ensuring public safety**

Firearms legislation plays a crucial role in protecting citizens from firearm-related accident, homicides and suicides.

In 2016, a vast review of over 130 studies from 10 different countries published in the *Epidemiologic Reviews* concluded that “the simultaneous implementation of laws targeting multiple firearms restrictions is associated with reductions in firearms deaths” and that “laws restricting the purchase of (background checks) and access to (e.g., safer storage) firearms are also associated with lower rates of intimate partner homicides and firearm unintentional deaths in children, respectively.”<sup>xiii</sup>

Stronger firearms legislation in Canada, including the long-gun registry, was accompanied by a drop in homicides of women with firearms, as firearms-related homicides between 1991 and 2005 decreased by 63%.<sup>xiv</sup> The 2009 Statistics Canada *Family Violence* Report also shows that firearm-related spousal homicide has decreased **threefold** over the past decade, from 1.7 per million spouses in 1996 to 0.5 per million spouses in 2007; in absolute terms, there were **27** firearm-related spousal homicides in 1996 compared to **9** in 2007.<sup>xv</sup> With the creation of better gun control and the long-gun registry, homicides committed with a long-gun declined from 60% to 36.5% in the 1990s, to 22.2% in the 2000s.<sup>xvi</sup>

Moreover, the *Institut National de la Santé Publique du Québec* indicates that Bill C-68 was associated with an average suicide reduction of 250 suicides per year and an average homicide reduction of 50 per year between 1998 and 2004.<sup>xvii</sup>

### **Recommendations**

CFUW recognizes Bill C-71 as an important step to strengthen current firearms legislation in Canada, but we wish to highlight the need for more substantial and comprehensive provisions within the Bill.

The key elements of Bill C-71 that we strongly support and believe to be helpful in reducing the risk of gun violence are the obligations of continuous license eligibility checks when a gun shop retailer makes a sale, the extension of the background check period in the context of the licensing process, the classification of firearms in the prohibited and restricted list to be referred by experts from the RCMP and the restoration of discretion of the chief of provincial firearms officers as well as the registry data to be accessed by the province of Quebec.

We recommend that elected officials support Bill C-71 with the following provisions:

- 1) Stronger screening and licensing criteria to reduce the likelihood of individuals using firearms for self-harm or in harming their intimate partner or other family member.
- 2) Control and tracking of the sales and transfers of all guns, including shotguns and rifles, in a centralized database in order to actively support police investigation. Make this record subject to an annual police inspection, and ensure that individuals selling firearms are also required to keep a record that will be accessible to the police.
- 3) Restore the Long-Gun Registry.
- 4) **Ban all military assault weapons.**
- 5) Require authorized professionals to declare someone unfit to possess or purchased a firearm.
- 6) Stronger control over restricted weapons, especially controls over authorizations to transport them.
- 7) Provide detailed analysis and sharing of justice statistics including firearms death, injury and crime; imports/exports, firearms used in crime, disaggregated by gender and other social, cultural, economic criteria to represent Canadians in all their diversity.

## 1) Stronger Screening and Licensing

Individuals who represent a risk to public safety and to themselves should not have access to firearms. As mentioned previously, enhanced background checks have been proven to be efficient in reducing the risk of access to a firearm of individuals likely to use the firearm on themselves or others.

CFUW recommends amending the screening and licensing criteria of the current Bill to include a **comprehensive array of risk factors especially related to IPV and suicide**. Concerns of current and former intimate partners need to be taken into account in the legislation. Other factors that should be incorporated into the risk assessment that are currently excluded are online hate and misogyny, which are behaviors that have been linked to violent individuals and individuals committing mass murders. The mechanism that was enacted in 1995 included contacting the current and former spouse when an individual applies for a firearms license, as well as a toll-free line for the spouses that have concerned to call.

We suggest that the criteria be amended to include:

*d) Or for any other reason is considered a threat to themselves or others, including, but not limited to, taking part in online hate and misogyny.*

## 2) Control and tracking of the sales and transfers of all gun

All guns are a threat to public safety, and the specific threat that shotguns and rifles pose to women needs to be addressed. The proposed legislation must establish a control and tracking of the gun sales and transfers to facilitate police investigation. When the registry ended, this key support for police investigation ended and was not replaced. Police should

have access to a centralized database where the PAL number, make, model and serial number of firearms, are recorded. Sales records must be easily accessible to police, and should be submitted to annual inspections. Moreover, the record keeping by individuals, along with gun shop owners, selling firearms should be mandatory.

### **3) Restore the Long-Gun Registry**

The long-gun registry was an invaluable tool. Police officers and first responders used the Gun Registry to facilitate their work and keep individuals and themselves safe. In the 2008 Commissioner of Firearms Report, the RCMP states that the Registry provides police officers with up-to-date firearms information and warns them when firearms may be present at a location.<sup>xviii</sup> Between January and September 2011, the Canadian Firearms Registry On-line (which included both long-guns and other types of guns such as handguns) was consulted over three million times by police.

The fact that this was an invaluable tool to protect lives justifies bringing it back.

### **4) Ban all military assault weapons**

Military assault weapons should not be in the hands of civilians. Their use disproportionately increases the lethality of an act of violence. One incident justifies banning them.

### **5) Require authorized professional to declare someone unfit to possess or purchased a firearm**

Parliament should review Anastasia's Law and formulate a similar provision.

Require authorized professionals (physician, psychologists, vocational guidance counsellors or psycho educators, nurses and social workers) to report to the police if they have reasonable grounds to believe a person is behaving in a way that would compromise their own safety or that of another person, by the use of firearms.

### **6) Stronger control over restricted weapons, especially controls over authorizations to transport them.**

The number of restricted firearms in Canada has almost doubled in the past 10 years. Their increased presence in homes is a concern for IPV and suicide. The provisions around the issuance of authorizations to transport restricted and prohibited weapons to "any gun club or range in the province", does not effectively limit transportation. The bill needs to be amended to include set locations (point a, b, c), similar to the 1977 legislation.

### **7) Ensure Comprehensive, Publicly Available and Disaggregated Data**

Data collection is essential to monitoring trends, risks and impacts of regulations. This Bill must ensure transparent data collection that accounts for the use of firearms in crimes, in IPV, including the threatening of partners, firearms death, injury; imports/exports. Data

must be disaggregated by gender, type of firearm, and other social, cultural, and economic criteria. Data and analyses must be publicly available.

### **Conclusion:**

Gun control legislation is essential to keep our communities safe. Comprehensive legislation that includes a variety of measures and address the multiple risks related to firearms, including the risk of their use in homes, are effective means of guaranteeing the right to life and the well-being of individuals. Passing of Bill C-71, with our recommended revisions, is the key opportunity to adopt such legislation.

*The **Canadian Federation of University Women (CFUW)** is a non-partisan, voluntary, self-funded organization with over 100 CFUW Clubs, located in every province across Canada. Since its founding in 1919, CFUW has been working to improve the status of women and to promote human rights, public education, social justice, and peace. Every year, CFUW and its Clubs award close to \$1 million to women to help them pursue post-secondary studies.*

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<sup>i</sup> Royal Canadian Mounted Police. “2015 Commissioner of Firearms report”, [online], 2015, <http://www.rcmp-grc.gc.ca/en/2015-commissioner-firearms-report>.

<sup>ii</sup> Linda L. Dahlberg and al. “Guns in the Home and Risk of a Violent Death in the Home: Findings from a National Study”, *American Journal of Epidemiology*, Volume 160, Issue 10, 15 November 2004, pages 929–936. <https://doi.org/10.1093/aje/kwh309>.; Jacquelyn C. Campbell, and al. “Risk factors for femicide in abusive relationships: results from a multisite case control study”, *American Journal of Public Health*, 2003, 93(7), 1089–97.; Doherty, D. & Hornosty, J. “Exploring the Links: firearms, family violence and animal abuse in rural communities”, RCMP, 2008, 1–172.; J. Y. Frappier, K. A. Leonard, & D. Sacks, “Youth and firearms in Canada”, *Paediatrics & Child Health*, 2005, 10(8), 473–7.

<sup>iii</sup> Barbara Frey. “The Gender implications of Small Arms and Light Weapons in Conflict Situations”, *The Oxford Handbook of Gender Conflict*, December 2017, Online publication DOI: P.3

<sup>iv</sup> D. Hemeway, T. Shinoda-Tagawa and M. Miller. Firearm availability and female homicide victimization rates among 25 populous high-income countries, *J AM Med Womens Assoc*, 2002 Spring; 57(2); 100-4. [online], <https://www.ncbi.nlm.nih.gov/pubmed/11991417>.

<sup>v</sup> Department of Justice. “Firearms, Accidental Deaths, Suicides and Violent Crime: An Updated Review of the Literature with Special Reference to the Canadian Situation”, [online], 2015, Government of Canada, [http://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/wd98\\_4-dt98\\_4/p4.html](http://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/wd98_4-dt98_4/p4.html).

<sup>vi</sup> Katherine Austin and Margo Lane. “The Prevention of firearm injuries in Canadian youth”, *Paediatrics and Child Health*, Oxford university, 2018, 35-42.

<sup>vii</sup> Small Arms Survey. “Too Close to Home”, *Small Arms Survey 2013: Chapter 2 Summary*, [online], 2013, <http://www.smallarmssurvey.org/fileadmin/docs/A-Yearbook/2013/en/Small-Arms-Survey-2013-Chapter-2-summary-EN.pdf>

<sup>viii</sup> Maire Sinha. “Section 3: Intimate partner violence”, [online], Statistics Canada, 2013, <https://www.statcan.gc.ca/pub/85-002-x/2013001/article/11805/11805-3-eng.htm>.

<sup>ix</sup> Deborah Azrael and David Hemenway. "In the Safety of Your Own Home': Results from a National Survey on Gun Use at Home," *Social Science & Medicine*, Vol. 50, 2000, pages 285-291. [http://guncontrol.ca/wp-content/uploads/2015/03/domestic\\_hom.pdf](http://guncontrol.ca/wp-content/uploads/2015/03/domestic_hom.pdf)

<sup>x</sup> D. Hemeway, T. Shinoda-Tagawa and M. Miller. Firearm availability and female homicide victimization rates among 25 populous high-income countries, *J AM Med Womens Assoc*, 2002 Spring; 57(2); 100-4. [online], <https://www.ncbi.nlm.nih.gov/pubmed/11991417>.

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- <sup>xvi</sup> Statistics Canada, Canadian Centre for Justice Statistics, "Homicide Survey, and *Homicide in Canada*", 2010, Table 5: [www.statcan.gc.ca/pub/85-002-x/2011001/article/11561/tbl/tbl05-eng.htm](http://www.statcan.gc.ca/pub/85-002-x/2011001/article/11561/tbl/tbl05-eng.htm)
- <sup>xvii</sup> Institut national de santé publique du Québec (2016). "Bill 64, Firearms Registration Act," p. 6
- <sup>xviii</sup> RCMP, Commissioner of Firearms - 2008 Report [www.rcmp-grc.gc.ca/cfp-pcaf/rep-rap/2008-comm-rpt/index-eng.htm](http://www.rcmp-grc.gc.ca/cfp-pcaf/rep-rap/2008-comm-rpt/index-eng.htm)