

COALITION

for Gun Control / pour le contrôle des armes

www.guncontrol.ca

Backgrounder: Canada's Gun Registry

While in large urban centres, handguns remain the weapons of choice, a substantial proportion of the firearms recovered in crime are rifles and shotguns. They are also the firearms most often used in suicide, domestic homicide and murders of police officers. In smaller communities such as York Region, Ottawa and Surrey, long guns outnumber handguns 2 to 1 in firearms recovered in crime underscoring the importance of controls on all firearms.

In Canada, long guns were first regulated in 1977 with the introduction of the Firearms Acquisition Certificate (FAC) and controls were strengthened by the Conservative Party's Bill C-17 in 1991 and the Liberal Party's Bill C-68 in 1995. Bill C-68- the Firearms Act- required that all gun owners obtain a gun license by 2001 and all guns be registered once by 2003. Diversion of legal guns to illegal markets is a significant source of guns in crime and the intent of regulation is to reduce misuse and prevent diversion. Screening and licensing of all gun owners and registration of all firearms are the foundation of effective gun control. Without information about who owns guns and the guns they own there is little opportunity to control.

Strengthening controls on all firearms has resulted in a substantial decline in firearm death and injury, which is why major police, health and women's groups across the country support the law. The Coalition for Gun Control supporters include Canada's major public health and safety organizations such as the Canadian Association of Chiefs of Police, the Canadian Public Health Association, the Canada Safety Council, the Canadian Association of Emergency Physicians, the victims of Polytechnique and Dawson College Gun Control Committee as well as over 300 provincial and local organizations who are united in defending sensible gun control.

We have seen evidence that the system works:

- Police use the registry almost 10,000 times a day¹ and information contained has been used to prevent crime and to support criminal investigations.
- Firearm death and injury has declined significantly with stronger controls on firearms. In 1995, 1125 Canadians were killed with guns compared to 818 in 2005.
- Murders with rifles and shotguns have decreased dramatically, from 61 in 1995 the year the law passed to 32 in 2007.
- The rate of homicides of women with firearms has dropped by 30% since 1995 while homicides of women without firearms have increased by 16% over the same period.
- Robberies with firearms have decreased from 6,692 in 1995 to 4,536 in 2008.

Gun Registration

Firearm registration is a **one-time only** procedure that:

- Makes gun owners accountable for their firearms and enforces the licensing provisions of the law. Registration makes it more difficult for straw purchasers and illegal sales by legal gun owners to occur.
- Is key to taking preventive action, enforcing prohibition orders and removing all firearms where there is a risk. For example, last September in Saskatchewan, a registry check helped police take action after receiving a call about a gun owner in distress in close proximity to a school.
- Helps police investigations. Two men were identified and convicted as accessories to the murder of 4 RCMP officers in Mayerthorpe, Alberta, in part because a registered gun was left on the scene of the crime.
- Allows police to differentiate between legal and illegal firearms. Without information about who owns firearms legally and the firearms they own, police cannot charge individuals with illegal possession.
- Allows police to trace firearms easily.

¹ Canada Firearms Center, "Facts and Figures," April-June 2009.

- Reduces the chances that legal guns will be diverted to illegal markets.

Police forces consider the registry a valuable investigative tool. It has been reported that 73-81% of officers log on to check for the presence of firearms when responding to a call.² On average, police from coast to coast use the firearms registry nearly 10,000 times a day during investigations and to take preventative action.³ Last year, 43 per cent of all weapons seized nationally were registered.⁴ Every gun tells a story and the registration system often provides a starting point to investigations.

The bulk of the cost of the firearms program is associated with licensing and screening of risk factors. The RCMP estimates, that if the registration of rifles and shotguns were discontinued, it would save only \$3 million per year.⁵

Six separate public inquests have maintained the importance of renewable licenses and registration of all firearms. The Supreme Court of Canada upheld the constitutionality of the law in June 2000 in a unanimous decision and emphasized the importance of licensing and registration: *"The registration provisions cannot be severed from the rest of the Act. The licensing provisions require everyone who possesses a gun to be licensed; the registration provisions require all guns to be registered. These portions of the Firearms Act are both tightly linked to Parliament's goal of promoting safety by reducing the misuse of any and all firearms. Both portions are integral and necessary to the operation of the scheme."*⁶

Threats to Canadian Firearms Legislation and Public Safety

In spite of the evidence of its utility and effectiveness, efforts to erode Canada's firearms legislation continue. Three bills were introduced by the Conservative government last parliamentary session –Private Member's Bill C-301, Government's Bill S-5 and Private member's Bill C-391. These bills have the all proposed repealing the registration of unrestricted firearms; C-391 goes as far as proposing to erase all data from the registry and Bill C-301 also relaxed controls on restricted and prohibited weapons. S-5 and C-391 are expected to return to Parliament this fall.

Since 2006, the government has, without support of Parliament, proclaimed an amnesty for individuals who have not renewed their license or not registered their firearms. In spite of the amnesty, more than 80% of gun owners have renewed their licenses. The government has also waived and refunded fees -an estimated \$20 million annually (based on 2006 government refund figures). On April 21, the Bloc Quebecois passed a motion in the House of Commons to support the registry and stop weakening it by the amnesty and fee waiver. The government opted to extend the amnesty to May 2010.

Police and public safety experts have made clear their opposition to a year-long amnesty arguing that it:

- It undermines the integrity of the data in the Firearms Registration System (a problem highlighted in the 2006 Auditor General's report). Instead of improving the accuracy of the data, the amnesty on license renewals and registration of firearms will lead to further degradation of the data -particularly the address of firearms owners- putting police officers and the public at risk.
- It prevents police from removing firearms and charging potentially dangerous people. For example, Arthur Dagenais was charged with obstructing justice while police officers were actively trying to locate his son charged with killing two RCMP officers. Charges for possession of illegal firearms against him were stayed because of the amnesty.⁷ More recently, in Quebec, a couple charged of 21 counts each of possession of illegal firearms (10 hunting rifles) were dropped after the accused countered that hunting rifles didn't have to be included in the gun registry.⁸

² Canada Firearms Center, "2007 Commissioner Report," PS96-2007.

³ Canada Firearms Center, "Facts and Figures," April-June 2009.

⁴ RCMP's Firearms Investigative and Enforcement Services Directorate data quoted in MacLeod, Ian, "Firearm inventories offer police tool in war on weapons trafficking," Ottawa Citizen, May 29, 2009.

⁵ RCMP Deputy Commissioner Peter Martin testimony to the Government Operations and Estimates Committee, November, 2006.

⁶ Supreme Court, Reference Regarding Firearms Act (June 2000).

⁷ Betty Ann Adam, "Dagenais fights for seized property," The Star Phoenix, October 24, 2007.

⁸ Paul Cherry, "On trail of tax fraud Millions were hidden, court papers charge," The Gazette, April 10, 2009.