

BRIEF TO THE STANDING COMMITTEE ON
PUBLIC SAFETY AND NATIONAL SECURITY
ON BILL C-391

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1. PREAMBLE

Bill C-391 An Act to amend the Criminal Code and the Firearms Act (repeal of long-gun registry) was introduced in the House of Commons on May 15, 2009. It was introduced as a Private Member's Bill and passed second reading on November 4, 2009.

Firearm-related injury and death continue to be a problem in Canada and in my province of British Columbia. As a psychiatrist working in a rural area, I see the impact of access to guns all too frequently. I also make use of the gun registry on an occasional basis.

2. SPECIFIED COMMENTS ON BILL C-391

Firearm misuse imposes a tremendous burden on the health of Canadians in terms of deaths, disabling injury and emotional trauma. All firearm injuries and deaths are preventable. Effective gun control can help to reduce the incidence of gun deaths and injuries and contain violence, as numerous studies and statistics show. In 1995 when the Firearms Act was first proclaimed, there were 333 more gun deaths than there are today. The rate of firearm suicide has dropped by 43 percent, from 3.1 per 100,000 in 1995 to 1.77 per 100,000 in 2005.¹ Studies have seen no evidence that other methods were substituted in suicide attempts.² Research has shown that stronger firearms laws have played a role in the particularly pronounced decline in firearms deaths among adolescents. Injuries and deaths resulting from gun violence dropped from 8.4 deaths per 100,000 adolescents in 1979 to 2.3 deaths per 100,000 adolescents in 2003.³

Bill C-391 proposes to relax controls on rifles and shotguns through repealing the requirement to register them, once, to their legal owner's name. Rifles and shotguns are the guns most often used in suicides, accidents and domestic violence situations because of their accessibility.

In 2005, seventy two percent of Canadian and eighty percent of British Columbia firearms death were suicides.⁴ The majority of suicides are impulsive in nature. Suicide attempts using a firearm are particularly lethal (96% completion).⁵ Studies have established a clear correlation between access to firearms at home and risk of suicide by firearm.⁶

While urban crime attracts considerable media attention, rates of firearm death and injury are higher in rural areas. Suicide rates are higher communities where the use of firearms is overrepresented, for example Aboriginal communities⁷ or rural Alberta where the rate of firearm suicide is twice that of urban regions⁸. The Northern provinces have firearm death rates substantially higher than the Canadian average of 2.5 per 100,000: Yukon (7.84 per 100,000), Northwest Territories (8.6 per 100,000) and Nunavut (19.76 per 100,000). Similarly, provinces with a larger rural proportion also have firearm death rate higher than the Canadian average, for example Manitoba (3 per

100,000), Alberta (3.52 per 100,000), Saskatchewan (3.72 per 100,000) and New Brunswick (4.08 per 100,000).⁹

Provincial Average Firearm Death Rate per 100,000 (2001-2005)	
Ontario	1.6
Nfld and Labrador	2.38
Prince Edward Island	2.48
British Columbia	2.48
Canada	2.5
Quebec	2.86
Manitoba	3
Nova Scotia	3.34
Alberta	3.52
Saskatchewan	3.76
New Brunswick	4.08
Yukon	7.84
Northwest Territories	8.6
Nunavut	19.76

Source: Statistics Canada. (March 2006) *2001 Mortality Summary List Cause*. Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. (March 2006) *2002 Mortality Summary List Cause*. Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. (March 2006) *2003 Mortality Summary List Cause*. Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. (April 2007) *2004 Mortality Summary List Cause*. Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. (April 2009) *2005 Mortality Summary List Cause*. Ottawa (ON): Statistics Canada. Cat no 84F0209X.

Access to firearms not only increases the risk of suicide, but also of homicide, unintentional injuries and deaths. Researches have concluded that the homicide of a family member is more likely to occur in a home with a firearm than in homes without guns.¹⁰ There are too many Canadian examples illustrating this fact, including the case of Bill Luft in Kitchener, Ontario, who had access to his father's firearm at home despite his history of mental illness and used it to kill his wife Bohumila and their children Daniel, 7; Nicole, 5; Peter, 2; and David, 2 1/2 months before committing suicide in November 2000. Unintentional death related to firearms forms a small but important percentage of all firearm-related deaths: 2% in 2005¹¹. In a study of child and adolescent unintentional firearm related injuries and deaths, the firearm used was owned by a member of the household, relative, friend or friend's parent in 72 percent of cases.¹²

The health burden of firearms extends beyond the deaths or injuries, as these are often accompanied by reduced physical and emotional health on the part of survivors as well as the family and friends of victims. The effects can include short and long term physical disability, reduced emotional health, loss or reduction of work and income, and considerable stress for affected individuals and families. As well, the treatment costs related to firearms injuries, disabilities and emotional trauma place a significant burden on the health care system. In 1993, the costs of firearm injury and death in Canada were estimated to be 6.6 billion dollars.¹³ However, recent studies suggest that these

costs associated to firearm injuries and deaths have been reduced dramatically from \$4.6 billion in 1995 to \$3.3 billion in 2002 in part because of stronger firearms legislation.¹⁴

Prior to the strengthening of the gun control legislation in 1995 with the passage of the Firearms Act, which requires all gun owners to have a firearm license and all firearms to be registered, it was very difficult to get someone's guns taken away when they became mentally ill. No one knew whether people had guns nor did they know how many guns they had to effectively remove all of them. There was virtually no way to prevent someone with mental illness from getting a gun. There was no clear mechanism to remove guns and the police were often unsure as to how to proceed when psychiatrists would phone them. Different detachments would give different answers about what to do. The situation now is much more satisfactory. If there is a concern about someone having guns, or significantly, about them getting guns, not only the police but also the public, are clear about the system and what to do.

Licensing of owners and registration of all types of firearms are key elements of effective gun control. Registration holds gun owners accountable for their firearms and reduces the chances legal guns will be sold illegally, stored improperly, or used in suicides. The police consider the registry an important tool that allows for preventive actions, and access it more than 11,000 times a day. The fact that guns have to be registered and owners licensed does not mean that gun owners are being painted as criminals, or that their guns are going to be confiscated. It does not mean that there is a conspiracy against hunting. It means that people who act in a safe manner with legal guns can hunt and sport shoot just as they have always done, albeit with the inconvenience of having to be licensed and register their guns. They are contributing to a safer society by complying with registration and licensing, as most Canadians who own guns have done.

3. GUN REGISTRY IN PRACTICE

Several years ago, the wife of one of the local pastors showed up at the mental health centre upset about a letter her husband had received. The letter was a rambling and somewhat psychotic one with no obvious threats. However, the man had been known to be mentally unstable and violent towards his family. The letter frightened the people who received it and they were wondering whether they were at any risk. The first question I asked was whether they knew if he had a gun. Of course, they didn't so they were advised to contact the RCMP to explain the circumstances and have them find out if he had a gun through the registry. If he was found to have a gun, the police would have grounds to go out and investigate, something I think they would have had difficulty doing in the past without a clear threat. If the RCMP went out and found unregistered firearms, they would have grounds to remove them because of the legislation, whereas they probably would not have had grounds to do so in the past.

I regularly get calls from a variety of people asking me if I can comment on the level of risk a person poses given their behaviour. Usually, one of the first things I want to know is if they have a gun. An unstable person with a gun is far riskier than one without. In the past, there was no way the police could check whether someone had a gun or not. While it is true that not all guns have been registered yet, the existence of the registry is another means to help determine what kind of a risk someone poses to themselves and others.

I know of an instance where the police removed guns from a local man who was depressed, and another where the legislation prevented a psychotic woman with no past history of mental illness or criminal activity from obtaining guns. Both of these scenarios could easily have been tragedies involving several people, primarily their family members, had there not been mechanisms in place to deal with these situations. In Canada, about 23,537 licenses have been refused or revoked for public safety reasons between 1999 and 2008. This is a significant number of potential tragedies prevented. Unfortunately, none of these preventative activities makes the newspaper, so people are not aware of how useful it is in practice.

4. RECOMMENDATION

The gun registry is a useful public health measure that is part of a firearm death and injury prevention strategy. It may be a small inconvenience for hunters, farmers and gun owners to register their firearms once to their name, but it helps people like me and the police prevent tragedies. Allowing Private Member's Bill C-391 to pass would reduce the effectiveness of the registry and diminish the safety factor associated with the registry.

There is compelling evidence that the gun registry saves lives, as well as saving taxpayers significant amounts of money. The measures contained in Bill C-391 would remove tools used by psychiatrists such as myself to ensure that mentally ill individuals do not have access to firearms. I trust the committee to recommend the end of Bill C-391.

¹ Statistics Canada. *2005 Mortality Summary List Cause*. April 2009 Ottawa (ON): Statistics Canada. Cat no 84F0209X; K. Hung, "Firearms Statistics: Updated Tables," Ottawa, ON: Department of Justice: Research and Statistics Division, January 2005.

² Gagné Marie-Pier, "L'effet des législations canadiennes entourant le contrôle des armes à feu sur les homicides et les suicides," Mémoire présenté à la Faculté des études supérieures. August 2008.

³ Pan. S.Y. et. al., "Adolescent Injury Deaths and Hospitalization in Canada: Magnitude and Temporal Trends, (1979-2003)," *Journal of Adolescent Health* 2007; 41:84-92..

⁴ Statistics Canada. *2005 Mortality Summary List Cause*. April 2009 Ottawa (ON): Statistics Canada. Cat no 84F0209X.

⁵ Shenassa ED, Catlin SN, Buka SL. Lethality of firearms relative to other suicide methods: a population based study. *J Epidemiol Community Health* 2003; 57:120-4.

⁶ Kellermann AL, Rivara FP, Somes G, et al. Suicide in the home in relation to gun ownership. *N Engl J Med* 1992;327:467-72; Miller M, Azrael D, Hepburn L, et al. The association between changes in household firearm ownership and rates of suicide in the United States, 1981–2002. *Inj Prev* 2006; 12:178-82; Grossman DC, Reay DT, Baker SA. Self-inflicted and unintentional firearm injuries among children and adolescents: the source of the firearm. *Arch Pediatr Adolesc Med* 1999; 153:875-8.

⁷ Canada. Trends in First Nations mortality. Ottawa (ON): Health Canada; 1996.

⁸ Government of Alberta. “2002 Annual Review, Office of the Chief Medical Officer of Alberta,” 2003.

http://justice.alberta.ca/programs_services/fatality/ocme/Annual%20Review/suicides_2002.aspx

⁹ Statistics Canada. *2001 Mortality Summary List Cause*. March 2006 Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. *2002 Mortality Summary List Cause*. March 2006 Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. *2003 Mortality Summary List Cause*. March 2006 Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. *2004 Mortality Summary List Cause*. April 2007 Ottawa (ON): Statistics Canada. Cat no 84F0209XIE; Statistics Canada. *2005 Mortality Summary List Cause*. April 2009 Ottawa (ON): Statistics Canada. Cat no 84F0209X.

¹⁰ Kellerman AL, et al. Gun ownership as a risk factor for homicide in the home. *New Engl J Med* 1993; 329:1084-91.

¹¹ Statistics Canada. *2005 Mortality Summary List Cause*. April 2009 Ottawa (ON): Statistics Canada. Cat no 84F0209X.

¹² Grossman DC, Reay DT, Baker SA. Self-inflicted and unintentional firearm injuries among children and adolescents: the source of the firearm. *Arch Pediatr Adolesc Med* 1999; 153:875-8.

¹³ Miller, T.R. and Cohen MA Costs of gunshot and cut/stab wounds in the United States with some Canadian Comparisons. *Accident Analysis and Prevention* 1997, 29: 329-41.

¹⁴ Geneva Graduate Institute *Small Arms Survey 2006: Unfinished Business*. 2007 Oxford: Oxford Press: Chapter 8. http://www.smallarmssurvey.org/files/sas/publications/year_b_pdf/2006/2006SASCh8-full_en.pdf