



**Submission to the
Federal Parliamentary Standing Committee on Public Safety and
National Security on Bill C-71**

April 3, 2018

On behalf of its 40,000 plus members, The BC Wildlife Federation (BCWF) welcomes this opportunity to address the Committee on vital issues that relates to hunting and recreational sports shooting in British Columbia.

The BC Wildlife Federation is the oldest and largest conservation organization in British Columbia. The BCWF promotes the conservation and wise use of British Columbia's fish, wildlife and their habitats and is recognized as such by stakeholders' province wide.

The BCWF supports firearms legislation measures that increase the public safety of Canadians and that do not impose unnecessary restrictions or barriers on law-abiding firearms users. The government's stated intention of Bill C-71 is to prioritize public safety and respond to increasing trends in gun crime and violence. The investments announced by the Government of Canada in 2017 to fight gangs and gun violence are a step in the right direction. However, we believe the proposals in this Bill C-71 are focused on lawful firearms users that are not the problem.

The BCWF is supports the safe storage handing and use of firearms through its Conservation and Recreation and Education Program (CORE) that annually trains 5,000 residents of British Columbia in safe use of firearms and the conservation of fish and wildlife and their habitats.

We would like to be a strong partner with all levels of government to support these objectives. Our organization volunteers over 300,000 hours in the classrooms, on shooting ranges and in the field. Many of the shooting ranges are used by law enforcement agencies to qualify and maintain officer's firearms skills in communities throughout the province.

In support of Bill C-71, the government has framed alarming trends in firearms-related crime and violence to justify the proposed measures and to show action on election platform promises of 2015. Nationally, the statistics being used to support the need for Bill C-71 references the year 2013 (lowest criminal homicides in 50 years) as the baseline to suggest we have a growing problem with firearms in Canada. However, using all available data the facts show a long-term decline in firearm-related crime, although there has been an alarming increase in gang-related criminal violence since 2010.

Canada has one of the strictest firearm regimes in the world, but evidently can't stop shootings by drug gangs. Even at the peak of the long-gun registry in 2012, Statistics Canada found that less than 5% of firearms used in homicide had ever been registered. This tiny percentage means that firearms diverted from law-abiding owners cannot be the source of guns used in many violent crimes.

Telling the public you are fighting gang violence by cracking down on law-abiding firearms owners violates your government's promise to rely upon "evidence-based decision making." Canada has a gang problem, not a gun problem.

Targeting lawful firearms users will not help your government's intended goal nor win political support in the province of BC where the lion's share of the carnage is related to gang violence associated with the illegal drug trade.

A fundamental issue of Bill C-71 is the private and public costs of implementation. The BCWF believes these funds would be better invested in more direct programs promoting gun safety, creating diversion programs for wayward youth, and reducing gang violence to meet the government's stated objectives for the legislation.

The following review by the BCWF provides comments and questions to the Standing Committee on Public Safety and National Security based on modifications to the Ontario Federation of Anglers and Hunters response to Bill C-71.

1). Enhanced Background Checks

- The Bill removes the reference or time frame "within the previous five-years" from subsection 5(2) of the act and replaces with "life history".
- No solid empirical evidence has been provided that would justify this extension.
- BCWF is concerned that this extension would unduly diminish applicants' privacy rights.
- Currently the Canadian Firearms Program does not conduct thorough evaluations of all applicants, partly due to cost implications. To extend the time frame to an applicant's life history would impose significant administrative costs.
- Currently there is a high standard to determine eligibility through 'continuous eligibility' screening, conducted daily through the Canadian Police Information Centre (CPIC) to determine whether a license holder has been the subject of an incident report.

Questions for the Committee

- What process will be used once an individual has been flagged for further examination? Is there a case-by-case review, interview, reference checks, etc.?
- How will personal confidentiality be maintained?
- The BCWF believes a robust appeal system should be in place. Will there be an appeal system in place especially to prevent unfounded complaints being used against legitimate gun owners for personal or other agendas?

NOTE: The BCWF position is the proposed changes to offer little or no value-added for public safety relative to the current continuous eligibility system and would impose significant program costs.

2). Licence Verification

- Anyone selling or “giving” a non-restricted firearm will now have to provide proof of a firearms license AND verify the validity of that license with the Canadian Firearms Program (CFP).
- The registrar will issue a reference number once the license has been confirmed and is valid for a prescribed period.
- No solid empirical evidence has been provided that would justify this requirement.
- No information will be required beyond what the CFP already has on file regarding non-restricted firearms being transferred.
- Private sales of non-restricted firearms occur regularly, and outside normal business hours.
- BCWF believes this requirement would impose significant costs upon administrative resources, and these challenges would degrade service delivery.

Questions for the Committee

- What evidence is there the current system is not working?
- How is ‘giving’ defined within the Bill? Does it include gifting and lending?
- What avenues will be available for an individual to verify a license (online, telephone)?
- Will these services be available 24/7 – 365 days a year? If not, why?
- Will there be sufficient human and financial resources available to ensure the volume of sales won’t negatively affect “service times”?
- How will the CFP use the information provided (about the transaction) and reference number (i.e. what is the primary focus/reasoning for collecting information and providing a reference number)?

3) Record-keeping by Vendors

- This applies to ALL businesses (as conditions on their license to sell firearms) and does not apply to private sellers.
- All businesses will be required to keep records of the sale of all firearms and their purchasers.
- All businesses will be required to record, and for the prescribed period, keep the prescribed information that relates to the business’ possession and disposal of non-restricted firearms.
- Businesses, NOT government, will hold these records.
- This proposal is intended to provide police services with a tool, or “starting point” in an investigation of a firearm-related crime.

-
- Records will be available to law enforcement with judicial authority, as appropriate.
 - Businesses will be required to keep records for a period of 20 years from the day in which the business transfer occurred (potentially longer if prescribed).
 - Information to be kept includes:
 - Reference number issued by the Registrar;
 - The day in which the reference number was issued;
 - The transferee's license number; and,
 - The firearm's make, model and type, and, if any, its serial number;
 - If it is determined that a business will cease to be a business, all records must be given to a prescribed official (unless otherwise directed by a chief firearms officer).

Questions for the Committee

- Upon judicial intervention, what will the process be (for law enforcement and vendors) for securing vendor records?
- Will all records be available from the vendor or only those of the individual in question? What safeguards are in place to ensure that only the records of the individual being investigated are released?
- An example of who "prescribed officials" would be in the event a business ceases to exist and must transfer over all of the files they have on record?

4) ATTs – Transportation of Restricted and Prohibited Firearms

Discretion for a Chief Firearms Office to authorize transport of restricted and prohibited firearms would be reinstated.

- Only automatic ATTs to remain would be for:
 - To an owner's home following the purchase of the firearm; and,
 - To approved shooting clubs or ranges with the province of residence.
- ANY other transportation would require an "additional ATT" from the CFO, including some locations where an automatic ATT is currently permitted:
 - To a gunsmith;
 - To cross a border; and,
 - To a gun show.
- If you are currently found in possession of restricted or prohibited firearms in an unauthorized location, then you are breaking the law.

Questions for the Committee

- How does the removal of the automatic ATT for transportation to a gunsmith, to cross a border or to a gun show, which is currently attached to a fully vetted firearms owner, reduce crime?

- What evidence exists that clearly shows the presence of automatic ATTs for transport to these three types of location is a significant issue?

NOTE: The BCWF sees no evidence that these activities have created a public safety issue.

5) Consistent Approach to Classification – RCMP

- This Bill would remove the ability to allow the Governor in Council (GIC) to downgrade the classification of a firearm, giving sole discretion back to the RCMP.
- The CZ and SAN Swiss Arms firearms would now revert back to being prohibited firearms.
- Current owners of these firearms would be grandfathered, if they comply with the new regulations (if the individual possessed one or more before June 30, 2018).
- Government would permit an amnesty period for owners to comply with grandfathering requirements.
- The GIC would be given the authority to grandfather future cases, but not downgrade.

Questions for the Committee

- How long is the amnesty period being permitted to owners?
- Government obviously sees value in the input from the GIC, given the fact that they will still be permitted to “grandfather” future cases, but not enough to offer opinion or feedback? Why?

NOTE: The BCWF position is this provision does not provide adequate separation of responsibility for establishing the rules and for enforcement and should be rescinded.

6) Long Gun Registry

Page 13 section 28 (Permission to view records) clearly states:

“The Commissioner of Firearms shall permit the Information Commissioner to view – for the purpose of settling the Federal Court proceeding *Information Commissioner of Canada v. Minister of Public Safety and Emergency Preparedness*, bearing court file number T-785-15- any record that was in the Canadian Firearms Registry on April 3, 2015.”

Furthermore, page 13 section 29 (2) – Notice, clearly states:

“If no request is provided under subsection (1) before the Commissioner is in a position to proceed with ensuring the destruction of the records referred to in that subsection, the Commissioner shall, as soon as he or she is in that position, send written notice to the Quebec Minister of that fact.”

Questions for the Committee

Are there electronic or other forms of the long gun registry in existence? If there is: Who is the custodian of those records? When will they be destroyed?

UN Firearms Marking will be issued in a Technical Amendment

- These regulations duplicate current manufacturers' marking and would result in a significant increase in the cost of firearms in Canada and a negative impact on the sporting goods industries, sports shooters and those Canadians who rely on hunting to feed their families, including, aboriginal hunters.
- Canada's strict firearm import process already accomplishes every goal specified in United Nations Protocol 55/255, formally called the *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime*.

Questions for the Committee

How do these amendments add value to the existing regulatory framework?

NOTE: The BCWF we see the UN Marking requirement as an unnecessary and expensive duplication that should be dropped.

Summary:

We invite the federal government to join us in maintaining Canada's hunting heritage through sound strategy providing education and awareness in firearms safety conservation and the outdoors. We look forward to the Standing Committee responses to our questions and working together to resolve the difference in approach using the criteria of increased public safety, effective use of public resources and the protection of legitimate gun owners access to firearms for hunting and shooting sports.

Yours in conservation,



Harvey Andrusak
President,
BC Wildlife Federation

Copies to:

Hon. Ralph Goodale, Minister of Public Safety
British Columbia Members of Parliament