

Brief submitted to the House of Commons Standing Committee  
on Public Safety and National Security concerning Bill C-19

An Act to amend the *Criminal Code* and the *Firearms Act*  
(Ending the Long-gun Registry Act)

The Public Health Directors of Quebec

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## PREAMBLE

In Quebec, the problem of firearm-related deaths has long been regarded as a major public health problem. It is in fact the subject of a specific activity in the *Programme national de santé publique du Québec 2003-2012 – Mise à jour 2008* [national public health program of Quebec – update 2008] (MISS, 2008). That activity consists of supporting the development and implementation of legislation and regulations to make firearms less accessible to individuals who are likely to misuse them (e.g. suicide, homicide associated with spousal violence situations).

On November 1, 2011, Bill C-19 was passed on second reading by majority vote of the members present in the House of Commons of Canada.<sup>1</sup> The purpose of the bill is to eliminate compulsory registration of non-restricted firearms. The Public Health Directors of Quebec are concerned about the consequences that passage of this bill could have on public health and safety, and have asked to participate in the deliberations of the committee assigned to analyze the bill.

The responsibilities of the Public Health Directors of Quebec are set out in the *Public Health Act*, R.S.Q. S-2.2, the object of which is the protection of the health of the population of Quebec and the establishment of conditions favourable to the maintenance and enhancement of the health and well-being of the general population. Under that Act, the Public Health Directors are responsible for:

- informing the public about the general health of the individual members of the public, major health problems, the most vulnerable groups, major risk factors and the interventions they consider to be most effective, and monitoring developments and, where necessary, carrying out such studies or research as is necessary to that end (continuous surveillance of public health and determinants of health);
- identifying situations that could endanger public health and ensuring that the necessary measures for protecting public health are implemented (health protection);
- providing expertise in prevention and health promotion and advising the regional agency regarding preventive services that are useful in reducing avoidable mortality and morbidity (health promotion and prevention of disease, psychosocial problems and trauma);
- identifying situations in which intersectorial action is required to prevent disease, trauma or social problems that have an impact on public health and, where they consider it appropriate, taking the measures they consider to be necessary to promote such action.

It is in this context in which the Public Health Directors of Quebec would like to share their joint position on the anticipated effect of Bill C-19 from the standpoint of the health and safety of the Quebec public and their concerns for the Canadian public as a whole.

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<sup>1</sup> For debate of the motion on Bill C-19, an Act to amend the Criminal Code and the Firearms Act, in the House of Commons, click the following link:  
<http://www.parl.gc.ca/HousePublications/Publication.aspx?Pub=Hansard&Doc=41&Ses=1&Language=E&Mode=1#OOB-456944>

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## INTRODUCTION

The Public Health Directors of Quebec hereby submit their joint position concerning Bill C-19, An Act to amend the *Criminal Code* and the *Firearms Act* (Ending the Long-gun Registry Act), to the members of the Standing Committee on Public Safety and National Security (SECU).

Like the Institut national de santé publique du Québec in the brief it submitted (Lavoie et al., 2010), the Public Health Directors of Quebec believe that the present *Firearms Act* (C-68), which was enacted in 1995, continues to be effective legislation and an essential lever for preventing suicides, homicides and accidental deaths, and accordingly that it is crucial that it be left intact.

Today we would like to reaffirm our position to the Committee, as we did on May 27, 2010, during examination of Bill C-391. At the conclusion of its public hearings, SECU had recommended to the House of Commons that it abandon Bill C-391 because the registry is valuable and useful. Our position has not changed today and we are calling for Bill C-19 to be abandoned.

The position of the Public Health Directors of Quebec is based on three main factors:

- The present *Firearms Act* (C-68) is effective legislation;
- The coming into force of the Act is associated with a reduction in deaths of 300 per year;
- Firearms are dangerous for everyone.

## THE PRESENT *FIREARMS ACT* IS EFFECTIVE LEGISLATION

The effect of enacting Bill C-19 would be to dismantle an effective system that saves lives and averts serious injuries. In addition to abolishing the Canadian Firearms Registry On-line (CFRO, RCMP 2010a)<sup>2</sup> (the long-gun registry), the bill proposes to destroy the data concerning the approximately 7.1 million non-restricted firearms, specifically rifles and shotguns, that are currently registered. These data can be used by police in their investigations to trace firearms. The abolition of the long-gun registry could enable licence holders to acquire numerous firearms, including powerful semi-automatic weapons, without the authorities being alerted.

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<sup>2</sup> The Canadian Firearms Registry On-line (CFRO) is a subset of CFIS. CFRO is available to Canadian police agencies via CPIC to assist police officers responding to calls and conducting investigations. CPIC interfaces with to provide timely information to police who enforce the *Criminal Code of Canada* and to Chief Firearms Officers (CFOs) making decisions about client licensing and continuous eligibility of clients (RCMP, 2010a, p. 9).

### ***Firearms possession licences and compulsory registration cannot be severed***

Throughout Canada, and unlike in the United States, possession of a firearm is a privilege and not a right. To draw a parallel with another item or product found in our societies, the existing rules governing the possession and use of firearms (holding a licence and entry in a registry) are similar to the rules that govern the possession and use of a motor vehicle. Who would argue that having a driver's licence or registering one's vehicle is a sound policy today? That obligation is not regarded by a majority of drivers as an obstacle to the free use of their property.

The same is true for possession licences and firearms registration: these are measures designed to protect the public while in no way restricting access to and legal use of firearms. On this point, it should be noted that the *Firearms Act* does not prevent anyone from possessing and using a firearm for lawful purposes such as hunting and sports shooting.

As in the case of a driver's licence and motor vehicle registration, a non-restricted firearms possession licence and the obligation to register each firearm a person possesses cannot be severed. They make it possible to connect each firearm with its owner and to hold firearms owners personally accountable, thus providing an incentive for them to obey the regulations in force (e.g. storing, selling, lending or giving a firearm).

It is not possible to do without firearms registration, just as we would think it impossible today to stop registering vehicles. An exhaustive, country-wide registration system is the key to genuine traceability, and the public safety value of this is obvious: for example, how can firearms be taken away temporarily from a suicidal or violent individual if we do not know how many weapons they have?

In fact, the inseparable nature of these two measures, licensing and registration, was recognized by the Supreme Court of Canada in 2000 as essential to public safety; in its judgment, it stated: "Both portions are integral and necessary to the operation of the scheme" (Supreme Court of Canada, 2000).

### ***The cost of the non-restricted firearms registration system has already been absorbed***

In September 2011, there were 7,865,994 registered firearms in Canada, 7,137,386 (91%) of which were non-restricted firearms (RCMP, 2011). At the same time, there were 1,886,057 firearms licence holders.<sup>3</sup> In addition, about 570 firearms licence applications were refused and 2,229 licences were revoked in 2010 (RCMP, 2011).<sup>4</sup>

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<sup>3</sup> All businesses and organizations that make, sell, possess, handle, display or store firearms or ammunition require a valid firearms business licence (RCMP, 2010a). This type of licence accounts for fewer than 1% of all licences issued in 2009 (RCMP, 2010b).

<sup>4</sup> On average, in 2011 (data as of September 30), Canadian police queried CFRO 17,402 times per day (RCMP, 2011). That figure is explained by the fact that some police services have redesigned their records management systems to auto-query CFRO whenever a police officer queries CPIC (RCMP, 2010a, p. 28). As well, most police services do not automatically check CFRO, and rely on manual queries.

Significant amounts of money have been invested in setting up the long-gun registry. The fact that the system turned out to be expensive when it was created is not a reason to dismantle it (RCMP, 2010a). On the contrary, it seems reasonable to get the most out of it, and to amortize the investment over the longest possible period, for the benefit of the Canadian public and of present and future generations.

According to a study done by Miller (1995), the estimated total costs (including direct care costs and lost productivity) associated with firearms injuries were \$6.6 billion in 1991, and adjusted for inflation rose to \$9.1 billion in 2009 (RCMP 2010). Based on those figures, the Institut national de santé publique du Québec has estimated that more than \$400 million is saved per year in connection with the decline in deaths associated with the coming into force of Bill C-68 (Lavoie et al., 2010).

Dismantling the long-gun registry as proposed by Bill C-19 would mean the irretrievable loss of the money invested by the Canadian government to set it up, in addition to the money saved by the hundreds of lives saved every year.

### **THE COMING INTO FORCE OF THE ACT IS ASSOCIATED WITH A REDUCTION IN DEATHS OF 300 PER YEAR**

The Institut national de santé publique du Québec estimates that the coming into force of the *Firearms Act* (C-68) is associated with a decline of about 250 suicides and 50 homicides per year between 1998 and 2004, on average, throughout Canada. That figure represents nearly one death avoided every day, year after year.

#### ***The number of firearm-related deaths has declined***

In Canada, the number of firearm-related deaths has declined significantly, from 1,416 deaths in 1979 to 816 deaths in 2002, a decline of 42.4% (Wilkins, 2005). The number reached an all-time low in 2007 with 733 deaths, and in 2008, the last year available, it was 754 (Statistics Canada, 2010a, 2010b, 2011).

According to Statistics Canada, homicides by rifle and shotgun have declined substantially, from 61 in 1995 (Hung, 2006) to 36 in 2010 (Hotton Mahony, 2011). Since the long-gun registry was established, along with other complementary firearms control measures, the firearm suicide rate has declined as compared to the rate of suicide by other methods (Gagné, 2008).

A recent study (Blais et al., 2011) concluded that the stricter firearms control implemented gradually since 1977 were followed by significant declines in firearm homicides, amounting to 5 to 10%, depending on the province. The authors observed no method displacement, that is, there was no rise in homicides committed by other methods to compensate. These studies attributed the effectiveness of firearms control legislation to a reduction in the accessibility and availability of firearms, rather than to the harsher sentences provided for in the laws.

## **FIREARMS ARE DANGEROUS FOR EVERYONE**

In Canada, a majority of firearm-related deaths, about 70%, are caused by long guns, which are considered to be non-restricted firearms (RCMP, 2010a). The Supreme Court of Canada (2000) has held that all firearms are inherently dangerous. There are no “good or bad firearms” or “good or bad victims”.

### ***The issue with Bill C-19 goes beyond the problem of crime***

In Canada, during the period from 2004 to 2008, firearms caused an average of 771 deaths each year (Statistics Canada, 2011). Suicide is by far the leading cause of firearm-related death in the country. Over the course of that period, suicide accounted for 73% of firearm deaths, and in over 40% of cases<sup>5</sup> in 2008 the weapon was a non-restricted firearm (Statistics Canada, 2011). Firearm homicides in turn accounted for 23% of deaths. In 2010, rifles and shotguns were used in 23% of homicides committed with a firearm (Hotton Mahony, 2011).

It has been established that firearm-related deaths mainly involve people who have personal, marital or mental health problems, rather than criminals, and that in most cases the deaths occur at the victim’s home (Lavoie et al., 2010). In those cases, the presence of a readily accessible firearm in the home is a factor that facilitates acting on suicidal or homicidal ideas (e.g. spousal homicides). It is therefore important to make this type of weapon less accessible to people who are likely to misuse them.

Two American studies have shown that members of a household where there is a firearm are at about five times the risk of suicide and nearly three times the risk of homicide as compared to someone living in a home with no firearm (Kellerman et al., 1992 and 1993, cited in Lavoie et al., 2010, p. 5).

In short, the presence of a firearm in a home presents more of a danger of injury than it provides a means of protection for family members.

## **CONCLUSION**

Given that Bill C-68, the *Firearms Act*, continues to be effective legislation and an essential lever for preventing suicides, homicides and accidental deaths, the Public Health Directors of Quebec consider it to be crucial to preserve it in its entirety, along with the long-gun registry, which is an inseparable component of the present Act.

We thank you for your consideration of our comments, and speaking from the standpoint of the health and safety of the Canadian public, we urge SECU to reiterate the recommendation it made to the House of Commons in May 2010 regarding Bill C-391, and accordingly recommend that Bill C-19 be abandoned, recalling that the present Act and the long-gun registry established under it have been valuable and useful.

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<sup>5</sup> This percentage is a minimum since the category “Intentional self-harm by discharge from other and unspecified firearms (X74)” does not distinguish between handguns and other types of firearms. According to the Institut national de santé publique du Québec, data from the Bureau du Coroner du Québec in 2010 show that rifles and shotguns are responsible for about 85% of all suicides.



Sincerely yours,

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## BIBLIOGRAPHY

Blais, E., Gagné, M.-P., Linteau, I. (2011). *L'effet des lois en matière de contrôle des armes à feu sur les homicides au Canada, 1974–2004*. Canadian Journal of Criminology and Criminal Justice, CJCC/RCCJP doi:10.3138/cjccj.53.1.27, January 2011, pp. 37-61.

Gagné, M.-P. (2008). *L'effet des législations canadiennes entourant le contrôle des armes à feu sur les homicides et les suicides*. Université de Montréal, École de criminologie. Faculté des arts et des sciences. Thesis submitted to the Faculté des études supérieures for the degree of M.Sc. in criminology, August, 103 pp.

Hotton Mahony T. (2011). *Homicide in Canada, 2010*, Juristat, Component of Statistics Canada catalogue no. 85-002-X, released on October 26, 2011, 33 pp.

Hung, K. (2006). *Firearms Statistics: Updated Tables*, Research and Statistics Division, Department of Justice of Canada, January, 44 pp.

Lavoie, M., Pilote, R., Maurice, P., Blais, E. (2010). *Mémoire déposé au Comité permanent de la sécurité publique et nationale de la Chambre des communes sur le projet de loi C-391, Loi modifiant le Code criminel et la Loi sur les armes à feu*. Institut national de santé publique du Québec, Québec, 21 pp.

Miller, T.R. (1995). *Costs associated with gunshot wounds in Canada in 1991*. Can. Med. Assoc. J. Nov. 1, Vol. 153(9):1261-68.

Ministère de la Santé et des Services sociaux du Québec (2008). *Programme national de santé publique 2003-2012: Mise à jour 2008*, Québec, ministère de la Santé et des Services sociaux du Québec, Direction générale de santé publique, Government of Québec, 103 pp.

Royal Canadian Mounted Police (2010a). *Canadian Firearms Program, Program Evaluation, Final Approved Report February 2010*, National Program Evaluation Services, 148 pp.

Royal Canadian Mounted Police (2010b). *Commissioner of Firearms, Report 2009*, RCMP Canadian Firearms Program, Ottawa, 37 pp.

Royal Canadian Mounted Police (2011). *Facts and Figures (July -September 2011)* [RCMP Canadian Firearms Program](#), 2011, unpaginated, retrieved on November 10, 2011.

Statistics Canada (2010a). *Deaths, by cause, Chapter XX: External causes of morbidity and mortality (V01 to Y89), age group and sex, Canada, annual*. Table CANSIM 102-0540 [on line: <http://www.statcan.gc.ca/>], accessed on May 3, 2010.

Statistics Canada (2010b). Table 102-0540: Deaths, by cause, Chapter XX: External causes of morbidity and mortality (V01 to Y89), age group and sex, Canada, annual. CANSIM (database) [on line: <http://www.statcan.gc.ca/>], accessed on May 3, 2010

Statistics Canada (2011). *Vital Statistics*, CANSIM – Results, Table 102-0540,2,3,4,5 Deaths, by cause, Chapter XX: External causes of morbidity and mortality (V01 to Y89), age group and sex, Canada, annual.

Supreme Court of Canada (2000). *Reference re Firearms Act*, [2000] SCC 31, [2000] 1 S.C.R. 783, June 15, 2000 [<http://scc.lexum.org/en/2000/2000scc31/2000scc31.html>], accessed on May 3, 2010, and November 10, 2011.

Wilkins, K. (2005). *Health Reports: Deaths Involving Firearms*. Vol. 16(4): 41-47. Component of Statistics Canada catalogue no. 82-003XPF200404.