

BRIEF TO THE STANDING COMMITTEE ON
LEGAL AND CONSTITUTIONAL AFFAIRS
ON BILL C-19

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1. PREAMBLE

Firearm-related injury and death continue to be a serious 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 long-gun registry on an occasional basis in efforts to help patients who may do themselves or others harm.

2. COMMENTS ON BILL C-19 PARTICULARLY IN RELATION TO STUDIES OF SUICIDAL DEATHS BY MEANS OF FIREARMS

Firearms misuse imposes a tremendous burden on the health of Canadians in terms of deaths, disabling injury and emotional trauma. All firearms 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 (Bill C-68) was first proclaimed, there were 376 more gun deaths in Canada than in 2008 (the most recent year with fully comparable data).¹ The majority of those – about three-quarters, in any given year – were self-inflicted, but the national rate of firearms suicide *has* dropped by 48 percent since Bill C-68 was enacted: from 3.1 per 100,000 in 1995 to 1.6 per 100,000 in 2008.² One study has estimated that there may be 250 fewer suicides in Canada a year attributable to the Firearms Act (including its long-gun registry provision), even taking the possible substitution of other methods of suicide into account.³ Research has also shown that stronger firearms laws have played a role in the particularly pronounced decline in firearms deaths among adolescents in Canada. 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 2003.⁴

Similarly, at the provincial level, one study has noted significant reductions in both the total and firearms suicide rates for men in Quebec since the late 1990s, particularly in the 15-34 age group, whose firearm suicide rate declined at twice the pace of the 35-64 year-old bracket; the authors suggest this may be attributable to reduced access to firearms due to more restrictive firearms regulations.⁵ Other studies have found that the rate of homicides by firearms has declined significantly in Quebec since the late nineties, as well – particularly by means of long guns,⁶ and a related study has found significant decreases of between 5% to 10% fewer homicides committed with firearms, depending on the province, particularly by means of shotguns and hunting rifles, which they attribute to the enactment of Bills C-51 (1977) and C-68 (1995).⁷

A variety of international studies also make a link between measures which reduce easy access to firearms and lowered rates of suicide by means of firearms, especially among males. Some American studies make explicit reference to the apparent role of gun control regulations in decreasing both overall gun availability and gun suicides,

particularly by means of licenses and permits, rather than outright bans.⁸ For example, Slater (2011) found that U.S. states with more lenient gun laws had much higher rates of suicide and firearms suicide, and that the attendant access to guns alone directly explained 34% of the differences he found in the different states' suicide rates and 55% of the differences in their gun suicide rates.⁹ Others underscore the apparent protective effects of safe storage practices in reducing the rates of firearms suicide; e.g., using nationally representative survey data, one study found that although decedents with access to firearms at home were 18 times as likely to commit suicide by a firearm than to die from other causes, firearms owners who keep their firearms locked or unloaded were at least 60% less likely to die from firearm related suicide than those who store their firearms unlocked and/or loaded.¹⁰ Similarly, an Israeli study found that when the Israeli Defense Forces reduced adolescents' access to firearms, their suicide rates decreased by 40%, mostly due to far fewer firearms suicides during weekends.¹¹

Bill C-19 proposes to relax controls on rifles and shotguns through repealing the requirement that they be registered to their legal owner's name, and the requirement that gun dealers and private sellers notify the Canadian Firearms Centre of their transfers and sales. The Bill does not reinstate the obligation that predated the registry requiring firearms dealers to maintain records of sale including the make and serial number of a firearm and the name and address of the purchaser. It further proposes to remove the mandatory nature of verifying that a person is licensed to own this type of firearm before selling or transferring a weapon. These requirements help ensure that only those with valid, unrevoked firearms licenses are acquiring them. It will also result in the destruction of all the existing records on unrestricted weapons in the electronic gun registry database, which the police and firearms officers have been able to use to check whether people are storing all their weapons safely. Rifles and shotguns are the guns most often used in suicides, accidents and domestic violence situations because of their accessibility.

In 2008, seventy percent of Canadian and fifty-nine percent of British Columbia firearms death were suicides.¹² The majority of suicides are impulsive in nature. Optional licence verification at point of sale will make purchasing a firearm easier for those that, in a rash moment, would use them to do themselves harm. It will make removing the licence of someone known to be a risk to themselves or others far less effective. A seller with whom they had a previous relationship would likely not be aware of the removal or of their history of mental illness and would be able to sell them a firearm with little risk of prosecution for selling to an unlicensed person. It will also make it easier for people who are a threat to find a seller who might accept lesser proof of licence status than others. Further, by forbidding any records to be kept when licences are verified, we are sacrificing valuable information that could alert authorities that those who have had their licence revoked for reasons of mental illness are attempting to purchase firearms and allow for preventative measures.

Suicide attempts using a firearm are particularly lethal (96% completion, and 2.6 times more lethal than those involving suffocation – the second most lethal suicide method).¹³ Studies have established a clear correlation between access to firearms at home and

risk of suicide by firearms.¹⁴ For example, recent studies out of Harvard University have found that the six U.S. states with highest rates of household ownership of firearms have twice the overall rate of suicide compared to the six states of nearly comparable population with the lowest household firearm-ownership rates, and up to 12 times the rates of suicide using firearms in particular (depending on the sex and age group).¹⁵

While urban crime attracts considerable media attention, rates of firearms death and injury are higher in rural areas. Suicide rates are higher communities where the use of firearms is overrepresented, for example Aboriginal communities¹⁶ or rural Alberta where the rate of firearms suicide is twice that of urban regions.¹⁷ The Territories have firearms death rates substantially higher than the Canadian average of 2.5 per 100,000 for the first half of the last decade while the long-gun registry was being implemented: 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 firearms death rates 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).¹⁸

Provincial Average Firearm Death Rate per 100,000 (2001-2005)	
Ontario	1.60
Nfld and Labrador	2.38
Prince Edward Island	2.48
British Columbia	2.48
Canada	2.50
Quebec	2.86
Manitoba	3.00
Nova Scotia	3.34
Alberta	3.52
Saskatchewan	3.76
New Brunswick	4.08
Yukon	7.84
Northwest Territories	8.60
Nunavut	19.76

Source: Statistics Canada. *Mortality, Summary List of Causes*, 2001 through 2005 editions. Ottawa (ON): Statistics Canada. Cat.no.84F0209XIE.

Access to firearms not only increases the risk of suicide, but also of homicide, unintentional injuries and deaths. Researchers 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.¹⁹ 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. He used the gun to kill his wife Bohumila and their children Daniel, age 7; Nicole, 5; Peter, 2; and David, 2-½ months before committing suicide in November 2000. Unintentional or accidental death related to firearms forms a small but important percentage of all firearm-related deaths: ranging from 2.1% to 3.8% of the total medically classified deaths by firearms discharge in Canada (excluding those by

law enforcement) for 2000-2008, for an average of 2.8% – or nearly 23 a year.²⁰ In one 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.²¹

The health burden of firearms extends beyond deaths or injuries, as these are often accompanied by reduced physical and emotional health on the part of survivors as well as the victims' families and friends. 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.²² However, recent studies suggest that the costs associated with firearms 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.²³

Prior to the strengthening of the gun control legislation in 1995 with the passage of the Firearms Act (Bill C-68) which requires all gun owners to have a firearm license and then legislation for 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 17,000 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. Nor does it 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

The very first time I could have used a gun registry was in the early 1980s when I was in Ottawa meeting with Members of Parliament on a different issue. At one of the meetings, when the staff of the MP found out I was a psychiatrist, they showed me some letters they had received. Two examples are in the appendix with identifying information removed. The staff felt uncomfortable receiving these letters and were not sure whether the person writing them was a risk to them. These letters demonstrate elements associated with mental illness, including discussion about killing. The letters refer to the person saying "I was dead". People who have delusions that they are dead are potentially very dangerous either to themselves or others because they feel that they have nothing to lose and are invincible in some way.

However, there were no direct threats in the letters. In the early 1980s, without a direct threat, there would be little that could be done to determine the person's risk without a gun registry. I faced similar situations later in practice before the registry existed and even if the person had a firearms license, without a direct threat, the police would be very reluctant to act on a case like this.

Similarly, prior to the existence of the registry, when I would call the police to see about getting guns away from someone who was suicidal, they were very hesitant as no crime had been committed and they were not sure how many guns people had. Since the existence of the registry, the police have much less hesitation about removing guns in these situations. Without the registry, police may again be hesitant to intervene in such situations or, when they do, will have no way of knowing how many firearms a person owns and will therefore not be able to remove all of their weapons.

Several years ago, the wife of one of the local pastors showed up at the mental health centre I work at, 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, a total of 26,137 firearms licenses have been refused (8,040) or revoked (18,097) for public safety reasons between 1999 and 2009.²⁴ Public Safety Minister Toews reported in the House of Commons that of the 51,815 non-restricted firearms seized by public service agencies between October 31, 2008 and January 4, 2011:

- 4,612 registered firearms were owned by individuals whose licenses were revoked due to public safety concerns;
- Of these, 207 firearms were owned by individuals whose licenses were revoked for reasons of reported mental health concerns;
- 3,887 for prohibition or court order;
- 547 for reported potential risk to others;
- 399 for reported potential risk to self;
- 224 for reported unsafe firearms use and storage;
- 198 for reported violence;
- 15 for reported drug offences;
- and 3 for providing false information²⁵

This is a significant number of potential tragedies prevented. Unfortunately, virtually none of these preventative activities makes the newspaper due to privacy reasons, so people are unaware 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 the police and mental health professionals like me prevent tragedies. Allowing Bill C-19 to pass would reduce the effectiveness of Canada's gun control laws and diminish the safety factor associated with them.

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-19 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-19.

5. APPENDIX

HOW TO DO EVERYTHING RIGHT

Another Article

by

Do you want to know how to do everything Right ?? Here's The Answer: Do Everything Wrong. Do it Fast. Make A Mess. Do not be meticulous about anything. Throw it down on The Page and then see what you've got there. Is it Right?? Does it have The Ring Of Truth ?? And if it is not Ringing True, where is it not True and how can you make it Right Again.

That's what it's like to make The Truth.

You wrestle it to The Ground.

It is very difficult to be Right, and you have to approach Rightness from very far away. You have to Sneak Up On It, and Pounce. You have to Hunt It Out. You have to seek it out and then wait until it comes to you. You have to Press It To The Ground, you have to Run It Around.

It is a very time-consuming business, this Hunting For The Truth, and the work involved in Righting it is very hard. You have to be An Athlete to do this kind of work. You have to Chase very hard. You have to keep Pushing, Driving, Moving and Shifting Gears, bearing in and bearing down until you have it in A Trap. Add then you start to Move It Around.

You corner it, you staple in some Tacks, and then You Pin It Down.

You Shoot It Dead, for you have Seen What it Has Been. It is A Lie. The Sheep is Dead.

The Truth is that The Truth is Very Hard. It is of Reality, that some shall Live and some shall be Dead and those who Live will be those who have Done It Right and Freed Themselves Of Sin.

A Lawyer cannot Right, because he is Of Sin. His life has been A Lie. But the Lie he is Lying In is The Trap for him because he is Really Dead, though be The Walking DEad.

There are many Twists And Turns on The Rocky Road of Eternity, and you have to be Careful, when Coming 'Round The Bend. You may be Face to Face with The End, and as anyone can tell you who knows anything about writing Fiction, The Beginning is in The End.

The End is where The Hero Comes To Be, and He will Be because He Can Be. He will Be because He Always Has Been. He will have A Knife In His Hand.

Truth always goes Hand In Hand With The Word, and The Word is Represented in Reality by The Sword. The Speaker of Truth will first Present The Sword, and then he will Present Truth.

The Truth is Of The Time, and The Time is always, In Reality, The Same. Those who do Anything right know that first they must do Wrong. And then they must make up for The Sin. By putting it Right, Right, and Fast.

The purpose of doing things wrong is to establish The Worst Case Scenario. Then you see what you have to Work Against. Develop A Winning Scenario, and then You Dance.

¹There were a total of 1,119 medically classified deaths by firearms discharge in 1995 (not including those by legal interventions), including those deemed Accidental (49), Suicidal (911), Homicidal (145), and those of Undetermined intent (14) (Statistics Canada: *Causes of Death*, as tabulated by K. Hung, in "Firearms Statistics: Updated Tables," Ottawa, ON: Department of Justice: Research and Statistics Division, January 2005 www.justice.gc.ca/eng/pi/rs/rep-rap/2006/rr06_2/t18.html), compared to 743 in 2008:20 deemed Accidental, 518 Suicidal, 197 Homicidal, and 8 of Undetermined intent (Statistics Canada: *Causes of Death*, Chapter XX: External causes of morbidity and mortality, <http://www5.statcan.gc.ca/cansim/a05?lang=eng&id=1020540>).

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