

Presentation to the
Standing Committee on Public Safety and National Security

Bill C-71

An Act to amend certain Act and Regulations in relation to firearms

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ONTARIO FEDERATION OF ANGLERS & HUNTERS



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Good morning, Mr. Chair, and members of the committee.

On behalf of the Ontario Federation of Anglers and Hunters, our 100,000 members, supporters and subscribers, and our 740 clubs across Ontario, thank you for inviting us to talk about Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

The OFAH is the largest conservation-based organization in Ontario, but we also represent all possible firearms interests, including hunting, trapping and recreational shooting. Additionally, we represent 56 shooting clubs which operate 80 Chief Firearms Officer-approved licensed firearms ranges.

We are the only fishing and hunting organization appearing before this committee, but our submitted brief has been endorsed by our affiliates from coast-to-coast-to-coast. This includes the Yukon Fish and Game Association, Northwest Territories Wildlife Federation, British Columbia Wildlife Federation, Alberta Fish & Game Association, Saskatchewan Wildlife Federation, Manitoba Wildlife Federation, Fédération Québécoise des Chasseurs et Pêcheurs, Prince Edward Island Wildlife Federation, Nova Scotia Federation of Anglers and Hunters, and Newfoundland and Labrador Wildlife Federation. In total, our organizations represent approximately 345,000 Canadians.

In our time today, we will only be able to touch on a few highlights of Bill C-71. In our submitted brief, you will find a thorough analysis of each section of the bill, including background context, outstanding questions and concerns, as well as results from a survey conducted by the OFAH in April on Bill C-71 of over 3,500 firearms users. We have copies of the full survey report if anyone is interested.

Bill C-71 was tabled as public safety legislation that would respect the firearms community. We don't believe this bill accomplishes either of these stated intentions and, as a result, we cannot support Bill C-71 as written.

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Unfortunately, Bill C-71 is far too light on sound rationale and far too heavy on uncertainty to convince us it will truly enhance public safety. The paper-thin rationale has further undermined an already strained relationship between firearms owners and government when it comes to firearms policy.

To start, the government has overstated and misrepresented statistics to create a post-2013 Canadian firearms “crisis” that simply isn’t true. In fact, long-term trends actually show overall firearms-related crime is on the decline. Whether deliberate or not, this tactic has sown skepticism in the need for such sweeping changes to firearms legislation. Not off to a good start.

Next, the bill is intended to enhance public safety as a part of a much larger policy initiative to tackle gangs and gun violence. On this, Bill C-71 is silent. A quick scan of the bill shows no direct reference to gangs, gun violence, organized crime and illegal cross-border smuggling of firearms. Strike two.

That quick scan also reveals that the bill is entirely focused on the law-abiding firearms community. It’s not hard to see why 97% of respondents in our survey felt it is too focused on law-abiding citizens to provide any net gains for public safety. Firearms owners obviously feel unjustifiably targeted before even looking under the hood.

Let’s take a look at the specific elements of the bill starting with enhanced background checks.

The OFAH is not opposed to background checks that look back more than five years, but the government needs to convince us that this will actually increase public safety. Firearms owners are already one of the most vetted segments of Canada’s population. Right now, existing firearms owners undergo “continuous eligibility” screening through the Canadian Police Information Centre (CPIC) to verify there has been no criminal activity since acquiring their licence. It is our understanding in Ontario that the Chief Firearms Officer is not limited right now in how far they



look back on the criteria they use during eligibility assessments for licence applicants. It begs the question: Are the proposals actually “enhanced” background checks?

Next, let’s look at licence verification.

Right now, responsible firearms sellers check to make sure buyers have a licence, and they already have the ability to call the Canadian Firearms Program to verify, if necessary. The OFAH supports the intent of licence verification, as it protects the seller and ensures a legal transaction, but our support for the proposed change is dependent on a user-friendly process that incorporates an accessible, timely and effective appeal system if verification is not granted. We also think it should end there. We have yet to see evidence that clearly shows any issues (e.g. illegal firearms sales) under the current process or that the proposed reference number database could effectively assist police. How much will a reference number database cost and will it actually enhance public safety?

Next, let’s look at retailer record keeping.

Record keeping is something many businesses already perform as a best practice. The OFAH is not opposed to mandatory retailer record keeping, but many firearms owners are concerned about the safekeeping and privacy of records, as well as how records will be accessed by police. To mitigate these concerns, we would like to see specific provisions added to establish security standards and penalties for non-compliance to ensure the privacy and security of personal information. Additionally, there must be strict guidelines for police accessing records to ensure it is not used inappropriately.

Next, let’s look at automatic authorization to transport.

The OFAH cannot support the proposed removal of automatic ATTs. Bill C-71 should be amended to rescind this proposal.

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During testimony to this committee on May 8, 2018, the RCMP indicated the number of ATTs issued for gun show (250) and gunsmith (131) in 2015 was an extremely small percentage of the overall 143,000 issued across Canada – only slightly more than a quarter of one percent (0.267%). A different proposal, but the same question: How can this possibly enhance public safety?

Next, let's look at classification.

The focus should not be on who is responsible. Rather, it should be on how firearms are classified. It should be form and function that determines classification, and not emotional responses to the appearance or perception of a firearm. One of our survey respondents stated, *“Assault is the act of inflicting harm or threatening to do so. Assault is not a synthetic stock with a curved magazine and a semi-automatic action.”*

Arbitrary classification of firearms is a significant concern. Government should establish and adhere to a standardized process for classifying or re-classifying that is consistent, transparent, evidence-based, has full consultation with firearms users, and an effective appeal system. Bill C-71 should establish this requirement.

Lastly, let's look at the long-gun registry records.

A lot of confusion remains about the long gun registry records that exist today. Although we are being told that only the Quebec records still exist, the firearms community wants clear public statements on what records remain, how they can be used, and why the government is handing them over to Quebec after the Supreme Court of Canada decision. Transparency in this will help build trust.

In conclusion, it is becoming increasingly clear that Bill C-71, as written, is not likely to achieve the lofty goals presented for this proposed legislation. We are imploring this committee to ask tough questions and seriously consider meaningful amendments.

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Our opposition to Bill C-71 is not partisan. It is not emotional. It was not pre-determined on principle. It was only after a thorough critical analysis that we arrived at the same conclusion for almost every proposal – it won't enhance public safety. The evidence simply doesn't support it.

Licensed firearms owners care about public safety as much as other Canadians. The firearms community is not against firearms legislation. If there is evidence to show a change is required to enhance public safety, then we will look at it objectively.

First, we need to ask ourselves: Do we need more restrictions on law-abiding Canadians? Or will that simply pull the easiest policy lever to say we are doing something for public safety? More red-tape on an already highly regulated firearms community won't provide any appreciable benefit for public safety.

We applaud the government's commitment of \$327.6 million over the next five years to combat gangs and gun violence, with the intent to spend \$100 million per year once the first five years is up, but why is Bill C-71 silent on increased penalties for serious firearms crimes? Targeted legislative action towards gangs, not guns, would be a true complement to the funding committed by the government in 2017. This can be achieved with amendments to Bill C-71.

In the end, Bill C-71 has created confusion, concern and eroded confidence in the government's approach to firearms policy. There has been very little convincing evidence to demonstrate a need for most of the proposed changes, and this has left the majority of the firearms community in opposition to the bill.

If the government is serious about respecting the firearms community, then it can't move forward with Bill C-71 without significant amendments – not only to help minimize the unnecessary scope of its impact on law-abiding firearms owners, but also to introduce tangible provisions that directly tackle the stated intent of addressing gun violence. If nothing else, meaningful amendments would signal that government is listening to help rebuild some of the trust lost in this process.