



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Public Safety and National Security

EVIDENCE

NUMBER 039

Thursday, October 20, 2022

Chair: Mr. Ron McKinnon



Standing Committee on Public Safety and National Security

Thursday, October 20, 2022

• (1110)

[English]

The Chair (Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.)): I call this meeting to order.

We're starting a little late. We will extend a little late. We can go a little further. We're still waiting for one witness, but I think as we proceed, the video conference witness will come on board with us.

I'd like to welcome you all to meeting 39 of the House of Commons Standing Committee on Public Safety and National Security. We will start by acknowledging that we are meeting on the traditional unceded territory of the Algonquin people.

Today's meeting is taking place in a hybrid format, pursuant to the House order of November 25, 2021. Members are attending in person in the room and remotely by using the Zoom application.

Pursuant to the order of reference of Thursday, June 23, 2022, the committee is resuming its consideration of Bill C-21, an act to amend certain acts and to make certain consequential amendments with regard to firearms.

We have today two panels of witnesses, with one panel of three witnesses per hour.

In the first hour, we will have by video conference the Centre culturel islamique de Québec and their spokesperson, Boufeldja Benabdallah. We'll give them an opportunity to make their statement when they join us.

With us today in person we have, from Danforth Families for Safe Communities, Ali Demircan, Ken Price and Claire Smith. Thank you.

From One By One Movement inc., we have Marcell Wilson, founder, and Savino Griesi, chief executive officer.

With that, each group will have an opportunity to give five minutes of opening remarks, after which we will proceed with rounds of questions.

We will start with Mr. Price, Ms. Smith and Mr. Demircan.

Go ahead, please, for five minutes.

Mr. Ken Price (Member, Danforth Families for Safe Communities): Mr. Chair and members of the committee, I am Ken Price. Let me introduce Claire Smith and Ali Demircan. We represent Danforth Families for Safe Communities. We're based in Toronto.

We experienced terror and tragedy from gun violence on a horrific night on July 22, 2018. It was a handgun that came to a retailer in one part of the country and was stolen and then used in Toronto to kill a girl and a teenager and injure 13 others that night. One of those injured was Ali, and another was my and Claire's daughter, Samantha. It is through the lens of that experience, therefore, and through our own subsequent findings as a grassroots group that emerged from that night that we have joined others in calling for a need for action to reduce the growing gun violence problem.

We're not here to be critical of all gun owners or of all gun ownership. Our group is made up of citizens with various levels of experience in the use of firearms, but since we were brought into this issue due to the tragedy, we are troubled that gun violence and homicide by gun have continued to grow.

We also agree that no one measure will be sufficient to combat this issue. We support Bill C-21 because it is a wide-reaching bill that has many aspects. It's not just about a freeze on handguns or a buyback of assault rifles—it has a number of items that we support—but other groups are going to talk about other measures and have given testimony in that regard.

We are going to focus on what has been called the “freeze” on handguns and the efforts to reduce the widely held private supply of handguns, which we believe is contributing to crime in this country.

It gives us no pleasure to make that statement. It gives us no pleasure to stand here and say that the domestic source of legally imported and licensed guns contributes to a significant portion of guns used in homicides and violence. As evidence, of course, we have our own experience of this being true. Through a survey of accredited news sources, we've compiled a list of incidents in which handguns were stolen or diverted, where straw purchases occurred or where licensed gun owners themselves were the ones carrying out the violence.

We combined this anecdotal and incidental information with our reading of Statistics Canada data. According to Statistics Canada reporting, for those guns that were successfully traced and used in a homicide, the number of guns traced to Canada was two and a half times greater than the number of guns traced to the United States. We realize that this number is likely to be challenged and is different from what other people are presenting in social media.

StatsCan also reports that the gun format that's primarily used in crime is the handgun, so it's not about all guns. We're not taking issue with the vast majority of gun owners who own rifles and shotguns. We are taking issue with the fact that handguns themselves are the problem.

Of course, we also conclude that there is an issue with guns coming across the border. We absolutely acknowledge that. We know that. We've talked to lots of groups that would acknowledge that as well, but we're here to say that there's not one problem to solve where supply is concerned. There are two problems to solve, and therefore the freeze is necessary, unfortunately.

In that regard, we have three comments we'd like to make about what has been proposed. All of these lead to some clarification and perhaps tightening of some of the exemptions, which I think are well-meaning but could lead to an undermining of the goal of freezing and reducing the number of handguns in the country.

First is the exemption for elite sports shooters. We think the wording needs to be clarified and tightened so that it is more clear that it's really the pistols being used in those competitions and not a general licence for handgun ownership.

We also ask that the program being supported is that which exists today. Related to this point, we're already seeing that other sport shooting organizations are coming forward and asking, "What about us?" IPSC is an example of that. Our concern is that those other organizations have very broad definitions with respect to how many and what kinds of handguns they can use. They have an open category, so virtually any handgun could qualify. We're concerned that it would undermine the objective of the bill, which is to freeze and reduce the handgun supply in Canada.

Second, we'd like to see a loophole closed that existed in our case. The person who had stolen a gun was able to buy magazines without having to present that they had an RPAL or a PAL and an ability to buy that. We would like to see that wherever a licence is required to buy a gun or ammunition, the magazine is included in that.

• (1115)

Third, suggestions have been made that perhaps the gun ranges themselves could get the business exemption. We understand that idea, although we're very concerned. We have seen evidence that gun ranges can be a target of theft. Therefore, should that go forward, we're opposed to this ownership model until or unless regulations are agreed to that would ensure the safety of all Canadians. We shouldn't back into that as an idea; it should be an idea that we construct.

Mr. Chair, thank you to all the MPs on this committee for their service. Maybe as Canadians we don't say that enough to our MPs. Thank you for your attention to this complex and difficult issue, and thank you for letting us make these statements today.

The Chair: Thank you.

We go now to Mr. Wilson to make an opening statement. You have five minutes, please.

Mr. Marcell Wilson (Founder, One By One Movement Inc.): Good morning, ladies and gentlemen, and Mr. Chair.

Once again I'm honoured to be here. More so, I'm honoured to speak on behalf of the people and the communities that the One By One Movement serves, ensuring that their voices are amplified.

I've had the privilege to speak as a subject matter expert on gang culture theory and violence prevention at a number of round tables and events on the impacts of violence, gun violence in particular.

Today I'm going to speak to you less formally than I normally would. Today I'm going to speak to you from the heart, simply as a human being, as a person with lived experience and as a proud Canadian.

Participating in these round tables, I consistently hear statistics and reports about people who live with and face a great deal of violence daily, yet in these settings I rarely hear from people who are experiencing first-hand the majority of gun violence. I feel this is one of the reasons that we are not seeing the progress we should in combatting this issue.

I see and hear people making a living and a name for themselves speaking on behalf of people and communities they don't really know or understand, for personal gain or political leverage. Some may think that's what I'm doing now, but there's a big difference between them and me. We're not the same.

As many of you know, I am a former gang member and organized crime figure in Canada and abroad, but before I was ever involved in a life of crime, I was a victim and a survivor of gun violence on a number of occasions.

I'd like to start by sharing with you a short story of the first encounter I had involving a firearm. I was about 11 years old, playing outside with a group of friends in the southwest end of Toronto, in a public housing complex called Swansea Mews. There was a group of older guys from my neighbourhood who were involved in bad things. Some of them relentlessly bullied us kids and terrorized the community. Though we were children, we had to learn to navigate and cope the best we could with this.

On this day, a known gunman who hung out in our area decided he was going to fire shots at us kids above our heads just to see us run. I remember hearing the zing of bullets passing us. This was entertaining to him, because when I looked back as I was running for my life, I remembered seeing him laugh. I'll never forget this day.

Now, as an adult, I can look back and isolate and identify. This is one of the many root-cause risk factors that helped to lead me down a path of self-destruction. I tell you this story because when I think about this incident and this individual at the time, if Bill C-21 had existed, or a bill like it, would it have prevented this traumatizing experience from happening to me? I strongly say that it would not. It would not have changed anything, because I'm confident he did not use a legal firearm to shoot at us that day. This man was not a citizen of Canada. He was a hardened criminal, and most definitely could not have acquired a licence to legally own a gun here.

Also, I'd like to tell you about a best friend of mine, who was a highly respected gangster at one point in his life. His name was Deurgueune Cisse. After a life of crime and the many traumas he was left with due to the terrible things and the violent acts he committed and to the violence he himself endured, he sadly took his own life.

I remember speaking to him the day leading up to it. He was extremely down and didn't believe that he could, or was good enough to, get back up again. He had made his decision and he was motivated. I wish he had been able to get the help he needed before it got as bad as it did. He did not use a firearm to take his life.

The reason I told these stories is to really drive home the point that we are wasting precious time focusing on the wrong things. Through decades of data collection, we have all learned what most of the root-cause risk factors are that lead society on a path of extreme violence. Let us focus on the cheaper, most logical solution, and that is prevention. Let us get these illegal guns off our streets and treat our less fortunate better. Let us focus more on the demand and less on the supply.

I am tired, and we are tired.

Thank you for listening.

• (1120)

The Chair: Thank you.

Our witness from Centre culturel islamique de Québec has joined us. I'll ask the clerk to briefly do a sound check, and then we'll continue with his statement.

Go ahead.

[*Translation*]

Mr. Boufeldja Benabdallah (Spokesman, Centre culturel islamique de Québec): Thank you very much, Mr. Chair, for your forbearance with this delay. I was not able to connect properly. Of course, we are still dinosaurs when it comes to new technologies.

That said, for more than five years, I have been involved with the Quebec mosque, which has suffered horribly because of handguns.

I would like to speak to you straight from my heart, and share my recommendations with you, hoping that this is in line with the fight against firearms so that we can find peace for ourselves, our families, children, schools and universities, and so that Canada remains a non-violent country, where people can live in freedom and safety.

To begin, I must tell you that the gun attack on the Quebec mosque was a turning point in our existence on Canadian soil. The

killer, who exercised his legal right to purchase two kinds of firearms, namely, hand guns and assault weapons, did not hesitate to enter a place of worship and coldly murder six fathers, seriously injure five other people—one of whom is now a paraplegic and still has a bullet in his neck that the health authorities were unable to remove—and traumatize dozens of people.

In fact, the entire population of Quebec and Canada was hurt by this thoughtless act, which was emboldened by the sense of power that comes from having a firearm. A person with a firearm feels invincible. That feeling can lead the person to commit thoughtless acts and to kill people. This was not the only attack. We all know there have been others, including at the Polytechnique. Those 14 girls could have been builders of our society now. The attack at Dawson College was the same type of thing. There was the attack in Portapique, and others. Unfortunately, it is a long list. Should we be pessimistic? Yes, but we must also remain open to the possibility of implementing regulations and raising awareness in order to combat this scourge called the "possession of firearms".

We, the mosques, were extremely glad and grateful to have had the opportunity to see the introduction of this bill on May 30 of this year, an historic day. We are honoured to have played a role in this significant and historic victory for public safety in our great country of Canada. For five long years, we have advocated for a ban on handguns, because in less than two minutes, these weapons brought tragedy to our mosque: six fathers killed, 17 orphans, five injured people and the people of Quebec and Canada shaken by something they said could not happen in Canada. And yet, it did happen here because of firearms.

Minister Mendicino, whom we commend for his sincerity and dedication, gave Canadians what they wanted, a firearms ban and the phasing out of existing weapons. I am not telling you anything new, but we must commend him. We celebrated by calling on Canadians to convey their support to their municipal, provincial and federal elected officials who are committed to this fight.

We know that the firearms lobby will fight this bill tooth and nail. The imminent passage of Bill C-21 will put an end to this lobby group's efforts and contribute to peace on our streets and in our schools.

We presented our 10-point proposal in various fora and on various media. We also presented our proposals to elected officials who have visited the Quebec mosque on many occasions, including the right honourable Prime Minister Justin Trudeau, honourable ministers Marco Mendicino, David Lametti, Ahmed Hussen, Omar Al-ghabra, Pablo Rodriguez and Jean-Yves Duclos, along with MPs who are close to us and who have worked hard on this issue, including Rachel Bendayan and Joël Lightbound. Today, we would like to remind you of what we said to them; we are reiterating it and will reiterate it again: please listen to us and try to convince the other parties to work together to resolve this matter.

• (1125)

Here are the 10 points we wish to propose, we the mosques of Quebec who are part of this fight against firearms.

First, amend the bill as the minister promised to establish a broad and permanent definition of prohibited weapons, including all military-type semi-automatic weapons, which are not reasonable for use in hunting. We do not need weapons of war. I was born during the Algerian revolution and I saw the weapons of war that traumatized our parents, and I am still traumatized. We do not need weapons of war on Canadian soil.

Secondly, there must be a complete ban on the flow, sale...

The Chair: I am sorry, Mr. Benabdallah.

[English]

We have to cut it off there. I hope those points are in your brief. We will be able to see them from there.

[Translation]

Mr. Boufeldja Benabdallah: Okay, that is right.

[English]

The Chair: I'm sorry. We have to carry on with the questions.

Thank you for joining us. I recognize we had some issues with the video conferencing. Thanks for bearing with us.

We'll go now to our first round of questions. We'll start with Ms. Dancho for six minutes, please.

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): Thank you, Mr. Chair.

Thank you very sincerely to all the witnesses for being here today. We greatly appreciate your candid testimony and sharing with the committee your thoughts on this bill and the country's approach to dealing with gun violence in general. On behalf of the Conservative Party, we are deeply sorry for the loss that you've experienced in your life as a result of violent crime and gun violence.

I've worked with this committee for a while now. Although we have different approaches by party to solve this, I can say quite confidently that we all take this very seriously and we want to see an end to gun violence in Canada. We are working very hard to achieve that.

I will start my questions with Mr. Wilson and his colleague. Thank you for both being here. It's an honour to finally meet you in person. Thank you for your contributions to many studies that we've had at the public safety committee.

Mr. Wilson, when you were here last February contributing to our guns and gangs study, you mentioned:

...when speaking on gun control, when we hear the phrase, it should always be synonymous with illegal gun crime and illegal gun trafficking as over 80% of the gun violence we are witnessing is committed with illegal firearms smuggled in from the USA.

You mentioned in your opening testimony that you experienced a life of crime for quite some time. Can you elaborate on that comment? How do criminals who commit gun violence...? Where do they get these guns from? Why do they have them?

Can you elaborate on that for the committee?

Mr. Marcell Wilson: Unfortunately, at one point in my life, I was a person who was involved at some level with importing and exporting firearms in this country. Now I look at what's happening in our communities and how easily accessible they are to very young children, and I know for a fact that most of the guns that are used now are guns that have been imported.

How do I know this? I know this because we work directly in communities with a lot of the gang-involved youth. Because of my background and my history, they speak a lot more openly with us than they would with you, law enforcement or other people. We do a lot of poking around and we do a lot of inquiring with these young guys. They speak openly with us, so we know maybe not the direct source, but we've challenged kids. We had the media come to us in one case to see how quickly we could source a weapon. It was under two hours, and it was done by a 17-year-old boy.

• (1130)

Ms. Raquel Dancho: It was under two hours in certain parts of...you're talking about Toronto. You can source an illegally obtained weapon. Anyone with any criminal background could get an illegal handgun within two hours, that's what you're....

You have a remarkable story with the One By One Movement. You completely turned your life around, and you're saving lives and pulling people out of a life of crime. Thank you for your contribution to society in that way. We need many more Marcell Wilsons and your colleagues across the country in all of our major cities.

It's that easy to obtain an illegal weapon. How can we, as policymakers, possibly go about tackling that issue? How do we stop that from happening?

Mr. Marcell Wilson: We've spoken quite a bit about having an acute focus on the root-cause risk factors and the motivations behind why a child or a person would even want to pick up a gun. If we can tackle that issue, we can focus a lot less on the tools of destruction.

For me, I had experiences and certain things that happened to me that built me up to wanting to react. I was angry due to certain social issues that were going on in my neighbourhood. I was angry that I grew up in what would be considered an impoverished neighbourhood and had to see the fancy houses and condominiums right across the street from me. I wondered why I couldn't have or acquire these things.

There are so many layers that we need to invest in before a murder happens, as opposed to focusing on the tool.

Ms. Raquel Dancho: That's attacking the root problems of poverty and crime and investing our resources there.

Would you say that gun trafficking is related to drug trafficking at all?

Mr. Marcell Wilson: They are directly linked, absolutely.

Ms. Raquel Dancho: Are firearms used to defend drug turf and enforce gang rules? Is that what they're used for?

Mr. Marcell Wilson: One hundred per cent.

Ms. Raquel Dancho: Thank you.

Bill C-21 does many things. One thing is to focus on freezing any new, legal, lawful ownership of handguns. Currently, we have trained, tested and vetted people who go through a very rigorous process and can get a restricted licence and purchase a handgun. It's focusing on those individuals.

Do you think focusing on those individuals will have any impact on what you're seeing in Toronto with the gang elements and guns? Do you see this bill meeting that need at all?

Mr. Marcell Wilson: From my direct experience, I don't recall there ever being a time when we had sourced any gun legally. Any of the guns that may have been from a legal source would come from a robbery or from them being taken. That was also a very rare occurrence. I don't see how, in any way....

Before I came here, I spoke to our youth and I spoke to guys who are currently in prison, always posing that question: Do you think something like this, the banning of any type of legal firearm, would help us?

The answer is 100% always the same: We never used legal firearms, or sought out to, because it was much easier to get them illegally.

Ms. Raquel Dancho: Thank you very much.

The Chair: Thank you, Ms. Dancho.

We go now to Mr. Van Bynen for six minutes, please.

Mr. Tony Van Bynen (Newmarket—Aurora, Lib.): Thank you, Mr. Chair.

I want to thank our witnesses for arriving today. I just can't imagine the horrible tragedy that many of you have experienced. I ex-

tend my condolences to you for the very sad experiences in your life.

I think prevention needs to be a priority and outreach is critical, as we heard earlier. The national crime prevention strategy has arranged \$665 million to support 684 crime prevention interventions.

Have you been able to access any of those crime prevention funds at all, Mr. Wilson? As part of your program, have you been able to access any of the crime prevention funding?

• (1135)

Mr. Marcell Wilson: Thank you for the question.

We have been at tables where funding was talked about. We have been at consultation round tables and have spoken about this money. To date, we have yet to receive any funding.

Mr. Tony Van Bynen: To me, then, the question is this: Has the government not been reaching out to organizations such as yours to indicate to you the application process, or am I correct that you have just been providing advice and not receiving any support on any of your programs?

Mr. Marcell Wilson: They have reached out, and we have spoken to them. We have sort of been through the gamut, I guess, for lack of a better term, when it comes to understanding and learning the process of how to acquire funds or receive funding here. That's one of the issues or root causes we've identified: It's that organizations that are doing the real work may not be well versed in the application processes or the language. A lot of the time they are left out, because the process is very rigorous.

Mr. Tony Van Bynen: Then we could do a better job of letting organizations know that funding is available and to provide access.

I'm interested in your programs. You have two focuses, as I understand it. The first one is the outreach for ages six to 29. How do you find people who are at risk of offending? How do you get that specific group engaged?

Mr. Marcell Wilson: What I think makes us niche is our background. It's very difficult, as I understand it, for government bodies and social workers to have direct contact with the at-risk or high-risk component. A lot of the youth that we see participating in programs are guys that we wouldn't really consider high risk. They may live in marginalized communities, but they are actively seeking assistance or help.

For the ones who need the most help, there's a lack of trust between government and community. Because of our background and connection and reputation with a lot of these guys, they feel a lot more comfortable speaking to people like us in those settings.

Mr. Tony Van Bynen: Is there a national organization that the government could reach out to that could help educate and provide the process?

Mr. Marcell Wilson: Yes—One By One Movement.

Mr. Tony Van Bynen: Okay. Great.

The next item is the concern about recidivism. There's a quote from you that says, "We like to think of ourselves as ambassadors of change unprompted by the threat of punishment." Can you tell me how that works? I think the term you used here was "internal realization and transformation process", or IRTP. How does that work? How effective has that been in relation to other programs?

Mr. Marcell Wilson: It's been quite effective, actually. We have a program specifically designed for those who are incarcerated. Then we have a program that is tailor-made for those who are either on the verge or just coming out. One of our very first steps is to guide these young guys who trust us through the internal realization and transformation process. These are indicating the positive factors that can contribute to realigning them with society.

Again, once they feel open enough and confident to speak with you, you'll find that there are a lot of parallels and there are a lot of things that we relate on. Once they're open to that, we have had a lot of success in terms of breaking the trust barrier and their being more open to following the path, because they see the people who have done it doing it.

Mr. Tony Van Bynen: Great. Thank you.

Mr. Price, I'd like to direct my next question to you and the organization that you've been able to put together. You should be proud of the way you're doing something positive with such a terrible experience. I congratulate you for that.

Mr. Ken Price: Thank you.

Mr. Tony Van Bynen: In the Danforth Families for Safe Communities statement on the fourth anniversary of the Danforth shooting, it states, "From the facts of our case, we advocate for actions that can be taken by all levels of government to reduce the risk of death [by] guns."

Can you expand on this? Do you have a specific recommendation that would help this committee provide effectiveness or improve the effectiveness of Bill C-21?

• (1140)

Mr. Ken Price: Beyond the statement, I do want to congratulate Mr. Wilson on his work. We have tried to reach out and become more educated about the issue. I will say that we were not educated about this issue before this incident came into our lives. It's shocking when it happens.

I am also thankful for the support of my lovely wife, of my friend Ali, and of the other members of the Danforth community. It's not just me who's making these statements.

It would be wrong for this committee to conclude that we have only one issue. It's not one kind of gun violence. In fact, and I think in the past we've agreed on this, there are different kinds of gun violence, frankly, and different remedies that are going to be required. According to Statistics Canada, only half of the gun violence activity is attributed to gangs and guns.

Frankly, if we deal with this, and we should, there are issues related to importation and smuggling. We need to fund these communities better, and we completely agree with that, but then to ignore

the other half of the problem would ignore the problem that happened to us and that happened to the mosque. There are other shooters who have motivation and have different access to weapons.

Our recommendation is to not lose that focus. This bill needs to be balanced. We think this is a balanced bill. Maybe it can be tweaked and improved to make other people happy, but it needs to cover all of the things it's covering. It needs to cover the freeze. It needs to deal with assault-style weapons. It needs to deal with the borders. It needs to fund communities. It needs to make reporting easier for women or others who are feeling threatened by gun owners.

All of that work needs to be done, but that is the scope of the problem. It's not one problem, it's not one group, it's not one set of—

The Chair: I'm sorry. I have to cut you off there.

[*Translation*]

Ms. Michaud, you have six minutes.

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

Many thanks to the witnesses for being here.

On behalf of my party, I, too, would like to express sincere condolences to all those of you who have been affected, directly or indirectly, by gun crimes. Your expertise and experience are very important, and I thank you.

Mr. Benabdallah, thank you for accepting our invitation to appear today. I was afraid that you would not be able to connect, because I have some questions for you.

You talked about the announcement on May 30 of this year. You stood behind the government when it announced the introduction of Bill C-21. I know that certain other groups also backed the government at that time, because Minister Mendicino had promised them that he would amend the bill in order to ban assault weapons as well. That is not in the first draft of the bill, the one we have to consider. That was one of the conditions that certain groups gave the government for supporting this bill.

Are you one of those groups? Did the government promise you that it would introduce that amendment during consideration of the bill? Are you confident that it will keep its promise? On a number of occasions, it seemed to be in good faith and willing to ban assault weapons once and for all, and amend the Criminal Code to remove existing loopholes. But that has not always been the case. The same applies to the buyback program for assault weapons.

Do you think the Liberals will make this amendment soon?

Mr. Boufeldja Benabdallah: Thank you.

Your questions are opportune. These two points were included in the 10 proposals I made on behalf of mosques, namely, including assault weapons and accelerating the process as much as possible.

That is what we want, you know that, and we are reiterating it. I completely agree. The government must do this. I am confident because we discussed this in person with Minister Mendicino when he visited the mosque. We raised this issue. If this criminal had had an assault weapon, the results would have been even more catastrophic. If they go into schools, it is the same thing. These weapons kill hundreds of people. They must be included in the bill. We will write to the minister again to remind him.

Thank you very much.

Ms. Kristina Michaud: Thank you, Mr. Benabdallah.

Rest assured that the Bloc Québécois will propose this amendment if the Liberal Party does not. Banning assault weapons was in fact your first recommendation.

You did not have the time to speak to your other recommendations, so please go ahead if you'd like to list them.

Mr. Boufeldja Benabdallah: Among the eight remaining recommendations is the one that Mr. Wilson and Mr. Price supported, regarding the prevention framework.

We consider it insufficient. The government has the duty to establish strong prevention programs, with local organizations that know what to do. As the saying goes, an ounce of prevention is worth a pound of cure. So prevention is essential, we have to pull out all the stops.

Awareness is the topic of my fifth and sixth recommendations. We remember the mass killing in Portapique and the ensuing confusion. Police officers must be better trained and there must be a public awareness program. I am not an expert on public communication, but people must be publicly warned through pop-up ads that the weapons in circulation are very dangerous, that our children must stay far away from them, and so on. I do not know how to go about this, but this must be communicated to the public. The information has to be communicated and awareness work must be done in schools, CEGEPs, colleges and universities. It must be thoroughly discussed so the entire population is made aware of this.

That will require an awareness program or programs involving experts in public communication, psychologists who know what to say so there is no confusion. This has to be done.

These are the items I stressed in my recommendations.

The other point I wanted to make is that there should be no exemption for new businesses such as clubs and shooting ranges, where customers shoot at fast-moving objects, just like Olympians. Olympic sports have a clear framework, are clearly defined and organized, and are well-known, and so forth.

The bill must be limited to this framework so as to exempt only those international athletes who meet Olympic standards, and not to allow businesses that are lured by the appeal of adding new sports and taking advantage of this opening. If such businesses multiply, Bill C-21 will hardly have any impact at all, because these businesses will run the show.

We think this bill must be carefully constructed to prevent any opening for sports other than Olympic sports, which are internationally recognized.

That is what I wanted to add.

Thank you very much for this opportunity, very kind of you.

• (1145)

Ms. Kristina Michaud: Thank you.

I think my time is up.

The Chair: Thank you, Ms. Michaud.

[English]

We go now to Mr. MacGregor for six minutes, please.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you very much, Mr. Chair.

I would like, first of all, to thank all of our witnesses for coming before our committee and sharing their stories.

I will start off with a comment. I think it's quite remarkable that we have two groups of witnesses here who have both been touched by gun violence and exposure to firearms in their own ways in the same city, and are coming forward before our committee with different approaches. I think now we're getting a sense of the challenge that's before us as policy-makers as we deal with this delicate issue.

Thank you for having the courage to come before us to share your stories. I know it's not easy. Many times, you can be reliving the trauma of that lived experience when you're recounting it to us. I want you to know that we as a committee appreciate that and we are certainly taking all of your testimony into account.

Mr. Wilson, I would like to start with you. I agree with you that there's no one silver bullet to address the very complex problem of gun violence. It takes different forms in different parts of the country.

I think there is room for some legislative aspects in approaching this problem. Bill C-21 is not just about a handgun freeze. There are provisions in the bill that address tougher penalties for a variety of firearms offences. There's a considerable section of the bill that deals with emergency prohibition orders under the yellow flag and the red flag.

You must, across your lived experiences, have come across situations of domestic violence in a home where a firearm was present. Do you have any comments on the part of Bill C-21 that provides more legislative authority for someone to approach a judge, remain anonymous and get an emergency prohibition order to remove firearms from the home? Do you think that this legislative part of Bill C-21 has value? Do you have any comments to help inform our committee as we're studying those particular clauses?

• (1150)

Mr. Marcell Wilson: Absolutely. I think we have a serious mental health crisis happening in the country. Especially in my communities—marginalized communities—it's taboo to speak on the subject.

In this particular case, in the areas I grew up, I witnessed quite a bit of domestic violence. In some cases, there were firearms involved.

My answer stays the same in that I believe that if this person had some type of intervention or preventative measures, if we invested more in our mental health programs and had more access to them and were better able to identify when somebody is in crisis and respond to that, it would be more poignant as a solution, rather than focusing on how we take the weapon away from a person. I know this from experience.

You can take away the weapon, but if the motivation is still there, a person who is motivated enough will find a way. Let's focus on the motivation.

Mr. Alistair MacGregor: More broadly speaking, do you see any areas in tackling gun violence that legislative solutions could assist with in the efforts that you are doing on the ground?

Mr. Marcell Wilson: Absolutely. A stronger focus on the illegal weapons that are circulating in our streets and a focus on our borders and investing there, along with investing in grassroots communities.... When we talk about this multifocal approach, we are talking about investing in law enforcement, investing in grassroots, investing in our mental health service providers, investing in our education systems and working collectively.

However, again, as far as focusing on any weapon is concerned, a person who is motivated enough will find a way.

Mr. Alistair MacGregor: Mr. Price, I would like to turn to you with respect to the handgun freeze.

I have met with a number of constituents, as well as those in neighbouring ridings, who are involved in sport shooting disciplines. They have been pleading with me and other members of Parliament to try to keep their sport alive somehow.

I understand your concerns with the exemptions. However, do you not think there is a way that we can find a compromise in this so that we allow those who are so passionate about their sports to continue in some way? We can try to attach further legislative restrictions so that we're taking into account your very real concerns about the domestic diversion, but also paying attention to a sport that many are extremely passionate about practising.

This is one of the challenges we're facing.

Mr. Ken Price: It is a great challenge.

I do like the fact that you've expanded the discussion again, because it's not one thing and it's not one person or one group's experience; it's all of our experience collectively. You're going to have the unenviable task of sorting through what, at the end of the day, you're going to prioritize.

I think we're going to have to change something to have a better public safety outcome.

The United Kingdom.... I know, here we go. Here goes the guy with England again. The United Kingdom, America...Canada is in the middle. We've been allowing 50,000 more handguns every year or so since about 2015, with more and more people taking interest, and—correlated or coincidental—more gun violence. Then you sort through it, and for the imperfect data sources that we have, you have an attribution that lots of times comes from Canadian sources and lots of times comes from illegal sources. Half the time it's gun and gang-related and half the time it isn't. You have groups here that represent that. I think you have to take all of that into account.

I would say to folks who are interested in sports, first of all, that there are going to be 10 million rifles out there still after this is over, and a million handguns still in use. Those sport shooters could choose to enter rifle competitions or other.... I don't want to be telling them what to do, but I'm asking them to give something up so that we can have safer streets.

That's my message.

• (1155)

The Chair: Thank you.

That's your time, Mr. MacGregor.

We'll start a second round. We're not going to have time for a full second round, so we'll have one question slot per party.

We will go to Mr. Motz for five minutes, please.

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you, Chair.

Again, as has been echoed, thank you to all the witnesses for being here and sharing their life experiences.

I'm a PAL and an RPAL holder. As does Mr. Chang, I have over three decades in law enforcement. I come from a different perspective as well, but we all are after public safety. That's really what we're after here.

I appreciate your comments, Mr. Price, that we have to look at all the experiences collectively.

I look at the value for dollar. If the government wants to look at up to.... They haven't given us a number, but industry experts are saying it could cost \$5 billion to confiscate what's already on the books.

Mr. Wilson, I want to go to you first. Your program is exceptional, and I would like you as a group to submit, if you can, a brief highlighting what your group is about and how you accomplish your tasks and the success rate you've had. I think that would be very important for our committee to have.

The government has sprayed around money on public safety and crime prevention for decades with successive governments. It has not always been successful.

Why is it that a program like yours can be successful and doesn't get the funding you need, and other programs, with maybe louder voices involved, get big money, but they do nothing? Why is there this disconnect?

Mr. Marcell Wilson: Thank you for the question.

One of the fundamental flaws that we see is the application process itself. A lot of the people who can do the most effective work in the most affected communities may not be educated in writing a grant or even understanding the language.

From what we understand, at least in Ontario or in Toronto, when you are applying for a grant or something along those lines, the application goes through an algorithm that looks for key phrases and keywords before it ever hits human eyes.

If they can't speak the language—and many of the most affected groups that we've encountered cannot—unfortunately, they're never heard. I'm speculating here, but lots of times it seems that the squeaky wheel gets the worm. Organizations that may have “name capital” for whatever reason tend to receive a lot of the funding. I think maybe where that money's going is comfortable for a lot of people who make the decisions.

Mr. Glen Motz: Five billion dollars could go a long way on programs that are multi-faceted across many spectrums. We can tighten our borders. We can deal with the revolving justice system, whereby criminals continue to commit offences over and over again while they're out on bail. We could get programs like yours and other similar ones across the country that actually can get some funding and get some results.

I guess one of my concerns as I look at this bill and as I listen to the feedback of millions of Canadians like myself is that we don't see any positive outcome being proposed that will play out and have an actual impact on public safety. It really will not. The targeting of licensed firearms owners who are lawfully vetted and who do not pose a threat.... As a PAL and RPAL owner, I am three to five times less likely to commit an offence than anybody else in this room. It's not criminals; it's the average Canadian. To target those people, Mr. Wilson, it seems to me that we are misguided in our approach. You've said it. I've heard from gang members myself, as I'm sure Mr. Chiang has, that they don't follow the rules. They already don't follow the law.

More laws on top of existing laws that already aren't being followed are not going to keep us safer. What do you say to something like that? Besides your program and programs like it, how do we have a positive impact on public safety that we can all go in the same direction on? Right now, we're not.

• (1200)

Mr. Marcell Wilson: Especially when it comes to recidivism.... A young man I work with was gang-involved for quite some time. He had done quite a bit of federal prison time. In having a conversation with him one day—he's a very articulate young man—he expressed his disappointment. This is a guy who's done some pretty horrific things, but while he was incarcerated, he had time with his thoughts and became bored. He became very interested in things like violence prevention. The current VPP, the violence prevention program within CSC, is a booklet this thick.

Focusing on the violence prevention programs while inside, catching young people while they're very young and having the education system.... We have these kinds of siloed things happening. We're not working together, at least in our province.

The Chair: Could you wrap it up in 10 seconds, please?

Mr. Marcell Wilson: We need to work together more and with focused attention on prevention.

The Chair: Thank you, sir, and thank you, Mr. Motz.

We go now to Mr. Chiang for five minutes, please.

Mr. Paul Chiang (Markham—Unionville, Lib.): Thank you, Mr. Chair.

I'd like to thank the witnesses for being here today and taking time out of your busy schedules to help us in getting this work done.

Personally, in regard to the Danforth shooting, I have a connection to that because Julianna Kozis and my niece were on the same swim team. I met you, Mr. Price, back on July 5 at the centre when we made the announcement.

As a retired police officer, I have come across a lot of gun violence and a lot of domestic situations. I understand what a gun can do to somebody. It's not the gun itself, but it's the person who pulls the trigger and who causes the gun to go off.

Mr. Price, on our government's announcement on Bill C-21, you stated that most Canadians want more gun control measures, more community resources devoted to addressing the root causes of gun violence and more action to control guns at the border. You then said the reason you support the announcement of Bill C-21 is that it is a combination of all those things.

Could you elaborate on your position and why you believe we are taking the right steps to make our communities safer?

Mr. Ken Price: Thank you, and thank you again for the other questions from the committee as we're working through this.

I want to say as well that the father of one of the victims affected is a retired police officer. We have that influence in terms of our thinking.

I would say again that it's not going to be about one thing.

Here's the thing: We want to be a country that is very heavily armed relative to other countries in the world. That is the fact. We have a lot of guns out there. Maybe there are a lot of good reasons for that and maybe there are a lot of reasons related to recreation. Now it's going to come time to pay the bill, so we're going to have to step up and do those things. We're going to have to fund the programs that require prevention. We're going to have to fund those programs that talk about more intense consequences for stepping outside of that. We're going to have to fund the program that says we should take those very much most dangerous guns out of here. They never should have been here in the first place. There should have been more oversight all the way along through successive governments of various stripes.

Now it comes time to pay that bill, because the gun violence is continuing to grow. We're letting more and more guns in, and if we don't do anything.... It is naive to sit here and say that supply does not have some kind of impact. It's a supply-and-demand marketplace, just like anything else. A more ready supply has got to be part of the issue.

It's all of those things, sir. It's not just one. We never said it's just about banning handguns; it's about a number of things. That's what we hope the committee will conclude, and we hope they will step up, make the recommendations and push this government to put in place the regulations and resources that will make Bill C-21 effective for all of our neighbourhoods.

Thank you.

Mr. Paul Chiang: Thank you, Mr. Price.

Mr. Chair, I cede my remaining time to Ms. Damoff.

The Chair: Thank you, Mr. Chiang.

Ms. Damoff, go ahead. You have one minute and 50 seconds.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Mr. Wilson, you're a for-profit corporation, are you not?

• (1205)

Mr. Marcell Wilson: That's correct.

Ms. Pam Damoff: That disqualifies you for a number of government programs.

Mr. Marcell Wilson: Yes.

Ms. Pam Damoff: The funding for the gang prevention strategy has gone through municipalities, so that actually goes through the City of Toronto.

I would suspect you're disqualified from that as well because you're a for-profit corporation. Is that right?

Mr. Marcell Wilson: Correct.

Ms. Pam Damoff: Do you receive funding—or have you ever—from the Canadian Coalition for Firearms Rights?

Mr. Marcell Wilson: Yes, we have. We received a donation of \$6,000 two years ago.

Ms. Pam Damoff: Okay.

Mr. Price, I wonder if you could elaborate a little bit more. We've had a lot of pressure from the sport shooters, as Mr. MacGregor alluded to. If I run out of time, maybe you can provide it to us in

writing. Why should we not be expanding that definition, because they've been quite vocal? I'm just wondering if you could give us some information on that.

Mr. Ken Price: I guess there is an exemption for sport shooting. We look at the Olympic program, and it's very tightly tied with respect to the kinds of guns that are used. They're very specific. This is all going to be about risk management. The risk of those guns turning into crime guns is probably lower.

If we look at something like IPSC on the other side, we see it's a very broad definition. There are five categories of handguns, including "open", which basically means anything.

In terms of a control measure or being able to say what kind of gun should be used or not, or there being a risk that the number of those guns will grow because suddenly somebody is an IPSC elite shooter, we're just very skeptical that that could be managed. We think it undermines an objective we have.

We know this is not going to be easy and it's going to disappoint some people. On the other hand, we've been victims of gun violence. We're the examples of what happens when it goes wrong. It's obvious why we're coming through with this motivation. We're asking that somebody give something up to make sure that we have safer streets.

The guy on the Danforth was not a gang member. Richard Edwin, from Toronto, in the spring, was an RPAL holder. This perfect vetting process does not exist. It can't. It can't possibly understand the motivation of everyone who successfully gets through the RPAL process, or that they might change their mind or change their behaviour. He accumulated a cache of weapons and started shooting people at random in the downtown core of Toronto. These risks happen. They happen in addition to the other kinds of crimes we see that are the product of crime guns.

We have to solve the whole problem or we will be sitting here again and having other sad people standing here making the same testimony.

Thank you.

The Chair: Thank you.

We'll now go to Madame Michaud.

[*Translation*]

You have two and a half minutes.

Ms. Kristina Michaud: Thank you, Mr. Chair.

Thank you for your personal testimony, Mr. Wilson.

You spoke about the problem of illegal weapons. I think we are all aware of the issue of the trafficking and importation of illegal weapons. I would like to understand your personal position on Bill C-21. Do you think it goes far enough or too far?

I believe your organization was funded by a well-known firearms lobby. That organization defends very specific positions, stating for example that it is always honest owners of legal firearms who are affected by this kind of legislation.

Yet the witnesses who appeared today have given evidence to the contrary. There are owners of legal weapons who have committed horrific crimes.

Do you agree with the positions of that organization that you are linked with financially, or do you agree that we need legislation on legal weapons?

[English]

Mr. Marcell Wilson: I'll address the first portion of the question—our stance on Bill C-21 and whether it does or doesn't go far enough. I'll use the state of New York as an example. On May 24, 10 Black people, people of my culture, were murdered by a white supremacist. That state has one of the most rigorous gun laws in the U.S., red-flag laws included. This was not prevented by either these gun laws or by the red flag.

I'll emphasize again and say that I believe that if there had been prevention and an intervention for this young unhealthy man who committed this egregious act by somebody like Mr. Bradley Galloway... He is a former neo-Nazi here in Canada. He does some fantastic work on keeping Canadians safe and preventing violence and pulling guys out of that world. If someone like him had gotten to that shooter, I believe that would have been the right measure to take.

To address the funding aspect, to us the issue of death and murder in Canada is not partisan. It's not a political issue, really; it's a Canadian issue and something that we all should care about. When there are people out there who can agree with our struggle or see the work we're doing and appreciate it, we greatly and strongly appreciate that in return. Regardless of what organization has even written us a cheque, we greatly appreciate that they see the work we're doing and are there to support it, regardless of what their political stances are and who they are.

• (1210)

[Translation]

The Chair: Thank you.

[English]

We go now to Mr. MacGregor for the final slot.

You have two minutes and a half, please.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Mr. Wilson, I would like to continue with you. You've heard clearly that there is a very real concern in there about the domestic diversion of legal handguns. I think the intention overall in Bill C-21 is to try to limit the number of legal handguns in circulation. You've concentrated very much on trying to make sure that it's not just the supply but also the demand. You want to go after the demand, but if there is a great big supply out there, there is always a chance that some can be stolen and used in a crime.

Do you have any opinion on the sport shooting discipline aspect of it? I'm trying to find a way whereby people in my neck of the woods who love the sport, who love sport shooting, can in some way continue to do what they can, but also take into account the very real concerns that have been listed by the Danforth families. Do you have any opinion on how we may be able to strike a middle ground on this very delicate question that's before our committee?

Mr. Marcell Wilson: I think education is key here. I myself don't understand the nuances of sport shooting and whatnot, but I'm all for people doing things that they enjoy. Maybe it's not being taken into consideration that people having those outlets may be reducing stress, that it may be conducive to their mental health and may be helping to keep them from becoming angry people. Education means people working together and understanding each other's position and finding a common ground. Not everybody who wants or owns a gun is a bad person, and not everybody who is not for firearms is a bad person.

What I think is happening here is that there is a lot of political gesturing, where people who may have shared similar experiences don't have the chance to work together and don't have the chance to make a difference together because they're being pulled in one direction or another. What I think would help most is if we took away the partisanship on this one particular issue and focused on the real things that are affecting the majority of people.

For instance, I know Ken and Claire. We've spoken at a lot of different things together. I can definitely relate, especially on a trauma level. Conversations that we've had in the past have been... They know that I know how they feel, but in their case, this was an anomaly. Ken has admitted that prior to this event, there was no real knowledge or interest in gun violence in Canada, because it wasn't something that affected them. In my case, though, this was something I grew up with and lived with.

For instance, my assistant here—

The Chair: I'm sorry, sir. I'm going to have to cut you off. Mr. MacGregor's time has well passed.

That brings this panel to a close. I'd like to thank you all for helping us with our inquiry and for your time today in sharing your experience and knowledge with us.

With that, we will suspend for two minutes and change panels.

Thank you.

• (1215)

(Pause)

• (1220)

The Chair: In person we have Mr. Solomon Friedman, criminal defence lawyer, appearing as an individual. By video conference we have Chief Dale McFee, chief of police, Edmonton Police Service; and Inspector Michael Rowe, Vancouver Police Department.

Welcome to you all. We will start with a statement of up to five minutes from each group.

Mr. Friedman, we'll start with you. Please go ahead for five minutes.

Mr. Solomon Friedman (Criminal Defence Lawyer, As an Individual): Good afternoon Mr. Chair, vice-chairs and members.

Thank you for inviting me to address you today. It's always a pleasure to appear before this committee. It's particularly a pleasure to be in person this time.

In fact, since 2011 I have testified over a dozen times before this committee and others on proposed firearms legislation and regulation. In that same time, reflective of Parliament's consistently inconsistent push-and-pull approach to firearms legislation, the *Annotated Firearms Act & Related Legislation*—the firearms law reference text that I co-authored—has appeared in no less than four editions.

Instead of applying an evidence-based, principled focus to law-making, governments have taken a piecemeal and haphazard approach, which has favoured symbolism over substance and rhetoric over rational decision-making. While this might be good news for legal authors, publishers and booksellers, it is decidedly bad news for law-abiding gun owners and Canadians generally. Bill C-21 is the latest extension of this trend.

Given the time constraints that have been placed upon this committee's work, I will focus my attention on Bill C-21's proposed prohibition on the transfer of restricted firearms—that is, handguns—to licensed private individuals. More accurately, it's the deferred confiscation of a million lawfully owned restricted firearms, which were purchased legally, used and stored safely, and have never posed a risk to public safety.

In my view, there are three fundamental problems with this provision. First, support for this measure comes from fundamentally bad data. Instead of addressing the core causes of handgun offences—namely the factors that drive individuals into gang activity, such as poverty, addiction and marginalization—or even focusing on the true source of the vast majority of handguns used in criminal offences—handguns smuggled into Canada from the United States—this bill targets the law-abiding, without making even the smallest dent in handgun crime.

In February, I appeared before this committee to give testimony for your study on gun control, illegal arms trafficking and street gangs. As I said then, good decision-making requires good data. I cited an example of bad data, which has been used to justify bad policy. That is the oft-heard assertion that 70% of traceable crime guns have a domestic origin. This statistic is a good example of a number that is true, false and misleading all at the same time. To start, this statistic counts only those firearms that are traceable. It is therefore, by definition, a number that will skew towards domestic firearms, as those are much easier to trace. It doesn't count firearms with obliterated serial numbers or foreign firearms that cannot be traced.

Next, the definition of a “crime gun” further self-selects and obscures our focus. Crime guns generally refer to firearms—including,

by the way, pellet guns and replica firearms—seized by police in the course of their duties. This includes both offence-related and public safety-related seizures. That definition does not differentiate between a handgun used in a gang shooting and a hundred non-restricted, safely stored firearms seized from an elderly gun collector who was the subject of a police wellness check because his daughter had not heard from him in days.

You can see now why that 70% number may be true on its face but is really irrelevant to assessing what measures are necessary to address violent gun offences. In fact, in your report, this committee agreed with the accuracy of my critique.

Skewed and manipulated data can never be the basis for evidence-based policy. Canadians are entitled to legislation drafted on the basis of empirical data, not misinformation.

The second fundamental problem with the legislation is that it is a distraction and a gross misdirection of policing and other justice-sector resources. These resources are in short supply and are desperately needed to address the core causes of crime. While criminal legislation looks free on its face—it does not require an upfront expenditure—criminal defence lawyers know all too well the costs of increased criminalization and the ever-expanding Criminal Code. We as a group are not surprised as the justice system sags under the weight of well-intentioned amendments and justice is delayed and denied and charges are ultimately stayed by the courts.

Finally, this legislation suffers from the fundamental flaw that is endemic to much of this government's criminal law reform. It is a solution in search of a problem, like the hasty elimination of centuries-old procedural protections like peremptory challenges for juries, the preliminary inquiry, or case-specific responses to unpopular acquittals, which limit the rights of the accused to provide admissible evidence. These justice amendments bear the hallmarks of a government that legislates based on tweets and sound bites without taking into account the real consequences—unintended or otherwise—of their criminal law policy.

This is certainly true of the deferred confiscation provisions of Bill C-21. Legally obtained handguns in the possession of law-abiding citizens are not and have never been a public safety problem. In 2019, Vancouver police chief Adam Palmer, head of the Canadian Association of Chiefs of Police, explicitly rejected the public safety benefits of any such handgun ban, calling it “naïve to the realities of...organized crime and smuggling”.

• (1225)

When defence counsel agrees with the policy position advanced by Canada's police chiefs, it is one more indication that these provisions are not based in evidence or data but are political in nature. Once again, it has been the case for each subsequent amendment to our firearms law.

Law-abiding Canadians, citizens who have complied with the law time and again, will pay the price. Worse yet, public confidence in our legislators inevitably erodes even further—

The Chair: Can you wrap up, sir, quickly?

Mr. Solomon Friedman: —as it becomes crystal clear for all to see that substance, once again, takes a backseat to symbolism.

Thank you very much for your time.

The Chair: Thank you.

We will go now to the Edmonton Police Service and Chief McFee.

Go ahead, Chief, for five minutes, please.

Chief Dale McFee (Chief of Police, Edmonton Police Service): Thank you.

I'd like to thank the parliamentary committee for allowing us to speak today about the significant safety concern relating to firearms.

I'd also like to acknowledge really quickly those families who have lost a loved one due to violence, particularly violence with firearms.

I've been in police leadership for approximately 20 years, serving both as a police chief in two services—currently, Edmonton, as mentioned—and as a former deputy minister of public safety.

As a police service in Edmonton, we see that most of our gun crime happens with handguns. We support any legislative tools and powers that might help enforce and prevent gun crime in Edmonton. Bill C-21 acknowledges that while law enforcement plays a crucial part, we must build society-wide capacity to find a balance between education, suppression, intervention and prevention.

To give you a bit of local context, over the last two years in Edmonton, as in many other jurisdictions, we have seen an increase in illegal ownership and the violent use of firearms. So far in 2022, we've taken 528 firearms off the street. This year to date, our officers have responded to 127 shootings, of which 50% resulted in injury and 85% were considered targeted. In the same time frame in 2021, there were 125 shootings, of which 57% resulted in injury. These had the potential for bystanders to be injured.

Most of the violence remains targeted, though that provides little comfort to the communities that are often left reeling in the aftermath of gun violence happening in their backyards. We continue to work diligently to mitigate these crimes, but the gangs and organized crime groups driving gun violence are growing more brazen and show disregard for the law, including the legislation we're discussing here today.

I want to break this into two parts. There are things that we support and there are some things that we have some serious concerns with. I'll try to run through these very quickly.

I'm encouraged by parts of Bill C-21 that strengthen our existing approach to firearms and that propose the implementation of new offences. Intensified border controls and stronger penalties combat trafficking and smuggling. All are beneficial and deter the criminal element. Provisions prohibiting the import and export sale of replica firearms are also greatly appreciated. The use of replica firearms to commit crime is something that we see quite often in Edmonton.

While these are good first steps, we must have balanced and impactful legislation. I want to say that I have concerns, and EPS has concerns, about the logistics, resources and long-term impacts of other portions of this proposed handgun freeze.

A handgun freeze will reduce the number of handguns in circulation in the long run. That is the belief. In the short term, we can expect that those wanting to acquire guns will find alternatives, increasing incidences of smuggling, 3-D printing and the conversion of airsoft guns. This may also increase the commodity value and motivate individuals, including lawful firearms owners, to sell their handguns through illegal channels, knowing that restrictions drive up monetary value.

Additionally, we share a border with one of the largest sources of handguns. A freeze would limit our ability to trace transactions originating within the U.S., and we'll be unable to locate a point of sale. We are told that the ban of handgun transfers resulted in an increase in handgun sales, with approximately 20,000 handguns purchased since the ban and 12,000 transfer applications still waiting to be processed.

The “red flag” law is well-intended. However, many of the proposed powers already exist under section 117 of the Criminal Code. As it stands, a law would pose a significant draw on police resources should numerous applications be granted at a time when many Canadian police services are stretched thin. This could further increase service demands.

On expanded licence revocation, with lawful firearms owners no longer able to purchase handguns, they may not be motivated to renew their licence. This may lead to an increased number of expired licences and individuals who are no longer authorized to possess handguns. There is already a backlog in enforcement in Alberta. There are already 3,700 revoked or expired PALs—possession and acquisition licences—that aren't being enforced, with some dating back 20 years.

The RCMP does not have the resources to enforce these expirations. Getting a permit for a firearm is a lengthy process. It impacts the freeze and expands licence revocation, meaning that police may lose vital information for proactive service.

On the buyback program, the police service is still waiting for more information on its implementation. Like other services, I share concerns that it will impact police resources, and I'm not sure what the benefit might be.

Not long ago, we had a large shooting event. I want to share a success story of how this works. There were multiple shooters and a large crowd, and an individual outside. Some of those people were deceased. Some were injured. Through the work that we did in relation to that, finding the firearms and tracing the ammunition, we were able to trace this to a gun that had come up through the U.S. There were multiple shootings in another Canadian jurisdiction. As a result, we, in a very short period of time, had four people in custody, preventing further offences.

• (1230)

If we don't start investing in the Canadian system.... The ATF is a better partner in the Canadian system, particularly the forensic laboratory service, and without it, it would have taken us up to a year to actually solve this case. Steps to strengthen our current approach and investigative tools will bring us long-term change and meaningful....

I heard it earlier today: Focus on the people pulling the triggers and the motivation. Three of our 25 homicides this year to date have been through the use of handguns. The reality is if we have someone who's motivated to do this, I'm not sure when you look at the criminal element that the handgun freeze is going to solve that, but it is going to put more strain on resources.

The Chair: Sorry, Chief; could you wrap up?

Chief Dale McFee: I look forward to your questions.

To end that, we have 528 guns seized today, and approximately 19% of those are handguns.

I look forward to your questions. Thank you for your time.

The Chair: Thank you, Chief.

We go to Inspector Rowe. We invite Inspector Rowe to make a statement of up to five minutes.

Please go ahead.

Inspector Michael Rowe (Staff Sergeant, Vancouver Police Department): Good morning, everyone. Thank you very much for your time and thank you for the opportunity to speak to this committee.

I've been a police officer with the Vancouver Police Department for over 20 years now and I've spent much of my career investigating violent crimes, gang violence, organized crime and firearms offences.

I have developed extensive experience conducting investigations and taking enforcement action against those people who use firearms to commit violence. I have seen first-hand the impact of firearms-related violence on communities across Canada and have

watched the proliferation of unlawfully possessed firearms, replica firearms and prohibited devices such as high-capacity magazines and suppressors.

To date in 2022, there have been 16 shootings within the city of Vancouver. Eight of those have resulted in injuries or death, and 11 of those were identified as having a significant potential for the injury of innocent bystanders. Sixty-two per cent of those shootings also had a nexus to gangs.

During the same period, there have been 127 shootings across the Lower Mainland region of British Columbia, 74 of which have been identified as having a nexus to gangs.

As we are all aware, firearm violence is not limited to the city of Vancouver. Police officers across Canada are seeing the very real impact that the unlawful possession of firearms and the use of firearms and imitation firearms to commit crimes have on public safety in communities across Canada.

In recent years, I have witnessed the increasing proliferation of firearms. Lower costs and the increased availability of firearms have resulted in people involved in lower-level crime now having access to firearms when they would not have had access in the past.

An example of this is a street-level drug trafficker recently found in possession of a heavily modified ghost gun, a privately made firearm capable of fully automatic firing and equipped with a suppressor and a high-capacity magazine, something that we would not have seen at the start of my career.

Based on my experience, I believe that the amendments that are in Bill C-21 reflect the need for a national approach to reducing firearm-related violence and will give police valuable tools to address firearms crime across Canada.

I've testified here before about how easy it is to simply remove a rivet from a magazine to increase its capacity and the dangers that high-capacity magazines create for communities, the police and offenders themselves.

The new offence for altering a magazine will provide police officers with much-needed opportunities for enforcement and investigation, and the benefit of creating new offences such as this is that police officers gain the ability to charge offenders and apply for judicial authorizations targeting specific offences.

Modernizing the legal definition of a replica firearm and placing controls on the importation, exportation and sale of realistic-looking replicas will help police address the very real use of replica firearms in criminal offences.

Additionally, this amendment will help the police address the growing trend of altering realistic airsoft guns to fire live ammunition.

Red flag laws will also allow citizens to access a judicially authorized process to restrict a person's access to firearms and provide police with the authority to search for and seize firearms, which will protect victims of domestic violence and those at risk of self-harm.

An ongoing trend that I have identified and testified here about previously is the emergence of privately made firearms, commonly known as ghost guns. We are seeing more and more ghost guns in the Lower Mainland gang conflict on the west coast of Canada, specifically in the hands of people believed to be involved in active murder conspiracies and also those we believe are working as contracted hired killers. Ghost guns can be 3-D printed or created from modified replica firearms. Modern 3-D printing materials produce a durable firearm capable of shooting hundreds of rounds without failure.

One of my investigations in Vancouver located a sophisticated firearm manufacturing operation capable of producing 3-D-printed firearms, suppressors and airsoft conversions. In addition to what is already included in Bill C-21, I would ask this committee to consider regulating the possession, sale and importation of firearms parts used to manufacture ghost guns, such as barrels, slides and trigger assemblies. These parts are currently lawful to purchase and possess without a licence, and they can be purchased online or imported from the United States. The emergence of privately made firearms has reduced the significance of the currently regulated receiver and increased the importance of currently unregulated gun parts that are needed to finish a 3-D-printed receiver and turn it into a functioning firearm.

I would also support increased funding for specialized firearms enforcement teams to proactively target those offenders who import, manufacture and traffic unlawfully possessed firearms.

Finally, I would like to thank the committee for their ongoing work addressing the real threats that unlawfully possessed firearms create for our communities across Canada, and I ask that you continue to advocate meaningful legal consequences for those people who make the decision to unlawfully pick up a firearm.

Thank you.

• (1235)

The Chair: Thank you, Inspector.

We will now start our rounds of questions.

Mr. Lloyd, please go ahead for six minutes.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair.

My first question is for Chief McFee.

Something that you said really stuck out for me. To reiterate what you said, is it your opinion that some provisions in Bill C-21 could have a negative impact on public safety?

• (1240)

Chief Dale McFee: Specifically in relation to the handguns, as stated and as we've heard several times, there are parts of this thing that actually make a lot of sense, but when we're going to actually

ban handguns and not focus on the people pulling the triggers on the enforcement level and some of the things that currently exist—

Mr. Dane Lloyd: But you agree that it could have a negative impact on public safety.

Chief Dale McFee: Absolutely.

Mr. Dane Lloyd: Oh, man. Okay, thank you.

I know that police have an important role to play in combatting domestic violence. Bill C-21 proposes a so-called "red flag" law that would allow people to apply to the courts for an emergency weapons prohibition order.

The police would be enforcing this order. Is that correct?

Chief Dale McFee: That has yet to be determined.

Mr. Dane Lloyd: Okay.

Chief Dale McFee: We're under that understanding, but it has yet to be determined.

Mr. Dane Lloyd: Thank you.

If a domestic abuse victim or someone concerned that a loved one is mentally ill or suicidal comes to the police with a concern over safety and there's a firearm present, do the police take immediate action, including seizing the firearms?

Chief Dale McFee: Yes.

Mr. Dane Lloyd: If this legislation passes as is, would you in your professional opinion recommend that victims go through this new court process or that they contact police directly?

Chief Dale McFee: Again, that new court process we are seeing isn't really clear.

Mr. Dane Lloyd: But if there's an emergency situation, should people go to the courts or should they go to the police?

Chief Dale McFee: If you're talking about that, absolutely, it's the police.

Mr. Dane Lloyd: Do you think, because of the delays we've heard about that we've seen in the court system, that someone seeking an emergency weapons prohibition order from the court instead of calling the police immediately in an emergency is actually putting themselves and possibly others in more danger?

Chief Dale McFee: Again, that would be a hypothetical answer, but the possibility does exist.

Mr. Dane Lloyd: Do you think that the red flag laws in this legislation are necessary, or are police already enforcing red flag laws in this country?

Chief Dale McFee: As mentioned, there is Criminal Code section 117.02, and this bill would strengthen that, but I haven't seen exactly how many times across this country section 117.02 has been used to date.

Mr. Dane Lloyd: Is there any truth to the claim that some people have made that this legislation to add the courts is necessary because police are ignoring the requests of victims?

Chief Dale McFee: I have never seen a police service.... You heard it as well from the inspector in B.C.: Firearms are something that we all take very seriously, regardless of whether it is a handgun or any type of firearm, replica or not. It's a very serious offence that all police services that I am aware of take action on.

Mr. Dane Lloyd: You don't have any evidence that the police are not currently doing their job in enforcing red flag laws.

Chief Dale McFee: Correct.

We could do more of it. Again, it comes down, obviously, as the inspector also mentioned, to resources.

Mr. Dane Lloyd: Thank you.

Mr. Friedman, a key justification for Bill C-21 is to prevent the practice of so-called straw purchasing. Is straw purchasing a widespread practice in this country?

Mr. Solomon Friedman: Particularly when it comes to handguns that are registered to the licensed owner, it's legal suicide for somebody to buy handguns to divert them to the illegal market. They are tied to them both by serial number and registration certificate, and that's why in the homicide and shooting cases I've done and that my colleagues do, police investigate, particularly in the city of Ottawa but also elsewhere. We see guns illegally smuggled into the country as being the handguns that are used in violent crimes.

Mr. Dane Lloyd: Do you believe that the current practices that regulate handguns in this country are effective at preventing and deterring straw purchases?

Mr. Solomon Friedman: The proof is in the pudding. As I said, it would take a very foolish individual—not just foolish, but once again, someone who wants to spend years and years in the penitentiary—to sign themselves up to a list, put their name of a government database and then go and commit a crime that is linked to that database.

Mr. Dane Lloyd: Will the prohibition of handgun transfers under Bill C-21 do anything to prevent the purchase, possession and use of handguns for illegal purposes?

Mr. Solomon Friedman: I echo Chief McFee. I think a really important perspective is being lost here. The only thing it will do is alienate 2.2 million law-abiding Canadians who were told to license and register their firearms, and then they would be able to own them safely and lawfully. Instead, we're going to see less compliance with licensing and a general mistrust, driving a wedge between law-abiding citizens and law enforcement when they should be close partners in co-operation.

Not only will it do nothing, because law-abiding citizens and legally owned handguns aren't the problem here, but it could actually jeopardize public safety, and I'm very happy the police are here to give that perspective.

Mr. Dane Lloyd: Thank you.

Bill C-21 also makes it an offence to alter a magazine to exceed the legal limit of bullets. We all know that it is currently illegal to own a magazine with a capacity that exceeds the number of legal

bullets. Can you, as a lawyer, explain the ridiculousness of this proposal?

Mr. Solomon Friedman: I listened closely to what Inspector Rowe had to say. It's an interesting perspective. I guess there are competing points of view here.

As a criminal defence lawyer, I'm of the view that if something's illegal once, it doesn't have to be illegal two, three or four times. It's a crime to possess a prohibited device. A magazine that holds more than the legally permitted number of rounds is a prohibited device. If people aren't deterred from committing one crime, they're not going to be deterred from committing two, three, four or five crimes.

To me, watching the Criminal Code get thicker by the year and not actually addressing the reasons that someone might commit this offence or not giving the police the resources to investigate these serious offences are real concerns.

I'd say this: If those offences do not already form the provisions whereby, as Inspector Rowe said, police can seek authorizations, whether they're search warrants or wiretaps, that's a good place to start. Creating brand new offences that target existing illegal conduct seems to me like a waste of time and energy.

Mr. Dane Lloyd: Do you agree with Chief McFee's assessment on the red flag provisions in Bill C-21, yes or no?

• (1245)

Mr. Solomon Friedman: Yes.

I think it's an important point that police already take a very active stance when they get public safety complaints about firearms. The concern is that the courts will be flooded with people with complaints that have been investigated by the police and found to be meritless.

We don't need more backlog in our courts when the police are already taking extensive enforcement action on firearms public safety concerns.

The Chair: Thank you.

We go now to Mr. Noormohamed. Please go ahead for six minutes.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you very much, Mr. Chair.

Thank you very much to the witnesses for being here, particularly Chief McFee and Inspector Rowe. It's good to see you again.

We've heard a lot of rhetoric and very political statements. I'd like to just get to the facts in trying to get this legislation to be even better than it is. I'd like to start with Inspector Rowe.

You came before this committee once before. We spoke about ghost guns, and you've touched on ghost guns again today. One thing that I'd like us to spend a little bit of time on and get your perspective on is what this legislation should do in respect of ghost guns, particularly in relation to component parts, which you rightly mentioned can be brought in, traded or bought without permit right now.

How do you think we should build this into the legislation specifically? What would you like us to be able to go from this meeting and do?

Insp Michael Rowe: Thank you very much for the question, sir.

I think the key message that we're getting from me and my fellow panellists here is that the key issue we're trying to target is illegal firearms. While illegally smuggled firearms, particularly from the United States, are a significant issue, a very growing issue we're seeing out here is the manufacture of firearms. It's the creation of privately made firearms and ghost guns, particularly among those people who are using them to commit violence. We're seeing them in the hands of the hit men who are out there working to cause violence and take lives.

The receiver, which is currently the regulated part, was considered to be the key component of a firearm. Unfortunately, 3-D printing has made that very outdated now. That is an easily manufactured component and it is easily replaced on non-restricted guns. The key components now are the final pieces that you need to make that receiver an actual functioning firearm, such as barrels, slides, trigger assemblies and those types of components. While those can also be manufactured, I believe that requiring a PAL and integrating the purchase, possession, sale and importation of these particular components into the current licensing system would go a long way toward preventing the proliferation of privately made firearms within our communities.

Mr. Taleeb Noormohamed: Thank you, Inspector Rowe.

There will be people who say that this is just adding red tape to the process and that we should be diverting our attention elsewhere. What would you say to those people, having seen what you have seen in Vancouver, having seen what you have seen in the manufacture of these weapons and the need for these parts to be regulated? What would you say to folks who say that this is not important?

Insp Michael Rowe: I would suggest to them that this is extremely important. This is only going to grow. Our firearms laws need to grow, develop and modernize, just like firearms and the firearms manufacturing are modernizing.

Right now, we are regulating a part that can be produced within minutes on a 3-D printer. It can be produced in such quality that it's virtually indistinguishable from the actual manufactured part.

I really do respect the need for a lawful gun owner to want to replace their barrel, upgrade their trigger or replace those components on their lawfully possessed firearm. That's fair enough. They can use the same licence that they utilized to purchase that firearm to purchase those components. What that would do is help us restrict the number of these components that are coming into our country, particularly via mail order and online purchase from the United

States, which are going into manufacturing these privately made firearms that are being used to commit violence.

Mr. Taleeb Noormohamed: Let's specifically turn, Inspector Rowe, to the issue of being able to order these component parts by mail.

What are specific measures you would like to see in this legislation to help ensure that it is something that is stopped or at least hindered substantially, so as to limit the access folks have in finding the parts they need to be able to build these ghost guns?

Insp Michael Rowe: Naturally, it needs to be a thorough, broad approach, having some regulations or prohibitions on the importation of firearms parts. Regulating the importation of firearms parts is key, as well as an educational program to educate people on why the importation and sale and possession of these firearms parts is being regulated. We also need to provide our border services, our partners at the RCMP and other municipal police agencies with the tools and the firearms enforcement teams required to go out and conduct the investigations to dissuade and disrupt the entry of these parts into our country.

• (1250)

Mr. Taleeb Noormohamed: Inspector, I'd like to turn our attention now to the consequences of legal firearms and suicides.

We had a number of physicians testify before this committee earlier this week. They talked about the impact of access to legal weapons in homes on suicide, and the impact it had on them as medical professionals, based on what they saw. It was the impact of easy access to legal firearms in homes with respect to people being able to take their lives.

As a police officer, can you share your perspectives on what you, the VPD and other law enforcement have seen in terms of access to legal weapons and suicide, and the impact it has, not just on families but also on the service?

Insp Michael Rowe: I very much sympathize with those witnesses, because I too have had to react to personal experience in suicides and firearms and their use. It's tragic. Mental health disorders and all of the different factors that would lead a person to take their own life using a firearm all require as much attention and funding as we can possibly give them.

As the chief mentioned, section 117 of our Criminal Code, and potentially these new red or yellow flag laws, could allow us tools for people—maybe even medical professionals—to step forward and identify when somebody who is a legal firearm owner is potentially experiencing a mental health crisis. We would not only be able to limit their access to their lawfully owned firearms, but also, hopefully, be able to provide them with the support they need, so that they are able to recover from that mental health crisis without it getting to the point of suicide.

The Chair: Thank you, Inspector.

Thank you, Mr. Noormohamed.

[Translation]

Ms. Michaud, you have the floor for six minutes.

Ms. Kristina Michaud: Thank you, Mr. Chair.

Thank you to the witnesses for being here.

Mr. Friedman, I see you putting in your earpiece, thank you. I will ask you some questions in French. I appreciate your opening remarks. Your position seems quite clear.

Can you understand me?

[*English*]

Mr. Solomon Friedman: We don't hear you on the translation. I'm plugged in, but I don't hear anything through it at all.

Now I hear you.

[*Translation*]

Ms. Kristina Michaud: I was saying that your position was quite clear in your opening remarks. I was reading a Global News article from last June in which you said you were opposed to the red flag system proposed by the Liberal government. You said the following:

[*English*]

...a proposed "red flag" law from the Liberals could be taken advantage of by bad actors and lead to "swatting," where law enforcement is called on an individual for illegitimate reasons.

[*Translation*]

What I find interesting in your position is that the firearms lobby often says that the Liberals and people who want firearms legislation don't know anything about guns, because there is already a red flag system. Just about anyone can report an individual under the Canadian firearms program.

So I am trying to understand your position. What specifically are you afraid of in Bill C-21 regarding red flags?

[*English*]

Mr. Solomon Friedman: Thank you very much for that question. It's an excellent question and an important issue. I echo much of what Chief McFee said about this mechanism, which is that right now it is unknown exactly who is going to enforce it.

I have two primary concerns. The first one is access to the courts. Access to justice is an enormous problem right now. I can tell you that I spent the past two days, as I do many days, litigating at our Ontario Court of Justice. We are waiting 12 to 18 months for a trial in those courts. The reason is that our judges and justices of the peace are at capacity.

What we're doing here is by cutting out that screening mechanism of police investigation, we're essentially inviting people to flood the courts. They're almost all going to be self-represented individuals, which poses all sorts of other challenges. That's not where they should be going. They should be going to the police. Under section 117 of the Criminal Code, the police have the authority to act immediately, with or without a warrant, when there is a genuine concern to public safety. That's very important. If there are exigent circumstances or if there is a pressing public safety concern, the police don't need to go to a judge. That's exactly how it should be, because when it comes to a potential firearm safety threat, the police should act first and then ask questions later. That already happens.

Who is going to be using this mechanism? It will be the people who have gone to the police with a complaint, and the police, after even the most preliminary investigation, have deemed the complaint meritless. In other words, they have deemed that there is some personal vendetta at stake here or that there is simply no public safety concern. I'd say that happens in a minority of cases. Those people would be able to go to the court anonymously, interestingly enough, and then engage very scarce justice system resources.

That's an enormous concern, because you're basically creating a funnel such that the only people who are going to access that resource are people who have been denied by the police. They've been denied by the police because the police take their jobs very seriously.

I would be very, very curious to see any data whatsoever that supports the contention that individuals have gone to police with a public safety concern with respect to firearms and have been ignored. I can tell you this: In almost 15 years of practice, I've never seen that. I've seen—and I'd say this as a defence lawyer, with respect to Chief McFee and Inspector Rowe—far more overzealous police enforcement than absolutely non-reactive.

Once again, it's a solution in search of a problem. All it will do is clog up our resources. It could present public safety dangers, because if Chief McFee's or Inspector Rowe's officers are told to enforce essentially a bogus complaint that they have already pre-screened, they need to send armed officers into that situation. They will need to engage armed officers in a confrontation with a firearms owner. Because they've pre-screened the complaint, they know there's nothing wrong with that person, but the confrontation automatically creates real public safety concerns.

● (1255)

[*Translation*]

Ms. Kristina Michaud: So, if I understand correctly—and quite frankly, I don't know if this is the case right now—, a victim or someone who is afraid for their life because a firearm is present should be able to rely simply on a police officer, who could go to the scene and confiscate the weapon, even if it had been obtained legally.

As I said, I am not sure if a police officer has the right to do that now, but you are suggesting that justice should be set aside and that police officers alone should be given that responsibility. Is that correct?

[*English*]

Mr. Solomon Friedman: Well, it's not about setting aside justice; it's about the fact that the police have a statutory mandate to protect the public.

I can tell you this, as I'm sure our police witnesses today can as well: The moment the words “firearms” or “firearm” or “gun” or “pistol” are uttered on a 9-1-1 call or complaint, it's not one police officer who is responding, but two, three, four, five and whoever is in the area, because police take those complaints extremely seriously. As I said, I'm an open-minded guy as a defence counsel—we occasionally are—and I'd love to see a shred of data that people are being ignored when they call the RCMP Canadian firearms program and report firearms public safety concerns or make those complaints to the police.

Once again, we're legislating this whole scheme. There will be new applications and forms and judges' time taken up when there is not an iota of evidence that there is any need that has to be met.

[*Translation*]

Ms. Kristina Michaud: Thank you.

Apparently, I have just 30 seconds left.

In your opening remarks, you said the government relied on skewed data to introduce Bill C-21.

Can you be more specific? Which data are you referring to?

[*English*]

Mr. Solomon Friedman: You know even better than I do that you're going to have credible and reliable witnesses use the same dataset and draw different conclusions from it.

Data is very much in the eye of the beholder, but using it for explicit partisan purposes just can't be the basis of good criminal law decision-making. We require data, not anecdote, in order to pass criminal laws that have real criminal law consequences.

I gave the example of crime guns as one of the examples of skewed data. It's a term that means whatever the party using wants it to mean. Another one is when we talk about trends in violent crime. Whichever party wants there to be more violent crime will self-select a portion of that data and say that in the past five years, we can see it's increasing. The party that doesn't want it will say, “Look, since the 1970s, we've had a rapid decline in violent crime.”

For example, take handgun crime. It's a great example. You can look at the last StatsCan report and see that from 2009 until 2014, handgun crimes make up the same proportion of firearms violent offences as they do from 2015 until 2020, so when we talk about a rise, I'm very skeptical of the application of the data, not the underlying data itself.

• (1300)

[*Translation*]

The Chair: Thank you.

[*English*]

We go now to Mr. MacGregor for six minutes, please.

Mr. Alistair MacGregor: Thank you, Chair.

Mr. Friedman, I'd also like to continue on the red flag law, because this aspect has received a lot of mixed feedback from many different sectors.

On May 16, which I grant was before Bill C-21 was introduced, there was a letter to the minister from several organizations, including the Canadian Association of Elizabeth Fry Societies, Women's Shelters Canada, the Ending Violence Association of Canada, White Ribbon and the Canadian Labour Congress. It's quite a broad cross-section of Canadian society.

I'll quote from the letter: “Shifting the onus of enforcement to women and third parties, as Bill C-21's “Red Flag” provisions attempt to do, is a guaranteed route to increased fatality.” Could you give your comment on that aspect?

I know Bill C-21 is also trying to protect the identity of the complainant. If we don't need to add that to the Criminal Code, can you explain how the police would protect the confidentiality of someone who might be in danger?

Mr. Solomon Friedman: That's a great question.

Let's all focus on what we're trying to accomplish here with this law. What we're trying to establish is that there is a public safety concern about someone who is in possession of firearms, either legally or illegally. If there's a concern about someone who has illegal guns, this process can be followed as well. We want the police to take possession of reliable information and then carry out some enforcement. What we really want is for it to be preventive enforcement action. This provision is not about charging people for criminal offences; it's about preventing harm. That's what we're all trying to accomplish.

Right now, the system works as follows. The police get information, and it can be a complaint or a call to them. I agree that putting the onus on women and other victims of violent crime to go to the courthouse themselves and stand in front of a justice of the peace and plead their case in this application is bananas. I say that as someone who knows how the court system works. However, the police should be able to take that information and, if they have time—in other words, if it's not immediately an emergency—they can draft a warrant or they can go seize the guns and draft the warrant afterward.

With regard to that warrant, there is an important point about confidentiality. Warrants are issued “ex parte”. I know we all hate Latin, but I'll give you a little bit of a Latin lesson. “Ex parte” means without the other side present, and that makes sense. You don't want to tell the gun owner, lawful or not, that the police are coming to get your guns, so why don't you come to this court hearing? That makes sense.

Police are permitted to rely on confidential informants. Confidential informant privilege is the second-highest protected privilege in this country, after the privilege that I get, solicitor-client privilege. Although, once again, Inspector Rowe and Chief McFee might disagree, they're pretty close there, because we recognize that effective law enforcement requires confidential informants. Those provisions exist already, and the police once again also have counsel who can advise them about these authorizations.

Essentially, directing victims of crime who are already traumatized and victimized to go get their own self-help mechanism and go to the court would be like requiring people to lay private criminal information when a crime has been committed. Does that exist? Yeah, but it's one in a million that it happens. The police are taking this problem seriously, and they have effective enforcement tools.

Mr. Alistair MacGregor: I appreciate that. Thank you.

I only have just under three minutes left.

Maybe I will address my questions to our police witnesses. I'll start with you, Chief McFee.

We've heard a lot of feedback from the airsoft community with respect to Bill C-21. They are desperately trying to find a way to not only acknowledge the concerns that law enforcement has but also trying to keep alive a sport that they're very passionate about and that many members enjoy playing. They've come up with suggestions such as requiring a minimum age of 18 to purchase airsoft, opaque carrying cases and maybe a type of licensing system.

Do you have any feedback on what the airsoft community is suggesting to our committee as a way forward that offers a compromise?

Chief Dale McFee: No. I haven't seen any of the airsoft feedback that you would have the privilege to.... Certainly I can give evidence on what I was saying in relation to tighter restrictions and regulations on airsoft. We do see a lot of replica firearms used in the commission of offences. The bottom line is that they're treated as real firearms. Without seeing that....

As Inspector Rowe says, a lot of these can be converted. To think of what the present suggestion is and what the concern is, I'm not sure if any police witnesses or anybody has actually had the chance to look at the—

• (1305)

Mr. Alistair MacGregor: Inspector Rowe, I do want you to testify about this, so this question is for you.

You've talked about how airsoft guns can be converted to fire real ammunition. I went and saw the airsoft community play their game. They pulled apart their airsoft rifle to show me the internal mechanisms. They countered by saying that it would require someone with very specific knowledge and technical know-how to make that kind of conversion.

Just to help our committee understand, when that conversion location was discovered, was it very technical knowledge to convert an airsoft rifle to fire real ammunition?

Insp Michael Rowe: Thank you for the question, sir.

I would respectfully suggest that specific knowledge, technical abilities and technical instructions are readily available on the Internet to just about anyone nowadays. With a small amount of practice and very easily accessible tools, people can conduct very complex and specific machining mechanisms on different firearms.

I would suggest that the best way for airsoft to save their sport, as you said, would be to move away from the extremely realistic-looking airsoft guns that we're seeing produced nowadays. As the chief just mentioned, it is virtually impossible to tell the difference between a high-quality airsoft gun and its real counterpart. They are designed to look identical to existing real firearms, right down to the manufacturers' stamps on them. Some have some type of serialized number on them so that they appear to be manufactured firearms.

That is part of the culture of the sport, perhaps, or something that people are looking for. They need to move away from that. It's very easy to tell the difference between a—

The Chair: I'm sorry, Inspector. I have to cut you off there.

Thank you, Mr. MacGregor.

We have a hard stop at 13 minutes after the hour. By my timing, that's six minutes from now. I'm going to give every party a minute and a half, and I'll have to be brutal about the time.

Mr. Ruff, please go ahead. You have a minute and a half.

Mr. Alex Ruff (Bruce—Grey—Owen Sound, CPC): Thank you, Mr. Chair.

I have a quick question to all the witnesses: Is an assault weapon a fully automatic firearm or a semi-automatic firearm?

Mr. Solomon Friedman: In our Criminal Code and the Firearms Act, there is no definition of the term “assault weapon”, nor is there a generally accepted technical definition. In general, the term “assault rifle”, which is a technical term and not a legal term, refers to a select-fire light-ammunition-firing rifle that can fire both semi-automatic and fully automatic.

Mr. Alex Ruff: You said fully automatic.

Chief McFee and Inspector Rowe, would you agree with Mr. Friedman's definition?

Insp Michael Rowe: I would suggest that I don't like to use that term to describe firearms.

Chief Dale McFee: I agree; the definition is one thing, but the application is another.

Mr. Alex Ruff: Super.

Look, I've been trying to get data on things around Bill C-21 and firearms legislation over the last three years, with not very much luck. You've both given some statistics or some data. Inspector, you named a number of firearms crimes just recently. How many were done with a legal handgun?

Insp Michael Rowe: Unfortunately, I don't have that data in front of me.

Mr. Alex Ruff: Why not?

Insp Michael Rowe: Quite honestly, I didn't ask for it in preparation for this meeting.

The Chair: Thank you, Mr. Ruff.

We go now to Mr. Schiefke for a minute and a half, please.

Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.): Thank you very much, Mr. Chair.

Thank you, Inspector Rowe and Chief McFee, for addressing in your opening remarks the challenges associated with ghost guns. Recently in Montreal, just about half an hour outside my riding of Vaudreuil-Soulanges, we had a shooting. The individual was arrested. The police believe the gun he used was one that he put together using parts purchased online as well parts that were printed in 3-D.

My question is for both of you. Are there any best practices you can share with us that perhaps you've learned through your discussions with your counterparts nationally or internationally with regard to how we can tackle this? Is there something that's been proven to help tackle this issue?

I'll turn it over to you first, Inspector Rowe.

• (1310)

Insp Michael Rowe: We've been working quite heavily.... We are lucky in Vancouver; we have our own forensics firearms lab. It has been manufacturing ghost guns to learn more about the manufacturing process and to help investigators identify such things as the tools needed, some of the jigs or even the waste by-products, so that when we're out investigating, we're able to identify the exact items related to the manufacture of these ghost guns. We can then utilize that to develop our grounds and continue our investigation and obtain judicial authorizations and that kind of thing.

Once again, specialized firearms enforcement teams are required to address this problem. That's where the knowledge and the subject matter expertise can be developed. We can develop excellent witnesses and move forward to get successful prosecutions against people who are manufacturing firearms.

Mr. Peter Schiefke: Chief McFee, in just a couple of seconds, would you agree with that assessment?

Chief Dale McFee: I would agree with the specialized enforcement.

The other thing is that we do have our lab, plus we have a really good relationship with the ATF. That's where ghost guns started, as most things do.

As Inspector Rowe says, we don't see a lot of them, but we're seeing more and more, so anything that we can put in to restrict them in relation to that.... Right now they're not traceable; therefore, you have to look at that a different way.

Mr. Peter Schiefke: Thank you both.

The Chair: Thank you.

[*Translation*]

Ms. Michaud, you have the floor for a minute and a half.

Ms. Kristina Michaud: Thank you, Mr. Chair.

I would have liked to ask everyone a question, but I have another question for you, Mr. Friedman.

You seem to be quite openly opposed to stricter firearms controls. Members of the armed forces and police officers who use firearms in their work, whether military-style assault weapons or handguns, have to leave their weapons at the station or comply with very strict storage and transport rules. So why should civilians be allowed to keep assault rifles and handguns at home?

Should things that are as dangerous as weapons not be kept in secure locations at all times?

[*English*]

Mr. Solomon Friedman: I think that's a very good question.

First of all, I'm certainly not against tighter gun control laws; I am against laws that do nothing but criminalize otherwise law-abiding citizens. Firearms are dangerous and they need to be controlled and regulated. We're very proud to live in Canada, which is a country where we have some of the strictest regulations and produce very positive public safety outcomes.

I am against laws that have no empirical tie to public safety outcomes. We live in a society with lots of dangerous regulated objects. Firearms are far from the leading weapon used in homicides. They're not even close.

If we're talking about regulating something—if we have decided that there ought to be a regulatory regime whereby people can own and use them safely—the onus is on the legislators to demonstrate that further restrictions will lead to positive public safety outcomes. In my experience and my review of the data, having studied this and written on it for the past 15 years, that's simply not the case. The legislators have failed at each turn to meet that burden.

The Chair: Thank you.

Mr. MacGregor, you have a minute and a half, please.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Mr. Friedman, I'd like to get your lawyer's perspective on the wording of clause 1.

We've heard the feedback from the police on their perspective on airsoft. Do you have suggestions? Right now these devices are going to basically be deemed prohibited in certain parts of the Criminal Code.

Do you have suggestions on a way forward that can basically take into account police concerns but also let the airsoft community continue with their sport?

Mr. Solomon Friedman: I wish I could give this answer in a minute and a half.

I'll tell you that I have the sincere dishonour of having lost this case at the Supreme Court of Canada. It was Her Majesty, as she was then, and Christopher Dunn, and it defined firearms in the context of airsoft and pellet guns. It's an area that I'm far too familiar with. I'd be happy to give you my background materials on it.

To me, the issue is pinning down a definition of, first, "readily adaptable". A firearm—not the replica firearm—definition itself has a clause that defines firearms and then anything that's readily adaptable to be a firearm, which is a grey area.

I hear what Inspector Rowe is saying, which is that these devices can be converted. If they can be readily adaptable, they are already illegal and they're already firearms.

What "readily adaptable" means is a real grey area. The Americans and the ATF use 80% finished. They talk about certain tools

and procedures that are used to complete firearms. That's one place to focus.

The second place is—

The Chair: I'm sorry. I have to pull the pin on that.

Mr. Alistair MacGregor: Can you submit the brief to the committee on that?

● (1315)

Mr. Solomon Friedman: Absolutely. It's a factum that was written on that subject that deals with the dangerousness of airsoft and pellet guns.

Mr. Alistair MacGregor: I appreciate that.

Mr. Solomon Friedman: It's no problem.

The Chair: Thank you all.

To all of our witnesses, thank you for your time today, for sharing with us your expertise and your experience, and for helping us in our study.

We are a little over time. I apologize to the committee staff and the interpreters for that.

With that, we are now adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>