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• (1550)

[*English*]

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

Welcome to meeting number 62 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 Standing Order 108(2) and the motion adopted by the committee on Friday, February 3, 2023, the committee resumed its study of the effects of the withdrawn amendments, G-4 and G-46, to Bill C-21, an act to amend certain acts and to make certain consequential amendments with regard to firearms.

We welcome today, in person, the Minister of Public Safety and high officials from various departments and agencies.

First, we have the Honourable Marco Mendicino, Minister of Public Safety.

Welcome, Minister. Thank you for coming.

We have, from the Canada Border Services Agency, Mr. Daniel Anson, director general, intelligence and investigations. From the Department of Justice is Mr. Matthew Taylor, general counsel and director, criminal law policy division. From the Department of Public Safety and Emergency Preparedness is Mr. Talal Dakalbab, senior assistant deputy minister, crime prevention branch. From the Royal Canadian Mounted Police, we have Mr. Bryan Larkin, deputy commissioner, specialized policing services, and Ms. Kellie Paquette, director general, Canadian firearms program.

Thank you all for joining us today.

I'll note that the minister will be with us for the first hour and that the remaining officials will stay for the second hour as well.

Welcome to everyone.

I now invite the minister to make an opening statement.

Please go ahead, sir.

Hon. Marco Mendicino (Minister of Public Safety): Thank you, Mr. Chair.

I'm pleased to return to this committee to discuss Bill C-21 and the broader actions the government is taking to reduce gun violence.

[*Translation*]

This bill basically aims at keeping Canadians safe. It flows from the promise we made to Canadians to combat violence and crimes committed with firearms by removing weapons designed for battlefields from our streets.

[*English*]

Bill C-21, Mr. Chair, is the strongest gun reform legislation this country has seen in a generation. It implements a national freeze on handguns, the number one type of gun used in homicides. It addresses the alarming role of firearms in domestic violence through our red and yellow flag laws and it will raise maximum sentences against gun traffickers from 10 years to 14 years.

We're committed to getting this right and getting this legislation passed for all Canadians. To do that, we need to engage people, and that is exactly what we have been doing.

[*Translation*]

We've met hunters, firearms experts, indigenous peoples, and Canadians in rural and northern regions, to hear what they have to say and in order to get a better understanding of the role firearms play in the everyday lives of many people.

[*English*]

I've heard from indigenous communities that hunt to feed their families, to protect themselves and to preserve their traditions. I've met with gun owners from right across the country, and most recently in Ontario, Quebec, Nova Scotia, Yukon and Northwest Territories, where hunting is not only recreational but also something that is passed on from one generation to the next.

Of course, Mr. Chair, I have the sober responsibility of grieving with family members and communities who have been devastated by gun violence. I have consoled families in Nova Scotia, Quebec City, Montreal, Surrey and in my own hometown of Toronto. I have attended the funerals of 10 police officers. We owe it to them. Every member of this committee, every member of Parliament and every parliamentarian owes it to them to keep going.

We just marked the third anniversary of the shooting tragedy in Portapique and Truro, Nova Scotia. I joined the Prime Minister to receive the final report of the Mass Casualty Commission and to grieve with the families.

Mr. Chair, one of the recommendations to emerge from the final report called on the government to strengthen the national ban on assault-style firearms, which we put into place in 2020. It's not just the Mass Casualty Commission; it's law enforcement, survivors and victims, as well as the vast majority of Canadians, who support taking action against a type of firearm that, let's be clear, was designed to inflict the greatest number of fatalities possible in the shortest period of time.

● (1555)

[Translation]

We need to continue this work by implementing our comprehensive plan to prevent further tragedies. An intelligent policy is only one part of our comprehensive plan to protect Canadians against crimes committed with firearms. Our plan rests on three pillars.

[English]

Our plan includes strong borders to stop the flow of illegal guns, backed by a \$450-million investment into border security in the last two years alone. Last year, the CBSA and RCMP seized a record number of illegal firearms at the border, but we need to continue that progress.

Another part of our plan is strong prevention through our investments in stopping crime and violence before it starts. This begins with our \$250-million building safer communities fund, a program that is designed to help set up success for young people who are at greatest risk by advancing their educations and their careers so they can make positive contributions to our communities.

Initiatives like 902 Man Up in Halifax, which I have had the pleasure of visiting with, are making an incredible difference, and they are just one of the many organizations right across the country that are benefiting from this initiative.

Our national crime prevention strategy and the gun and gang violence action fund are two more examples of how we are stopping gun crime before it starts.

Finally, Mr. Chair, there are the strong gun laws and the keystone legislation that are before you right now in the form of Bill C-21.

[Translation]

It's purpose is to prevent another tragedy like those at the École polytechnique, Dawson College, Portapique and Truro. Canadians firmly support our prohibition on assault-style firearms, and the historic tabling of Bill C-21.

[English]

We bring solutions, not slogans, to make sure that all Canadians can feel safe at home.

Striking the right balance to meet the goals I have outlined today while working with this Parliament is something that we remain committed to doing. Together we now have both an opportunity

and a responsibility to not only pass this bill in its current form but to strengthen it.

Mr. Chair, I look forward to supporting amendments that will address the assault-style rifle ban, as the Mass Casualty Commission's final report called on us to do, along with other priorities that deal with ghost guns and, indeed, the responsibilities of manufacturers to play their role in keeping our communities safe.

Mr. Chair, in conclusion, Canadians are counting on us to do this work responsibly, based on facts, not fear, and I hope all of my colleagues will contribute to a constructive dialogue today

I now look forward to your questions.

The Chair: Thank you, Minister.

We will start our first round of questions with Ms. Dancho.

Ms. Dancho, please go ahead for six minutes.

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

Thank you, Minister and staff, for being with us today on this important matter.

Minister, it has been a while that we have been waiting for you to come to this committee for these consultations. It's six weeks since we wrapped up our consultations.

I know that when you first introduced this bill almost a year ago, you took the position that you wanted this bill passed as quickly as possible, and then, when it came to committee in the late fall, Liberal members on this committee were insistent that we pass this bill within a week. Now this is months later, and you have made us wait six weeks for you to come here.

I do appreciate that you're here now to answer our questions.

You mentioned in your opening remarks that a cornerstone of your legislation in Bill C-21 is to combat gun traffickers, which is something I deeply support. I think that law enforcement also supports that. As you know, the Toronto Police Service has said that almost nine out of 10 guns used in crimes in Toronto are smuggled from the United States. Collectively, police have told us and you that this is a primary focus, and should be, for fighting gun violence in this country.

I appreciate that Bill C-21, based on your remarks, is attempting to do that. I know you have talked on national television about how this bill will strengthen—your words—penalties for gun traffickers from their 10-year maximum sentence to 14 years.

How common is it now to sentence someone to 10 years, the current maximum? How common is that now?

Hon. Marco Mendicino: Thank you for outlining the work that I have been engaged with over the last six weeks and indeed right back to when we tabled this bill. I have heard loudly and clearly from Canadians from every walk of life, including from gun owners, first nations communities and Canadians, about what they expect out of this bill, which is smart gun laws.

You have asked me about maximum sentences. I have worked on the front lines of the criminal justice system as a federal prosecutor. I will tell you that I have confidence in the judiciary to exercise good judgment when it comes to making sure that we separate those gun traffickers from our communities when we need to do so—

• (1600)

Ms. Raquel Dancho: I apologize for interrupting, but since your government formed in 2015, how common is the current maximum of 10 years? How common is that right now, since you formed government in 2015?

Hon. Marco Mendicino: Ms. Dancho—

Ms. Raquel Dancho: Is it common at all? Does it happen quite a bit?

Hon. Marco Mendicino:—every single case is taken on its facts. I have confidence in the judiciary to use the higher maximum sentences to make sure that gun traffickers who terrorize our communities with guns—

Ms. Raquel Dancho: I appreciate that. Okay.

Hon. Marco Mendicino:—are separated from the communities so that we can keep our communities safe.

Ms. Raquel Dancho: I would hope that would be the case, certainly, given how many lives are being taken and given how important it is that we tackle gun smuggling. I would agree with the statement you made; however, the information that your office has provided to my office is that since the Liberals formed government in 2015, not one person has been awarded the current 10-year maximum sentence. It is frustrating to see you talk on national television, here today and in question period to our questions about how you're getting tough on gun traffickers and increasing the maximum to 14 years when the current sentence of 10 years has never been used since your Prime Minister formed government a few years ago.

I just feel that it's really a non-starter. It's really not going to do a lot to combat this issue, unfortunately. That part of Bill C-21 isn't going to make that much of an impact, given that the maximum 10-year sentence has never been used since the Liberals formed government a few years ago.

I want to move on to the red flag provisions.

To be honest, this is an area that I was looking forward to. As you'll recall, I asked that this be split from the bill so that we can take the politics out of it and look to support the red flag provisions. You were in the chamber at that time. You did not allow me to split that out of there.

We found in our testimony that the Canadian Bar Association; the National Association of Women and the Law, which was a Liberal witness; domestic violence groups from Quebec; and also three

chiefs and vice-chiefs we invited to committee did not want those red flag laws passed in this bill. They did not support them. They're the very groups that I would have imagined would have supported them, because they were supposed to be for vulnerable groups and women in domestic violence situations. That's why I was interested in supporting them off the bat, yet we've heard first-hand that they're no good.

In fact, the quotes were quite damning. The women's group said that it would prohibit extremely quick action that is essential to preventing femicide and is likely to be risky and impractical for women whose safety is at risk. It also said that it would do more harm than good for women impacted by this. The indigenous groups mentioned that racism could play a factor and that the red flag laws could be abused. If someone just doesn't like you in a first nation, they can have your guns apprehended.

That is the impression that your red flag laws in this bill have given the public: They don't seem to be any good. It's frustrating, because there's not a lot in this bill that we can really talk about. You already passed the handgun ban through regulation in the fall. That major “keystone”, as you called it, in Bill C-21 has already been accomplished by your government.

The Chair: You have one minute.

Ms. Raquel Dancho: Thank you.

In looking at the bill, we don't see a lot in there, and yet this has been holding up the good work of this committee for quite some time. As you know, there are about four or five inches' worth of amendments on Bill C-21 that we still have to do, as well as clause-by-clause study. There are only two months left, Minister, and you've made us wait six weeks. You also have two other bills in the chamber waiting to come to this committee.

That's not to mention that there has been a 32% increase in violent crime, as you are well aware, since your government took office seven years ago. Of that crime, less than half of one percentage point is committed by long guns, and yet your government chose to divide Canadians with the amendments that you've recently withdrawn.

It's really not clear to me what Bill C-21 is going to accomplish. Reasonably, I think we can understand if you would withdraw this bill. I'm just wondering, to conclude, if that's part of your plan, Minister.

The Chair: Ms. Dancho, your time is up, but we will allow the minister a minute to respond.

Hon. Marco Mendicino: I would ask for some discretion from the chair, because Ms. Dancho did speak for approximately three minutes, and there are some very important points there. I'm happy to stretch out my visit to this committee to accommodate other members who may wish to also use their time.

First, Ms. Dancho, I fundamentally disagree. There is a lot of good policy in this bill, including the national handgun freeze, which you and your party oppose.

Ms. Raquel Dancho: You've already accomplished that through regulation.

The Chair: Ms. Dancho, the minister has the floor.

• (1605)

Ms. Raquel Dancho: For how much time are you going to let him speak?

Hon. Marco Mendicino: Thank you, Mr. Chair. In fairness, if I may be permitted to answer the numerous substantive points—Ms. Dancho has raised some good questions—I think Canadians have a right to hear the answers from the government.

I disagree; there is good policy in here, including the national handgun freeze and including the red flag and yellow flag laws. On balance, we have heard the concerns of a number of advocacy groups. We have made some modifications to the red flag provisions so that we can ensure that there is protection for those who come forward and avail themselves of another layer of protection.

There's a last thing I want to say with regard to the sentencing provisions. I share the concern that Ms. Dancho articulates around maximum sentences. By raising maximum sentences, we are sending a very strong signal to the courts that for those who do terrorize our communities with guns, there should be higher sentences. That is a far better approach than the failed Conservative Party policies around sentencing and mandatory minimum penalties and the overreach of the Conservative Party on MMPs, which have been systematically struck down by the Supreme Court of Canada.

The Chair: Thank you, Minister.

[Translation]

Mr. Schiefke, you have the floor now for six minutes.

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

Thank you for coming, Minister. We're very pleased to see you here.

Minister, you've been conducting consultations on the definition of "assault weapon" for several months now. I'd like to thank you, on behalf of all the citizens of my Vaudreuil—Soulanges riding, for your tireless work on this matter.

What are your main conclusions at this stage?

Hon. Marco Mendicino: Thank you for the question, Mr. Schiefke.

Mr. Chair, my conclusion is that Canadians are truly concerned about firearms violence. That's why our government came up with a comprehensive plan based on three pillars. One of these pillars is presenting sound policies.

In 2020, for example, the government prohibited access to assault-style firearms. These are weapons designed for military use, on the battlefield, in times of war.

In its final report, the Mass Casualty Commission recommended that the government strengthen this national ban.

I hope that the committee members will propose an amendment that will allow this work to move forward.

Mr. Peter Schiefke: Am I right in saying that you agree with the firearms specialists and victims' rights organizations like PolySeSouvient, who have asked for a definition of an assault weapon. Is that correct?

Hon. Marco Mendicino: Absolutely.

The process of classifying firearms has also been handled by our colleagues at the Royal Canadian Mounted Police, in the firearms registration director's office.

I believe that a technical definition that includes the physical characteristics of firearms would enhance the process. That needs to be done in partnership with the industry. The industry also has a responsibility to contribute to this work.

[English]

Mr. Peter Schiefke: Minister, towards the end of our study, we heard additional testimony on ensuring that manufacturers are regulated to prevent them from exploiting loopholes, which we've seen happen in Canada's firearm classification system.

I know this was an issue that the Danforth families brought up. Their testimony was quite powerful in their exchange with our committee.

Could you talk about the role that manufacturers play and about shifting the onus onto them to ensure that they are compliant with the intent of our firearms laws?

Hon. Marco Mendicino: Thank you.

Mr. Chair, first I do want to give a shout-out not only to Danforth Families, but also to PolySeSouvient, The Women's Coalition, and so many other groups that we have been working very closely with.

These are people who have been profoundly and tragically impacted as a result of gun violence. It is thanks to them and their advocacy that we are in a position to not only pass this strong legislation but take further additional steps, including around the question of how it is that we classify prohibited firearms, specifically on the question of assault-style firearms.

This is where, with the work of this committee, I believe we can look at an amendment that would see a technical definition that would allow us to pick up and answer the call of the Mass Casualty Commission.

There is work to be done here, and I look forward to doing that work with all parliamentarians.

• (1610)

[Translation]

Mr. Peter Schiefke: Thank you, Minister.

I'd like to ask you a final question.

Several police associations in Quebec recently stated their support for a total ban on assault weapons. This ban would protect citizens, as well as members of these associations who could encounter firearms of this kind in the exercise of their duties.

Minister, how important, in your view, are the concerns of law enforcement agencies, and the prohibition on weapons designed for war rather use by members of Canadian communities?

Hon. Marco Mendicino: That's a real concern of mine.

As I mentioned in my opening address, I attended funeral services for 10 police officers. It's an unprecedented and extremely difficult time for police communities and for all Canadians.

I'm grateful to the Quebec police associations. They are not the only associations that support us and encourage us to do more and to take further action with respect to policies on assault weapons. I think that we have the opportunity and the responsibility to respond to the call of the commission of inquiry into the carnage in Portapique, Nova Scotia.

Mr. Peter Schiefke: Thank you, Minister.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Schiefke.

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

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

Thank you, Minister, for coming.

To be honest, I'm rather disappointed. I expected you to announce that you were going to present new amendments for the resumption of the clause-by-clause study of Bill C-21. We've welcomed you today in connection with a study of the effects of the withdrawal of amendments G-4 and G-46. I understand that you have resumed work on this and that you have consulted hunters and indigenous communities, among others, which is something you should have done before presenting the amendments. I would have liked to hear what you had to say on the solutions you came up with for finally drawing a clear distinction between weapons used in a military context and those used reasonably for hunting.

You are the last witness we will be receiving, before we resume a clause-by-clause study shortly, and I understand that we will still not be receiving any new amendments that would prohibit assault weapons, as you had promised.

Can you confirm otherwise today, to the effect that when we resume the clause-by-clause study, the amendments pertaining to the assault weapons ban will have been tabled by your government?

Hon. Marco Mendicino: You're right. Two things emerged from my consultations with Canadians, including RCMP experts looking into the matter of definitions.

To begin with, the 2020 order in council established two characteristics:

[English]

a 20-millimetre bore diameter and a 10,000-joule force.

[Translation]

This order in council prohibited all firearms that exceed these characteristics.

Then there are some physical characteristics, which you previously discussed in connection with the initial amendments. I think it would still be possible to include a number of characteristics of this kind in a technical definition. I remain prepared to work with you and the other members of the committee...

Ms. Kristina Michaud: So I'm to understand that you're ready to work with the opposition to table some amendments, but are you ready to table them?

Hon. Marco Mendicino: That's precisely what we're doing now with you and the entire committee.

Ms. Kristina Michaud: Minister, at the beginning of your address, you described Bill C-21 to reform firearms laws as extremely sound.

The current bill makes no mention of illegal arms trafficking, exempts certain people from the handgun freeze, and fails to respond to demands from several women's groups that criticize the red flag measure. There is also still no amendment that would prohibit assault weapons.

Would you agree with me that your reform may not be quite that strong?

• (1615)

Hon. Marco Mendicino: It takes things farther than ever before, Ms. Michaud. The introduction of a national freeze on handguns, for example, is a decision that no previous government in our country's history has ever made.

You're right to say that there have been concerns about the red flag and yellow flag measures, but I think we've dealt with a number of those. For criminals who traffic in firearms, there are stiffer penalties. We are also prepared to come up with other technical tools for the police, such as wiretapping and surveillance authorizations.

Ms. Kristina Michaud: Minister, one of the reasons for the unpopularity of amendments G-4 and G-46 was the fact that they were impossible to understand. There was a lot of confusion over the various lists of prohibited and exempted firearms. The Bloc Québécois requested a clear definition of a military-style assault weapon. There shouldn't be a list. The definition should include not only weapons currently available on the market but also those entering the market in the future.

Can we, legally and legislatively speaking, come up with a definition that would not require adding a list to the Criminal Code? In any event, such a list would not be updated. It's understood that the only list of prohibited weapons would be the RCMP's. So what's the point of including a list in the Criminal Code?

Further to your consultations, are you certain that you can provide a new definition of a military-style assault weapon?

Hon. Marco Mendicino: For no list, the short answer is yes.

I received a lot of feedback on the issue of the list. There are many concerns about the language used. It's highly technical and rather long. I believe that the best way to come up with a very strong policy, without a list, is via a technical definition. Working together with you and other members of the committee, we can come up with one.

Ms. Kristina Michaud: Do you agree with me that including—in black and white—the expression “fusil de chasse” in the French version of a bill might be confusing to those to whom we have said that hunting weapons would not be included.

Hon. Marco Mendicino: I totally agree.

That was one of the stated concerns. The expression “arme de chasse” is “hunting gun” in English. It's controversial.

I think we could use clearer language out of respect for Canada's hunters.

Ms. Kristina Michaud: Thank you.

The Chair: Thank you.

[English]

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

[Translation]

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you very much, Mr. Chair.

Thank you, Minister, for coming today.

As Ms. Michaud just said, your presence and the discussions we've had are important, because we're about to resume the clause-by-clause study of Bill C-21 and we don't want a second failure. The first version of the definition had clearly failed before Christmas. Fortunately, it was withdrawn.

Now the issue of manufacturers is one of the important things you mentioned in your presentation. As you very well know, some organizations like PolySeSouvient identified a number of loopholes for manufacturers. We can identify military-style assault weapons, but there's no logical compulsory process for manufacturers of new models. Some new models might be made specifically with a view to circumventing the law. Manufacturers therefore have a major responsibility.

Could you talk to us about the current process and about what could be tightened up to eliminate these loopholes?

Hon. Marco Mendicino: Thank you for the question, Mr. Julian.

I think you've made a very good point, which is that it's the firearms manufacturers' responsibility.

First of all, a way has to be found to involve the manufacturers in firearms regulatory and classification efforts, including firearms classified as assault weapons.

• (1620)

[English]

I think the way we can do this, Mr. Julian, is by engaging directly with manufacturers to make sure they understand that there is a responsibility to submit firearms for classification. By doing that, we can move away from the obligation being on not only law enforcement but on gun owners themselves. I think there is an opportunity to look at an amendment that will strengthen Bill C-21 so that manufacturers are required to work with law enforcement in the classification of firearms, including on the important point of those firearms that may fall under a definition of a firearm prohibited as an assault-style firearm.

Mr. Peter Julian: In your statement you also touched on the issue of ghost guns. As the new kid on the block here at the public safety committee, I've been speaking with law enforcement. People in law enforcement have raised broad concerns about the dramatic increase in some sectors across the country in the number of ghost guns, untraceable weapons, that are being produced.

In one of the meetings, a law enforcement officer said that they can walk into a basement where there is a 3D printer that is legally obtained and find legally obtained firearm components. There is ammunition on the premises as well. That person does not have a PAL and hasn't gone through a process, yet all of these aspects are legal until the untraceable firearm is produced. To what extent is this a problem?

We feel very strongly in this corner of this committee room that we have to be tackling ghost guns in a very proactive way.

Do you see it as a problem? Do you have the statistics there? Do you feel that this is an aspect that needs to be addressed?

Hon. Marco Mendicino: Absolutely, and I want to thank you for raising this as well.

Ghost guns are the next generation of guns that are being used by criminals expressly for criminal purposes. There is no legitimate or lawful purpose for a ghost gun. It is designed to evade the long arm of the law because they're easily discarded and extremely difficult, if not impossible, to trace.

Therefore, I commend any work that you or any other member of this committee may wish to bring forward in the form of an amendment that will help us to take additional concrete steps to make ghost gun technology for guns illegal, either through the constituent parts or through other avenues.

On the last point, I know there have been questions raised about investigations that may be carried out in which officers seize upon ghost gun technology or ghost guns themselves in conjunction with ammunition that could then be used in a ghost gun. I can assure you, having looked very closely at the Criminal Code and dusting off my federal prosecutor's hat, there are provisions under the Criminal Code that deal with that scenario.

However, that shouldn't in any way detract from our opportunity and responsibility to deal with the question of ghost guns. I encourage the committee to think about that in the coming days when you get to the amendments and clause-by-clause stages. Thank you.

The Chair: You have 15 seconds.

Mr. Peter Julian: I have a quick question.

One of the problems with the amendments that were brought forward before Christmas was that there was no consultation with organizations representing indigenous peoples. To what extent have you been consulting over the course of the last few months?

Hon. Marco Mendicino: Briefly, Mr. Chair, it's extensively. We've engaged with national indigenous organizations. We've engaged with rights holders and communities. I've mentioned some of them. I'm happy to elaborate on that work later on in my appearance.

The Chair: Thank you, Mr. Julian. That brings the first round to a close.

We'll start the second round with Mr. Shipley. Please go ahead. You have five minutes.

Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Chair.

Thank you, Minister, for being here today with us.

I liked that you said in your opening remarks that we're going to have some constructive dialogue today, so let's have some right now and lay it all out on the table.

We're not going to talk about the technical side today. Today we're going to try to figure out where we are, how we got here and where we're going tomorrow.

Minister, you stood up in the House multiple times and stated that opposition parties that were concerned with your poorly planned amendments to Bill C-21 were spreading misinformation. However, on February 3, when you withdrew your amendments, your own government House leader stated that "there were gaps and problems in the amendments. That's why we've retracted them."

Could you now please admit that the genuine concerns Canadians had about these amendments were not baseless misinformation?

• (1625)

Hon. Marco Mendicino: Mr. Shipley, I have zero regrets about advancing smart, effective gun policy.

I've heard loudly and clearly from Canadians that it's important that we continue putting in place the types of policies that will protect communities from assault-style firearms. This is not abstract, and you know this, Mr. Shipley, because you and I have spoken about this.

Those assault-style firearms have visited upon communities in Nova Scotia and Quebec and elsewhere the most indescribably difficult consequences and losses and tragedies. That is why the Mass Casualty Commission called on the government to strengthen our gun laws when it comes to assault-style firearms. That is why I'm prepared to work with you and every other party and parliamentari-

an so that we can protect Canadians. That is the opportunity and the responsibility we have now.

Mr. Shipley, I hope we can do that work together.

Mr. Doug Shipley: We certainly can.

However, Minister, again, we said we were going to have constructive dialogue. I didn't once bring up a model or a type of firearm. I'm not talking about that today. I'm trying to figure out how we got here and how much we were told about this misinformation. I think we can all agree that maybe there wasn't quite as much misinformation as people were being led to believe and that there were some facts in people's concerns.

Sir, we heard from many different groups that there was not enough consultation done before these amendments were brought out. I found it very interesting that once the amendments came out and there was a large uproar over them, that...

The amendments were introduced in November 2022. In January 2023, you took it upon yourself—and I saw your social media—to take a tour across Canada. You called that a consultation tour. I find it interesting that the tour was taken after the amendments were taken out.

I'd just like to know if this was really a consultation tour, or was this a sales and promotion tour?

Hon. Marco Mendicino: Mr. Shipley, if you want this to be constructive, let's not be cynical. I was doing consultations before and after the amendments.

The fact of the matter is this: At the end of the day, the two visions we have before us right now are about putting in place gun laws that will see fewer, and ideally no, assault-style firearms—which were designed for a battlefield—in our communities. That's versus the policies that have been advanced by you and the Conservative Party of Canada, which would make them legal again.

Mr. Doug Shipley: That's not true.

Hon. Marco Mendicino: We think that's wrong.

An hon. member: That's absolute BS.

The Chair: On a point of order, can we let the minister speak?

Mr. Glen Motz: If he speaks the truth, sure.

The Chair: Mr. Motz, you're out of order.

Mr. Glen Motz: Thank you.

The Chair: Go ahead, Minister.

Hon. Marco Mendicino: I have nothing to add to that answer.

The Chair: Thank you.

I'm going to Mr. Shipley. The time is running.

Mr. Doug Shipley: Thank you. I hope I'll have a bit more time.

Thank you, Minister. I have one more question for you, sir.

You mentioned the consultations you were doing, and I'll take you at your word for that. In February, though, multiple sources spoke to the Toronto Star about your approach to Bill C-21, which related that:

As the amendments landed, Mendicino was testifying before the public order inquiry commission, and the usual normal briefings and communications plans that would have been attached to such a legislative move fell by the wayside

Minister, you are the minister. You're the top guy of the social...of safety here.

Hon. Marco Mendicino: Were you going to say "social media"? That's definitely not true.

Mr. Doug Shipley: No, that's not. I'm the last one to mention social media.

Do you take responsibility for the disaster Bill C-21 has been?

Hon. Marco Mendicino: Mr. Shipley, we have an opportunity now to take a good bill and make it even stronger.

I take umbrage at some of the comments that were not made on the record by your colleague Mr. Motz. It is very clear. The Conservatives have said repeatedly that they would repeal legislation that this government has put into place, including Bill C-71 and Bill C-21 when, hopefully, it passes and becomes law. The consequence of that is we will have weaker, not stronger, legislation when it comes to keeping assault-style firearms off our streets and out of our communities.

Mr. Chair, that is why the Mass Casualty Commission has called on this government to make sure that we take those next concrete steps to keep those guns that were designed for a battlefield out of our communities.

• (1630)

The Chair: Thank you, Mr. Shipley.

We go to Mr. Noormohamed for five minutes, please.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you, Mr. Minister and officials, for being here with us today.

Minister, we've heard now from our colleagues about your travels. They are clearly more cynical than some of us about what you heard.

Perhaps you could take a brief moment to share with us what you heard and how it's shaped your thinking in terms of the path forward, particularly on two things. One is whether there's a need for a technical definition of what an "assault-style firearm" is. Second, if you were to meet Grandpa Joe today, what would you say to him to reassure him that in fact you are not going after his hunting rifle?

Hon. Marco Mendicino: Thank you, Mr. Noormohamed.

I've always liked that reference, because I actually have a Grandpa Joe. There is a *Nonno* Joe in our family.

I would say to them that we respect them. I have met many hunters and gun owners, and this is where I think the disinformation has led to a toxic debate. What we want is a constructive debate that is based on the facts, and the facts are that there are guns that were designed for a battlefield, and this government took historic steps by introducing an order in council in 2020 that relied on

objective characteristics like the 20-millimetre bore diameter and the 10,000-joule threshold. Those are physical characteristics that now provide clarity and predictability in the classification of makes and models by our colleagues in the enforcement community.

The Mass Casualty Commission, which was born out of the worst shooting tragedy in the history of this country, has called on the government to look at this issue and take additional steps to strengthen our laws when it comes to assault-style firearms. I think there can be a responsible discussion on what those physical characteristics look like so that we can be clear, consistent and up front with all Canadians on how we do this work.

Mr. Taleeb Noormohamed: There's a lot we've heard. There's a lot of information we've heard. There has been some confusion. I think we would all acknowledge there were some challenges and there was some confusion.

I want to take a minute for you to differentiate for us some of the confusion that may have been caused by circumstance, in terms of the amendments, from some of the misinformation you have referred to, which was spread by forces and folks who did not think we should go down this road. If you could take a minute to briefly differentiate between the two, I think that would be very valuable for this committee.

I'd then like to go back to the question about Grandpa Joe and how we reassure people like him that you are, in fact, interested in something very different from taking away his hunting rifle.

Hon. Marco Mendicino: Let me start at the end, and if we have time, I'll come back to the first part of your question, Mr. Noormohamed, because I think the latter is very important.

As part of this work, it is extremely important that we talk to Canadians and that we listen to them. People come from many different walks of life when it comes to the responsible use of firearms. We have hunters, sport shooters and communities within first nations and indigenous communities. We have listened very carefully to them and, to be perfectly honest with you, the majority understand what the government is striving to achieve here, which is safer communities, by excluding guns that were designed for wartime and have no recreational purpose.

Going forward, I think that if we anchor this debate in facts, if we have a discussion that is civil and if we do not resort to disinformation—the kind of disinformation that crowds out anybody, not only in spaces like this, but online.... It is next to impossible to have a conversation or a debate about firearms legislation online. That is because of the toxicity that is being driven by special interests that have no desire to have a responsible debate, but rather see this as a binary choice between having responsible laws that protect Canadians from gun violence and virtually no laws at all.

I think that is one of the most important reflections that we as parliamentarians have to continue to use to inform the way we do this work.

The Chair: Thank you, Mr. Noormohamed. You had twelve seconds left, but I'm going to take it back.

[*Translation*]

I'm giving the floor now to Ms. Michaud for two and a half minutes.

• (1635)

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

Mr. Chair, I'd like to ask you a question about your intentions and about a part of the bill that is somewhat more technical, meaning large-capacity magazines. The bill adds another offence for modifying a magazine, for example by increasing its capacity to make it a prohibited device. On the RCMP's website, the maximum capacity for centrefire semiautomatic shoulder weapons is clear. It mentions a maximum capacity of five cartridges. For handguns, it's 10 cartridges.

There are of course some loopholes. There are magazines designed for 20, 30 or 50 rounds, some of which have a rivet to restrict the number to, let's say, five. These are legal because according to what is posted at the site, it's a permanent modification. However, it's very easy to simply remove the rivet. That's been done by several mass shooters. I understand that your intent, at least with this bill, is to prevent other incidents of mass slaughter in Canada, and I agree with you on that.

On the other hand, if we don't ban large-capacity magazines and prohibit weapons designed for magazines that can hold more than five or six rounds, then I believe we're missing the boat.

Do you intend to introduce an amendment to prohibit large-capacity magazines that have been permanently modified by means of a rivet?

Hon. Marco Mendicino: Mr. Chair, I think that Ms. Michaud has identified two options, one of which already exists in the current bill. There is a provision according to which one can "create a new offence for altering a cartridge magazine to exceed its lawful capacity". This useful provision in Bill C-21 directly answers your question.

But the question indeed remains: what can we as the federal government do about it? We are currently studying it. I think that it might also be possible in the short term to reach other decisions about the issue of large-capacity magazines.

The Chair: Thank you, Ms. Michaud.

Mr. Julian, you now have the floor for two and a half minutes.

[*English*]

Mr. Peter Julian: Thanks, Mr. Chair.

I want to come back to the issue of indigenous rights.

Indigenous organizations took a strong stand against the amendments that were offered. You did say that you've been doing consultations and that the ministry has been doing consultations with indig-

enous organizations. I would like to know the character of those consultations.

I would also like to know what the recommendations are in terms of ensuring that indigenous peoples' rights—their traditional rights, section 35 rights—are preserved through this bill.

Hon. Marco Mendicino: We have, as I said at the outset of my last response to you, engaged directly with NIOs—national indigenous organizations—as well as directly with other communities and rights holders. The character of those conversations has been, I think, very focused and constructive in relation to the questions that have been raised vis-à-vis Bill C-21 and more specifically around some of the amendments that were originally introduced.

I would say that as a matter of ensuring that the lived experiences of first nations are reflected in this bill in the practical sense—when it comes to food security, when it comes to self-protection, when it comes to the preservation of traditions that are very much rooted in indigenous language, culture and history—I can assure you that those conversations have been meaningful. Our commitment is that this bill will in no way derogate from indigenous rights as they are captured under the charter or anywhere else. That, to me, is an important principle.

By the way, it is not just with regard to Bill C-21. When we think about the work that we are doing under the United Nations Declaration Act and the work that my colleague Minister Lametti is undertaking in the implementation of that act, we know that it is very important that we do this work in a way that is respectful of indigenous peoples.

• (1640)

Mr. Peter Julian: We used to have the Canadian Firearms Advisory Committee, which used to have the participation of indigenous peoples. That committee is dormant, dead. Is that one of the recommendations that has come back from your discussions, your consultations, with organizations of indigenous peoples?

Hon. Marco Mendicino: I would say that the idea of re-establishing an advisory committee that can provide non-partisan advice to the government is a concept that has been broadly raised. I support it. I think that there is utility in having a dedicated group of Canadians from different walks of life, including those with indigenous perspectives, so that we can navigate the questions that this committee has been undertaking in its study.

The Chair: Thank you, Mr. Julian.

Be very fast, please.

Mr. Peter Julian: You say there's been a record number of illegal weapons seized after coming across the border. What was that number last year?

Hon. Marco Mendicino: I'm going to defer to my colleagues on this. My best recollection off the top of my head was that it was north of 1,000, probably in the range of... Let me see here. The number that I have here in front of me is 1,100.

The Chair: Thank you.

We go now to Mr. Lloyd. Go ahead, please, for five minutes.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair, and thank you, Minister, for coming.

We all witnessed the Mass Casualty Commission report that came out. The report seemed to echo a lot of the policies that your government has been promoting. However, I would ask, Minister, in the case of the Portapique killer, how would a gun ban have prevented somebody who smuggled firearms and didn't have a licence from possessing these firearms?

Hon. Marco Mendicino: I'm glad you raised the question. I think it allows me to explain the rationale of our policy.

Before I do that, and if you'll permit, Mr. Lloyd, I would hope that we all join in expressing our condolences and support to the families of Portapique and Truro, some of whom I have met with, including people like Nick Beaton, who lost his wife, who was pregnant at the time—

Mr. Dane Lloyd: Minister, we all grieve for the families, but, Minister, I had a direct question for you.

How would a gun ban have prevented the Portapique killer from accessing illegally smuggled firearms without a licence? How would it have prevented him from having those firearms?

Hon. Marco Mendicino: The short answer is that by putting in place a ban, we reduce the possibility and the likelihood of there being any of these types of firearms in our communities, and that's the difference. The Conservatives believe that not having a ban somehow translates into safer communities. The Conservatives, respectfully, are fundamentally wrong on that point.

Mr. Dane Lloyd: We need policies that actually take crime down and take criminals down, not policies that are virtue signalling, Minister.

The killer was in possession of illegal firearms without a licence. The police knew that the Portapique killer had access to firearms, and they weren't acting, so how would having a ban do anything to prevent criminals from accessing firearms?

Currently in this country there are bans on criminals possessing firearms without a licence as it is, yet criminals continue to access firearms. Bans don't seem to be working, Minister. How do you think this new so-called ban on so-called assault-style firearms is going to be any different?

Hon. Marco Mendicino: Mr. Lloyd, and if I may, Mr. Chair, I would make two points in response, which I think are quite revealing. One, Mr. Lloyd, is that you referred to other practical steps. We put \$450 million into CBSA for border security. Your party voted against those provisions. I've seen that technology at work. You're hearing about the progress on seizing illegal guns.

The other thing, Mr. Chair, is that calling a national ban on assault-style firearms “virtue signalling” completely misses the mark and is disrespectful to every Canadian who has lost a loved one as a result of those firearms.

Mr. Dane Lloyd: Mr. Chair, what is disrespectful to Canadians is putting forward divisive political policies that are designed only to help the Liberal Party win elections instead of putting forward policies that will actually combat violent crime in our communities. That is what is disrespectful to victims.

Canadians, especially gun-owning Canadians, are committed to supporting any legislation that will have a positive impact on reduc-

ing violence and gun crime on our streets. Those who own guns legally in this country have a vested interest in ensuring that our streets are safe, because every time a gun crime is committed by a criminal in this country, it casts suspicion on the millions of legal firearm owners who have hunted peaceably and have used their firearms peacefully from generation to generation. Every time a criminal commits a vile act, these millions of hunters, these millions of gun owners, are demonized by your government.

You have spoken of these nebulous special interest groups and their desire to have no laws whatsoever in this country. That is the kind of political rhetoric that gets in the way of our being able to have a responsible debate. No serious person in this country is saying that we should have no firearms laws. No serious person in this country is saying that we need to have Second Amendment-style American laws in this country. That is not the political consensus that Canadians expect, yet we are led by your government to believe that these are real debates that are happening.

These are not real debates that are happening. The real debates that need to happen—

• (1645)

The Chair: You have one minute.

Mr. Dane Lloyd: Thank you, Mr. Chair.

Hon. Marco Mendicino: Mr. Chair, the truth of the matter is that it's not just this government that supports a national assault-style firearm ban and taking additional steps. It's the Mass Casualty Commission. It's law enforcement, as you heard earlier from Mr. Schiefke. It's Canadians who have lost loved ones, and indeed it is the vast majority of Canadians. That is what I have heard consistently.

It is also from responsible gun owners with whom I have engaged.

Mr. Dane Lloyd: That's not what we heard from groups like the Edmonton Police Association. It's not what we heard from the National Police Federation, which is saying that these so-called assault-style firearm bans are only going to divert resources away from the real action that is needed to get criminals off of our streets. That is the action that we, as Conservatives, are committed to implementing so that we can ensure that these repeat violent offenders, who, under your leadership, Minister, seem to be getting out of jail and back out on the street in record numbers faster than ever in order to commit violent crimes over and over again.... We need to stop the revictimization of Canadians by Liberal revolving-door justice policies.

The Chair: Thank you, Mr. Lloyd.

The minister may answer.

Hon. Marco Mendicino: If that were true, then I would certainly hope that the next time the government puts an appropriation and support for law enforcement at our borders and in our communities and for preventing crime and providing additional mental health supports, the Conservatives will support it, but the fact of the matter is that historically to date they have not.

The Chair: Thank you.

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

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

Minister, thank you for attending our committee.

Thank you to all the witnesses who are here.

In your opening remarks you mentioned that gun violence is a complex problem that requires a multitude of solutions. Of course you are right about that. Gun violence affects my community of Markham—Unionville directly, where there have been numerous home invasions and carjackings with firearms.

Can you tell this committee more about the work our government is doing to keep young people safe, prevent crime before it begins and build safer communities for all?

Hon. Marco Mendicino: Through you, Mr. Chair, to my colleague Mr. Chiang, first I want to thank you for your record of service as a police officer in keeping your community safe.

It was in your community of Markham that we launched the building safer communities fund. This is a \$250-million fund that is going to give more support to local organizations, people who work on the ground, the volunteers, the community leaders, the people who know those young kids who are at the greatest risk of being exposed to gun violence and who work with them day in, day out. We made a similar announcement just last week in Surrey, British Columbia.

It's the local heroes who are doing the life-saving work. We want to give them more support, and that's what the building safer communities fund does. It taps into their expertise. It taps into their wisdom. Whether it's through the manifestation of more mental health supports or more educational and career training, by providing that additional capacity, I believe we're saving lives.

This is another important pillar of our comprehensive strategy, which is to stop gun crime before it starts, and that is exactly what we are doing through the rollout of the building safer communities fund.

Mr. Paul Chiang: Thank you, Minister.

Mr. Chair, I'm going to pass my time to my colleague Iqwinder.

• (1650)

The Chair: Mr. Gaheer, go ahead. You have three minutes.

Mr. Iqwinder Gaheer (Mississauga—Malton, Lib.): Thank you, Chair.

Thank you to the minister and all the witnesses for appearing before the committee.

Minister, you acknowledge that no one initiative can tackle gun violence alone. Can you talk more about the pillars of the government's gun violence prevention plan and specifically the investments that had to be made after a decade of Conservative cuts to the RCMP and CBSA that made Canadians less safe?

Hon. Marco Mendicino: Over the last number of years, we have invested close to a billion dollars to support law enforcement through the anti-guns and gangs fund and through our investments into the Canada Border Services Agency.

What does this mean in simple language? This means more resources on the ground. It means more personnel. It means state-of-the-art technology. It means making sure that we're stopping the illegal flow of guns into our country. You heard me cite the numbers: There were 1,100 illegal firearms seized in 2022.

There have been great strides, but the fact is that we have to do more. Supporting law enforcement is one pillar, but we also need to do the prevention work, as I said in my response to Mr. Chiang. Prevention is a pillar that often gets overlooked and does not get the same oxygen and coverage as, let's say, legislation like Bill C-21, but it is a game-changer. It is a game-changing pillar.

What I would say to you is that beyond the scope of this portfolio in Public Safety, the work that our government is doing through the creation of a national housing strategy—providing access to Canadians who are trying to get into their first home by providing more supports for mental health, which my colleague Minister Bennett is leading and shepherding in historic ways—is part of the way in which we can prevent crime. This is because it gets right to those social determinants and those barriers that stand in the way of people who are at risk achieving their full potential and giving back.

I strongly encourage the members of this committee and all parliamentarians, in their study of how we can solve the very difficult problem of gun crime, to also give equal focus and emphasis to addressing prevention. We are doing that, both in my portfolio at Public Safety and equally right across government.

Mr. Iqwinder Gaheer: Thank you, Minister.

The Chair: Thank you, Mr. Gaheer.

That brings our second round to a close.

I'd like to thank the minister for his attendance here today. Thank you for that and for all of your great information.

We will now suspend and prepare for our next panel.

Thank you once again.

• (1650) _____ (Pause) _____

• (1700)

The Chair: We're resuming this meeting. Thank you to the officials who are remaining. I don't believe there are statements by the officials, so we're open to questions.

We will start with Mr. Lloyd, please, for six minutes.

Mr. Dane Lloyd: Mr. Chair—

The Chair: Let me preface. We can go until 10 minutes to six. I'm not sure how long we want to go; that's going to be up to the committee. We may have to shorten the second round to meet that deadline.

Go ahead, Mr. Lloyd.

Mr. Dane Lloyd: Thank you, Mr. Chair. To all of the witnesses, thank you for coming.

I'm going to start with Deputy Commissioner Bryan Larkin.

We had the pleasure across party lines of a tour of the RCMP lab here in Ottawa recently, hosted by you and others. At that lab, your staff told me that they already extensively work with manufacturers when working on what firearms will come into Canada. Is that the case?

Deputy Commissioner Bryan Larkin (Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police): Mr. Lloyd, that is the case. We do work extensively with manufacturers, but the Canadian firearms program also does a fair bit of research independent of manufacturers.

Mr. Dane Lloyd: There seems to be an assertion that's being made that manufacturers are deliberately exploiting some nebulous loopholes in order to import and distribute firearms in Canada.

Can manufacturers legally import and distribute firearms in Canada without the approval of the RCMP and without classification?

Mr. Talal Dakalbab (Senior Assistant Deputy Minister, Crime Prevention Branch, Department of Public Safety and Emergency Preparedness): If you allow me, Mr. Chair, I will support my colleague on this question. In terms of the way it functions right now—and I don't want to say if it's a loophole or not—I'll just explain the process. If the gun that is manufactured in Canada is non-restricted and deemed to be non-restricted by the manufacturer, they aren't required to verify with the RCMP to verify the classification itself. It is sold as non-restricted.

What we heard from stakeholders is that in some instances, these non-restricted guns, due to the complex classification process, could be actually restricted but are sold in the market, and by the time the RCMP gets them and measures them—it's a very detailed process, as you probably saw when you had your visit—

Mr. Dane Lloyd: In how many cases has this happened?

Mr. Talal Dakalbab: I don't have the numbers. I don't know. I'll refer to the RCMP. I just wanted to explain the process of the gap.

Ms. Kellie Paquette (Director General, Canadian Firearms Program, Royal Canadian Mounted Police): I actually don't have the numbers of how often this has happened, but I can say that

since 2020 we have seen a significant increase of records of firearms in the industry that have not received an FRT number.

Can I back up a little bit to give an explanation around verifiers?

Mr. Dane Lloyd: I have limited time.

It seems to me that a manufacturer wouldn't want to be liable by importing a restricted firearm and saying it's a non-restricted firearm. Wouldn't the manufacturer be liable if they were importing firearms that were explicitly restricted or prohibited firearms, claiming that they're non-restricted?

Ms. Kellie Paquette: Businesses and.... Most of them are verifiers, and they do use the Criminal Code to identify the classification of firearms. Where the problem comes in is that there are varying degrees of regulations that have now been put in place that the businesses may not be aware of. When they deem a firearm to be non-restricted because of the barrel length, they don't recognize that there's another order in council or there's another regulation.

Mr. Dane Lloyd: This is all very interesting and technical, but what we're here to determine is how we can make our streets safer. Is there any evidence that these firearms that are maybe somewhat vague in their classification that have come to Canada are being used in crimes? Do you have any evidence that this is being exploited by criminals to bring these firearms into Canada for criminal use?

Ms. Kellie Paquette: I don't have those stats.

Mr. Dane Lloyd: Okay.

The original amendment stipulated that a muzzle velocity over 10,000 joules would be a new definition standard for an illegal firearm that would be automatically banned by the definition. This would include a very small number of firearms, many of which are very expensive, typically antique firearms used for hunting big game. In fact, the cost of ammunition for such a firearm is in the hundreds of dollars for a single box of ammunition.

Do you have any evidence that these particular firearms that have been used for hunting purposes have been used to commit crimes in Canada that would justify their inclusion on this list?

• (1705)

D/Commr Bryan Larkin: Mr. Chair, through you, we don't have any evidence. We do not have that information.

Mr. Dane Lloyd: Okay. That's interesting. It seems like it's not actually an objective decision based on evidence that this is a threat to public safety, that this is causing fatalities or that this is being used by crime. It seems like the decision to include this specific classification in the definition is purely based on subjective values and the belief that these firearms should not be in Canada, but we don't have any objective evidence that they actually have posed a threat to Canadians.

In terms of airsoft, it was also very interesting. I know I only have a little bit of time. Most varieties of airsoft guns cannot really be converted into real firearms. Is that correct?

For the vast majority of airsoft guns, it would be very prohibitive for anyone to convert those into a real firearm. Is that correct?

Mr. Talal Dakalbab: There is a capacity, especially when we talk about ghost guns, to use some airsoft components. To be clear on what we heard from stakeholders as well as the police officers about airsoft guns, there is a concern that when they are identical—

Mr. Dane Lloyd: In my five seconds, perhaps a ban on certain components rather than trying to ban an entire sport would be a better path forward to preventing this very rare occurrence from happening.

Thank you.

The Chair: Thank you, Mr. Lloyd.

I'd like to remind all members that our witnesses are here today in a non-partisan and non-political manner. They can't give opinions about things beyond that. They're not here to defend government policy but to explain it. I believe that would be the case.

Anyway, we'll go now to Mr. Noormohamed, please, for six minutes.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair. Thank you all for continuing to be here with us today. I'm sure this is exactly how you want to be spending your afternoon. We are very glad you are here with us.

If I could, I will start with you, Deputy Commissioner Larkin.

You have spent a lot of time in law enforcement. You've been a local chief of police. We've heard from all manner of organizations that have varying perspectives.

One thing that I think is really important for us to understand, as you continue your career in law enforcement now at the national level... When we talk about a technical definition of an assault-style firearm, why is that important? What value does that actually bring to the conversation and to the way in which we think about keeping Canadians safe?

D/Commr Bryan Larkin: Thank you for the question and thank you for aging me.

On a serious note, the technical specifications allow our regime—our Canadian firearms program—to monitor, manage and license firearms, including monitoring their import and export, etc. It also provides frontline police officers with the ability, when they're doing investigations, to ensure they have the facts and issues around prosecution and the laying of charges. Without specific technical specifications, a form of regulation and a framework of managing the specifications of firearms, it would be difficult for them to pursue various investigations that meet the current threshold in the Criminal Code of Canada.

Again, our firearms program is a unique licensing regime that many other countries look at. It provides that framework for frontline police officers and specialized investigators to do their work and to ensure that they actually have the ability to advance investigations.

Mr. Taleeb Noormohamed: In that vein, one gap that exists is the whole notion of how we think about ghost guns. Within the notion of classification, obviously there are things that are regulated and things that are not regulated. Things like barrels, slides and trigger assemblies are treated very differently from firearms themselves.

As we think about a path forward, what would be your reflections on the importance of perhaps thinking about components differently from the way we have thought about them in the past?

• (1710)

D/Commr Bryan Larkin: When we continue to do consultations with law enforcement partners and police of jurisdiction, clearly the issues of smuggling, straw purchasing, theft and private manufacturing—that is, ghost guns—are becoming more predominant in the discussion around the sourcing of crime guns.

From a policing perspective, the Canadian Association of Chiefs of Police believes that with the evolution of legislation, there is an opportunity to actually regulate ghost guns, manufacturing, parts and importation. Those are opportunities, from a policing perspective and a police leadership perspective, in partnership with Public Safety Canada, to manage and provide opportunities around enforcement, around licensing and around a framework that actually provides that ability.

I don't speak on behalf of all police leaders, but generally the RCMP—and I can speak on behalf of the CACP as the past president—is interested in engaging governors around the regulation of ghost guns, parts and manufacturing.

Mr. Taleeb Noormohamed: Thank you.

In the minute that I have, I have a similar question for Mr. Dakalbab.

Obviously, you're responsible for the crime prevention branch. As part of your mandate, I imagine that looking at what types of crimes you're going to need to prevent going forward is probably part of your job.

If you think about ghost guns and in particular about components and the production of these types of weapons that are being used for crime, what would you say are the most important things for us to reflect on in this conversation?

Mr. Talal Dakalbab: I would reflect as well on my discussions with my colleagues internationally. Regarding ghost guns, if we want to have foresight policy, quite frankly this is a phenomenon that we're observing more and more as problematic. We hear it from police officers. Whether it's the components, whether it's the parts that are being used to add to something that is printed that is not heavy enough, these areas of concern are increasing in the country. I think that it's really key for the committee. You heard a lot of testimony about the concerns from police and also from stakeholders about ghost guns and components for sure, and we reviewed them as well.

Mr. Taleeb Noormohamed: I think I may be out of time.

The Chair: It turns out I misled you. You have one minute left.

Mr. Taleeb Noormohamed: That's excellent.

I'm going to keep going on this ghost gun thing, because I think it's really important.

Returning to the point that you just made about the international element to this, there is a growing concern internationally that creating forward-looking policy is key. Having now talked to your international colleagues, what are some of the things that you would say are lacking in Canada that should be part of this conversation going forward? What are you seeing as best practices in other parts of the world?

Mr. Talal Dakalbab: Obviously I'm not here to give any advice other than what we know.

Actually, in the report from SECU that you brought forward, there were recommendations. I always refer to them when I have discussions with stakeholders or others to seek their opinion. I believe recommendations 29 and 30 of your report talked exactly to these issues.

Quite frankly, I thought your recommendations were very well informed and very well formulated. This is the work that we continue doing—assessing with international partners and domestic stakeholders what their thoughts are and how we could address these issues to inform the advice to the government, for sure.

The Chair: Thank you, Mr. Noormohamed.

[*Translation*]

It's over now to Ms. Michaud for six minutes.

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

I'd like to thank everyone for being here today. We're pleased to welcome you.

As you know, we, the members of Parliament, are lucky to be able to rely on the assistance of legislative analysts and advisors who guide us on the drafting of our amendments. When we get an idea, they often help us put it on paper in appropriate legislative language. They even give us recommendations or short notes saying that it's a good idea, or that it's doable, but that it might extend beyond the scope of the bill given that there is no clause in the current bill that addresses that issue, for example. This sometimes limits what we can do.

I know that the government can also rely on the Department of Justice for advice; in fact, I believe that various departments, including Justice, Public Safety and Emergency Preparedness, consulted one another on the drafting or tabling of amendments G-4 and G-46.

My question is for you, Mr. Dakalbab.

Did people at the Department of Justice ever tell you that amendments G-4 and G-46 went beyond the scope of Bill C-21 and that another parliamentary measure would have to be introduced for procedural compliance? A parliamentary measure might mean something like a motion moved by the government to expand the scope of the bill.

Did you receive a comment of this kind from the Department of Justice?

• (1715)

Mr. Talal Dakalbab: As you know, owing to solicitor-lawyer privilege, I can't discuss that.

In answer to your question, all I can say is that it's not the kind of information I'm able to reveal, whether or not it exists. I'm sorry.

Ms. Kristina Michaud: Thank you.

My questions are for the people from the RCMP.

Thank you, by the way, Mr. Larkin, for having shown us the RCMP vault a few weeks ago in Ottawa. I think that it's a visit the members ought to have made well before the start of the study of the bill. It certainly opened our eyes on various matters.

My colleague Mr. Lloyd spoke earlier about airsoft-type weapons, and said that it would be rather unusual to try to use an airsoft component in a real weapon to make it functional. Some witnesses had told us that if the attempt were made, it would likely not work very well.

And yet, in the RCMP vault, we saw that this was becoming increasingly widespread, and that replica firearms and airsoft-type firearms looked so much like the real thing that it was easy to do.

I was wondering whether there might not be an easy way of forcing manufacturers to make sure that components used in airsoft guns did not match or fit in real firearms. People who do sport shooting can't be prevented from doing so, but it's clear that the practice is becoming more widespread.

I realize that that this is a long preamble, but according to you, Mr. Larkin, is this something you have seen and is it becoming more widespread? Do you have the resources required to deal with it?

Ms. Paquette could also answer the question.

[*English*]

Ms. Kellie Paquette: Yes; it's actually a trend that we have seen.

We'll use the AR-15 firearms as an example. They are produced in the same size, and a lot of the components are the same components that are in the real firearm. What we're seeing is that these airsoft firearms will be replaced with the real firearm parts quite easily.

Most recently, I think there were 100 that we saw in B.C. We're seeing an increase of this happening.

[*Translation*]

Ms. Kristina Michaud: The second part of my question is whether you have the resources needed to deal with the practice.

In the vault, we saw some 3D printers, ghost weapons and components for airsoft guns. While I tip my hat to all the efforts of the Royal Canadian Mounted Police and all the police services, the impression I get is that we'll never be able to keep up with the innovations of organized crime. The minute we manage to get some of the technologies under control, new ones are developed.

Do you feel you have the resources required to deal with all this?

D/Commr Bryan Larkin: Thank you for your question.

[English]

Over the last number of years, we have received ongoing investment in the Canadian firearms program. We actually created a new unit under Ms. Paquette's Canadian firearms program, NWest, which does a significant amount of work.

Clearly, as this industry continues to grow, the airsoft industry and different pieces, and as those become wise around manufacturing and parts exchanges, etc., we would need to look at our organizational priorities and mandate as to how we reallocate resources. In short, we're always concerned about the priorities of our organization and how we adjust and align.

Crime trends do change. We're seeing significant change in violent crime in our country. Hence, as an organization, we're always shifting and looking at where we reallocate those resources. However finding the funding and the full-time equivalents to move into some of this work is a challenge.

The Canadian firearms program does excellent work, although it continues to face significant challenges in meeting the demands of Canadians.

[Translation]

Ms. Kristina Michaud: Thank you very much.

I think I only have a few seconds left, so I'll stop there.

The Chair: Thank you, Ms. Michaud.

[English]

Mr. Julian, you have six minutes.

Mr. Peter Julian: Thank you, Mr. Chair, and thank you to the witnesses for coming here to offer this important advice and answer our questions.

I think it was very relevant to hear about the loopholes that exist. It is true that there have been concerns raised about the loopholes around manufacturing being deliberately exploited. However, I think it was also important to raise the point that it is also because of the looseness of the current process around manufacturers. It can be inadvertent as well that they simply misclassify a firearm and bring it onto the market in an honour system accidentally, without understanding changes in the law.

I appreciated your clarifying that and answering those issues about the existing manufacturers' loopholes. I think it should give food for thought to every member of the committee that we have these loopholes, which can be either consciously exploited or inadvertently used to bring firearms into Canada that are not appropriate. I think we'll all reflect on those comments.

I want to come back to ghost guns, because that is another major concern. I know it's a concern with law enforcement right across the country. Where I come from, in the Lower Mainland, it's been raised. The Biden administration has recently taken action against ghost guns. The statistics that were cited were 20,000—an astounding number—untraceable firearms that have been seized as part of criminal investigations in the past year alone.

Would you have similar numbers available for Canada over the past year on the number of ghost guns, untraceable weapons, that have been used in the commission of criminal offences? I find 20,000 to be astounding. That is a 1,000% increase over the last couple of years. We're talking about a dramatic impact from criminals being able to access untraceable weapons.

• (1720)

Mr. Matthew Taylor (General Counsel and Director, Criminal Law Policy Section, Department of Justice): I can try to play quarterback here.

I think the challenge here with ghost guns is that you would see offences recorded, charges laid or prosecutions entered under manufacturing, under illegal trafficking. We can't disaggregate the data that we have currently through Statistics Canada to be able to say of those charges, of those offences, how many involved ghost guns.

In your committee's study previously, Mr. Dakalbab talked about a lot of anecdotal evidence in terms of police seizures of ghost guns, but I think it's very difficult to be able to give you the kind of data you're looking for.

Mr. Peter Julian: Thank you.

It's because it is not being compiled. Anecdotally, certain law enforcement agencies in certain parts of the country have seen a tenfold increase, and I've heard of a fortyfold increase in one community.

How would we be able to get those figures? If they're not being compiled now, what are the steps required so that we would have an accurate assessment on the number of these untraceable weapons used in criminal offences in the way that the United States has? They have that massive number of 20,000.

How would we get to develop that data if it's not available to us now?

Mr. Matthew Taylor: I'm swimming a bit out of my lane, but I'd say two things, based on general knowledge.

Statistics Canada can do special data projects in which they mine the data they receive from the provinces and territories, from the police forces and from the court systems. That's a qualitative data analysis that they would be able to do.

Another way to do it—and I know, because you've been talking about it a lot—would be looking at whether new criminal offences could be added to the code, for example, which then provides, specific to ghost guns, a better data point to measure against. If there is a specific offence, then there's a charge entered with respect to that offence, and Statistics Canada is able to pull that information.

Those would be the two ways I can think of.

Mr. Peter Julian: Would the Department of Justice be willing to make that request of StatsCan?

Mr. Matthew Taylor: We can certainly ask Statistics Canada to see what information is available.

Mr. Peter Julian: That would be helpful, I think, for committee as well.

I don't have a lot of time, but the chair has been very flexible—

• (1725)

The Chair: You have 45 seconds.

Mr. Peter Julian: I have two questions. First, on the issue of border measures, I note the 1,100 seized illegal weapons. Do we have any estimate on the flow of illegal weapons across the border? That has been a concern, I think, that all recognized parties have been raising in the House of Commons.

Second, in terms of buy-back programs, we'd like to know how they are evaluated. We've heard concerns from people that buy-back programs offer much less than the value of their firearm. That seems to me, in the sense that they are contributing to ensuring that the laws are enforced in Canada, very unfair to those individuals.

Mr. Talal Dakalbab: Maybe I'll start with the last question, Mr. Chair.

Throughout our engagements on firearms, as the minister indicated, we've been also engaging in asking stakeholders, indigenous communities and gun owners for feedback on the price list that was provided publicly to gather this feedback and be able to provide informed advice to the government afterward.

I want to reassure you that we are gathering, from any consultation or discussion or engagement that we're doing, not only information about the amendments that were withdrawn about the bill itself but also about the buy-back program. We're still in the process of gathering feedback, and we always welcome the feedback to be able to provide informed advice to government.

As for the border, I can turn to my colleague here who is with us from CBSA.

Mr. Daniel Anson (Director General, Intelligence and Investigations, Canada Border Services Agency): Thanks very much, Mr. Chair.

Regarding the pattern of firearms flow across the border, particularly with regard to illicit firearms that have been seized, we've definitely seen approximately 1,100 over the past two years. It was 1,109 two years ago. Notwithstanding the gap in time over the pandemic, when we would have seen an artificial reduction in volumes due to the limited travel, that is still an approximately 40% increase from the prepandemic levels.

Overall, we are seeing an increase in illicit firearms as represented by what we seize and interdict, but again that is a representation of what we know, not necessarily of what we do not know. I'm sure there are going to be corresponding volumes increasing as the restrictions potentially are ratified within Canada. Domestically, as the availability of firearms that are then listed or prohibited, or as that evolves, we will tend to see probably an increase in traffic of cross-border firearms smuggling.

As such, we do benefit from the range of investments that have been afforded the CBSA in the past couple of years. We are definitely advancing our ability to detect and to interdict firearms through both technical and K-9 measures, as well as through training in BSO measures. We have a variety of different measures that we're hoping will have a greater impact. I'm hoping that impact will continue to be reflected and present within the statistics for seizures.

I anticipate that we will continue to see an increase in relation to potential domestic legislative changes. At the same time, the agency is attempting to do its best to position itself to better prepare to interdict firearms and deal with an increase in volume through the variety of modes by which we see them arrive in Canada.

The Chair: Thank you. That was a very ample 45 seconds.

That wraps up our first round. You've all been very tight with your questions and generally very succinct with your answers. We may well have a chance to do a full second round, although I may need to shave a couple of slots at the end.

We'll start the second round with Mr. Motz.

Mr. Motz, please go ahead for five minutes.

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

Thank you, witnesses, for being here.

For Mr. Larkin, first of all, Bryan, thank you for your many years of service. I appreciate your leadership on the CPA.

Mr. Anson, thank you for your military service. It's greatly appreciated.

For all on the committee, did any one of you have a hand in the development of this Bill C-21, or was that from the minister and his department specifically?

Mr. Talal Dakalbab: I am part of the Department of Public Safety that provides the policy advice to the minister—for sure.

Mr. Glen Motz: This was something that you may have had a hand in.

Mr. Talal Dakalbab: Yes, absolutely.

Mr. Glen Motz: Okay.

Again, if I demonstrate any ill will towards Bill C-21, it's not directed towards you personally, just so you know.

I know that we've had many people here talk about the impacts of Bill C-21, or the lack of impacts of Bill C-21. Did you or anyone on this committee provide the minister or Public Safety Canada with any documentation or evidence that Bill C-21, as proposed, was actually going to make a positive difference on public safety in this country? Was there any evidence to support it?

• (1730)

Mr. Talal Dakalbab: I believe I've testified in this committee in the past that Bill C-21 not only addresses crimes but also addresses gender-based violence and mental health issues. It is important to bear in mind from my perspective as a policy wonk, if you wish, that the bill is really a step among many other pillars that are important.

Quite frankly, I do want to refer a bit to the Mass Casualty Commission's report. It asks us to look at what community safety is in Canada, not only in the one pillar but as a whole, and I do believe that Bill C-21 is one of the steps, but not the full spectrum.

Mr. Glen Motz: I would disagree with that assessment, and I can. I don't see anyone producing, and I have never seen anyone produce, any credible evidence that suggests that going after law-abiding Canadian firearms owners will have any positive impact on public safety. Everyone in this committee and all over the country, including the millions of firearms owners, is concerned about and supports the idea of improving public safety. This bill does not do that.

We have had witnesses at this committee who we thought would be very strong on aspects of the bill. They have said quite the opposite. They do not believe it will have the positive impacts that are planned.

One of the things I found interesting is that when we had Dr. Bryant here, who is Alberta's chief firearms officer, I asked her about the definition of a military-style assault weapon—or military assault-style weapon, or whatever the terminology is. I find it astounding—in fact, the word I used was ludicrous—and she agreed, that this term would be used with no definition.

Now we're scrambling to try to find a definition for a term that really doesn't exist. No firearms fit it, because the firearms that should fit this bill are already prohibited in this country and have been since the seventies.

I asked Dr. Bryant for the definition of what could be defined as a military-style assault weapon. The answer was one that I knew from my experience: a firearm capable of producing a rapid fire with one pull of the trigger, with a large-capacity magazine.

All of those things are prohibited in this country already, so I find that quite astounding, to be honest with you, that we're trying to find a definition for a firearm that is already prohibited and we're going to make it more prohibited. We could be spending our time trying to tighten up and fix what could be fixed or made stronger in the Firearms Act and other pieces of legislation. I find it interesting that this is still what we're trying to do.

The minister was here and basically asked this committee to come up with a definition of a prohibited firearm. The only thing I agree with the minister on is that there should be a body designed

to classify firearms that is separate from the RCMP. This does not mean that the RCMP is not involved in it, but it would be a non-political group of individuals with expertise—with the RCMP included—that defines firearms and classifies those firearms—

The Chair: Mr. Motz, that's your time.

I don't know if there's anything there that you need or wish to respond to, but if you wish to, please go ahead.

Mr. Talal Dakalbab: I'll maybe say a couple of words.

I met personally with the chief firearms officer from Alberta as well, and she has very strong views. I'm not here to argue her views.

What is important is that the intent of the definition was to provide clarity on what kinds of guns we don't want in Canada. The intention was to have these characteristics defining—a bit like you were saying—what kind of gun we will not be accepting in our country. I think that was the purpose of this definition.

The Chair: We go now to Mr. Gaheer.

Please go ahead. You have six minutes.

Mr. Iqwinder Gaheer: Thank you, Chair.

My question is for Mr. Dakalbab, and perhaps for Mr. Larkin as well.

During our study, a number of women's organizations noted that red flag laws may place a burden on survivors of domestic violence, and that if police organizations were more responsive, these provisions wouldn't be needed.

How do we balance the need for police organizations to take the complaints of women more seriously versus the need to provide additional tools to victims and survivors of domestic violence?

• (1735)

Mr. Talal Dakalbab: If you'll allow me, I will start by answering the question.

First of all, the red flag provisions in Bill C-21 do not remove the responsibility of law enforcement and the police to do what they have to do, as prescribed right now in the Criminal Code of Canada for the red flags. It is an addition to further allow the victims' families or Canadians, when they feel there's a risk, to bring it to the attention of a judge for an assessment.

I would say that I was part of the first introduction of Bill C-21 by Minister Blair. I was part of the second one, and I had discussions with stakeholders. The second bill added some provisions to ensure privacy and to ensure in camera hearings, in response to criticism in Bill C-21's first time around.

That does not remove the fact that there is work to be done. That is the reason some of the funding that is provided to law enforcement in provinces and territories is to work with law enforcement and for their time to react or to take it seriously when they get these complaints.

I want to clarify that what I'm saying is that this bill adds support, but it's not the only thing that is required. There is more to be done through training for law enforcement and clarity on their roles and responsibilities.

I'm happy to turn it over to my colleague, Deputy Commissioner Larkin, if he wants to add anything.

D/Commr Bryan Larkin: I just want to reiterate that it's unfortunate to hear that many groups feel we're not taking it seriously, and we take that to heart.

As my colleague indicated, there is proposed funding to expand awareness, training and education for law enforcement in frontline policing, because it's critical that we get it right when we look at the challenge of dealing with partner violence.

The feedback is well received, and we're hoping that we'll be able to invest in a greater national program, not just for the RCMP but for all police services of jurisdiction, to raise the key awareness and education for the appropriate action to be taken.

Mr. Iqwinder Gaheer: That's great. Thank you.

My next question is probably for Mr. Taylor. I want to touch on Bill C-5, because the minister touched on Bill C-5 in his opening testimony. Bill C-5 removed mandatory minimum penalties for groups that are historically disadvantaged—indigenous Canadians and Black Canadians, groups that are actually overrepresented in our present prison populations.

If you believe Conservative rhetoric on Bill C-5, you would think that these measures would increase recidivism. Do you want to comment a little bit about Bill C-5 and the effect on recidivism and the intent behind Bill C-5?

Mr. Matthew Taylor: Sure. Thank you for the question.

I could start by reminding the committee—and I think you know—that Bill C-5 did repeal a number of MMPs, including those for firearms offences, but it did not repeal MMPs for firearms offences involving prohibited or restricted firearms or where those firearms offences were connected to organized crime.

I think on the Justice Canada website there is fairly extensive evidence and information related to the purpose of Bill C-5, which was to address the disproportionate impact that MMPs for some offences had on certain individuals, certain populations overrepresented in the criminal justice system. The bill did not alter the purposes and principles of sentencing, which are that sentences must reflect the seriousness of the offence and the responsibility of the offender. As Minister Lametti has stated countless times, and as Minister Mendicino has said in response to another question, they have confidence that the justice system will impose appropriate penalties based on the facts before them.

Mr. Iqwinder Gaheer: That's great. Thank you.

Thank you, Chair.

The Chair: Thank you, Mr. Gaheer.

[Translation]

I am now giving the floor to Ms. Michaud for two and a half minutes.

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

I have another question for the two RCMP representatives, Deputy Commissioner Larkin and Ms. Paquette.

Can you tell us whether the RCMP's role remains the same for a weapon made in Canada and one made outside Canada? Do the same rules apply?

I understood from our various meetings that the RCMP is not automatically notified when a new weapon enters the market. Could there not be some preauthorization process before a weapon hits the market? I don't know what happens with Health Canada, for example, but just for comparison purposes, before introducing a new pill to the Canadian market, I would imagine that a major pharmaceutical firm would first have to submit it to Health Canada for compliance purposes.

Getting back to firearms, the current process is to launch a weapon in the Canadian market and when the RCMP learns about it, it classifies it. Couldn't it be done the other way around? I would imagine that you understand what I'm talking about here.

Can you tell us what happens now, both for weapons made in Canada and elsewhere?

• (1740)

[English]

Ms. Kellie Paquette: For restricted and prohibited firearms, the individual or the business must have them verified, and that's linked to the registration certificate. In this case there will be a record of that firearm.

The gap—and this is the concern I'm hearing—is really around the non-restricted firearms. Individuals or businesses, whether they are external or internal to Canada, are not required to verify the firearm, and since they are non-restricted, they're not subject to registration. Therefore, no record is required.

[Translation]

Ms. Kristina Michaud: So if a weapon enters the market and circumvents the new act, for example it would not automatically be classified by the RCMP. That could be done afterwards.

I believe my speaking time is up, but could you give me an answer in just a few seconds.

[English]

Ms. Kellie Paquette: Yes, that's correct.

[Translation]

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

[English]

The Chair: Mr. Julian, you have two minutes and a half.

[Translation]

Mr. Peter Julian: Thank you, Mr. Chair.

[English]

I want to come back to three things in my two and a half minutes.

First, Mr. Taylor, I understand you've made a commitment to look into how we might actually be able to determine the extent of ghost guns across the country. Thank you for that.

Mr. Dakalbab, I wanted to come back to the issue of the buyback program. I know you said we're getting feedback, and I have a question that is very specific about the buyback program and about the value of the firearm not being met. I'll give you a specific example.

A person who may have paid \$3,000 for a firearm has no problem going with the buyback program, but the buyback program provides 50% of the value, which is \$1,500. It seems to me that it is unfair to legal gun owners, who respect laws and respect the component around the buyback program, that they're not receiving the price that they paid.

Is that something that the government will address so that those people who are willing to go into the buyback program and who are part of the buyback program will actually get the full value of what they paid for that firearm?

Mr. Talal Dakalbab: Obviously I cannot speak on behalf of the government for what it will or will not do. However, what I can say is that our minister has been vocal on his intent to give fair value as an incentive for people to return their guns to the government. I cannot really tell you what the final value will be or what the minister will do, but I can tell you that we are asked to provide sound advice on what the fair value of the guns will be.

Mr. Peter Julian: Would it be fair to say that the government has heard that it's a problem and is looking to address it?

Mr. Talal Dakalbab: It would be fair to say that we are reflecting on it when we hear that there is a problem. We are not hearing there is an issue with the price for every gun on the list that was provided. Maybe you're hearing otherwise, that there are some people who come with specific guns and say that the value of their gun is different.

It's my colleague who is leading the file now, and I could ask him if there is additional input to provide. However, what I know is that not every gun on the list is in question.

Mr. Peter Julian: Thank you.

Just to follow up with Mr. Anson, thank you for your answer, but the question that I asked in part was this: Do we have an estimate of the flow of illegal arms across the border? If we captured 1,100, do we have any sort of estimate of the number that could be crossing our border every year?

• (1745)

Mr. Daniel Anson: Thank you.

Statistically speaking, we can use that as a sample that would potentially represent an overall increase in what the denominator would be in terms of the overall volume. That is a reflection presumably of an increase in volumes, but we cannot necessarily determine what we are not catching at the border.

I'm sure that some of the statistics might potentially represent a domestic crime in a post-border event. However, we're not able to speak necessarily to what we are not seeing in terms of interdictions or seizures through the various modes at the border, through a port of entry, through the postal stream, or commercially or otherwise. It's not a statistic that we necessarily are able to provide.

The Chair: Thank you, Mr. Julian.

How time flies. We have five minutes left, so we're going to shave down the last two slots to two minutes.

Mr. Lloyd, you have two minutes, if you please.

Mr. Dane Lloyd: Thank you.

Commissioner Larkin or Ms. Paquette, Statistics Canada seems to be getting better at providing some of the data that we need to make informed decisions.

There was a recent report on violent crime involving firearms in 2021, and in that study it was determined that a long gun—a rifle or a shotgun, not automatic—was involved or was present at 0.47% of all violent crimes. Out of that percentage, 0.47%, how many of those would be classified as an assault-style firearm?

D/Commr Bryan Larkin: We do not track that information, so we'd have to go back and do some homework. We could attempt to respond to that, but we don't have that information available.

Mr. Dane Lloyd: Presumably it would be smaller than 0.47%, though. I presume that 0.47% of those would involve regular shotguns, including even hunting shotguns, and rifles that could be used in crimes, but so-called assault-style firearms would represent an even smaller fraction of that 0.47%.

A potential situation has been brought to my attention. When people are facing mental health challenges, we know they can recover. Gun owners are no different. Under the previous rules, when a legal firearm owner was going through a mental health challenge, sometimes they would transfer a firearm to another loved one or a friend who also had a firearms licence. Then, when they got better, they would get that firearm back at a later date.

Under the handgun freeze that has been implemented, it seems like there could be an unintended consequence in that people undergoing mental health challenges would not be able to transfer that firearm to a loved one.

The Chair: You have 10 seconds.

Mr. Dane Lloyd: Would they be able to transfer it to law enforcement and get it back from law enforcement, or is that not even possible?

Mr. Talal Dakalbab: If somebody has a mental health case with a yellow flag, their PAL could be suspended for a while and then brought back, so the person could get it back.

It's no different from what is happening right now with a red flag or a yellow flag. If the police deem that the person should not have their firearm, regardless of whether it's a handgun or not, the PAL could be revoked. Then, once the person is better, the person could get it back.

Is that right? You can correct me if I'm wrong. Please, go ahead.

Ms. Kellie Paquette: Yes, you're correct. However, also, if the individual is going through a crisis and they recognize that they would like temporary storage somewhere with a friend or someone, they can work through their chief firearms officer to do that.

Mr. Dane Lloyd: Even with a handgun, I understand, the transfer—

The Chair: Thank you, Mr. Lloyd.

Ms. Kellie Paquette: It wouldn't be permanently—

The Chair: Madam Damoff, you have two minutes, please.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Mr. Chair.

I wonder if someone could go through how the red flag provision in the bill, as it's currently written, would work. We know that the doctors are very supportive of the amendment, but as has already been discussed, women's organizations are not.

Let's say I'm in a situation in which my partner is a police officer. I'm worried about going to the police because they may not want to respond or because, just in my own mind, I feel that that's not an avenue to go down. What is in this bill, and how will it work?

Mr. Talal Dakalbab: If you'll allow me, I'll start, and then my colleague, Mr. Taylor, may want to add something.

What is proposed in the bill is that anybody—and let's say the doctor, in your example—will request the removal, through the red flag, of these firearms from the individual. They go to the court....

I'll just emphasize as well that the government announced that there will be a program put in place with some financial support for organizations to be able to access the program once there is royal assent. Funding will be put in place to allow NGOs to be able to support victims or to support them in the court process. Then—

• (1750)

Ms. Pam Damoff: Can I just stop you for a second?

Mr. Talal Dakalbab: Yes.

Ms. Pam Damoff: A women's organization, like Halton Women's Place in my riding, would be able to access financial support to guide a woman through that process. Is that what you're saying?

Mr. Talal Dakalbab: There was an announcement that there will be funding for this program. The program details have not been finalized, because we need to get royal assent first. Then we'll work through our Treasury Board colleagues to establish the terms and conditions.

However, yes, you are correct. The intent of the program is to provide NGOs with support to be able to help victims. We understand that sometimes it's harder for victims in crisis mode to start the process of going to the court and the police, and there are all these issues.

Ms. Pam Damoff: I only have 30 seconds left.

That was helpful. I'm able to go to Halton Women's Place, and they're able to go to court for me.

The concern that I've heard from women's organizations is that if you put this in place, the police are going to stop responding.

I guess this is directed to the RCMP. That is the concern we've heard: that the police are going to say that the person has the opportunity to go to court. How can we ensure that this does not happen?

D/Commr Bryan Larkin: The obligation and the fiduciary duty of policing would, once again, still remain within the Criminal Code and in the process. We recognize those concerns. We've heard them loud and clear. Hence, it's an opportunity to enhance national education and training of frontline police officers.

In short, the fiduciary duty of a police officer would be to actually take action, not to suggest the alternative method. The alternative method is a stopgap for somebody who may have a concern about whether police will take action or not, or provide that opportunity, and the person just doesn't feel comfortable. It would not actually remove the fiduciary duty of law enforcement in that case.

The Chair: Thank you, Ms. Damoff.

Thank you to all of our officials today. I know we had a long day. You've given us some excellent information. I appreciate your service.

I'll just mention to the committee that there is the subcommittee on Friday. The point of that is we want to get squared away in an abundance of ambition for what happens after Bill C-21.

Thank you all.

We are now adjourned.

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