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# Standing Committee on Public Safety and National Security

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EVIDENCE

**Thursday, May 6, 2010**

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**Chair**

**Mr. Garry Breitkreuz**



## Standing Committee on Public Safety and National Security

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• (1530)

[English]

**The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)):** I'd like to bring this meeting to order.

This is the Standing Committee on Public Safety and National Security.

We are today continuing with our study of Bill C-391, An Act to amend the Criminal Code and the Firearms Act (repeal of long-gun registry).

We'd like to welcome all of our witnesses here this afternoon. From the province of Quebec, we have a coalition of women victims of domestic violence.

As individuals, we have Mr. Jack Tinsley, Mr. Dave Shipman, and Mr. Mitch McCormick, and we have representatives from a group of students and graduates of Polytechnique.

I will start with the coalition of women victims of domestic violence and then just move around.

Please introduce yourselves and then explain your position and a little bit about your organization. You have approximately 10 minutes for an opening statement. This goes for everyone. It will be about a 10-minute statement, and I'll try to signal when it's time to wind it up.

We welcome you to the committee. As soon as you're ready, you may go ahead.

I'm not sure who is going to present.

[Translation]

**Ms. Nathalie Villeneuve (President, Regroupement des maisons pour femmes victimes de violence conjugale):** I will start. Thank you very much.

Before I begin, I would just like to let you know that a written brief will be presented. It will be translated and forwarded on Friday.

Ladies and gentlemen, good afternoon. My name is Nathalie Villeneuve, and I am President of the Regroupement des maisons pour femmes victimes de violence conjugale. I am also Coordinator of the Maison Hina, in Saint-Jean-sur-Richelieu. I am accompanied today by Ms. Louise Riendeau, Coordinator of Policy Issues for the Regroupement. We are appearing today on behalf of our 48 member shelters, which are located in 16 of the 17 regions of Quebec.

Founded 30 years ago, the Regroupement des maisons pour femmes victimes de violence conjugale is an organization whose

mission is to raise collective awareness of the issues facing women and children who are victims of violence. The specific aim of these safe houses is to work with and for battered women, to bring an end to the violence. These homes work at the individual and collective level to provide a safe place for women and children, and in more general terms, to fight domestic violence. It is based on the experience of these women and children, and the workers in these safe houses who support them throughout the process, that the Regroupement is taking a position on Bill C-391.

In our view, gun control measures are part of a whole package of initiatives and therefore must be consistent with other legislative or policy instruments in both Quebec and Canada. Those instruments are intended to allow battered women and their children to exercise their right to life, liberty and security of the person, as stipulated under the Canadian Charter of Rights and Freedoms.

Domestic homicide and infanticide by a spouse or ex-spouse are issues of critical importance that are central to our approach in supporting the women who come to safe houses, in terms of safety and prevention. That is why it is absolutely critical for the Regroupement and its member transition homes that the Canadian Firearms Registry be maintained.

Fighting all forms of violence against women means introducing controls and follow-up measures that force gun owners to be accountable, thereby decreasing the number of deaths and injuries caused by firearms. The registry helps to achieve that objective.

There is also a need to try and prevent intimidation using firearms, something that receives little mention in the current debate. This is a pernicious form of violence that affects hundreds of women in Quebec. Respecting an individual's right to live in a violence-free environment requires the introduction of effective legislation and programs, backed by adequate financial resources, to fight all forms of violence against women.

Furthermore, since tougher firearms legislation was passed in 1991, the number of firearms-related deaths and injuries has dropped. The domestic homicide rate is a particularly telling example. The number of women killed by firearms in Canada went from 74, in 1989, to 32, in 2005. Gun control is an effective way to combat violence.

Bill C-391 is now proposing to repeal the registration of unrestricted weapons, which are the weapons most often used to kill women and children in Canada. It is intended to dismantle gun control in Canada, despite the fact that the legislation has proven its effectiveness and is deemed to be an essential tool for police work.

In our opinion, Bill C-391 pretty much ignores the Canadian Charter of Rights and Freedoms, which states that everyone has the right to life, liberty and security of the person. Furthermore, this bill is completely contrary to the spirit and letter of a recent declaration on violence against women adopted on March 1, 2010 by member countries of the Organisation internationale de la Francophonie at a meeting chaired by Minister Josée Verner, on behalf of the Government of Canada.

By signing that declaration, Canada pledged to respect the fundamental rights of women and girls, particularly their right to freedom, to security of the person, to integrity, equality and dignity; to introduce public policies and appropriate strategies to support them, with a view to responding to this violence; to coordinate actions at the national, regional and international levels to counter such violence; and, to raise awareness and mobilize men and boys through initiatives aimed at preventing violence against women and girls.

Gun control is undoubtedly one of the appropriate strategies needed to respond to this violence. Furthermore, the debate on these issues gives the government an opportunity to raise awareness, among opponents of the gun registry, of the need to prevent violence against women. Gun control saves lives.

It must be said that gun control works. Rifle and shotgun homicide rates have dropped by 52% since 1991, whereas the non-gun homicide rate dropped by only 28%. The number of women shot to death dropped by more than 50% from 85, in 1991, to 32, in 2004. The rate of spousal homicides committed using a rifle or shotgun has dropped by 70%. It should also be noted that the vast majority of gun owners have complied with gun control requirements. Indeed, 1.89 million gun owners now have permits and more than 7 million guns have been registered. Most of them—90%—are rifles and shotguns.

Without the gun registry, there is no way for police officers to keep guns out of the hands of dangerous individuals, to link them to their owners and hold them accountable, or to enforce prohibition orders. Police officers in Canada consult the registry 11,000 times a day and the information they glean using these tools helps them to prevent crime and carry out criminal investigations. In Quebec, when police receive a call involving domestic violence, the call centre checks the registry to see whether the assailant has a gun, thereby allowing officers to answer the call using the safest approach for both themselves and the victims.

Then, depending on the urgency of the situation, they can immediately seize the gun or apply for a search warrant in order to do so. Whether or not the offender has guns, an application to prohibit gun ownership must be filed with the court. This is generally a condition for release. Eliminating the registry or making it ineffective will have the direct effect of depriving police officers of a critically important tool for police intervention and prevention.

• (1535)

Is the Canadian gun lobby more important to Parliament than the safety of women, children and police officers?

**Ms. Louise Riendeau (Coordinator, Political Issues, Regroupement des maisons pour femmes victimes de violence conjugale):** Based on results and findings, it is clear that gun control

saves lives. Homicides of women with firearms dropped by 63% between 1991 and 2005. The Firearms Act has led to significant progress, and particularly a decline in the number of armed assaults associated with domestic or family violence. In 1989, the year of the tragedy at Polytechnique, 40% of female murder victims were killed with firearms. In 2005, that number had dropped to 15%. Unfortunately, one woman in three killed by her husband is still murdered using a firearm. The progress thus far is encouraging, but this is no time to relax those controls; there is still a great deal to be done.

Rifles and shotguns are the guns most often used in domestic homicides, for the simple reason that there are long guns in many Quebec homes, particularly in rural areas. The Regroupement des maisons pour femmes victimes de violence conjugale believes that Bill C-391 sends a dangerous message. If long guns are no longer to be registered, we are basically telling people that they are not dangerous. And yet these guns, like the others, must be considered dangerous fire arms. Rifles and shotguns are also the firearms most often used to threaten women and children. Threats using firearms are not in the statistics, and yet they have a devastating effect, as we can see on a daily basis in the transition homes. Registration is the only way for police officers to keep all guns out of the hands of people who present a danger to their loved ones and themselves. Otherwise, police officers will have no other means available to them than to declare the individual to be dangerous, in order to ascertain how many guns must be removed.

The United Nations Special Rapporteur on Violence Against Women and the Special Rapporteur on the Prevention of Human Rights Violations Using Small Arms both emphasized that states which do not adequately regulate firearms are not meeting their obligations under international law, particularly as regards the security of women and children.

We firmly believe that the safety and security of the women of Canada and Quebec must take precedence over what some consider to be red tape; we see this “red tape” as the normal procedure to be followed in any functioning democracy. Red tape just to save lives? That is not even a question we should be asking. That is why the Regroupement des maisons pour femmes victimes de violence conjugale is recommending that the Standing Committee on Public Safety and National Security reject Bill C-391 in its entirety.

Every aspect of the gun licensing and registration program should be maintained. The screening that occurs by questioning applicants, particularly with respect to their mental health, violent behaviour and drug addiction, makes it possible to identify those applicants who are likely to engage in domestic violence. Furthermore, the ability of spouses and ex-spouses to be made aware of an application to register a gun and to voice their own concerns in that regard is critical when it comes to their opportunity to ensure that a partner at risk of violent behaviour does not have access to guns.

The fact that there are currently 254,000 prohibition orders in effect is evidence of the need to maintain this process. In both Canada and Quebec, there is clearly very strong support for the gun registry. That is why we are asking that Bill C-391 not be passed into law and be rejected in its entirety.

• (1540)

[English]

**The Chair:** Thank you very much.

We'll now go over to the Polytechnique students.

I'm not sure, Ms. Provost or Ms. Rathjen, who is going to present.

Go ahead, please.

[Translation]

**Ms. Nathalie Provost (Member, Group of Students and Graduates of Polytechnique):** Ladies and gentlemen, good afternoon. My name is Nathalie Provost, and I was born at a time when everything seemed possible. Man walked on the moon. Women could choose their own lives. I am an engineer and the mother of four children. I am happy to use my talents to serve the government. And I am convinced that, as citizens, we are responsible for making our community a good place to live and grow together. However, I am also one of Marc Lépine's victims.

Twenty years ago, on December 6, 1989, that man, who believed that women were responsible for his misfortune, entered my school and my classroom. He asked the men to leave, and then fired at my colleagues and me, killing my friends and wounding me with four bullets. Marc Lépine used a Ruger Mini-14, a very dangerous weapon, one that does serious damage, and one that I have seen and experienced. I was incredibly lucky on that terrible day. I suffered some minor physical after-effects, but that luck today confers on me a responsibility to tell you how important gun control is.

In the past 20 years, I have thought a great deal about the events at Polytechnique. I read the coroner's report and I have read analysis of the event itself, what motivated Marc Lépine, the immediate causes and the social issues of the time. I understand that it is not easy to identify all the issues and that many factors must be considered if we hope to avoid another such slaughter. But that, unfortunately, appears to be a faint hope, as proven by the events at Dawson College. Marc Lépine, like Kimveer Gill, had certain personal issues and was motivated by many different factors and events in his life. They were the main players in those dramatic events.

But one thing is certain: without a gun, their destructive capacity would have been infinitely less. As a society, we cannot disregard the instrument through which Marc Lépine expressed himself. That firearm has marked me forever. It is on this that I intend to focus today. I believe that Canada must be as vigilant as possible when it comes to controlling firearms—all firearms. Over the years, we have developed a mechanism that recognizes that it is a privilege, not a right, to own a gun—a privilege that makes those who would like to exercise that right accountable, and that prohibits the possession of certain firearms whose risks outweigh any benefit to society. It is important to me that we not relax that process, particularly as regards long guns, which represent the vast majority of guns currently in circulation.

Ladies and gentlemen, members of the Committee, I am here to attest to the fact that firearms are dangerous. The Ruger Mini-14 is currently an unrestricted long gun. That weapon, which killed 14 women and seriously wounded 13 others in the space of 30 minutes, would no longer be registered under Bill C-391. For me, that defies all logic. Every day, in the mirror, I remember the destructive capability of that weapon.

A firearm is a dangerous object that must be handled with care and attention. To own one is a tremendous privilege, one that entails a major responsibility it is incumbent on government to acknowledge and oversee. You are in the service of Canadians, as am I. As a citizen, I vote and rely on you to defend the public interest in safety matters. It is your duty and responsibility to legislate to reduce the risk of a slaughter, such as the one on December 6, 1989, ever occurring again.

According to all credible experts in this area, both police departments and suicide and spousal abuse prevention experts, the Firearms Registry is needed in order to reduce those risks. I am here today to add my voice to those of these groups: keep the firearms registry and retain its current scope, because I want to live in a country where people are accountable for their actions and their choices, and because I want to live in a country where it is possible to live without being afraid of guns.

Thank you.

• (1545)

[English]

**The Chair:** Thank you.

You are sharing your time, so go ahead.

[Translation]

**Ms. Heidi Rathjen (Representative, Group of Students and Graduates of Polytechnique):** Mr. Chairman, ladies and gentlemen members of the Committee, good afternoon.

We students of the École Polytechnique are often accused of being emotional, of having reacted emotionally and impulsively, of being well-meaning, but... We often hear it said, in a patronizing tone—and the same thing was said again today: we understand the way you feel; this is a symbolic crusade against firearms.

So let's be clear. Yes, we wept for our sisters. Yes, we hate violence and yes, we want to make the world a better place. And we are not the only ones. For years, we have worked alongside the families of the victims of the Polytechnique tragedy toward that end. But our effort has also been a rational one. We are, after all, engineers.

Allow me to introduce the groups on whose behalf we are appearing today and whose representatives are here with us: The Association des étudiants de Polytechnique de 1989-1990, the current Association des étudiants de Polytechnique, the Association des étudiants des cycles supérieurs de 1987-1988, the current Association des cycles supérieurs de Polytechnique, the Association des diplômés de Polytechnique and the 114th graduating class of École Polytechnique, who received their diplomas the year that the massacre occurred.

Because we are trained as engineers, what matters to us are the facts and the opinions of experts. But let's be clear that I am talking about the real experts—in areas like public safety, public health and suicide prevention. We do not consider gun owner groups or politicians to be experts on crime prevention; instead, they are police officers, women's groups and experts of that kind. We are up against members of Parliament and the gun lobby. They have tremendous influence, and are basically saying that long guns are not dangerous and that the gun registry is ineffective—hence, Bill C-391.

But let's go over a few facts. Long guns are the weapons that have killed the most police officers on the job. Long guns are the ones most often involved in incidents of domestic violence and shooting suicides. At least six coroners' inquests have recommended that guns be registered. The main police organizations in the country are unanimous in saying that the registry is effective. The main public health and suicide prevention organizations also support the registry. The Supreme Court of Canada has ruled that registration is integral and necessary to the operation of the gun control scheme. Furthermore, shooting deaths have fallen by 43%, including suicide, homicide and accidents, since these measures were introduced. Murders with firearms have dropped by 40% and murders with long guns—the ones covered by the new measures—dropped by 70%. The number of women killed with firearms dropped by 66% and the number of robberies has declined by nearly 50%. Finally, suicides using firearms fell by 35%.

With respect to the costs, dismantling the registry would only save some \$3 million a year. Clearly, all the money spent implementing the system would not be recovered were the registry to be abolished.

• (1550)

There is no doubt in our minds that all these facts show—clearly, logically and rationally—that the Firearms Registry is both necessary and effective. Unfortunately, these facts have in no way lessened the Conservative government's intention to terminate the registry. Perhaps it would be useful to address the issue from the viewpoint of Bill C-391's promoters. Do they really want the police to no longer be able to link a long gun to its legal owner; to no longer be able to distinguish between a legal and an illegal long gun; to not know how many or which weapons they must seize when the courts issue a possession prohibition order for a potentially dangerous individual? Do they want gun owners to be able to sell their weapons illegally to anyone they choose, without any consequences? The fact is that it will be impossible to trace those guns.

[English]

**The Chair:** Excuse me, you'll have to wrap it up.

**Ms. Heidi Rathjen:** In 30 seconds I'll be done.

[Translation]

Do they want police to have no advance notice that there are guns in a home, or the number of guns there, when they answer a call involving a potentially violent incident? Do they want police to lose a critically important tool for criminal investigations, or that they no longer be aware that a gun owner has a massive arsenal of firearms?

Ultimately, the registration of firearms—all firearms—is necessary to ensure full and effective gun control. It must be maintained in its

entirety. This is a matter of public safety, a matter of life or death. We can attest to that.

Thank you.

• (1555)

[English]

**The Chair:** Mr. McCormick, please.

**Mr. Mitch McCormick (As an Individual):** Mr. Chair, if it's all right with you, can we start with Mr. Tinsley and Mr. Shipman? I'll finish.

**The Chair:** Okay. If you've made this agreement, that's fine.

Mr. Tinsley, please.

**Mr. Jack Tinsley (As an Individual):** Mr. Chairman, ladies and gentlemen, my name is Jack Tinsley. I was born and raised in Winnipeg, and I've lived there all my life.

If I may take a minute, I will tell you a little about my background and what I believe qualifies me to come to Ottawa and stand before you today. Thank you all for hearing me.

I was a police officer in Winnipeg for over 33 years and retired with the rank of inspector. I was a SWAT team member for over 11 years, most of it as a team leader in the sniper unit. I have used deadly force in the defence of my life. I understand the concept. I spent a number of years in uniformed patrol and then moved into investigative policing in the drug squad. I made many dozens of undercover drug purchases from drug dealers and many undercover purchases of stolen or unregistered handguns, a number from parolees out on early release from prison. I have been declared an expert in the area of illegal street drugs and drug trafficking at all levels of Manitoba courts. These experiences and many others in a progression of higher ranks over the span of my career have led me to three conclusions.

One, drugs are now, and have been for the last 25 years or so, the direct or underlying cause of most crime. The majority of murders and crimes of violence, most robberies and break-ins, and even high-volume shoplifting and other property crimes, are now committed by persons involved in the drug trade or addicts. Organized crime now flourishes on the drug trade, and it has surpassed all others with its immense profits.

Two, criminals do not obtain firearms licences and they do not register their very disposable firearms. They could not care less about the rules. What is interesting is that the FBI recently released their latest crime statistics, and they believe 95% of all gun crime is now gang related. These are the same gangs that are running that drug trade. I accept that as credible information, and it cannot be dismissed as not being applicable to Canada as well. We can all rest assured that most or all drug dealers everywhere are armed. The huge sums of cash involved and the very characters of the often desperate players in their circle of trade dictate that.

Three, the Canadian long-gun registry, in its approximate decade of existence, has not proven to be a deterrent to violent crime. Outside of having the small and often unreliable benefit of allowing for us to count guns, and just the ones that honest gun owners have registered at that, it is not a particularly useful investigative tool for law enforcement, which is exactly what the registry was intended to be in order to prevent gun crime and save lives.

These are bold statements, but they could not be more true. Unfortunately, you will not hear from great numbers, if any at all, of the hundreds of currently serving police officers, some of whom have been shot in the line of duty, or from more than a few chiefs of police who would tell you the very same things. There's a reason for this: they have been effectively silenced after making it known that they also believe the long-gun registry is ineffective and had previously let it be known that they would also testify to that fact at these proceedings. To be blunt, they've been ordered not to appear at this hearing by their respective chiefs of police, and therefore not to speak from their hearts and consciences with a mind to promoting effective alternatives for reducing violent crime against women and all other persons in this country.

Others, such as more than a few police association executives across Canada who have in the recent past clearly voiced their opposition to the continuance of the long-gun registry, for the same good reasons have now pulled away from standing here and telling the truth, as they perceive future ramifications for themselves when vying for appointed positions within the Canadian Police Association and other organizations.

On Monday, a currently serving Winnipeg Police Association director called me. George Van Mackelbergh is a respected officer who spent many years enforcing laws against the Hells Angels and other violent organized criminals. He most emphatically stated that he does not support the continuance of the long-gun registry. He is not alone. I've spoken to an abundance of experienced officers, several just this week, who have all said the same thing. The information benefits they have gained from the registry are too few and are unreliable. The cost is too high, and the bottom line is that only law-abiding gun owners have registered their firearms. The criminals, for the most part, have not.

Are the facts that dangerous that the national association of chiefs of police had to send representatives to each police chief across the country to exert political pressure on those dissenting and calling for the repeal of the registry to get back into the fold? Whatever happened to free speech? I have heard at least a couple of chiefs of police use the same cliché in support of the registry: "We applaud any initiative that makes our job easier." Should this include any ineffective initiative? I think not, especially when there are better

options available, such as calling for the termination of house arrest and release from custody on a recognizance for violent crimes, which criminals ignore and have the opportunity to reoffend at will.

● (1600)

Is it right for a leader to use the power of his or her office to further their own political agenda and then deny everyone else within the ranks that opportunity in case they should disagree?

You might be thinking at this point that I don't know what I'm talking about. I assure you that I do, first hand.

After the long-gun registry had been written into law, I wrote an article that outlined my perspective on the potential of the long-gun registry based on my experience of 26 years, at that time as a police officer who worked the street. In short, I said it would not address violent crime issues, it would be expensive beyond belief, many citizens would not comply with the law, and that the way to go, if we as a country were serious about reducing violent crime, was to keep criminals locked up with meaningful sentences from our courts. I also said the laws that were in place before the registry came into effect were good laws and that we just needed to enforce them. All of this rings true today, 10-plus years later.

In the article I also repeated the irrefutable fact that guns do not kill people; people do. I also said it was a good idea, and still is today, to have all gun buyers qualified for the right to acquire any gun. The old firearms acquisition certificate system that was previously in place provided the much needed hands-on look at every FAC applicant by a police officer. The officer would contact spouses and ask hard questions about safety issues or concerns. Very few potentially dangerous persons slipped through the cracks in that era and got an FAC. It was a proactive approach of the first order. Today we are mired in a bureaucracy that does not provide for that face-to-face interaction by applicants with a trained police officer who would conduct a thorough background check on each applicant.

In any case, when I completed the article I gave it to the serving deputy chief of the day, whose opinion I respected, for his thoughts about the content of my writing. He indicated that his position on the matter was exactly the same as mine and the many other officers who served within the ranks at that time. However, his verbatim remark to me was, "If that article is published, you have just committed career suicide." That deputy chief's name was Lawrence Klippenstein, and upon speaking to him just a few days ago, it was clear also that he supports the repeal of the long-gun registry.

The article was in fact published in 1999 in the *Winnipeg Sun*. However, quite some time prior to that happening, I provided a copy to the chief of police out of courtesy, and his reply was, "I respect your opinion, but I do not agree." His reply goes on to instruct me not to associate the article in any way with the Winnipeg Police Service. Subsequently, I spent the last nine years of my career as an inspector, with the exception of a couple of months in a district in the duty office on shift work. That's about seven years longer than any other inspector that I'm aware of.

Was this being disciplined or the career suicide I had been cautioned against? That's my guess, but I said what I felt needed to be said and I've never regretted it.

I have nothing to gain or lose by appearing here today. My conscience will be clear when I leave here. I have said again what needs to be said in clear language to this committee and to the Canadian public. It is time to abandon this long-gun registry. I'm sure it was instituted with the best of intentions, but it has cost us nearly \$2 billion and it has not been effective in deterring violent crime. There is no shame in saying that. New Zealand did after their nearly identical registry failed them after seven years in law. Then they scrapped it, and I quote, "It seems...to be an elaborate system of arithmetic with no tangible aim."

Australia instituted a \$500 million initiative in 1997, a law that forced Australians to turn in 640,381 personal firearms. A year later, homicide, assault, and armed robbery crimes had all increased. These are violent crimes. Non-violent crimes such as break-ins also increased dramatically. It would be generous to say their program was merely unsuccessful.

There are a couple of interesting and very pertinent facts that I would like this committee to be aware of, mostly in relation to just how much the police use the information available to them.

• (1605)

**The Chair:** You have less than a minute.

**Mr. Jack Tinsley:** Currently, and for some time, in Winnipeg, when the police attend a domestic assault call, presumably, but not always, the husband is arrested for assault. Then, and only then, is there a check made to see if the arrested person has a firearms licence and any firearms registered. Then the police seize both the licence and the firearms as a matter of procedure in the interest of victim safety. What protection did the victim have before the police arrived?

I agree wholeheartedly with all firearms owners being licensed, and we should continue to require that in law, but in the end, how much safety does that licence really ensure? I have no hard answer for that, other than that the discontinued FAC application process was much more thorough.

What I can say is, people in jail who have been charged with violent crimes do not have an opportunity to reoffend. It gets no safer than that.

**The Chair:** Thank you very much, sir.

**Mr. Jack Tinsley:** I have a little more to say, if I could indulge a little more time...?

**The Chair:** Mr. Holland, I am chairing this committee. Please let me do a fair job.

**Mr. Mark Holland (Ajax—Pickering, Lib.):** I have a point of order, Mr. Chairman.

**The Chair:** You don't have a point of order. I have been keeping track of the time.

**Mr. Mark Holland:** So have I, Mr. Chairman.

My simple point is that I want to make sure that every witness is afforded the same opportunity, so I am just asking for the same application of rules given to one witness to the others as well. That is all I am requesting, Mr. Chairman.

**The Chair:** You are taking up a lot of time. The previous witness had 11 minutes and 36 seconds. This gentleman hasn't even used 10 minutes and 36 seconds. So if you don't mind my running the committee....

You have been doing this every single meeting now—interrupting a perfectly good meeting.

**Mr. Mark Holland:** I just want to know the rules. If it's not 10 minutes, then what is it? I'm sorry, I didn't know that we had changed the rules, Mr. Chairman.

**The Chair:** I have been fair all the time.

**Mr. Mark Holland:** Okay. I didn't realize there was a change of rules. If we're not doing 10 minutes—

**The Chair:** Why don't you just shut your microphone off and be quiet for a while. Okay?

**Mr. Mark Holland:** Wow.

**The Chair:** You've been doing this meeting after meeting. It's time to let me be fair.

**Mr. Mark Holland:** I'm just trying to understand the rules, Mr. Chairman.

**The Chair:** The rule is fairness: I have been fair all the time, and you can't complain about that.

**Mr. Mark Holland:** Go ahead, Mr. Chairman. If you don't accept my point of order, that's fine. I'm just asking for equity.

**The Chair:** Okay.

You may finish, Mr. Tinsley.



**Mr. Jack Tinsley:** I think I just need another 90 seconds.

Others will come here and read off reams of numbers relating to how often the police across the country use the registry effectively. If numbers were always correct and provided a clear picture, the Canada Revenue Agency could fire all its auditors. Numbers can be cooked and slanted to support any claim, and they are then still open to interpretation. It can be said that the police did checks on persons or addresses *x* times a day, but the grim truth is that the criminals move often, don't register their illegally obtained firearms, and don't tell us. All police officers know that. I believe it would impress me far more—far more—if there could be just one story about how this long-gun registry saved a human life. Just one.

You have heard enough of my police background and police-related opinions about the long-gun registry. I would like to tell you, before closing, that I have also worn and still wear a number of other hats—as a hunter, a shooter, and an outdoorsman of American Indian ancestry, all of which are relevant to a private citizen involved in the many sporting opportunities available across our great country.

To be as brief as I can, I am a current member of the Canadian Shooting Sports Association, a former member of two Ducks Unlimited committees, an active member of the Whiteshell Trappers Association, a member in good standing of the Manitoba Trappers Association, a lifetime member of the Winnipeg Trap and Skeet Club, a former professional field trial gunner for the English Springer Spaniel Club of Manitoba, a former licensed Manitoba big game guide, and an appointed member of Ashern Manitoba's past shooters hall of fame—

**The Chair:** Maybe you can finish that when there's an opportunity to answer a question.

**Mr. Jack Tinsley:** Thank you, sir.

**The Chair:** We'll have to let it go there.

Mr. Shipman, please.

**Mr. Dave Shipman (As an Individual):** Good afternoon, Mr. Chairman, ladies and gentleman—

[*Translation*]

**Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ):** Mr. Chairman, I have a point of order.

They said earlier that they would be sharing their time. Are they going to be taking 10 minutes each, for a total of 30 minutes?

[*English*]

**The Chair:** Yes, they have 10 minutes.... At the beginning, I said they have “approximately 10 minutes” each.

[*Translation*]

**Mr. Luc Desnoyers:** But earlier they said they would be sharing their time. Mr. McCormick said... No?

[*English*]

**The Chair:** Okay, Mr. Shipman, you may begin.

**Mr. Dave Shipman:** Good afternoon, Mr. Chairman, ladies and gentlemen. Thank you for providing me this opportunity to speak before you on this important issue.

My name is Dave Shipman. I was born and raised in Winnipeg, and I currently I live in a rural setting just outside the city. I feel qualified to attend at this hearing as a result of my life experience and involvement in law enforcement from the age of 19 to the present.

I spent 25 years with the Winnipeg Police Service and nearly 19 of those years investigating violent crimes in the homicide robbery division. During 16 of those years I was also a member of the special weapons team and a team leader on the entry team.

I retired 10 years ago and immediately took up a position as investigator in charge of the organized crime/gang unit with Manitoba Public Insurance, where I remain so employed.

I've been involved with the criminal intelligence service in Manitoba during these 10 years as well. For those who are not familiar with it, each province has its own criminal intelligence service with the federal governing body, Criminal Intelligence Service Canada.

The CISM includes all law enforcement and investigative bodies in Manitoba and northwestern Ontario. The nature of my work, investigating organized crime and gang activity as it relates to organized insurance fraud, and my involvement with CISM, puts me in contact with serving police officers on a continual basis.

My experience in dealing with violent criminals and gang members is probably far more involved than that of the average police officer. Believe me when I tell you that I have put hundreds and hundreds of dangerous violent men in prison over the years, often for unspeakable crimes, including rape, robbery, home invasions, and murder.

It is in the arrest and interviewing of these men and their associates that I've obtained a good working knowledge of their mindset. First and foremost, let me say that a vast majority of violent attacks, attempted homicides, and homicides committed domestically involve weapons other than firearms—knives being the preferred weapon.

Of the few domestic homicides I can recall that involved long guns, committed by either sex on the spouse, they were long guns that were legally owned and there had been no previous encounters with the law. No amount of gun registry would have stopped lives from being taken.

I have watched the long-gun registry with interest, both as a serving police officer and a gun owner/hunter. First, and it has been said time and time again, criminals do not register guns. The guns they seek out and use to commit violent crimes are most profoundly smuggled or stolen handguns and, to a lesser extent, stolen and cut-down shotguns or rifles. Firearms that are capable of firing at an automatic rate are smuggled in from the U.S., and drug dealers and gangs—the two intertwined—are the favourite customers. None of these situations can be corrected by a long-gun registry.

Handguns have always enjoyed a restricted status, and ownership brought significant restrictions as to how and where the firearm could be possessed. Automatic weapons were always illegal to possess, with the exception of law enforcement and legitimate grandfathered collectors. The national gun registry has done nothing to deter illegal possession of these guns.

Again, criminals intent on procuring and possessing these guns are not about to register them. So how does the gun registry assist the police in preventing gun crime? It simply does not, and it offers nothing to protect our citizenry from being victims of gun crime perpetrated by well-armed criminals.

I'm not against licensing of gun owners. The possession and/or acquisition of firearms should be a licensed, controlled process to prevent criminals and otherwise unstable or dangerous individuals from legally obtaining and owning firearms. But the registry is really only about counting guns—guns belonging to people who have chosen to involve themselves in the system.

Civil disobedience to the registry has been rampant, with entire provinces refusing to enforce the failure to register and attorneys general announcing refusal to prosecute. Amnesties that have lasted for years have been put into place. Thousands and thousands of legal guns remain in our country outside of the registry, and many thousands of illegal guns are stolen or smuggled into the hands of criminals whose last worry is the gun registry.

I've heard from proponents of the registry that it assists police officers because they can check with the gun registry to determine if guns are registered to the person they are interested in or the residence or location they are attending. While this check can certainly be done, I've yet to talk to a serving street cop—I'm talking about the average constable attending call after call after call—who has checked the registry, even a single time, or who even knows how to use it. In checking with the supervisor officers of the major crimes unit, the homicide unit, and the organized crime unit, not one can ever recall using the registry before going to make an arrest.

• (1610)

I spoke to the head of the Winnipeg Police Service tactical support team, which is the new term for the old SWAT team that we were on. This is a 24/7 support unit that, from its inception to the level of coverage two years ago, has been involved in several hundred planned operations, mostly high-risk warrant service, drug warrants, Criminal Code firearm search warrants, and the like. He indicated that the gun registry is worthless in preventing gun crime. He did advise that, by protocol, members of his unit confer with the registry when planning tactical operations, but their experience was that the registry has been only sometimes accurate, only sometimes up to date, and largely ineffective—and I quote—“because we all know that criminals don't register their guns”.

By way of history, upon the inception of Bill C-68, the Winnipeg Police Association membership voted by way of referendum that they were strongly opposed to the long-gun registry. Identically, the Manitoba Police Association also opposed the long-barrel registry, after taking the issue to a vote by the membership. And so it went for the police associations in Saskatchewan and Alberta. Then-WPA president, Loren Schinkel, now with Manitoba Justice as coordinator of aboriginal and municipal law enforcement, often referenced

Premier Gary Doer's line about the Government of Manitoba not supporting the bill, saying that we need to get tough on gangs and restricted guns, not turn goose hunters into criminals.

If the long-gun registry was going to be such a significant crime-fighting tool, does anybody believe that entire police services would fail to embrace it wholeheartedly? Yes, fragments of police services utilize the registry by way of protocol, but with criminals not registering their stolen or smuggled handguns or cut-down stolen firearms, previously legally registered or not, it is of little use. Because of the hit-and-miss situation of any individual actually registering legal guns, because the registry does not keep up with the movement of individuals from place to place, because criminals do not register, no police officer could ever rely on a check against the registry to determine if a danger did or did not exist. A police officer must be ever vigilant, no matter the circumstance, and the fact that the registry might indicate that an individual or an address does or does not reflect legal gun registration is of little assistance, all things considered. The old possession and acquisition certificate did as much, without the arithmetic of counting guns.

The most alarming area of gun use escalation surrounds the ever-increasing street gang activity tied dramatically to the drug trade. As I deal on a daily basis with gang members in my current occupation and monitor their other criminal activities through my involvement with serving police officers in the criminal intelligence service, I can tell you first hand that gun crime is escalating and that handguns are far and away the weapon of choice of these criminals to enforce their piece of the drug trade pie. Anytime I get a gang member in my office, I turn to the subject of guns somewhere along the way, and it is not unusual for the gang banger to brag, “I've got a nine; I've got a Glock.”

Shots ringing out in certain parts of Winnipeg have become commonplace activity, and drive-by shootings of individuals and residences the same. The registry is not the answer to stopping this.

The long-gun registry was an ill-thought-out piece of legislation in answer to the tragedy at École Polytechnique in 1989. It did not stop another similar tragedy at Dawson College in 2006. It will not stop the next deranged individual from attempting a similar attack in the future.

Holding the long-gun registry out as a protector of women is simply not valid. It is a lie. We must do better to protect women and the citizenry of our country by putting meaningful consequences in place for criminal offences and concentrate on stopping the flow of illegal gun traffic over our border into the hands of criminals.

A minimum sentence for gun crimes with minimum time served would serve as a far better solution than the long-gun registry. It is said that the abolishment of the two-for-one sentencing issue will increase incarceration and associated costs an additional \$2 billion, roughly what we've spent on the registry already. Having only registered six million to seven million, with an estimated 17 million total guns in Canada, if that is correct, I wonder how much more money that would cost us. I would rather put the \$2 billion towards keeping those criminals in jail and making sure they could not hurt anybody else.

Thank you for offering me this time to speak to you. I sincerely hope that what I've said will assist you in making an informed decision.

• (1615)

**The Chair:** Thank you very much.

Mr. McCormick, please.

**Mr. Mitch McCormick:** Good afternoon, Mr. Chair, ladies and gentlemen.

As you know, my name is Mitchell McCormick. I'd like to thank you for providing me with this opportunity to speak before you today on this very important issue.

I would like to take a moment to provide you with a brief background about myself so that you might understand why I support Bill C-391 and the repeal of the long-gun registry.

I, too, was born and raised in Winnipeg, Manitoba, and I still live there with my wife and two daughters. I was a police officer with the Winnipeg Police Service for twenty-seven and a half years. During that time I worked in uniform, but the majority of my career was in specialty units as a detective. As a detective, I worked in the vice division, the break-and-enter squad, and the major crimes unit.

In addition to these duties, I was also a member, for 15 years, with the Winnipeg Police Service emergency response unit, the SWAT team, as Mr. Shipman and Mr. Tinsley have indicated. At the time I was a member, it was a part-time team that was called on to attend armed and barricaded incidents as well as to execute high-risk warrants where weapons, and in particular firearms, were suspected of being involved. Before I stepped down from the unit, I was a team leader in charge of the assault team. One of my responsibilities was

to develop the entry plan into whatever place or location we were attending to.

Prior to retiring, I was a supervisor in the major crimes unit. The major crimes unit is responsible for investigations such as commercial robberies, serious assaults, attempted murders, kidnappings, and, on occasion, homicides. It also can be assigned to high-profile or sensitive investigations, as deemed by the chief or the executive.

In 2005, while I was in the major crimes unit, I was assigned to such a file as one of the supervisors. It was a half a million dollar break-in at one of the banks in our city, and the suspect had been identified by the original investigators as being a male by the name of Gerald Blanchard. Much has been written about this individual. There have been numerous articles in magazines. CBC's *fifth estate* did a documentary about our investigation. He was successfully prosecuted and convicted for participating in a criminal organization and break-ins to banks in Ontario, Winnipeg, Alberta, and British Columbia.

I mention this individual because early on in our investigation we learned that in 1995 he had been arrested in the United States for stealing a police officer's handgun and a police car. He was subsequently convicted of possession of a firearm by a felon, theft, and escaped custody. He received five years in a Nebraska prison. Upon his release, he was deported back to Canada, as he was a Canadian citizen. Subsequently, in 2003 he applied for and received a firearms licence. In 2004 he was able to register three semi-automatic rifles and two shotguns.

In 2007, at the completion of our investigation and our wiretap, we arrested Mr. Blanchard and a number of his associates. We also executed warrants in British Columbia, where he had five residences and one storage locker. He had storage lockers in both Alberta and Ontario, which he had rented under one of his more than 32 aliases. In one of the residences and in each of the storage lockers we found firearms and ammunition that he had not registered.

Mr. Blanchard had been provided a firearms licence and was allowed to register firearms. None of the firearms we seized, to my knowledge, were the ones he had registered. His record in the U.S. did not appear to have been discovered. Although he had a minor record for property-related offences here in Canada, he was allowed to register firearms, as I mentioned before.

I would agree if anyone was to say that Mr. Blanchard was not your typical criminal. In particular, he differs from most criminals because he is the rare exception who actually registered a gun. Most criminals never register guns.

This investigation and the details I've told you about are just some of the reasons that some, maybe not all, police officers do not and cannot rely on the registry. The fact that he may have firearms is certainly beneficial when trying to determine the individual you are against, but this information was available prior to the long-gun registry coming into effect. I would dare say that Mr. Blanchard, had he applied for a firearms acquisition certificate through the old system, would have never been allowed to in fact obtain a licence. He would have had to deal with a police officer who would have done a more in-depth background check, and that does not appear to have been done in this case.

● (1620)

Whether Gerald Blanchard had a firearms licence or had weapons registered to him would not have changed the way in which we went about arresting him or executing the numerous search warrants around the country, as the background that we did on him showed he had the potential to have firearms.

It is the background on the individual, not the number of reports or how many guns a person has, that determines how we do our job. It has been said so many times—and Mr. Tinsley has indicated it—that guns don't kill people; people kill people.

As a constable, detective sergeant, the sergeant of detectives, and a team leader of an emergency response unit, I can tell you that I never once used the long-gun registry, nor do I know anyone who worked with me or for me who has.

In order to do our job effectively and safely, we do not take anything for granted. Every person I arrested and every building I entered, I suspected there was a person inside who might be armed with a firearm or a weapon that could harm me. The background on the person was the information I relied on the most. I would never rely on any type of registry to confirm or deny there was a weapon, or numerous weapons, inside. Just knowing a person has a firearm is indication enough for me. Knowing about the person more than knowing how many guns may or may not be at the address, as I said, was what I relied on to formulate my plan.

I do this because I don't take anything for granted. I think this is a result of almost being killed myself. As I mentioned, one of the units I worked in was the vice unit. In the summer of 1986, while working undercover, I was assigned, along with my partner, to assist in a stakeout. We had information that the building was going to be broken into. While sitting in our cruiser car waiting for the suspects to show up, I observed two unrelated individuals, one of whom was assaulting the other with a long, heavy bar. I surely thought he would kill him, so I alighted from my vehicle to intervene while my partner radioed for backup. Upon approaching the male with the bar, I drew my firearm. I identified myself and told him to drop the bar. He turned and ran away, dropping the bar as he went, and I chased after this male, thinking that I wished I had never taken out my firearm, because now I had no way of getting it back in my undercover holster, because it was a piece of leather in the back of my belt and the individual I was now chasing was unarmed.

I chased the male halfway down the block before he turned, and as I was about to catch him, he lunged at me with what I first thought was a punch, which I blocked with my leg. I immediately felt a burning pain in my leg from what I would later find was the result of

a six-inch-long Rambo-type knife with a serrated edge being plunged into my upper left leg, right up to the handle. I will never forget the motion of his arm going back and forth as he tried to remove the knife that was stuck in my leg. Once he removed the knife, I fell to the ground. This individual then came at me again. I managed to fire two rounds over his head before he fled.

I nearly lost my life that day. I am positive that had I not been able to block that initial attack with my leg, the results would have been different. My wife was eight months pregnant with our first child. The thought of me never knowing her...or my second child, still bothers me today.

The truth of the matter is—and I believe this—that far more people are killed by knives than by long guns. Just as registering every knife would do nothing to stop violent assaults or murders, neither would registering long guns stop people from committing violent acts.

I'm sure this committee has heard before, and I must say it again: guns don't kill people; people kill people. The long-gun registry, although enacted with good intentions, will not stop gun-related violence.

The Canadian firearms program does have some good educational points, like enabling and promoting responsible firearms use and storage. However, by and large, the registry is ineffective, inaccurate, and could be dangerous if a false sense of security occurs.

● (1625)

My daughters are now 24 and 20 years of age. My youngest attends the University of Winnipeg, in the heart of our city, just blocks from where I almost lost my life.

I do not believe registering the knife that almost killed me would have stopped my situation from happening, and I do not believe registering guns will prevent gun crime. Target the person, not the weapon. Do a proper background on people before they get access to guns. We can save lives proactively with police resources effectively targeting criminals.

Thank you very much.

● (1630)

**The Chair:** Thank you.

The usual practice at this committee, for those of you who are not familiar with it, is to begin with the Liberal Party and then go to the Bloc, the NDP, and over to the government for seven-minute rounds of questions and comments. The seven minutes includes the question and the answer.

Go ahead, Mr. Holland.

**Mr. Mark Holland:** Thank you, Mr. Chair.

And thank you to all the witnesses.

If I could start with the three officers who have come today from Winnipeg, first of all, we may disagree on this issue, but thank you very much for your service. I know that as retired officers you've dedicated a good part of your life to keeping our communities safe, and I'm...*[Technical difficulty—Editor]*

**The Chair:** Okay, go ahead, it's fixed.

**Mr. Mark Holland:** Can I restart my time?

**The Chair:** Go ahead.

*[Translation]*

**Mr. Mark Holland:** I would like to thank you for your years of service. I know that being a police officer and serving one's community is not easy.

*[English]*

There is a difference of opinion here, and I respect that you have a different opinion. I'm wondering if we could start with police associations. Currently across this country there are 156 police associations, or thereabouts—and appreciate that I have a very limited amount of time and I have other questions, and I have a follow-up one to this.

Are any of you aware of how many of those 156 have taken formal positions against the registry?

**Mr. Jack Tinsley:** I can name the Saskatchewan police officers association and individual members of the Winnipeg Police Association. Those matters appear to be largely politically driven. Personally, I don't have a lot of interest in the politics of it. I know from talking to rank and file officers, who are all association members, that an awful lot of them, hundreds of them, do not support the registry.

**Mr. Mark Holland:** I disagree with the assertion of the chiefs...

We know the Canadian Association Chiefs of Police has come out and said this is vital for keeping our communities safe. Of the 430-plus chiefs, only three have spoken out against the registry.

But let's talk about the police associations, which represent and are voted in by, other constituent members. We have a system of representative democracy. Right now I'm only aware of one that's taken a formal position against the registry, and that's the Saskatchewan police association, which represents six police associations. That's six of 156. Of that six, the individual who represents them, their president, has now said that, based on facts he's received from the RCMP, he is taking that back and reconsidering the position.

Obviously there are going to be different opinions. But if there was a true division, you would expect of those that are representing

others there would be more divergence than six of 156, and the six now revisiting their position.

But just let me ask this. Mr. McCormick, today you said that police do use this registry. We have officers, not just police associations but all kinds of officers, saying that it's vital when weapons are stolen, that it helps identify stockpiling, that it's essential for prohibition orders, that they use it in domestic disputes. If you say that it's being used, and even if there was division in the police, given that the Auditor General and the RCMP say it would only save \$3.1 million a year, should it be a top public safety priority to kill a program that most say they need and use to keep our communities safe? Should that really be a priority?

**Mr. Mitch McCormick:** Are you asking me what a priority should be for the government?

**Mr. Mark Holland:** No. I'm asking, do you think it should be a priority for the sake of \$3.1 million to eliminate something that so many people say is so vital, even if there is division?

**Mr. Mitch McCormick:** You know, Mr. Chair, I am not very political by nature. I'm not really in a position to comment on that type of.... I don't know what best should be spent with the money.

**Mr. Mark Holland:** Perhaps then I could pose the question to... because I'm running out of time. I want to get a chance to ask the victims groups as well.

*[Translation]*

First of all, I want to commend you for your courage. It is not easy for you to be here, 20 years later, and still be fighting for the same cause.

My first question has to do with just how hard it is for you to be here, 20 years later. Do you find it difficult to still be fighting this battle?

**Ms. Nathalie Provost:** I must say I find it incomprehensible that, 20 years later, we are still in the process of trying to build our country once again, and are still afraid that it will come apart. When I say "build our country", that is very broad. Personally, I see this as one system among many. It needs to be improved, and it has to meet the needs of Canadians; but it is not by taking it apart that we will improve things. Rather, it is by building on it. I don't understand why we are still at this point, some 20 years later, after all the progress that has been made and proven by many very serious organizations.

•(1635)

**Mr. Mark Holland:** I would just like to ask the same question I asked a little earlier. As I see it, there is practically no disagreement, because almost all the police associations and all the chiefs of police have voiced their support for the registry. Although there may be some disagreement, and the system costs \$3.1 million a year, as mentioned by the Auditor General, why should we cancel this program, when so many police officers are telling us that it is absolutely critical to their ability to protect our society?

**Ms. Nathalie Provost:** I will answer that question and Ms. Heidi Rathjen may want to add something after that.

I really don't understand. Many police officers are recommending that the government bring in tougher sentences for gun crimes. However, keeping people in prison costs a great deal of money. If, instead, we get to work as soon as possible on the system that leads to crime, in my opinion, that will be a much better investment of taxpayers' money.

**Ms. Heidi Rathjen:** I would just like to add that there is no comprehensive public safety measure, or any measure for that matter, which has unanimous support. Just because a minority is opposed to it does not mean we should not go ahead or retain a system like gun registration. As I see it, opposition to the registry is ideologically motivated. I think the facts, the experts, the numbers and the comments of police officers everywhere all support maintaining the registry. If there is opposition, it is mainly ideologically motivated. Police officers may also share that ideology and be opposed to the registry for the same reasons.

**Mr. Mark Holland:** Could I ask some questions in English?  
[English]

The witnesses said guns don't kill people. They say the registry doesn't protect women. Can both the groups that represent victims and women today respond to that claim?

**Ms. Heidi Rathjen:** I'll answer that very common argument that guns don't kill people; people kill people. You could say the same thing about cars, that cars don't kill people, cars don't cause accidents; drivers cause accidents. Nevertheless, we still have tons of controls on cars, as we do on drivers. Cars are registered and they're subject to many safety norms.

**The Chair:** Thank you.

Ms. Mourani, please.

[Translation]

**Mrs. Maria Mourani (Ahuntsic, BQ):** Thank you, Mr. Chairman.

I would like to thank all our witnesses for being here today.

I have a question for Ms. Provost or Ms. Rathjen. Mr. Layton says he hopes to be able to amend Bill C-391 in such a way as to rally the troops. As you know, 12 NDP members of Parliament voted with the Conservatives. The idea behind amending the bill is to rally those MPs. I must admit that I have been thinking about this for some time now. The practice is that when the bill is being considered by members of the Committee, we hold discussions with a view to amending it. However, I do not understand the idea of rallying the troops, and I will tell you why. There are already 12 NDP members

of Parliament who voted in favour of the bill. If the NDP wants to bring forward amendments, logically, the idea would be to rally those MPs who voted in favour of the bill. I have to admit that I am a little lost. It seems to me that you either vote in favour or against the bill, but amending it just to secure the support of others is a concept I do not understand. Do you understand it? Speaking for myself, I really do not get it.

•(1640)

**Ms. Heidi Rathjen:** Well, you certainly have a better understanding of procedure than I do. It seems to me that when you are considering changing a bill, the amendments have to be consistent with the purpose of the bill. I do not see how amendments to this bill, which proposes the repeal of the registry, could possibly make the bill acceptable. No amendment would make it acceptable, in my view, unless every single clause were to be deleted.

As regards the concerns of some members of Parliament with respect to the registry, it is possible to make changes. We would accept the amendments proposed by the Liberals—not to amend the bill *per se*, but to amend the Firearms Act—in other words, to table a new bill. That would decriminalize certain violations under the Firearms Act. Those amendments would guarantee the integrity of the registry. The police would then still have the tools they need to enforce the law.

**Mrs. Maria Mourani:** So, if I understood you correctly, Bill C-391 cannot really be amended. I agree with you on that.

Furthermore, Mr. Boisvenu, a Conservative senator, sees the registry as a symbol. Do you think that the 14 young women who died are just a symbol, or are we not talking about the very clear and very real fact of women having been assassinated just because they were women?

**Ms. Nathalie Provost:** They are not a symbol and, in any case, if they were, I suppose that I, too, am one in a way. The Firearms Registry is a practical means that Canadian society has developed to try and prevent another slaughter of the magnitude of the one that occurred at Polytechnique. In honour of our dead sisters, we tried to take concrete actions that would meet a real societal need.

**Mrs. Maria Mourani:** Thank you.

I have a question for Ms. Riendeau or Ms. Villeneuve. Let's talk about domestic violence. Women's groups, police officers—indeed, everyone—agree that this is a way of sometimes preventing people from murdering women. In your opinion, is the life of one woman worth \$3 million, which is the amount of money that would be saved by abolishing the Firearms Registry? We would save \$3 million by doing away with the long gun registry. Do you not think that saving the life of even one woman is worth \$3 million?

**Ms. Louise Riendeau:** Let's look at the current situation. The transition home network in Quebec costs \$60 million. Putting people in prison is very expensive. Here we are talking about \$3 million to save the lives, not of one woman, but of many women. We see this every day in the safe homes: when spouses are armed, it's a lot more of a concern. These individuals are not known criminals; often they do not have a criminal record. Allowing the police to seize guns when there is domestic violence would save more than one life. In fact, \$3 million is not that much money.

**Mrs. Maria Mourani:** Thank you.

I also have a question for you, gentlemen. I have figures here for 2007; so they are quite recent. According to the Criminal Intelligence Service Canada, in Saskatchewan and Manitoba, the majority of street gangs use sod-off long guns to commit crimes. In Quebec, Ontario and many other provinces, they tend to use handguns more often. Out in the Western provinces, where you are from, it is mainly sawed-off long guns.

I have to admit that I do not understand your logic, and I would like to understand it. You know full well that these registered long guns are not attractive to criminals, because they are registered. So, do you want almost seven million guns to be in circulation and in use, so that people don't have to go to the United States to buy them and saw them off? Do you think that will improve public safety in your province?

•(1645)

[English]

**The Chair:** Who would like to take that on?

Mr. Tinsley.

**Mr. Jack Tinsley:** Criminals, Ma'am, will utilize any weapon available to them. I personally can't recall there being an abundance of handguns as compared to long weapons in a lot of crimes. Criminals don't use registered firearms. They will break into houses and steal legitimately purchased, legitimately stored long guns, and then the world is open to them. They cut them down, they sell them, they traffic in them, they kill people with them, and they throw them away. And they'll take the handguns, they'll take the long guns—they will take anything that's available.

I'm not sure where your numbers came from, Ma'am, but I can assure you, as—

[Translation]

**Mrs. Maria Mourani:** The Criminal Intelligence Service Canada.

[English]

**The Chair:** Our time is up. I'm sorry, we'll have to come back to this.

**Mr. Jack Tinsley:** I believe that's just a regional numbers coincidence.

They will utilize any firearm they can get, and I assure you of that.

**The Chair:** Ms. Leslie, please.

**Ms. Megan Leslie (Halifax, NDP):** Thank you, Mr. Chair.

And I'd like to say thank you to all of the witnesses for being here today and contributing your testimony to these hearings.

Mr. Chair, I don't have any questions at this time.

**The Chair:** Okay. We will go over to Mr. McColeman, please.

**Mr. Phil McColeman (Brant, CPC):** I, too, would like to thank all of you for coming today and delivering the information you have to our committee. It's very important that we hear from all groups, and you're greatly respected for taking the time to do this with us today.

I'd like to put my first question to Mr. Tinsley. I took from your testimony today, sir, that it appears from your speech that you were disciplined for speaking out against your chief's position. You held

up a newspaper and such that indicated that. Is it accurate, and are you suggesting, that there is some pressure right now on active street constables and members not to speak up?

**Mr. Jack Tinsley:** Absolutely. In my case, the chief of police who was serving that day was one of this country's biggest advocates of gun control. And he let that fact be known and made it perfectly clear that his senior administration should fall in line with his beliefs about that.

A couple of us didn't. I, in clear conscience, said what I believed to be true about criminal activity in Winnipeg at that time and as a trend across this country. Another of my fellow senior officers spoke out as well. I believe he, too, was disciplined. But we said what had to be said.

Today we have chiefs of police telling their rank and file that they cannot speak out against this gun registry, and they're ordered not to attend here or speak out elsewhere about their beliefs about that. And their beliefs are based on facts and street experience, not on some sweeping statement from a leader who says, all my police officers agree with this.

Some police association executives have spoken out and said, our membership supports this long-gun registry. They were literally taken apart by the membership after making those statements, because most of them said, we don't support that; who are you to be saying that on our behalf? And these chiefs are doing the same thing now. They're saying, we support this—but that's not the case.

**Mr. Phil McColeman:** I appreciate that answer.

Can you just keep the answers brief, because I have limited time?

Madame Rathjen, I'd like you to just answer as briefly as you can, yes or no. In your comments—and I was making notes—you said that there are two experts in this area. One is law enforcement officers and the second is women's groups. Is that correct, yes or no?

**Ms. Heidi Rathjen:** Among others. Suicide prevention experts also—

**Mr. Phil McColeman:** Okay, so there is a third group.

**Ms. Heidi Rathjen:** There is the Canadian Criminal Justice Association.

**Mr. Phil McColeman:** S in your opinion, those are the experts in this area of gun control.

**Ms. Heidi Rathjen:** I would actually say that the most important experts are police organizations because they deal with firearms.

**Mr. Phil McColeman:** Great. Okay. Thank you for that.

I like to think of things as tools, because I'm a contractor and that's what I grew up with, with people having a tool box in their trade. I also have close connections to law enforcement through the father of my grandchildren, who is my son-in-law, who is a front-line police officer, and I get to chat with several people in that regard about that. I asked about the tool box he has at his disposal, because he's out there right now, in fact, making calls on domestic disputes.

I'll speak for myself and I believe for my colleagues. We're not against removing gun control. We're looking for the tools that work most effectively and most efficiently, and that's what we are asking for through this legislation, which is to develop tools.

It's on that licensing piece that I'd like to ask my next question. Again, I'd like to go to Mr. Tinsley. As far as the comments...and I believe it was you who talked about how the interview process went, how you identified individuals in law enforcement, and how that was a more effective piece. I'm not sure whether it was you or one of your colleagues who spoke to that, but could you just describe a little more how we could improve licensing? We're all for gun control, but effective, efficient gun control.

• (1650)

**Mr. Jack Tinsley:** Absolutely.

The very key to it—the success of the old firearms acquisition certificate system—was that when a person went to apply for that FAC, they went in person, they completed an application, and they submitted it in person to a police officer or a group of police officers, in our case our firearms unit.

The application was reviewed; they made many checks. They checked everywhere, like CPIC and NCIC, all criminal background checks to see if he had any history of violent crime whatsoever. Then if he was married or living common law, they called his spouse or partner and asked hard questions. Has he ever threatened you? Does he have any history of alcoholism? Is he addicted to prescription drugs? Non-criminal things that normally wouldn't be caught in a criminal background check... Has he ever threatened suicide? Is he seeing a doctor or a psychiatrist for depression? They asked a lot of questions. That led them oftentimes to say this person is unstable and we're not giving him a licence.

Today that doesn't happen. The process is not dealt with face to face.

**Mr. Phil McColeman:** That was interesting, because I took from Mr. McCormick's comments.... The case he outlined, which the CBC, I guess *the fifth estate*, did a news show on, indicated exactly that, which is that you target individuals for crime. He was able to get registration without any process.

I believe I heard you say that in your testimony, sir, did I not?

**Mr. Mitch McCormick:** Yes, that's correct, Mr. Chair.

As far as I know, we never went back to see how he got it. The fact is, in 2003 he was able to get a firearms licence and, in 2004, shotguns and assault rifles.

**Mr. Phil McColeman:** I'd just like to go to Ms. Riendeau and your comment about \$3.1 million. As my colleague has said, what's \$3.1 million?

I'd just like to respond to that, because in my part of the country—small-town Ontario—\$3.1 million is a lot of money, and I think to a lot of Canadians it is a lot of money. We want to make sure the expenditures of our government, the hard-earned dollars that taxpayers make and pay to our government, are spent effectively. That's what my question is driving at.

So it may be a small number relative to the overall spending of government, but it's not a small number...and also the fact of the amount of money it takes.

On that point, there was a comment made about numbers of guns that are registered in this country and the ones that still are unregistered. What was that number that you used?

**Mr. Dave Shipman:** There's something in the order of 16 million to 17 million guns in total, and we only have about 6 million to 7 million—actually under 7 million—registered currently.

**Mr. Phil McColeman:** One last point on that. If we were to add the cost, so if it takes \$3.1 million to maintain a registry on basically 7 million guns, and there are 16 million guns out there, we could perhaps do the math to extrapolate. Would it be at least double the cost to add in the enforcement on those?

**Mr. Dave Shipman:** That's what I would consider.

**Mr. Phil McColeman:** So the \$3.1 million may well increase just as—

**The Chair:** Thank you. We'll have to wrap it up there because you're over time.

It's very difficult for me, because I've done so much research on this, not to interject a little fact in here. The revocation rate for licence applications under the old FAC system was much higher than under the present system. The committee may take and ponder that.

Ms. Jennings, please.

• (1655)

[Translation]

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Thank you, Mr. Chairman.

I would like to begin by thanking all our witnesses for being here today and especially Mr. McCormick, Ms. Rathjen and Ms. Provost, for sharing their personal experiences. I also appreciate the expertise you demonstrated in your presentations. I am happy to have been made aware of that difficult information from Statistics Canada and the Criminal Intelligence Service Canada. I have a few questions.



My riding includes safe houses for women and children who are victims of domestic violence. Before becoming a politician, I was the Assistant Police Ethics Commissioner, and before that, I was a member of the Quebec Police Commission. I chaired public inquiries involving domestic violence. In the late 1980s and early 1990s, police departments and society did not react to this kind of problem the same way that they do now: they no longer say it's a privacy issue.

So I would like the Committee to take advantage of your expertise, Ms. Riendeau and Ms. Villeneuve.

First of all, what approximate percentage of women and children who come to Quebec transition homes are victims of violence involving guns—and particularly long guns—be it threats or a failed attempt?

My second question is addressed to any of you who wishes to answer. Mr. Shipman, I believe we met in Manitoba. You are the former—

[*English*]

I'll say it in English. The firearms acquisition certificate and the whole process that was put into place in order to ensure that anyone who received a licence was not dangerous, etc.—you actually believe it's a better system than the current firearms registry in place.

If I follow your logic, then, there were fewer homicides with firearms under that old system, number one, and of those homicides, there were fewer homicides involving long guns at that time than there are today. I'm following your argument now. Either I've got your argument wrong, or the conclusion I've come to is the correct conclusion, if I follow your argument. I'll leave it at that.

May I suggest that any witness who wishes to add something and does not have the time may do so in writing through the chair. It is then distributed and becomes part of the official record.

Thank you.

[*Translation*]

**Ms. Louise Riendeau:** Fortunately, the women we see in transition homes are still alive. They come to us before the worst occurs. I can't give you any figures about the number of cases where women were wounded with guns or something else. However, I can tell you that a great many of these women have been intimidated, and particularly in the rural safe houses, where there are a lot of guns in circulation.

Women often report to support workers that, after a domestic dispute somewhere that results in a woman's death, their spouse says to them that they will be next. That is even more of a concern if there is a gun in the house. That's why the registry, which makes it possible to declare that there is domestic violence, and therefore secure a prohibition order, is very useful in the area of prevention.

We know that access to guns can make all the difference between people using it or not using it. It will not prevent domestic violence, but at least, women will have more of a chance. We know that when there is a gun around, they don't have much of a chance, nor do they have much time.

[*English*]

**The Chair:** The question was directed at our three gentlemen over here. Does anyone want to respond?

Mr. Shipman.

**Hon. Marlene Jennings:** Mr. Chair, how much time do I have in my round?

**The Chair:** You have 15 seconds.

Mr. Shipman or Mr. Tinsley.

• (1700)

**Mr. Jack Tinsley:** To address the part of your question that I believe I understood, Ma'am, these very brave ladies to my right provided some statistical information that included the years 1991 to 2001. The FAC system, which was the previous system for screening potential gun owners, was in place until it was replaced by legislation associated with this long-gun registry and replaced with the current firearms licence, possession, and acquisition licence.

Statistically, I believe the numbers are sort of melded together. However, currently I'm aware of 1.7 million registered gun owners in Canada. The current system recently had 500 refusals—that's people who applied for firearms and were refused a licence—and 1,500 revocations. I believe most of those resulted from spousal incidents.

**Hon. Marlene Jennings:** That wasn't my question.

**Mr. Jack Tinsley:** I'm sorry if I misunderstood you—

**Hon. Marlene Jennings:** I'll send you a copy of my question and you can answer it in writing. That's fine.

**A voice:** Go ahead and finish, Mr. Tinsley.

**Mr. Jack Tinsley:** In a lot of those revocations the firearms licences were revoked for non-criminal matters—there were alcoholism or mental problems or things like that. So I'm not really sure there is a significant number of firearms licence revocations that take place as a result of information made for a successful criminal investigation. I don't think that happened.

**The Chair:** Ms. Glover.

[*Translation*]

**Mrs. Shelly Glover (Saint Boniface, CPC):** First of all, thank you for appearing before the Committee today. I know this is difficult for you, but it is also difficult for us to hear how much this is affecting you even now, some 20 years later.

I would just like to clarify a couple of things that were mentioned today. We have heard a lot of statistics. But those statistics are not complete, obviously.

We talked about the numbers of murdered women. That fact is that long guns are not the weapons most often used to kill women—knives are, as Mr. McCormick experienced. Thirty per cent of murders of women are committed with knives. Only 9% of murders of women are committed using firearms. So, I just wanted to clarify those numbers because, once again, they are not complete.

[English]

The reason I say that is because we presently have more than 580 aboriginal missing or murdered women. They are not counted. The majority are missing. They are not counted anywhere in these statistics. There are many, many more who are not aboriginal who are also missing.

If tomorrow we found all of these missing women, and they'd all been discovered to have been shot by a long gun, would you still say that the long-gun registry is working? The stats you're referring to would be through the roof and you could no longer use them as evidence.

I make that suggestion because statistics are incomplete and we cannot rely on them. What we can rely on is whether or not the long-gun registry, when it was put into place, did what they said it was going to do. Did it prevent further murders, further violence with guns, further gun crime? And that is irrefutably no, it did not do what it said it was going to do.

[Translation]

I have a question for Ms. Rathjen.

Can you tell me the difference between an acquisition license and a firearm registration?

**Ms. Heidi Rathjen:** Yes, certainly.

First of all, a possession certificate is used to authorize—or otherwise—an individual to own a firearm. That person is subject to a screening process which allows police or the government to determine that the applicant can own a firearm. It is a process that controls gun owners, as opposed to guns.

So, if there is only a possession certificate, as was the case previously with the firearms acquisition certificate... There is a screening process; we know who owns guns. But if guns are not required to be registered, we don't know what guns are involved or how many.

If there is no registration—

• (1705)

**Mrs. Shelly Glover:** Pardon me for interrupting, but I only have a few minutes.

At the present time, as Mr. Shipman was saying, there are almost 9 million legal guns—because illegal firearms are not included—which are not counted.

Do you believe that registering Marc Lépine's gun would have prevented the murder of these young women?

**Ms. Nathalie Provost:** Registration alone would probably not have prevented it completely. However, it may be the reason why, unlike what happened with Marc Lépine, far fewer people were harmed by Kimveer Gill, because the police were able to respond very quickly.

When we talk about prevention, we are not talking about eradication. We are logical enough to understand that the gun control system is a method of prevention. So, it is difficult to develop figures for things that never happened. However, the numbers we have at this time show that there has been an improvement in

people's quality of life—there are fewer murders and there is less domestic violence. The figures are clear. You obviously cannot count incidents that never happened.

**Mrs. Shelly Glover:** Yes, I understand. With all due respect, however, as I demonstrated, these statistics are not complete. You cannot rely on statistics.

How do you explain the events that occurred at Dawson College? We heard police officers say that the system that was in place previously was better. If we had kept the same system as before, it is possible that more murders could have been prevented. That is how I feel.

My time is up now. Thank you once again for being here.

[English]

**The Chair:** Thank you.

Mr. Desnoyers, please.

[Translation]

**Mr. Luc Desnoyers:** Thank you, Mr. Chairman. Since time is limited, I will go through my points quickly.

First of all, the three police officers made an important statement, which was that they never used the infamous Canadian Firearms Registry. That is what you said, and I cannot understand how someone who has never used it could pass judgment on the registry's usefulness. Up until now, more than 150 other police groups have used it. Seven thousand licenses have been revoked. That is a significant number. Of course, I understand that you may not be aware of that, since you have never used it.

Furthermore, when it comes to myths, you mentioned several that we are also hearing from the Conservatives. I would like you to answer this, because it is important. Myth number one is that the registry is costly and that's why we have to get rid of it. Myth number two is that the registry is useless; police officers have said that and say never use it. The third myth is that firearms registration is a long and costly process. The fourth myth is that crimes are not committed with hunting guns but, rather, with handguns. I am sure that you ladies will want to respond to that. The fifth myth is that what we should be most worried about are not legal weapons, but smuggled weapons.

There is no doubt that smuggled weapons are in circulation, but if we are able to register all the legal firearms, we will already have made significant progress.

This morning, the newspaper quoted a Conservative member of Parliament as saying that there is no connection between the registry and what happened at Polytechnique. That is another myth. They seem to be saying that serious incidents have occurred, but that they really have no connection whatsoever with the Canadian Firearms Registry.

Ladies, I would like you to address those myths, so that some people may learn something.

**Ms. Heidi Rathjen:** First of all, as regards firearms used to commit crimes, I was not here last Tuesday, but I understand that Superintendent Cheliak from the RCMP clearly stated that 40% of the guns confiscated by police, following criminal or potentially criminal incidents, are registered long guns. In my opinion, that says it all.

To answer the previous question about the killings at Polytechnique, Concordia and Dawson, it's important to point out that gun control does not only happen through the registry. The registry is one component that is part of a whole package of measures, such as screening, possession certificates, safe handling, and so on. As for the tragedy at Polytechnique, specific registration may not have prevented the killings. However, the only way was to visit gun store after gun store, until the police found the one where the weapon with the identified serial number was sold to Marc Lépine. It's the same thing for the Dawson College incident. In fact, the registry helped police respond more effectively while the drama was unfolding. Police officers were able to recover the killer's car. Witnesses had seen him taking his guns out. The officers verified the licence plate number in CPIC and found an address for the vehicle owner corresponding to that of Kimveer Gill. They knew that he owned three or four guns and they were able to access his photograph while events were unfolding. For police officers, having a picture of the killer in the midst of the chaos, as events are unfolding, is extremely helpful. That was possible thanks to the registry, and that is only one example.

• (1710)

**Ms. Louise Riendeau:** As regards the costs, we know that the registry is used 11,000 times a day. In Quebec, as soon as a call comes in for an incident involving domestic violence, call centre dispatchers check the registry to provide any available information to officers. That allows them to modulate their response. Also, since 1995, under the Quebec domestic violence policy, police officers are asked to seize guns and, where a danger exists, to do so immediately, without having a warrant. That provides them with very useful information.

So, if we want police officers to be able to do their job, we have to give them the proper tools. The role of our organization is to protect women, but we cannot do that alone, and police officers cannot do it without the proper tools. We see this as an effective and useful investment.

Through the work we do, we see what happens every time there is a domestic homicide. It is very rare, at least in Quebec, for domestic homicides to be committed with handguns. The firearms used are always rifles and long guns. For that reason, we think it is very important to be able to trace those guns, most of which are not owned by people with a criminal past. If we stop registering guns, we will make it easier to smuggle them. They will be able to circulate freely.

[English]

**The Chair:** Thank you very much.

We'll go to Mr. Norlock, please.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Thank you very much, Mr. Chair.

Thank you to the witnesses for appearing today. As previously stated, it's a brave act to come and relive some of the issues you've gone through in the past, those from l'École Polytechnique and obviously some of the police officers.

My question is actually not a question. I'm going to request that Mr. Tinsley finish the statement he was going to complete at the beginning of his evidence. It's only about a page and a half. I think some of the information is very important. Then I have a question.

**Mr. Jack Tinsley:** Thank you, sir.

**Mr. Rick Norlock:** It ended where you were saying that you were a former licensed Manitoba big game hunting guide.

**Mr. Jack Tinsley:** Yes, I was a former licensed Manitoba big game hunting guide, an appointed member of the Ashern, Manitoba past shooters hall of fame, a past shooter at the Lundar Manitoba all-Canada goose hunt, a former member of the pistol club, and a former Manitoba hunter safety assistant instructor. This is my 46th consecutive year of holding Manitoba hunting licences.

I have seen from many perspectives how the Canadian long-gun registry affects the many groups of individuals I've been associated with in my life. To a person, from the subsistence hunter native friends I have in the north, with whom I've hunted caribou, to the big city professionals I've shot skeet with, none support this registry, and none claim to have benefited from it in any way.

I want to make a couple of final points that have always weighed fairly heavily in all my considerations of gun law. Registration is merely a step towards total abolition of private gun ownership. It was penned in 1918 by the British Home Office in a paper called "Committee on the Control of Firearms". So it's not new. Most countries overseas that instituted these laws did so to prevent civil uprisings, such as that which occurred in Russia. I believe that we are in no danger of that happening in Canada today.

After the British public was effectively disarmed by these laws, and the Germans were set to invade and overrun them, the British public found itself virtually defenceless. A plea was made to the United States, which then generously and without hesitation donated tens of thousands of family heirlooms, sporting guns, and ammunition to the British people with which to arm themselves and their Home Guard.

Despite anything anyone says about the detriments of private gun ownership, those are the facts.

We are a free nation. Too many people have made the ultimate sacrifice to ensure that we are free today so that we can own a firearm if we choose to, can say what we believe, and can worship where we choose and not fear our government. I ask that each of you follow your own conscience and act on this matter in the best interests of Canadians everywhere.

Thank you.

• (1715)

**Mr. Rick Norlock:** Thank you very much.

I have a quick question. I hope it's quick. It refers to the cost. I'm just going to say that it costs somewhere upwards of \$2 billion to register the current seven million firearms. Would it be accurate to say that to register eight million more firearms, those not currently registered that are out there, it might logically cost an equivalent or near equivalent amount? Second, where do you feel that money would best be spent vis-à-vis public safety and what I like to call crime fighting?

**Mr. Jack Tinsley:** I understand. Again, we're dealing with numbers. When the gun registry was instituted, there were start-up costs. There were errors made and things had to be corrected. I believe, in all honesty, that it costs a lot more than it should, and it certainly costs a lot more than was ever projected for the cost. Those numbers are accurate, as far as I know, and we still have 10 million firearms out there. If we're going to register them, I would submit that it's going to cost at least half that much, if not an equivalent amount.

**Mr. Rick Norlock:** If there's any money left over, where do you feel that money ought to be spent vis-à-vis public safety?

**Mr. Jack Tinsley:** I think one of the absolute biggest problems in this country is repeat offenders, repeat criminals, getting out of jail because they got two for one on their sentences. Now they let first-time drug dealers out of the last one-third of their sentences. There is double time in custody if you spend it in the remand centre instead of in a federal penitentiary. They get out on recognizance, which they promptly ignore. Recognizance is a piece of paper. It means nothing to someone who's intent on causing bodily harm. They could care less about a piece of paper.

I think it's time, as a country, that we got tough on criminals, really tough on repeat criminals, and really tough on violent repeat criminals. They will not reoffend if they are kept in jail. It's a joke for people to take a human life and be out on the street in four and a half years. It's a joke. It flies in the face of everything this country stands for.

**Mr. Rick Norlock:** Thank you.

**The Chair:** Thank you.

**Mr. Dave Shipman:** I would add that a tenth of the time, when an incarcerated inmate went on a shooting spree.... If we keep these guys in jail, they're not able to hurt the citizens, the women, of our country. The only real monsters in this world are those that pass for human. Monsters, like the one who attacked the Polytechnique... those sorts of people should be in jail.

**Mr. Jack Tinsley:** One final comment, if I may.

**The Chair:** The time is just about up. We can come back to you. Maybe somebody else can direct it.

Mr. Kania, please.

**Mr. Andrew Kania (Brampton West, Lib.):** Ms. Rathjen, did you want to respond to that? Go ahead.

**Ms. Heidi Rathjen:** First of all, tougher sentences will not work for most domestic violence...especially those that end in suicide. Kimveer Gill, Marc Lépine, intent on committing suicide...tougher sentences would have no impact on them. That's why prevention is most important.

Regarding the nine million guns that are still not registered, I have no idea what the source of that is. I've been told it's Gary Mauser, a Simon Fraser University criminologist who's a long-time anti-gun control advocate. At the time, before the laws were passed, the Government of Canada estimated that the number of gunowners was two million or so and the number of guns in Canada was seven million or so. Right now we have close to two million gunowners registered and seven million guns, so I have no idea what you're talking about.

Finally, I'm wondering, if those nine million guns are not registered, are the owners licensed? If they're not licensed, then is there a problem with the licensing system or are these gunowners who don't respect the law? Or do they have licences and they are not registering their guns? To me, this is a little absurd. Where does this number come from?

**Mr. Andrew Kania:** Okay. Thank you.

This question is for the three retired police officers.

I'll tell you how I believe the registry system does help, and I'm going to give you examples and I'm going to ask you to agree with me.

First, it helps to enforce court orders, because if you have an order from a judge to go into a house and confiscate all weapons, and you know there are 13 registered in that house, that will help you enforce the court order to remove all the weapons, because some could be hidden and you wouldn't know.

I want to go through the list first.

Second, if you have a domestic violence call and you go to a house and you know there's a risk that somebody could cause harm to another person, and you also know, through the registration system, that there are, once again, 13 guns in that house, you can look for them. If you don't know, you will have no idea if some are hidden or just not accounted for.

Third, people who are at risk of suicide are unstable. The same thing applies: if you know that circumstance, and there's a court order or there's an order from a doctor to do something about it, in terms of committing somebody, and you know there are 13 guns in that house, you can go into the house and look for the 13 guns.

Fourth, registration facilitates proof of possession of stolen and smuggled firearms because if the arms have a registration and they're in illegal hands, you will know who is authorized to have those and you'll be able to do something about that.

Accountability. If I'm a gunowner and I have 13 guns registered to me, some gunowners, at least, will be more responsible if they know those particular guns are registered to them in their name. They may not loan them out, they may not sell them, and they may not refuse to keep them locked up properly if they're responsible and they know there will be consequences if they don't follow the law.

Police investigations. If you go to a crime scene and there's a gun there, and it's registered and you can link it to somebody, that will aid you in your investigation, rather than if there's nothing at all. And if there is nothing at all, in terms of the system, and you have to find that gun, you're going to spend police resources and money trying to locate the source of that gun.

So for all those reasons, I believe you must agree with me that the registration system, although not perfect, and I'm not saying it's perfect, must at least make our streets a little bit safer. I can't believe all three of you would say we're not at least a little bit safer based on all those examples.

• (1720)

**The Chair:** Can I get the permission of the committee to have them answer? I think they're important questions, and we're almost out of time?

**Some hon. members:** Agreed.

**The Chair:** Okay. Go ahead and answer it.

**Mr. Jack Tinsley:** Would you repeat your first point, please?

**Mr. Andrew Kania:** The enforcement of court orders.... If a judge says, "Go and confiscate all weapons in that house", and you know there are at least 13 that are registered, and you're looking for 13, it's not perfect, but at least you know what you're looking for.

**Mr. Jack Tinsley:** Prior to this legislation coming into effect... under the Criminal Code police may seize any weapon, not just a firearm, at any time if they even suspect an offence is taking place or has taken place. They can enter any place to search for a firearm. They can enter any place without a warrant to prevent harm if, for instance, the person is being assaulted.

**Mr. Andrew Kania:** But that wasn't the point. The point was court orders. If a judge says, "Go and take all guns out of that house", and you know there are at least 13 registered in that house, you have to agree with me that it's helpful to have those 13 registered to enforce the court order.

**Mr. Jack Tinsley:** If there's one gun in there and the order said one gun and we found one gun, don't believe for a second we would stop searching, as police officers. We will turn that place upside down and satisfy ourselves that there are no further guns in there, sir—

**Mr. Andrew Kania:** And you'll continue to—

**Mr. Jack Tinsley:** Just because the registry says there are 13 guns doesn't make it so.

**Mr. Andrew Kania:** Right. You are exactly right. If you turn it upside down and you find 12, but you know that 13 are registered, you are going to keep searching, aren't you?

**Mr. Jack Tinsley:** Certainly.

**Mr. Andrew Kania:** So that helps, then, doesn't it? You must admit that helps.

**Mr. Jack Tinsley:** It doesn't hurt you.

**Mr. Andrew Kania:** That's something. Thank you for that.

**Mr. Jack Tinsley:** You're welcome.

**The Chair:** Mr. McCormick.

**Mr. Mitch McCormick:** Just further to that, it doesn't mean that if we found 13 we would stop. The old system would come up on that person and would tell us that he had guns. If there was a court order to say he shouldn't have his 13 guns, or one gun, we would search that entire house, his garage, and possibly even his cottage to ensure that we got all the guns.

**Mr. Andrew Kania:** Right, but if you know there are 13 registered and you have found 10, you are going to keep looking for at least 3 more, correct?

**Mr. Mitch McCormick:** Also, if we find 13 guns, we're going to keep searching. The number doesn't matter, is what I'm trying to say. You're counting guns.

I think it's important here. We're not against licensing. We're not here to tell you that we're against licensing. Licensing is a great system. It should be enhanced, and I think the money would be better served on that. The registration seems to get skewed, as I listen back and forth here, but licensing and registration are the same things.

• (1725)

**Mr. Andrew Kania:** What about all the other points that the chair asked for consideration—

**The Chair:** Yes, if you would stop interrupting, they'd probably answer.

Do you want to just deal with the second point on suicide? And if there are 13 guns registered—

**Mr. Andrew Kania:** I can go through them. Domestic violence.

**The Chair:** So there are 13 guns registered—

**Mr. Andrew Kania:** I can go through my own. I have a list here, Mr. Chair, if you wish.

**The Chair:** Please give him the second one quickly. Let's get going. We're way over time.

**Mr. Andrew Kania:** Domestic violence. If there's a call and a complaint or a violent situation and you go in and you suspect there could be some problems, and you may not remove the person—you may, but either one—and you know, through the registration system, that there are 13 guns and you've decided you're going to remove those guns, because there could be a risk—

**Mr. Jack Tinsley:** We attend any domestic call, and if there is any insinuation that there's a weapon on the premises, we're going to take it—warrant, no warrant, court order, or whatever. We are going to rid the premises of any potential source of danger.

**The Chair:** Do you trust the registry before you approach it?

**Mr. Andrew Kania:** Mr. Chair, let me ask my own questions, please.

**The Chair:** You are at 8 minutes and 13 seconds.

**Mr. Andrew Kania:** Well, you can cut me off. You're the one who suggested an extension.

**The Chair:** Okay, I'll have to cut you off.

Mr. MacKenzie, please.

**Mr. Dave MacKenzie (Oxford, CPC):** Thank you.

My good friend Mr. Kania is a lawyer and now he's somewhat debating the issue with you, but I think everybody understood the issue. As police officers I believe what you're trying to tell them is, it doesn't matter. If that's the case, does it matter if the registry says there are 13 guns?

Would it be the case that when you took the 14th gun, my friend, who is a good lawyer, would then argue that you exceeded your powers because the registry only said 13?

**Mr. Mitch McCormick:** Well, he certainly could argue that if it was listed on a warrant that we were only allowed, by a judge, to search for the 13 firearms, and after the 13th firearm we found, we weren't allowed to search any further.... We're only allowed if it was an order, and a court order, if we're going to get into law. My understanding is we can only search until we find everything that's issued on the warrant, at which time we're supposed to stop, depending on the warrant, of course.

**Mr. Dave MacKenzie:** I think you've made the point, and it's an appropriate point, that if it didn't say there were any firearms in the house and you had a belief that there were, you could search the house, under the Criminal Code as it is today.

**Mr. Mitch McCormick:** Certainly we could, and certainly if the person was a licensed individual and we didn't find them in his own house and he was living with his girlfriend, we would search that house anyway, even though the firearms were registered to his home in another area of town or another city. We would search it for the safety of the person who is there.

**Mr. Dave MacKenzie:** I think that's the essence of what we've been saying. This side...and we heard "The Conservatives..."—whatever. It's not true. What we believe firmly in is gun control—effective, efficient gun control—and the registry as such is not gun control. We end up with better gun control through tougher licensing and through tougher controls on firearms getting into the hands of people in the first place, even the illegal firearms. It just seems that the debate gets lost over the value of the registry, and every time someone since then has been killed with a long gun, it's one more piece of evidence that the long-gun registry didn't do what it was intended to do. We need strong licensing and strong enforcement, and the money might better be spent to do those things.

Would anybody disagree with that?

**Mr. Jack Tinsley:** Very recently, sir, in Winnipeg, three police officers were shot in the line of duty by a drug dealer who didn't have a firearms licence. The shotgun he used was not registered, and he had lived in that house for years. There's a perfect example. Registry or no registry, we cannot trust the information, and police officers go into every call having to trust their training and having to be vigilant at all times to be aware of potential danger.

**Mr. Dave MacKenzie:** I have one last thing. Police officers have been trained for years now—certainly in Ontario, so I would ask you about other parts of the country—to remember that every time you attend a call, there is a firearm there because you brought it. Is that a fair assessment?

• (1730)

**Mr. Dave Shipman:** Absolutely.

**Mr. Dave MacKenzie:** I know that in my own riding we've lost two police officers because they were shot with their own handguns.

The safety of police officers is a big picture; it's not just about registering long guns. That's not the answer to this. It's gun control.

**Mr. Jack Tinsley:** It's controlling the criminals. That's what's going to win this.

**Mr. Mitch McCormick:** That was really the reason for coming today. If there is some fallacy out there that counting guns will make it safer for women and police officers, I'm not of that opinion. I agree totally with redirecting the money and manpower to licensing, strong licensing. We're not here to say that isn't part of it; what I'm saying is that knowing whether he has 13 guns or one gun will not make you any safer.

**The Chair:** Thank you.

I'd like to thank all the witnesses for appearing today.

This meeting stands adjourned.









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