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Tuesday, May 12, 2015

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Chair

Mr. Daryl Kramp

Standing Committee on Public Safety and National Security

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•(0845)

[English]

The Chair (Mr. Daryl Kramp (Prince Edward—Hastings, CPC)): Colleagues, we are starting meeting number 69 of the Standing Committee on Public Safety and National Security.

Pursuant to the order of reference of Wednesday, May 6, we will be dealing with Bill C-637, an act to amend the Criminal Code (firearms storage and transportation). We'll be here for an hour today.

We have one witness before us today, the creator of the bill, Mr. Robert Sopuck, member of Parliament for Dauphin—Swan River—Marquette.

Mr. Sopuck, we'll give you the floor for up to 10 minutes to explain the bill, should you wish, and then we will go to a round of questioning.

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Thank you very much.

I'm very pleased to be here talking about my first private member's bill. It reminds me of that old saying which many of you are aware of that those with weak stomachs should neither watch law nor sausages being made. This was an interesting process.

I was pleased to introduce Bill C-637, an act to amend the Criminal Code (firearms storage and transportation) for two very important reasons. This is an important technical clarification to the Criminal Code and the keyword is "technical".

Under the law currently, items such as BB guns, paintball guns, and other barrelled items that shoot a projectile at a low velocity are exempted from the licensing requirements that are placed on conventional firearms. Why is that? It is because Parliament recognized that there is a fundamental difference between a Daisy BB gun and a hunting rifle. However, certain areas of the Criminal Code were not included in this exemption. That is why I introduced the bill.

Under the current law, an individual could face serious jail time for not taking "reasonable care and precaution" when storing or transporting BB guns or paintball guns. What precisely does this mean? It is unclear because it is an undefined term under the law. Does that mean trigger-locking all paintball guns or perhaps storing BB guns in a separate locked container from the pellets?

At the end of the day, it could mean many things to many people. This bill brings uniformity to the Criminal Code treatment of these items.

This brings me to my second reason for introducing this legislation. Quite frankly, it is all about our Canadian outdoors culture.

I'm the very proud chair of the Conservative hunting and angling caucus. We are the only party that has such a caucus. There are four million Canadians who participate in sport shooting, trapping, fishing, and hunting, and that's actually an underestimate.

However, I fundamentally believe that the New Democrats and Liberals continue to believe that these activities are reserved for rural people who are out of the mainstream of Canadian society. Greg Farrant from the Ontario Federation of Anglers and Hunters said this before this very committee:

Firearms owners in Canada are judges, lawyers, farmers, electricians, mechanics, plumbers, accountants, even federal politicians, many of whom...live in and represent urban ridings. They are not criminals. They are not gang members. Rather, they are lawful firearms owners who obey the law.

However, it is clear that this message has not yet sunk in and some members of the Liberal Party and NDP took the debate on my bill as an opportunity to criticize outdoor enthusiasts by saying that those who want to be able to obey clear rules are part of an American-style gun lobby or are advocating for a return to, as one NDP member from Quebec said, "wild west gun laws".

This is patently ridiculous and it is offensive to the millions of Canadians who use harmless items like BBs for recreation. They're harmless when they're used in a proper way, I might add.

The fact of the matter is that many outdoor enthusiasts, hunters and sport shooters, got their start with such devices as BB guns. I include myself in that group. The laws as they are currently drafted discourage ownership of even BB guns.

This is not about behaving irresponsibly with these items. In fact, I learned my respect for firearms and the importance of safe storage with my initial use of a BB gun. Indeed, my time as a hunter and angler has led me to a 40-year career in environmental conservation. This is a common path along which many people in the conservation professions have travelled.

It is about respect for those who enjoy our outdoor heritage activities. One of the Liberal members, the public safety critic, had this to say in the House:

There appears to be no dispute of the fact that BB guns, pellet guns, and air guns are weapons and are fully capable of discharging a projectile, which can cause serious injury, if not death.

I don't do this very often, but I do agree with Mr. Easter. If used irresponsibly, these items can do harm, but so can knives. There were 195 stabbing homicides in Canada in 2013 and there are no criminal penalties for storage methods for these items which, if used irresponsibly, can cause serious injury.

It comes down to this. Should someone want to walk down to a ravine with a BB gun to shoot some pop cans off a tree stump, the government should not create red tape to try and discourage this type of activity. We should use good common sense to approach this issue. That is what this bill strives to achieve. It exempts transport and storage of these items from criminal sanction as previous laws have exempted licensing. However, it keeps unsafe use of these items as a criminal charge. It still remains a crime to use one of these items unsafely. It is still an aggravating factor to use one of these items during the commission of a crime.

● (0850)

In short, I believe this bill builds upon our Conservative government's record of safe and sensible firearm legislation.

In closing, we know the Liberals and the NDP would, if given a chance, bring back the wasteful, ineffective long-gun registry. We know former Liberal cabinet minister Allan Rock said that he came to Ottawa firmly with the belief that only the police and military should have access to firearms. I'm concerned that the views of the Liberals and the NDP on conventional firearms also extend to a desire to take BB guns and paintball guns out of the hands of Canadians.

I'd like to thank the committee for its time today, and I would be pleased to answer any questions.

The Chair: Thank you very much, Mr. Sopuck.

We will now go to our rounds of questioning.

On the first round, for seven minutes, Ms. James.

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Sopuck, I'd like to thank you for bringing this bill to committee after having it go through the House, as well as for your work as the chair of the hunting and angling caucus. That's also very important.

You mentioned that four million Canadians are actually involved in outdoor activities such as this. You're absolutely correct. It's not just people in the rural and remote areas who participate. A number of constituents in my riding of Scarborough Centre fall into that category as well.

With regard to this legislation, I will just reaffirm that the government does support this bill. There are a number of reasons that we do. First and foremost, it's common sense. Second, it supports law-abiding Canadians who do participate in outdoor activities such as the ones you talked about in your opening remarks.

You did mention very briefly that it's a technical clarification based on a recent Supreme Court decision that has left a bit of a grey area with regard to storage and transportation. I'm wondering if you could comment a bit further on why it's so important to bring this legislation forward to clarify the sections of the Criminal Code. You mentioned that it could make someone a criminal very instantly. Could you specifically relate it to paintball and pellet gun owners

and the differences between those types of activities versus, as you mentioned, other types of firearms?

Mr. Robert Sopuck: The devices that I'm referring to are basically low velocity devices that will eject a projectile below 500 feet per second. A trial court initially acquitted an individual who used one of these items. This case is still before the court, so I'm referring specifically to the particular item he used. An appellate court reversed that decision. This exposed another area of firearms law that clearly is not clear. The appellate court held that a BB gun or air rifle should be considered a firearm under the current provisions of the Firearms Act and Criminal Code even though the trial court held the opposite view.

I think it's important to settle this dispute over what legally is and what legally is not a firearm under the Firearms Act and the Criminal Code. Keep in mind that the very term itself, "firearm", has the word "fire" in it which implies that a propellant is ignited and that discharges a projectile. What I am talking about are clearly not firearms, and the notion of having a Firearms Act come to bear on people who own relatively harmless devices such as paintball guns is quite simply absurd.

● (0855)

Ms. Roxanne James: You also mentioned in your opening remarks that these types of firearms, BB guns, paintball guns, and so forth, are actually exempt from licensing. Other firearms have to follow a very strong and stringent regime for the safety of all.

Could you talk about that just for a moment?

Mr. Robert Sopuck: Sure. I've owned a possession and acquisition licence for decades. Again, these other devices that we're talking about, the BB guns and low velocity air guns, have always been exempt from any kind of registration. Of course, our government eliminated the wasteful and ineffective long-gun registry a couple of years ago, much to the great thanks of the outdoors community. To have these devices that are simply not in the same classification of firearms falling under the same kinds of laws as firearms do again is something that my bill would fix. As I said, it is a technical amendment.

Ms. Roxanne James: Thank you, Mr. Sopuck.

I understand you're also a bit of an author. You didn't talk about it too much in your remarks, but I actually remember the book itself. It was a series of short stories with regard to the outdoor community. I think you probably have a very good understanding of outdoor enthusiasts, and their lifestyles and so forth.

The opposition has consistently opposed any measures to protect that lifestyle to support those enthusiasts. Why do you think that is? I can't understand it. Obviously, I have a very urban riding in Toronto. A number of constituents fit into that category, and I can't for the life of me understand why the opposition would be so against these types of common-sense measures to support this community.

Mr. Robert Sopuck: Again, I think it's a fundamental misunderstanding of what this community is into.

To be fair, I know that some of my colleagues across the way participate in this. One can look at the Conservative caucus that I am so proud to belong to. We have Mr. Norlock, whose private member's bill, for example, reserved the third Saturday in September as a hunting, trapping, and fishing heritage day. Our caucus has a deep-seated understanding of this community. It's unfortunate that many people want to pigeonhole the outdoors community using various terms like "gun lobby" and so on.

I happen to represent a very large, sprawling, beautiful rural constituency where firearm ownership is ubiquitous. When I think of the family get-togethers over meals of wild game, the community suppers with garden vegetables and so on, that's a way of life which I deeply cherish and which I became an MP to vigorously defend. It's truly unfortunate that some people choose to demonize that way of life and want to see many of these activities come to an end. I vow to stop that.

Ms. Roxanne James: Very quickly, I know we have a number of witnesses scheduled to come in on Thursday, but do you have any comments from some of the groups across Canada that are supporting this legislation? Can you provide some of those comments right now? I know there's only a minute, but could you do that very quickly?

Mr. Robert Sopuck: I certainly could.

The Ontario Federation of Anglers and Hunters strongly endorses it. This is a quote from them:

On behalf of the Ontario Federation of Anglers and Hunters (OFAH), our 100,000 members, supporters and subscribers, and our 725 member clubs across Ontario, we are pleased to support Bill C-637.

The Northwestern Ontario Sportsmen's Alliance said:

We agree that the court decision to define air rifles as "firearms" sets a precedent that threatens the freedom of millions of Canadians who simply wish to purchase air guns over the counter....

What's next, licensing for water pistols?

Safari Club International - Canada said:

We at SCI-Canada thank you for taking the time to bring some common sense back to the forefront and fully support the private members bill that you have brought forward.

● (0900)

The Chair: Thank you, Mr. Sopuck.

If you wish to add to that list a little later on in the testimony, you're welcome to.

In the meantime, we will go to Mr. Garrison.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Thank you very much, Mr. Sopuck, for being here. You greeted me on the way in and said that you're just a farm boy, and of course I always have to respond to you that so am I. I'm one of those people who got a BB gun for Christmas as a kid, and I was taught all my gun safety lessons with a BB gun before moving on to, as I say, harder stuff.

So amidst all this saying that the NDP will bring out the gun registry, which it will obviously not, and all this swirling we're doing

around this bill, I think there are a couple of very basic questions. One has to do with how kids learn gun safety. I raised this with you in debate in the House of Commons. I think a lot of kids learn gun safety the way I did, with weapons that are not licensed. I have trouble understanding why you would want to break that parallel of safe storage and transportation of guns, for instance, BB guns. Isn't it a good idea for kids to learn those good habits before they have higher velocity rifles to work with? Why would we break that and say it's okay to transport these one way and then when you get a licence and you get a real gun, you have to do it a different way? Isn't there some value in having those be parallel?

Mr. Robert Sopuck: I certainly agree with you, Mr. Garrison, that all of these devices—and I refuse to use the term "weapon", because these aren't, in fact. People use the term "weapon" for those kinds of things, but I simply refuse to. My .30-06 is not a weapon. It is a firearm. There's a big difference.

In terms of the transport of BB guns, for example, a child should be taught about safe transport and storage of these things, and the law does not need to get involved with these relatively harmless devices. To your first point regarding the NDP and the long-gun registry, I would refer to a December 2014 statement by your leader. The headline of the article reads, "NDP would track every gun, Mulcair vows", and "A New Democratic government would ensure police are able to track every firearm in Canada".

That is a very clear statement from your leader saying that if he were given a chance—and that will never happen—he would bring the gun registry back.

Mr. Randall Garrison: Mr. Sopuck, it's clearly not. You can extrapolate from that whatever you like. What we're talking about is the fact that we have lots of guns that come into the country illegally and we have lots of guns that are actually manufactured here without serial numbers. There he was clearly referring to sales records and being able to know who is exchanging guns with whom, but that really has nothing to do with your bill. I want to come back to your bill.

Did you talk to the police about this bill, and if so, what's their opinion on it?

I did talk to some police who were quite worried about the inability to distinguish some of these low-velocity guns from firearms for which there are different regulations. I heard a concern from front-line police that if something's in a gun rack in a truck, they're not going to be able to tell what it is at a glance. They had a concern for public safety because of the loosening of these regulations for transport.

I just wonder if you talked to the police and whether you heard the same kinds of concerns.

Mr. Robert Sopuck: Well, to me, a police officer should approach every potential dangerous situation with due caution, regardless of what they think there may or may not be in a certain vehicle.

Again, my bill would restore what the law was before the Supreme Court's decision in November 2014. The police never raised the law as it stood prior to November 2014 as being an issue that needed to be addressed. No police contacted me to say they opposed this bill after it was introduced and debated in the House of Commons.

I would make the point that many Canadians have contacted me to thank me for this common-sense move. I would also make the point that the use of these devices—to point an air rifle, for example, at a person in a threatening way—remains clearly illegal. I think the proper safeguards are there to protect public and police safety while at the same time ensuring that law-abiding owners of these devices are kept safe.

Mr. Randall Garrison: So you did not talk to the police, to any of the police organizations, before introducing this bill.

Mr. Robert Sopuck: Well, we worked hard to ensure that law-abiding Canadians were looked after.

I would make the point that the police never raised this issue with me prior to November 2014—

Mr. Randall Garrison: But did you raise this bill with them?

• (0905)

Mr. Robert Sopuck: No.

Mr. Randall Garrison: You talked about this one case and about law-abiding people running into this problem. I'd like to know how many cases you know of where we've run into legal problems over this change you're trying to make.

Mr. Robert Sopuck: Well, it was this particular case that went to the Supreme Court that precipitated my private member's bill. Prior to the appellate court and the Supreme Court reversing the decision that the trial court judge made, to my knowledge this issue never came up. There was the odd case prior, when one of these devices that looks like a real firearm was used in the commission of a crime. That was a crime then and it remains a crime now.

Mr. Randall Garrison: In other words, we're really talking about one case.

Mr. Robert Sopuck: We're talking about a technical amendment to the Firearms Act as a result of this one particular case, yes.

Mr. Randall Garrison: To go back to the general question of public safety, did you talk to any people who work with kids in terms of gun safety before you introduced this bill?

Mr. Robert Sopuck: I talk all the time to people who work with kids on the issue of gun safety. I myself have led mentored hunts where I've taken kids out.

I've had discussions with the Ontario Federation of Anglers and Hunters, for example, which sponsors many youth hunting programs. I read the quote into the record that OFAH, with its 100,000-plus members and 725 clubs across Ontario, strongly supports my bill. Youth mentoring in hunting and firearms use is part of all these outdoor organizations.

Mr. Randall Garrison: Mr. Sopuck, I thank you for your testimony today. I have to say that I still remain concerned about making these low-velocity guns handled differently from firearms. I think it does raise concerns with the education of youth on how to

safely transport and store firearms. I'm concerned that we're trying to change the law based on a single case here.

We in the NDP have said consistently, despite what you try to say we've said, that when we change gun regulations, our first concern ought to be, and has always to be, public safety.

The Chair: Thank you very much, Mr. Garrison.

We will now go to Mr. Falk, for seven minutes.

Mr. Ted Falk (Provencher, CPC): Thank you, Mr. Sopuck, for coming to the committee this morning and for this really common-sense bill you've brought before the House for us to consider.

We have several former RCMP officers and law enforcement individuals in our caucus. I'm wondering if you've had the opportunity to discuss this bill with any of them.

Mr. Robert Sopuck: Yes, for sure. To a person, they view this technical amendment as something that is appropriate, precipitated by this court decision. Had the definition of what was a firearm been allowed to stand, even though this was only one case, this could have precipitated many other cases across the country and generated a lot of issues that didn't need to come up at this particular time.

I think it was important to—quote-unquote—nip this in the bud based on this one case.

Mr. Ted Falk: Okay. Very good.

Have individuals like Mr. Norlock, a former OPP officer, and Mr. Leef, a former RCMP and also conservation officer, had an opportunity to review the bill, and you've sought their opinion and advice?

Mr. Robert Sopuck: Of course, both are very active members of the Conservative hunting and angling caucus and are very experienced police officers, so their views were paramount.

Mr. Ted Falk: Absolutely. Good. Thank you.

As the law stands today, a conviction of improper storage or transportation of a firearm can bear some fairly severe consequences. Is that not correct?

Mr. Robert Sopuck: That is correct.

Mr. Ted Falk: I think back to my childhood, and like Mr. Garrison across the way, I received a pellet gun from my father somewhere around the time I was 10 years old. I have very clear memories of living in a smaller community and after school and in the summer break from school taking this pellet gun, walking down the street out of town and into the neighbouring farmer's field with it and shooting gophers, or as you say, shooting pop cans off fence posts. I can't imagine a police officer, first of all, would have been terribly concerned at that time. But I can't imagine that happening today and a police officer arresting someone and prosecuting them according to the way the law stands today. How do you think?

• (0910)

Mr. Robert Sopuck: I think no matter what the device is, it has to be carried and used very safely.

Also, thank you, Mr. Falk, for bringing up the penalties for unsafe firearm and ammunition storage. Again, we eliminated the long-gun registry as a Conservative government, but those other restrictions still apply regarding firearms storage and storing the ammunition separately from firearms in a locked area.

I think regarding, for example, Bill C-42, which is before the House right now, we have struck the right balance between protecting the rights of lawful firearm-owning citizens and ensuring that public safety is maintained. Again, from the commentary I'm getting from the hunting and outdoors community from across the country, they are by and large fine with, for example, Bill C-42 and the restrictions that remain in place, but at the same time very strongly appreciate our government's work in ensuring that the rights of law-abiding citizens are maintained.

Mr. Ted Falk: Thank you for that answer.

To further expand, can you talk about the difference in velocities between the type of firearm we would expect to be classified as a firearm and those of a BB gun or a pellet gun?

Mr. Robert Sopuck: Sure. The bill deals with devices that eject a projectile less than 500 feet a second. With your normal rifle like a .30-06 or a .222, for example, I think those velocities are in excess of 2,000 feet per second, so we're talking orders of magnitude difference between the two. One is very much a firearm, a .30-06, for example, and is capable of great harm if used improperly; whereas these devices we're talking about, at less than 500 feet per second, while they have to be used safely and somebody can be harmed if shot at very close range, as I said are orders of magnitude different from a true firearm.

Mr. Ted Falk: I can remember those days when I took my.... There were two types of pellet guns in those days, a .22 calibre and also the .177 calibre. I can still remember pulling the trigger and waiting a moment to hear the impact on a tin can, just to explain a little of the difference in velocity between a pellet gun and, say, a regular firearm like a .22, where that sound is almost instantaneous.

You've written a book on your experiences in the great outdoors, and you're the co-chair of the hunting and angling caucus. As you travel across the country and let people know that you're presenting this bill, can you tell me the feedback you've been getting from Canadians on this particular bill?

Mr. Robert Sopuck: This particular bill is all part of our government's strong efforts to protect and defend the hunting, angling, and outdoor way of life. Again, I make the point that this is a small technical bill, but the outdoors community views all of this as a package. The fact that our government reversed the RCMP's ban on the muskrat hat was extremely well received. It was another small issue, but highly symbolic and highly charged, and the number of emails my office got on that issue was truly remarkable. This is the same kind of bill, a very small technical amendment, but it's part and parcel of the complete package our government has been very strongly working on over the last few years to ensure that the outdoors community is not only represented in working with our government but that their rights and way of life are also protected.

The Chair: Your time is about up, so we'll just call it. Thank you very much, Mr. Falk.

We will now go to Mr. Easter.

Hon. Wayne Easter (Malpeque, Lib.): Thank you, Mr. Chair. That no doubt gives me more time.

Some hon. members: Oh, oh!

The Chair: No, as a matter of fact, given the number of times you run over, Mr. Easter, we'll give you less time.

Hon. Wayne Easter: Thank you, Mr. Chair.

Welcome, Bob.

Mr. Robert Sopuck: Thank you.

Hon. Wayne Easter: I take it the government supports your bill. Do you have any idea why the government didn't introduce it in their own right, if this is so important that they support it? We see them put things in the budget bill that we shake our heads at. Why did they not put this in as part of the overall changes to the Criminal Code?

Mr. Robert Sopuck: I'm very proud to be part of a caucus that respects the rights of individual MPs. For me as chair of the hunting and angling caucus, this was an ideal bill to bring forward.

I should point out that the Conservative hunting and angling caucus is one of the largest in our government. The effort that Conservative MPs put.... In fact, they're getting tired of me calling meetings, but they all come, and we have great discussions about this.

It was natural, I think, for me to present this private member's bill, given my role in our caucus.

• (0915)

Hon. Wayne Easter: So I guess the government was just negligent in not doing that.

Some hon. members: Oh, oh!

Hon. Wayne Easter: In any event, since you talked about the hunting and angling caucus, I want to outline clearly that we are strong supporters of the hunting and angling community. It is big business and important to the economy in the country. For many people, hunting is a way of life, and they're to be congratulated on it.

I want to come back just for a minute to.... Bill C-68 always seems to come up with Allan Rock's name. I wonder if you have any idea who drafted the original bill that became Bill C-68.

Mr. Robert Sopuck: No, I haven't.

Hon. Wayne Easter: I'll tell you. She was the minister of justice. She was actually prime minister. It was Kim Campbell. If we want to really be pure, we can go back to those days. I believe the bill was Bill C-17, if anybody wants to look. But let's not get too pure in what previous ministers and governments have done.

In any event, on this bill specifically, can you tell us how many criminal charges have been laid in the last five years under this section of the Criminal Code that you're trying to remove?

Mr. Robert Sopuck: No.

Hon. Wayne Easter: Have there been any?

Mr. Robert Sopuck: Not that I'm aware of, but I stand to be corrected, Mr. Easter.

Hon. Wayne Easter: So we don't know whether there were any charges under the Criminal Code.

Do we know whether there are any stats on any injuries that might have happened with BB guns, pellet guns, paint guns, etc., which this section, if abided by in the Criminal Code, might have prevented? Do we have any of those numbers?

Mr. Robert Sopuck: I don't know what kinds of records are kept here, but in terms of your point about the value of the hunting and angling outdoor way of life and the fact that you and your party support it, I'll take that at face value.

However, your leader's views on Bill C-42 shocked many of us. I have an article here from November of last year. I'll quote from it:

Wednesday, following the Liberals' weekly caucus meeting, Trudeau insisted that should C-42 become the law assault rifles, machine guns and high-powered handguns would be commonplace "outside busy places like shopping malls, grocery stores and sports arenas."

That doesn't strike me as somebody who supports the hunting and angling way of life. I respect your support for this way of life, and I know that you respect it. As for the leader, this over-the-top comment shows where the leadership of the Liberal Party is coming from.

Hon. Wayne Easter: One thing I've never seen from a Conservative member is an over-the-top comment. Have you, Mr. Chair? I never have.

In any event, I know that what Mr. Trudeau was talking about was machine guns and so on. They were prohibited guns, not something that hunters and anglers normally use. People going to a shooting range certainly sometimes do, and he is, as we are as a party, worried about that open transport becoming common practice.

I also want to underline something the leader said. He said he has absolutely no intention of bringing back the gun registry. That's a no-go. I think that lesson has been learned, and I hope it has been learned by all parties. I have some familiarity with that myself.

In any event, there really doesn't seem to be a lot of reason in terms of stats and numbers why these changes are being made.

I want to come back to Mr. Randall's point, because I think it is probably the most important one and one of the reasons we are taking the position we do, and that is the value of education and having this where it is under law. I respect everyone who, like myself, has had BB guns or pellet guns. I admit that we did some unsafe things with them when we were kids.

As for the value of education, I think it is wrong to have two sets of rules. Do you not see any value in leaving things as they are? There have been obviously no charges under the law. When people are using BB guns and pellet guns appropriately, and then they

transfer into hunting rifles and so on, it's a good start to get into hunting and angling, etc. Is there no value to that? Why wouldn't you want the same law? I think you are complicating things with this bill.

• (0920)

Mr. Robert Sopuck: Au contraire, we are uncomplicating things. This is going back to the situation the way it was before the appellate court reversed the trial judge's decision. This is a return to the status quo, basically.

In terms of safety and so on, of course I agree with you. Proper gun safety is often taught using these low-velocity devices, but if these devices were subject to the Firearms Act and storage requirements, you would get into the absurd situation, for example, where a BB gun would have to be locked in a safe and the BBs, which are basically just pellets with no propellant in them or anything, would have to be locked up in another room. That is clearly absurd.

It is the absurdity of these kinds of laws, like the registry itself, that has caused the outdoors community to rise up. Again, I talked to the outdoors community across the country in my role as chair of the Conservative hunting and angling caucus, and I can say categorically that the support for my bill is widespread in this particular community.

The Chair: Thank you very much. That's it, Mr. Easter.

We will now go to Madam Doré Lefebvre.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Thank you very much, Mr. Chair.

Thank you for joining us today, Robert. We spent a few months together on the Standing Committee on Fisheries and Oceans. We shared some fishing tales. It's very nice to have you with us today.

I am also part of Canada's hunting and fishing community. I don't like to be depicted as part of any given community. I sometimes find that the Conservatives put all the hunters and fishers in a specific category.

I agree with some of the points. However, I think that practically all the committee members have a least one air gun, as every time someone asks questions about that, they mention that they have one. So I will jump on the bandwagon. I also have air guns at home. It's always very nice to relax at the cottage and fire at targets.

That is why I have been looking at the current practices on air guns. I know that practically anyone can buy air guns with a velocity of less than 500 feet per second. They are currently not considered firearms under the Firearms Act. They are also not subject to the Criminal Code penalties for the possession of firearms. Air guns are considered firearms under the Criminal Code only if they are used to commit a crime.

This brings a lot of questions to my mind. Are the current laws not logical? Why would we want to change things? I feel that the logic is very simple. An air gun is considered to be a firearm under the Criminal Code only if a crime is committed. Why would we want to change the rules in that regard?

[English]

Mr. Robert Sopuck: Well, I make the point that I'm not changing the rules. We are returning to the original situation with this technical amendment. My bill deals with the storage and transport requirements for these devices. It says that the current transport and storage would not apply to these devices, because they're clearly different from true firearms.

I do take at face value your individual support for the hunting, angling and outdoor community, but I would refer to two comments made by your colleagues from October of last year. Jean Crowder, the New Democrat member for Nanaimo—Cowichan, said that she supports—and this was dealing with the debate on Quanto's law—legislation in which “animals would be considered people and not just property”. The MP for Gatineau on the same day and in the same debate said that animals should be treated with “the same protection that we afford to children and people with mental or physical disabilities”. Why is this important? If those views were ever to get into law, that would be the end of all outdoor activity.

While I accept that you personally support them, I do not see the same view in your party.

• (0925)

[Translation]

Ms. Rosane Doré Lefebvre: I would like to come back to the provisions and proposals in the bill presented today.

We have had discussions with the representatives of the Canadian Police Association. I must say that they have some reservations about Bill C-637. According to the discussions we have had with them, there have been fewer than a dozen convictions for transporting an air gun in all of Canada. So the number is very low. The Canadian Police Association feels that the amendments proposed in your bill would be unjustified given the number of charges laid.

What do you think about the Canadian Police Association's position on your bill?

[English]

Mr. Robert Sopuck: Thank you for that.

As one who has been fighting the long-gun registry wars for many years, long before I became an MP, I became acutely aware of the differences between what the rank and file officers on the street thought versus what the representatives of the police chiefs association thought. The disconnect was very stark.

Again, the criminal use of these devices, such as using a look-alike item in a criminal act, is clearly a crime: it was a crime; it is a crime, and it will remain a crime. This bill is a technical amendment to that court ruling that basically would treat these low-velocity devices in the same way as true firearms, and my bill corrects that.

The Chair: Thank you very much.

Mr. Norlock, you have five minutes.

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

I really enjoy being told that it was a previous Conservative member of Parliament, a cabinet minister and actually prime minister, who brought in the original FACs, which the outdoors community had no problem with. It's only when the Liberals tried to up the ante and brought in the long-gun registry.... She never brought that into law and quite frankly would not have gotten it past most Conservatives in this country. I need to get that out of the way.

When the opposition talks about tracking sales, that's code for a new kind of registry through the back door; that's what it's all about. In actual fact, they're not entirely wrong, because under the old FAC, there was a tracking of it, and we might have had something like that anyway without all the kerfuffle, but the Liberals, always trying to one-up everybody else, brought in the long-gun registry, and we know what that caused in this country: great debate.

I'd also like to talk about safe storage and proper handling of such things as BB guns and pellet guns. For the edification of those here, the Ontario Federation of Anglers and Hunters works in partnership with the Ontario government in delivering the hunter safety courses. Of course, because they support this legislation, one would have to assume that their partners in education also would support this piece of legislation, which I agree with you is simply bringing common sense back. Here's what you would have.

We have, of course, mostly young people using BB guns and pellet guns. I know my two grandchildren have received gifts of those, and their fathers go out with them to teach them proper firearm safety such as you talk about. The opposition talk about the value of education. I'd like to talk about the value of education as given by mom and dad. We don't need the big hand of the state in every form because in some legislators' eyes you can't trust mom and dad to do the good thing but have to have the state do it. My dad taught me firearm safety beginning with BB guns. So I have to agree with you there.

Here's the problem I have with the current legislation, if we don't adopt this bill to deal with a flaw in the law. We potentially could have a lot of young people ending up in young offenders court because they put the BB gun in a closet and didn't lock it up or didn't put a trigger lock on it. That's what would happen, as far as I'm concerned, because police officers, like anybody else, each interpret the law, and that's why all the laws say a police officer “may” charge.

When I became a police officer, we were told that you lay a highway traffic offence when a warning won't suffice. I can tell you, having a son in the police, that the education is completely changing. It's that you charge people first, unless you think a warning will suffice. So there is a change.

I have to agree with you. When any private member of Parliament sees something that they think needs to be corrected in law, it is their right to bring legislation forward. To suggest that any member of Parliament bringing a private member's bill forward who happens to be part of the governing party shouldn't bring it in, that it should be the party that does so.... You're right: we have a duty as legislators to do it.

If you wouldn't mind, given what we heard about injuries that could be sustained by BB guns and pellet guns, could you talk about the injuries that could be sustained by knives or baseball bats? I wonder whether you'd like to talk about any of the subjects that I've just ranted over.

• (0930)

Mr. Robert Sopuck: I agree with everything you've said, Mr. Norlock. Of course, Mr. Norlock, you're one of the strongest defenders of the outdoors community, and your bill proves that.

Anything can be used in an inappropriate way, including these particular devices. To your point about families being teachers, about parents mentoring their children, those are very profound and intimate experiences that last a young person an entire lifetime. Again, to your scenario of a young person, if the law stayed the same and the judge's ruling were allowed to stand, what would a child being thrown into court because their BB gun was stored the wrong way do to that child, in terms of their willingness to participate in the outdoors and perhaps willingness even to participate in conservation activities?

Again, that conclusion may be tenuous, but for me and millions of others who got their start in that particular way and ended up in careers in conservation, as the member for Yukon and the member for Wetaskiwin did, this is a very profound chain of events that can truly enrich a person's life, as it did mine.

Your points are very well taken, Mr. Norlock.

The Chair: Thank you very much. Time is up, Mr. Norlock.

[Translation]

We will now go to Ms. Michaud, for five minutes.

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Thank you very much, Mr. Chair.

Mr. Sopuck, thank you for being here.

I think it's fascinating that the government is using the public safety committee to impute motives to the opposition parties. I thought there was enough time in the House of Commons for that. This is a strange forum for these kinds of comments.

The riding I represent, Portneuf—Jacques-Cartier, is a rural riding where hunting and fishing are especially important. In fact, the Fédération québécoise des chasseurs et pêcheurs has its headquarters in my riding, in Saint-Augustin-de-Desmaures. I have developed some very strong relationships with those groups. We hold interesting and meaningful discussions on firearms and other issues.

That brings me to my question. I heard you talking about groups you have consulted. But those groups only seem to consist of people who already approve of your proposal. You don't seem to have actually consulted police forces from across the country. I'm not sure

you have consulted any people who might raise issues with regard to your bill.

Could you give us more details on the consultation process you used? What groups have you consulted in Quebec, where there are special sensitivities around the firearm issue? I would be very curious to find out who you talked to in Quebec, in particular regarding your bill.

• (0935)

[English]

Mr. Robert Sopuck: I very much appreciate the question. I am only beginning to appreciate the outdoor culture in Quebec. I have met with Mr. Pierre Latraverse a number of times, and I consider him to be a friend. The outdoors culture in Quebec is profound.

I found it very interesting that the Quebec federation you speak highly of, and I speak very highly of, came out strongly in support of the Supreme Court decision to eliminate the long-gun registry records in Quebec.

[Translation]

Ms. Éline Michaud: Mr. Sopuck, as I don't have much time, I would like to bring you back to my question about which groups you consulted in Quebec.

I think your party's opinion on the long gun registry is very clear. The NDP has also been clear: it does not want to bring the long gun registry issue back on the table. The discussion should not be about that.

I would like to bring you back to my original question: which groups did you consult in Quebec while you were drafting your bill?

[English]

Mr. Robert Sopuck: It wasn't me that brought up the Quebec federation or the supposed sensitivities of Quebecers to the registry. You did, so I'm responding to that.

[Translation]

Ms. Éline Michaud: You are talking about firearms and not the registry.

[English]

The Chair: Madam Michaud, a question also deserves a response. If it's out of order, or out of line, the chair will order it so.

Please, Mr. Sopuck.

Mr. Robert Sopuck: Yes, of course, as chair of the Conservative hunting and angling caucus, I consulted with a number of groups across the country, and I will freely admit to you that consultations can go on forever.

The strong support we're getting from the people I spoke to tells me there is strong support in the outdoors community in Quebec and indeed across the country.

Going back to the points you raised about Quebec, I was in Quebec last week speaking with hunters and anglers groups, and I can tell you categorically they are very strongly supportive of what our government is doing.

[Translation]

Ms. Éline Michaud: Unfortunately, I have still not received an answer to my specific question. You are telling me about groups you have had discussions with retroactively—after your bill was introduced—but I still don't know which groups you consulted in Quebec in particular. That is the crux of my question. Whom did you consult in Quebec while you were preparing your bill? I will start by trying to get an answer for one province.

[English]

Mr. Robert Sopuck: As I said, I met with Pierre Latraverse, Guy Vezina, and other groups from Quebec, and they strongly support the entire agenda of our government in terms of protecting and defending the outdoor way of life. As I said, Madam Michaud, I'm only beginning to appreciate how passionate Quebeckers are about the outdoor way of life, and it has been a very great pleasure of mine to be speaking with them.

[Translation]

Ms. Éline Michaud: Thank you.

Listen, I am—

[English]

The Chair: Very briefly, Madam Michaud.

[Translation]

Ms. Éline Michaud: I'm fairly puzzled by the reasons for which you introduced this bill. On the one hand, you are telling us that this is the government's program, and on the other hand, you defend yourself by saying that this is a private member's bill. You say that you saw a problematic situation. Unfortunately, I have still not heard any evidence in your presentation to indicate that this bill had to be introduced.

How much time do I have left, Mr. Chair?

[English]

The Chair: You're well over time now, I'm so sorry.

Thank you very much.

We will now go to Mr. Payne, please.

Mr. LaVar Payne (Medicine Hat, CPC): Thanks, Bob, for coming.

I'm pleased to be a member of the hunting and angling caucus as well. You talked about BB guns. I go back to when I was a young lad and I got my BB gun, and the first thing I was taught was safety. That carried through. As I got a little bit older—I was about 14 as I recall—I actually got my first .22 and I joined a shooting club and there again I was taught safety. I think that culture had already started. We were taught never to aim it at anybody and make sure that it was never left loaded. Those are the kinds of things that I think parents teach their children, and it's the right thing to do.

On the storage and transportation, just in terms of the paintball guns and trigger locks, we have a huge paintball area just outside of Medicine Hat, and I know there are a lot of people who go there. I'm wondering if you could talk a bit about the use of paintball air guns and also what you see in terms of storing those and the paint pellets.

● (0940)

Mr. Robert Sopuck: That's not an activity which I've partaken in. Having said that, the example of the paintball guns points to the absurdity of the current situation if this court decision were allowed, if it wasn't amended by my private member's bill. It's clearly ridiculous to have to lock up these devices and store the paintballs in a different place, and trigger locks, the whole nine yards.

Again, for the committee, this is a fairly minor bill. It's a technical amendment to correct a decision by an appellate judge that we think was clearly wrong. The paintball situation, if this was allowed to stand, is the perfect example of why we need my private member's bill.

Mr. LaVar Payne: We and some of our colleagues have talked about pellet guns, and I'm thinking about going out into the hills and shooting pellet guns. What would people say? What would parents say if in fact their teenagers were convicted of shooting a pellet gun out in the hills? I just find that fairly strange.

Rosane Doré Lefebvre talked about a pellet gun and, I think, taking it out to the cabin or somewhere like that. Certainly, that makes me wonder about the transportation of that particular pellet gun and the pellets. I wonder if you could touch on that a little bit.

Mr. Robert Sopuck: Again, we're talking about devices that fire projectiles less than 500 feet a second versus high-powered rifles, which are in the 2,000 feet per second round. Of course the latter need to be treated much differently than the former. The use of air guns and pellet guns can teach a young person proper firearms safety so when they graduate as you did, Mr. Payne, to .22s, which can inflict real harm if used improperly.... I think this is the proper process.

Mr. LaVar Payne: Thank you.

Your bill, as you said, is a technical amendment and certainly it falls right in line with our common-sense firearms Bill C-42 and things that we've done, in particular, to get rid of the long-gun registry. I don't know if you have any other comments you'd like to make in that regard.

Mr. Robert Sopuck: Again, just to go back to something Mr. Easter said regarding prohibited weapons, those still remain prohibited, things like fully automatic weapons and so on. They are prohibited and they will remain prohibited. They're owned by people under very tight supervision and very restricted situations.

There are three classes of firearms in this country: prohibited, restricted, and non-restricted. What I find in debates is that those three categories are often conflated in the heat of debate. People have to realize the differences between the three types of firearms.

Mr. LaVar Payne: Thank you.

I want to touch on the transportation issue.

I know what the Liberal Party has said on the transportation of firearms and these machine guns and everything else going out to your neighbourhood arena.... It just absolutely is false because currently that isn't even allowed. You don't need an ATT. That sits in the drawer of the CFO. I'm just wondering if you have a comment that you'd like to make on that as well.

Mr. Robert Sopuck: It's the Liberal leader's views where he talked about how high-powered handguns would be commonplace "outside busy places like shopping malls, grocery stores, and sports arenas". Those are his words; they're not mine. It's clearly over the top, and it's truly unfortunate when I think Bill C-42 strikes the right balance between protecting law-abiding firearms owners and protecting the public's safety.

I'll be quite frank. One of the things we've been criticized on with Bill C-42 is our insistence that new firearms owners take a mandatory firearms course. Challenging the firearms course is not allowed anymore. The firearms groups are somewhat uncomfortable with that, but our view is very strong that new firearms owners should be required to take a test in person. They do it once in their lifetime. It's a day out of their lives, but it's time well spent in terms of learning firearms safety.

● (0945)

The Chair: Thank you very much.

Colleagues, the chair wants to bring a couple of issues to your attention. Just before we do that though, we will excuse member of Parliament Sopuck. Thank you kindly for your attendance here and for your availability for Q and A.

Mr. Robert Sopuck: Thank you very much.

Hon. Wayne Easter: Mr. Chair, I have a technical question as well. Could the clerk tell us whether we're going to hear from the Department of Public Safety and the Department of Justice on this bill?

The Clerk of the Committee (Mr. Leif-Erik Aune): The lists of requested witnesses are at the office, so I couldn't tell you authoritatively, but on behalf of the committee I'll be extending invitations to the priority witnesses, as requested by the parties themselves.

Hon. Wayne Easter: Would it not be natural, Mr. Chair, when we're dealing with a public safety issue, that the department would come in its own right? I wouldn't think they would even need an invitation.

The Chair: Ms. James.

Ms. Roxanne James: That's not standard practice. I think Mr. Easter knows that.

I had a private member's bill come through public safety and the departments were not invited and they were not witnesses. We want to hear from outside witnesses on private members' bills. Obviously we have the mover of the bill first, and then we have witnesses from all sides come in.

I think Mr. Easter knows the answer to that question.

Hon. Wayne Easter: Mr. Chair, we are the committee that's supposed to be responsible for public safety, and we do the estimates from the department. It seems natural to me that on any piece of legislation that has implications on public safety we would hear from the department.

The Chair: I understand your position, Mr. Easter. I would suggest that I've sat on many different committees and every bill could pertain to the ministerial responsibility and ministers do not appear on every bill every time.

Hon. Wayne Easter: I'm not asking the minister, but the department.

The Chair: For the department, on many occasions that has not taken place. However, everybody has the availability of calling the witnesses they do wish to hear. I will simply go now to our other business. Thank you very much.

There are three issues that the chair will be considering, and I wish to draw them to your attention so you have some input thought out before we move forward.

The first issue is the witnesses for Thursday's meeting. The chair does not have a complete confirmation on the number of witnesses yet. It is the chair's intention if we have a lesser number than we expected to simply go for one hour. However, I'm at the will of the committee, so I will leave that with you. That is one point of consideration the chair is going to take under advisement.

The second issue is the budget implementation legislation. It's my understanding there may be potentially six divisions that may be referred to this committee. I give you that just for your information, and you can start to make some preparations based on that. The chair has no indication yet of what they are. Once it's been referred to the chair, the clerk or I will give that information to everybody for consideration. That is an issue that may come before this committee for committee business.

The third issue I will raise is that we've had a request for a meeting with the Czech delegation. They are also requesting a meeting with defence. It's a high-level delegation. Defence is willing to meet with them. We may meet with them as well, depending on this committee's thoughts. We either need to meet with them as a full committee or as members of the committee, whatever your preference is. We're exploring options right now to see whether we would potentially join with defence at the same time for the hour, or whether we would do a stand-alone after our meeting.

Those are some thoughts that you can stew over for a little bit. Going forward, the chair would appreciate some input, and we'll make some decisions.

Yes, Mr. Easter.

Hon. Wayne Easter: We've done these before in the past, Mr. Chair. Regarding the Czech delegation and the possibility of a joint committee, that may not be possible given that defence information may be privileged, but if it's possible to do a joint meeting, that's what I would certainly prefer. We are willing to meet at other hours than committee time, if it can be worked out. That's one point.

Point two, just for the clerk's information, we will change our priority list. I would like to see the Department of Public Safety here, not necessarily at the next meeting, but give them a little time at Tuesday's meeting.

● (0950)

The Chair: I have just one comment, Mr. Easter. The defence committee, of course, would not be in a position of sharing any confidential information with a foreign delegation. That concern would not be there.

The tentative date is down the road and we're looking at May 28. That is the potential date, so we have plenty of time to give it some thought between now and then, but that is the date that they will be in town and have requested an audience with us.

Ms. Ablonczy.

Hon. Diane Ablonczy (Calgary—Nose Hill, CPC): I'll just make an observation that none of us are going to get any votes from this delegation. In the interest of the reputation of our country, as much as possible, if we could speak with one voice—it could be a little bit difficult—but I know others have been on these things. If we get into a lot of partisan bickering, it really is not helpful to the delegation. It doesn't do our country proud.

If we could keep our observations as straight up as possible, we can say there are differences of opinion, but I don't think we should get into bickering.

The Chair: The chair would just advise that as we have not discussed any committee business right now, we are just having a casual conversation. We are still public at this point. It's not the chair's intention to go into committee business. I'm just drawing that to your attention.

We'll have a further discussion going forward. If we wish to deal with it in committee business, we will do so. This just gives you an opportunity to do a little planning and/or some consideration of thought that you may wish to bring forward at committee business.

The meeting is adjourned.

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