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# Standing Committee on Public Safety and National Security

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Chair: Mr. Ron McKinnon





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• (1105)

[English]

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

Welcome, everyone, to meeting number 45 of the House of Commons Standing Committee on Public Safety and National Security.

We will start by acknowledging that we are meeting on the traditional unceded territory of the Algonquin people.

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

In accordance with the committee's routine motion concerning connection tests for witnesses, I am informing the committee that all witnesses have completed the required connection tests in advance of the meeting.

Pursuant to the order of reference of Thursday, June 23, 2022, the committee resumes consideration of Bill C-21, an act to amend certain acts and to make certain consequential amendments (firearms).

Today we have two panels of witnesses. In the first hour, with us by video conference we have Regional Chief Terry Teegee from the British Columbia Assembly of First Nations. From the Federation of Sovereign Indigenous Nations, we have Vice-Chief Heather Bear, fourth vice-chief. From Women of the Métis Nation - Les Femmes Michif Otipemisiwak, we have Ms. Melanie Omeniho, president.

We will start with five-minute statements by each group.

Regional Chief Teegee, please go ahead for five minutes.

**Regional Chief Terry Teegee (Regional Chief, British Columbia Assembly of First Nations):** Thank you, Mr. Chair, and good morning.

First of all, I want to acknowledge the territory that I'm calling from, the unceded, unsundered, continually occupied territory of the Lheidli T'enneh.

I want to thank all the committee members for attending today, and also Vice-Chief Bear and the Métis Nation.

Since we have a very short time, I want to get into our concerns and recommendations. I think we can all agree that we want safer communities, and part of ensuring that our communities are safe in-

cludes greater restrictions on access to weapons like handguns and assault weapons.

The federal government's initiatives to restrict or freeze the sale or transfer of such weapons under Bill C-21 is commendable in this regard. However, we are very concerned about the lack of clarity with respect to red flag or yellow flag laws that are applicable to first nations people specifically on reserve and in first nations communities.

Handguns and assault-style weapons are not used for hunting. However, the provisions of Bill C-21 will establish red flag and yellow flag laws and provide no guidelines for how those new laws would apply to first nations.

This is significant, as it may affect the possession of firearms such as long guns or rifles, which are commonly and responsibly used by first nations in our first nations reserves and communities and in traditional or treaty territories for hunting purposes. Parliament must not overlook this issue if it involves possible restrictions to aboriginal and treaty rights to hunt, which have been affirmed in section 35 of the Constitution Act of 1982 and also in the United Nations Declaration on the Rights of Indigenous Peoples Act, which was passed last year.

First nations women, girls and 2SLGBTQQIA+ people experience some of the highest rates of gender-based violence and intimate partner violence in the country. At the same time, first nations men and women are overincarcerated at staggering rates. First nations people remain Canada's fastest-growing prison population, despite decades of well-intentioned but ultimately ineffective criminal legal system recommendations and reforms that have failed to redress systemic racism, sexism and colonialism within the criminal justice system.

As I said, first nations people are already overincarcerated and overpoliced at disproportionately high rates. It's not clear how this proposed legislation may contribute to or enable increased discriminatory police practices or negative interactions with law enforcement.

Gangs certainly are a growing problem in first nations communities and reserves, but this legislation provides no new tools for first nations police agencies to address gang and gun violence, which is one of the ostensible objectives of the proposed bill. Gang violence stems from chronic issues such as poverty, lack of services, unemployment and intergenerational violence. Addressing these root causes would do more to reduce gang violence than imposing further restrictions on law-abiding firearms owners. We are looking for more co-operation between non-indigenous police forces, such as the RCMP, and our first nations and indigenous police forces.

Our recommended amendments are as follows.

The AFN recommends that the provisions of Bill C-21 dealing with red flag and yellow flag laws be altered to ensure that first nations inherent and constitutional rights are respected.

We recommend that you clarify how red flag and yellow flag laws will apply to first nations people, specifically first nations reserves.

We recommend that an oversight mechanism be included to ensure that the chief firearms officer consult with first nations with respect to red flag and yellow flag orders and ensure they do not restrict access to firearms commonly used in hunting.

We recommend that Bill C-21 be implemented to support first nations police services and ensure that the resources they require to maintain law and order within their jurisdictions are provided specifically in relation to root causes of gangs and gun violence.

We recommend that Bill C-21 be implemented to support first nations prevention programs for youth in relation to gang violence and illegal guns.

Finally, we recommend that Bill C-21 be implemented to support first nations prevention programs targeting gender-based violence and violence against first nations women, girls and 2SLGBTQIA+ people.

Fundamentally, the AFN asserts that the Government of Canada must conduct a process to obtain the free, prior and informed consent of first nations as required by article 19 of the United Nations Declaration on the Rights of Indigenous Peoples, now embedded in Canada's own act on this matter.

• (1110)

Thank you for the time, and certainly we look forward to your questions.

*Mahsi cho.*

**The Chair:** We'll now go to Vice-Chief Bear. Please go ahead for five minutes.

**Vice-Chief Heather Bear (Fourth Vice-Chief, Federation of Sovereign Indigenous Nations):** Thank you. I'm speaking from the beautiful unceded, unsundered Treaty 6 territory this morning.

Thank you for asking the FSIN to appear as a witness on this important hearing regarding firearms legislation.

The FSIN promotes and protects the interests of 73 first nations in the province of Saskatchewan, and we are committed to honour-

ing the spirit and the intent of the treaties, as well as the promotion, protection and implementation of treaty promises. I wish to speak today about the first nations' inherent, treaty and constitutionally protected rights to hunt, fish, trap and gather, and the continued struggle that our people face when it comes to systemic racism.

The assertion of our right to hunt is fundamental to the treaty promises that were made to first nations. We understand that Bill C-21 is being put forward to address public safety concerns and includes a freeze on hunting, red flag and yellow flag laws, provisions to prevent the smuggling and trafficking of illegal firearms, the prohibition of air guns and changes to the Criminal Code.

First nations are aware of safety concerns when it involves the protection of vulnerable people and likely have no issues with the freeze of handguns, or red flag laws, as our first nations are plagued with poverty, addiction, gangs and a drug crisis that seems to be worsening every day. It's one of the reasons we call for resources to establish our own legal systems, which include tribal police forces. When it comes to the safety of our nations, we support legislation that protects our women and LGBTQ+ persons and our citizens.

While we recognize the need to have the provisions to protect individuals who may be in immediate danger, when it comes to the yellow flag laws and the Criminal Code changes, there are concerns that these provisions could be abused to target first nations citizens. This is especially concerning for treaty sustenance hunters, who will be impacted by the yellow flag laws when they choose to carry a licence. The legislation provides that anyone can contact a chief firearms officer, a CFO, to report someone under the yellow flag regime. It could lead to the potential abuse of this section by having someone complain to a CFO with little information, thereby triggering an investigation.

Everyone in Saskatchewan knows that tensions are high between private land users and treaty sustenance hunters. It is therefore concerning that some private land users could report anyone they see out hunting—which many do already—and that the sustenance hunter could have his licence revoked and his guns confiscated. When guns are confiscated from sustenance hunters, it impacts them and their families when they have merely been trying to put food on the table.

When guns are confiscated it may also impact the whole nation, especially those who hunt for ceremonial purposes, in that sometimes we only need traditional food for ceremonies. These ceremonies include feasts. We also hunt to feed our people at funerals and to celebrate. We hunt for a lot of gatherings and occasions, so when you confiscate guns, you are doing a whole lot more than just taking away a gun.

If there are no safety issues and there is no issue of domestic violence or any kind of violence, then taking away a gun impacts our nations and our citizens' ability to assert our inherent, and treaty and constitutional rights. We also view our guns as a tool of our first nations sustenance hunters.

Now we know that this new law is about revoking a licence, but many of our hunters do not get a licence because their treaty did not require a licence for our people to hunt. First nations people have an inherent and treaty right to hunt, and do not require a licence or PAL to assert that right. Despite this, our hunters are harassed by conservation officers and the RCMP.

While the intent of Bill C-21 is to address public safety issues, I would recommend amendments to ensure that it is clear in the legislation that treaty hunters do not need a PAL or a licence when asserting their inherent, treaty and constitutional right to hunt. This is the reason we did not agree with some of Bill C-71, and this new legislation is another piece of imposed law that we have to deal with, especially when our people experience systemic racism. We know that our people are overpoliced and are overrepresented in the legal systems and jails. This new law talks about an exception for sustenance hunters, but we know that if a first nations person is asking for an exception to allow him to hunt, many judges would have a hard time letting that happen, because our people are not treated fairly and are assumed to be guilty of something.

• (1115)

Canada needs to do better at addressing the systemic racism that exists in the colonial system. Canada needs to change these systems so that our people are treated equally.

Canada needs to work with us on bringing back our own laws. Canada needs to provide the resources so that we can establish our own systems.

Canada needs to be mindful of the United Nations Declaration on the Rights of Indigenous Peoples as it relates to our ability to practise our ways of life. That includes hunting for sustenance and ceremonial purposes.

Canada also needs to take note of articles 2, 5, 11 and 15, and play an active role in preventing the ongoing systemic racism and injustices experienced by first nations every day.

If Canada can do all that, we will achieve true reconciliation.

Thank you.

**The Chair:** Thank you, Vice-Chief.

I now invite Ms. Omeniho to make an opening statement. You have five minutes, please.

It seems we have lost Ms. Omeniho. We will try to get her back. When she comes back, we will invite her to make her statement.

Meanwhile, I think we need to proceed with questions. I apologize to anyone who has questions for Ms. Omeniho. We'll do the best we can.

Actually, I'll tell you what. We're going to suspend for a couple of minutes to see if we can get Ms. Omeniho back.

The meeting is suspended.

• (1115)

(Pause)

• (1120)

**The Chair:** I call this meeting back to order.

Apparently, Ms. Omeniho has lost her Internet, so she won't be joining us. We will try to find an opportunity to bring her back, perhaps later in the meeting, at the next panel or whenever we can fit her in. You have my apologies.

We will start our questioning at this point with Ms. Dancho.

Go ahead, please. You have six minutes.

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

Thank you very much to the witnesses for being here and sharing with us your thoughts on this bill. I'm very glad to say that we are able consult indigenous leaders in Canada. I think that's very important for this bill and for anything that may impact treaty rights and your constitutional rights.

First off, I was wondering what consultations were done with you or other indigenous leaders in Canada that you may be aware of during the formulation process of Bill C-21. Are you aware of any consultations? Have you been consulted?

Vice-Chief Bear, you can go first.

**Vice-Chief Heather Bear:** Thank you for the question.

This has been somewhat troubling. We have not had proper or meaningful consultation on any matters regarding gun legislation. This seems to be an ongoing concern among the leadership within our region, especially when it has to do with hunting.

With regard to handguns, at some times, our trappers carry those as well. We're looking at the Far North, especially. There's virtually no knowledge of this among our land users.

In terms of who is being impacted on the ground, there has not been any meaningful knowledge sharing or consultation.

**Ms. Raquel Dancho:** Thank you, Vice-Chief.

I believe what you're alluding to is that often there are trappers or those who are in the Canadian wild quite a bit who, although they may carry a long gun and perhaps a hunting knife, carry a side arm or a handgun. That's in case there's an emergency situation with a large, aggressive animal. They don't have enough distance to get their barrel out, so they carry a handgun. We've heard this quite a bit from those in this industry, so thank you for bringing that up and ensuring that it's on the record.

I would like to ask Regional Chief Teegee the same question regarding consultation.

**Regional Chief Terry Teegee:** There hasn't been any meaningful consultation or involvement with first nations, at least at this level.

I am also the portfolio holder for justice and policing for the Assembly of First Nations, along with Ghislain Picard. There hasn't been any meaningful consultation or engagement in regard to this bill. That's very concerning, considering that it may have detrimental effects when it comes to our rights, title, interests and living up to the United Nations declaration.

**Ms. Raquel Dancho:** Thank you, Regional Chief Teegee.

Both of you have mentioned a bit of concern with Bill C-21.

Vice-Chief Bear, you mentioned with Bill C-71 when you came before the committee that you were concerned it would impact the ability for indigenous peoples to pass along their culture of hunting and trapping.

I would appreciate it if you'd both elaborate on that as well.

Go ahead, Vice-Chief Bear.

**Vice-Chief Heather Bear:** If I could also circle back, in addition to the lack of meaningful consultation, there has never been any capacity for engagement to do that properly.

I apologize, but when it comes to.... My goodness, could you repeat the question?

**Ms. Raquel Dancho:** When you came before the committee before on Bill C-71, you voiced your concerns that Bill C-71 may be detrimental to first nations' ability to pass on their culture and heritage in Canada. Do you want to elaborate on how Bill C-21 may or may not have a similar impact?

• (1125)

**Vice-Chief Heather Bear:** Any time there are laws that apply to first nations and pertain to hunting, fishing or trapping, there is always that risk, especially when guns are seized. I'm particularly concerned about investigations.

The hunters hunt not only for food for themselves. We talk about ceremonies. We talk about culture. We talk about rites of passage. The infringement of taking away that gun certainly inhibits that from happening, and it therefore infringes on that constitutionally protected treaty and inherent right.

Sadly, in Saskatchewan we do have those tensions. There seems to be an ongoing problem and issue with settlers and CFOs targeting our hunters. Adding more legislation would cause harm to hunters.

Really, we're looking for criminals here. The spirit and intent of this legislation is to address the criminality of guns with certain persons. Hunters are not out there committing crimes. They're out there defending poverty, feeding elders and feeding single parents. Of course, even with that right, we were promised we would have the freedom to hunt and that our hunting grounds would always be there. Taking away that gun is certainly an infringement.

**Ms. Raquel Dancho:** Thank you very much to both of you.

**The Chair:** Thank you, Ms. Dancho.

We'll now go to Ms. Damoff, please, for six minutes.

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

Thank you to both of our witnesses for being here today.

Just as a point of clarification on the consultation, I know that Minister Mendicino met with, I believe, the national chief of the AFN, the Métis National Council and ITK prior to the bill being introduced. I myself reached out to all three women's organizations, and met with NWAC and Les Femmes Michif. I was unable to get a meeting with Pauktuutik, not for lack of trying. Discussions were held.

Regional Chief Teegee, we've spoken a few times about criminal justice. I apologize if it didn't get through to you, and to you, Vice-Chief Bear.

One thing that did come up in my conversations with the indigenous women's organizations was concern around gender-based violence. Regional Chief Teegee, you brought up that indigenous women have the highest rate of gender-based violence across the country. What they said is that a woman's right to live shouldn't trump a man's right to hunt. That came from an indigenous woman. That's not me speaking here. How do we balance the right to hunt with the firearm in the home and indigenous women being at risk?

Regional Chief Teegee, maybe we could start with you.

**Regional Chief Terry Teegee:** In terms of consultation, at least for my region, I think it's one thing to go to our head office at the AFN and speak to the national chief, or even me. The problem is getting down to the grassroots people and talking about how this law would infringe those practitioners, as stated by Vice-Chief Bear. It's about how this would affect our hunters and trappers, those people who utilize hunting for part of their food, for social and ceremonial purposes and for, really, part of their being from generation to generation. I think more needs to be done.

Most of my attention on things like this is drawn towards looking at policing. We do have a task force on policing that's looking at going from program funding to essential services funding, which is very much needed for our first nations policing, especially with our tripartite agreements for our own police forces.

In terms of making sure it is safe for women, I really believe that perhaps this issue is not going to be an easy one to deal with, especially with regard to homes where there is violence. This is why at the AFN we're calling for more preventative measures and more resources so prevention can occur. It could be long guns. It could be handguns. It could be any sort of violence within the home. I think this speaks to the lack of resources within first nations communities to make sure women are safe and children are safe as more of a preventative measure.

I think it's really something that needs to be looked at within the home. Dealing with those issues means more preventative measures, and one of the things we are recommending to the committee is more resources.

• (1130)

**Ms. Pam Damoff:** Regional Chief Teegee, we're in agreement on that. We're also in agreement with moving forward on first nations policing. I want you to know we're completely in agreement on prevention as well. However, when we have a firearm in the home, and a woman....

One of the arguments I put forward with colleagues on the red flag provisions is that women can call the police if there's an issue with a firearm in the home. However, I know that many indigenous women are not comfortable calling the police. There was the case in the north where an indigenous woman called the police to have a firearm removed and she was arrested for breaching parole because she had been drinking. There's a lack of trust in police for women to call, so using the red flag provisions simply gives another option for people to have to move forward.

I'm just wondering whether you have any thoughts on that.

**Regional Chief Terry Teegee:** Yes, I think it's about more clarity on these provisions. The recommendation we have is to really understand how the red flag and the yellow flag provisions within this bill affect indigenous peoples and our first nations communities. We need more clarity.

On those examples you shared, there are very similar cases and very similar scenarios that I've heard of as well about the lack of trust in the RCMP. The lack of trust with policing is one of the matters we're trying to deal with at the AFN, especially in regard to going from program services funding to essential services funding.

The other matter that needs to be dealt with is building trust within the police force. Certainly it's not an easy task. I think with this bill there needs to be more clarity on how it affects not only our first nations communities, but our treaty rights, our rights as indigenous people, especially in light of the United Nations Declaration on the Rights of Indigenous Peoples.

**The Chair:** Thank you, Ms. Damoff.

[Translation]

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

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

I thank the witnesses for being with us.

I will first turn to you, Chief Teegee.

You seem to support some of the elements in Bill C-21, but you expressed concerns about some of the measures it contains, in particular red flags and yellow flags. You wonder about the applicability of these measures to your communities and worry that the rights of first nations would not be respected.

Could you tell us more about the yellow flag and red flag measures? What worries you about their applicability? You said it was unclear. What is unclear in the bill as it is currently worded?

[English]

**Regional Chief Terry Teegee:** Well, I think what's not clear to me or clear to many indigenous people is that far too often well-intentioned bills and laws can potentially be utilized against first nations peoples. I believe Vice-Chief Bear gave a good example. Perhaps there is a report on somebody or perhaps somehow this is utilized in nefarious ways to really infringe on a person's ability to hunt and/or an indigenous person's ability to really access sustenance—food, resources. I think far too often there's too much leeway.

It's unclear how this bill is going to be utilized and, I would say, who the chief firearms officer is. Far too often, even within policing, we've seen before that perhaps the officer—the firearms officer—utilizes this in a way that really punishes indigenous people. To me, if the rules aren't clear and there is too much leeway, those liberties will be taken and will be utilized by people against our indigenous people. They will be utilized in a way that really affects our right to hunt. That's what I'm afraid of. I think it really comes down to who is utilizing this—more than likely it would be a firearms officer or police officer—and what the rules are, and when, where and how you utilize this bill.

Certainly I agree with the safety aspect, because far too often what we've seen, as many of you in this committee have seen, are handguns and some other firearms utilized in relation to gangs and whatnot. That's always concerning for many first nations as well.

• (1135)

[Translation]

**Ms. Kristina Michaud:** I understand your concerns.

From my perspective, this point seems clear. For example, in clause 36, the final decision would seem to rest with the chief firearms officer. The clause gives the chief firearms officer the power to revoke an individual's licence if they are convinced that they participated in an act of domestic violence or stalking.

This same clause sets out some exceptions. The first is if the individual needs a firearm to hunt or trap in order to sustain themselves or their family. You had some concerns, as you are worried about the right to subsistence hunting and trapping. However, it seems clear to me, in the bill, that these exceptions are to be taken into account in the chief firearms officer's decision.

Do you find this exception reassuring? Would you have wanted to see it taken further? Do you think this clause in particular could undermine first nations' rights?

I would like to hear more of your thoughts on this clause. I understand your point of view fairly well, but it seems clear to me that exceptions would apply, and that they would address what seems to be a concern to you.

[English]

**Regional Chief Terry Teegee:** Some of the provisions within Bill C-21 set out what the task of the firearms officer will be. I think, ultimately, this is the cautionary tale. For example, there are many rules and regulations in regard to police officers, yet there's a high rate of death and injury of indigenous people in custody.

The reason I relate that to this is we need to be clearer on what the firearms officer's duties are and what they can and cannot do. I think it really comes down to the officer and making sure there is accountability with that officer. It's to make sure they follow the rules on what they can and cannot do.

Even though this law could set out many rules and provisions, it really comes down to the practitioner. If a practitioner of the chief firearms officer doesn't follow these rules or takes liberties with this law and these rules, what accountability measures do we have?

We could have the best version of Bill C-21 that we could have, but it sometimes depends on who the person is and how good the intentions are. Far too often, in our experience as indigenous people, those liberties are taken to the next level.

• (1140)

**The Chair:** I'm sorry, Chief, but I'll have to cut you off there. Thank you.

[Translation]

Thank you, Ms. Michaud.

[English]

We'll now go to Mr. Garrison. Welcome to the committee.

You have six minutes, please.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Thank you very much, Mr. Chair.

I spent many years on the public safety committee in a previous Parliament. It's nice to be back. It's particularly nice to be here on a day when first nations representatives are here.

I want to start by acknowledging something very important that was said by Vice-Chief Bear. It's certainly something I hear quite often from the first nations in my riding. The T'Sou-ke Nation, the Sc'ianew First Nation, the Songhees Nation and the Esquimalt Na-

tion all point to the lack of capacity to participate in all of the consultations that they're asked to participate in.

I think that's a very important point that was raised here. We have to provide capacity if we expect people to be able to participate meaningfully in consultations. I thank Vice-Chief Bear for that point.

I want to stay with Vice-Chief Bear just for a moment.

In the discussions about red flag laws, it's been pointed out that they're another alternative to going to the police to deal with domestic violence because of the lack of trust, and they might be useful to first nations. I wonder whether first nations have any greater trust in the firearms officers or the court system. Is the red flag law really a solution that will be useful to first nations in dealing with things like domestic violence?

**Vice-Chief Heather Bear:** I think what we're going into is very complex, and here again there's a need to do meaningful consultation to help shape gun reform. I think that requires a lot more consultation, discussion and thought.

When it comes to first nations and the relationship with policing, and especially when it comes to missing and murdered indigenous women and girls and violence against women, often our women are not believed. We know that. We know that we're already underserved when it comes to protection. We know that response time is probably the biggest grievance we have in terms of policing for women who are in vulnerable situations or for our vulnerable populations.

When it comes to gun control and red flag or yellow flag situations, the one concern I have is that it goes deeper. I'm thinking about what happened in James Smith Cree Nation with release plans. Regional Chief Teegee pointed to prevention, release plans and knowing your people, and to the need for policing as being essential to first nations. I'm talking about on reserve.

The one thing we lack here is authentic policing where police officers truly care authentically. There is a lack of culturally sensitive training. Also, they're not in the community to know their people, and I think that's a huge gap. That's along with the gap in addictions and mental health. Those things are all lacking within our communities.

We lack the capacity here to truly come to a conclusion on who should have a gun or who shouldn't have a gun. When we live in a community and we're part of a community, our leaders know. I really think there should have been more consultation on this matter with respect to violence against women and the critical issues that impact children and families.



Is this legislation really going to solve crime? I really don't think so. When you look at the licensing part of it, I really don't see this legislation impacting in a big way. It might in some ways, for things like prevention, seizing guns or prohibiting someone from having a gun if they have a history of violence. I agree with that. As I say, it's a tough question.

I think when somebody is going to commit a crime, they're going to commit a crime whether they have a licence or not. I really think we have a lot of work to do on prevention and providing more programs to support women who are in violent situations and abusive situations.

I'm sorry for going into the forest there, but you're asking a very complex question.

• (1145)

**Mr. Randall Garrison:** Thank you, Vice-Chief Bear.

You remind me of something that long-time hereditary chief of the Esquimalt Nation Andy Thomas always said to me. He said, "We tell you what we need, and you come back and consult us on some other shiny thing. You should just listen to us in the first place."

I think both you and Regional Chief Teegee have talked about the things that first nations have put forward on policing and dealing with domestic violence. Now we're talking to you about something else altogether. That was one of the frustrations that Chief Thomas always had.

I'm out of time.

**The Chair:** Thank you, Mr. Garrison. I know you need a lot more time on this, but there will be another opportunity.

That brings our first round of questions to a close. We'll start our second round. This will have to be abbreviated. We will end this round after Mr. Garrison.

We will resume this round with Mr. Shipley.

Go ahead for five minutes, sir.

**Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC):** Thank you, Mr. Chair, and thank you to the witnesses for being here.

I prepared a whole list of questions, but I am not going to ask any of those as my first one because, Vice-Chief Bear, you said something in your opening remarks that really stuck with me, and I'd like you to expand on it a bit, if you could, please. I've written it down here as a quote. You stated, "when you confiscate guns, you are doing a whole lot more than just taking away a gun."

Could you expand on that and what you meant by it?

**Vice-Chief Heather Bear:** We view a gun from a hunter's perspective and a treaty rights perspective. It's a tool. It's a tool that we use for doing a lot of things.

I talked about, for example, our rites of passage of the young hunters, the young boys. When you go out to hunt, you're not just hunting. You're teaching your child courage and you're bonding. You are passing on protocols, ceremonial protocols, of how to look

after your kill. There are the rites of passage, the reverence to the animal and the tobacco. Along with that tool comes many teachings and also matters of safety. When you take a gun away, you take away the opportunity for that oral tradition to happen.

The gun is also used, of course, to provide sustenance to elders. When we look at poverty, we supplement our incomes with wild meat. Also, there's our food sovereignty and the way of life, the culture, that we were promised in treaties. A sacred covenant was made that we would always have that way, and to take away the gun takes away so much of who we are and where we come from.

That's what I meant by that statement.

**Mr. Doug Shipley:** Thank you for expanding on that.

I'd like to address my next question to Vice-Chief Bear and Regional Chief Teegee.

Quite frankly, do you feel that Bill C-21 will assist with any crime issues in your communities?

Who would like to start? I'd like to ask both.

• (1150)

**Regional Chief Terry Teegee:** From a criminal's perspective, quite simply, perhaps it will.

This comes around to Bill C-21 and guns utilized in urban centres. There's also the fact that more often than not, there is a connection between our first nations communities and urban centres, where many of our young people get involved in gangs. If this prevents the use of handguns and mechanized weapons within gang violence, perhaps it will prevent crime.

At the same time, as Vice-Chief Bear said, if there is a will and a way for some of this to happen, more often than not it does. Certainly the hope is that it prevents some of the gang violence. I think that's one of the things we're really concerned about.

**Vice-Chief Heather Bear:** When you look at the reality from a first nations' perspective, as I've stated, one of the biggest grievances first nations have is response time. As to whether having a licence to carry a gun is going to make a difference when it comes to violence with guns, I really don't see the legislation impacting on reserve. Off reserve, when you're looking at some of the gang violence and the access to guns, I really don't think this legislation is going to curb a criminal when they intend to do crime with a gun. They're not going to stop to think of whether or not they have a licence. They really don't care.

I believe the ones who are going to be impacted the most by this legislation are the hunters and maybe the trappers because of handgun use. Quite frankly, I don't believe this legislation is truly going to do what the spirit of it intends in terms of resolving crime. Maybe it will to a small per cent, but a criminal is going to do crime whether they have a gun licence or not.

**The Chair:** Thank you, Mr. Shipley.

We'll now go to Mr. Noormohamed, for five minutes, please.

**Mr. Taleeb Noormohamed (Vancouver Granville, Lib.):** Thank you, Mr. Chair, and thank you to our witnesses for being here.

Ms. Bear, I'd like to start with you. Obviously, one of the things we want to try to prevent is domestic violence, and one of the concerns, of course, that has been raised by many women's group is that the presence and preponderance of guns in homes has led to additional cases of violence against women.

My understanding is that indigenous communities are no different in this regard. Can you share a little about your experiences—and Chief Teegee, maybe you can also weigh in on this—where guns in homes in your communities have caused challenges related to domestic violence?

**Vice-Chief Heather Bear:** In terms of first nations, because we are probably the most vulnerable of the vulnerable in this country, there is always that worry that our children or families can be harmed when it comes to matters of guns.

The problem that we have is that often when women report domestic violence, they are never believed. A lot of the progression here, to the point of violence with guns, can probably be prevented at a very early stage, but there again we are getting to a very complex thing. We're talking about gun safety and our women and children being safe—and men, of course. It does happen vice versa.

Until we really take a good look at this gun legislation and whether or not it's going to stop domestic violence when it comes to guns.... I guess that's the question. Maybe in a small percentage it will, but I would rather look at prevention and tribal policing. Our police forces on reserve would know our communities and our people.

• (1155)

**Mr. Taleeb Noormohamed:** Right, but before I go to Chief Teegee, just to follow up on that with you, do you not think it is a good idea to take away guns from those who are engaging in domestic violence in the home?

**Vice-Chief Heather Bear:** Absolutely. I have no problem with that, which is what I mean when I say that when you know your people, you know who should have access to a gun and who shouldn't. I do agree with that in some instances, but as I said, my worry is that with some of the systemic racism and what we and our hunters face, there's another narrative that this would open the door for more of that harassment—

**Mr. Taleeb Noormohamed:** Sure.

**Vice-Chief Heather Bear:** —of people who are innocent hunters.

**Mr. Taleeb Noormohamed:** I think we're all in agreement that prevention is very important. I don't think there is any question there. It is also important that we address issues of systemic racism. There is no question about that. Thank you for sharing that with us.

Chief Teegee, very briefly, what is your experience regarding guns in homes and domestic violence?

Then I'm going to give the remainder of my time to my colleague, Mr. Chiang.

**Regional Chief Terry Teegee:** Thank you for that question, and certainly, it's a very difficult one.

For me, if you're talking about communities, my uncle was shot and murdered by gun violence. That was over 30 years ago, and certainly at that time there were none of these laws. The relations with police were perhaps not as good. I think what has changed is the relationship with the RCMP, in that there is more involvement with our chiefs and council, and knowing the community. At that time, I think the issues were the unresolved issues of residential schools and the ongoing issues of the next generation dealing with that, with the violence that was brought back to the communities. Unresolved issues with mental health and addiction really contributed to the death of my uncle.

I think we're getting better. I know in my community there are preventative measures. There are more opportunities for our youth. They are really coming down on the issues of drugs within the community. It's not the same for all communities. We're not all in the same place.

I think in speaking to this that perhaps some of these issues... Albeit Bill C-21 has good intentions for stemming the tide of gun violence and gang violence, I think there are unintended consequences. What we're really voicing here with my colleague from FSIN is that those first nations people who are law-abiding citizens are utilizing this as part of their traditions, as part of their treaty and as part of their culture, especially when it comes to subsistence hunting and trapping.

**The Chair:** Thank you, sir, and thank you, Mr. Noormohamed.

We'll now go to Madame Michaud.

[*Translation*]

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

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

Vice-Chief Bear, I will continue on the subject of gang-related violence.

I read in a *Global News* article that...

**The Chair:** My apologies, Ms. Michaud. You have two and a half minutes, not six minutes.

**Ms. Kristina Michaud:** Okay.

A first nation in northern Saskatchewan reinstated a state of emergency following gang- and drug-related incidents. The first nation asked the federal government for help in controlling crime. You were quoted as follows in this article:

[English]

We need immediate action for this community. They're in a crisis. Their school, their children, they deserve to be safe, they deserve to be protected from gangs. And I call on the gangs to please stop what you're doing, and quit selling death to our people.

[Translation]

Some communities are currently the direct or collateral victims of gang-related violence.

Do you think Bill C-21 would help fix this problem? One of the clauses in the bill is aimed at fixing the problem of illegal firearms and their trafficking by increasing maximum sentences for these crimes. In my opinion, this will not change much, but I would like to hear what you have to say.

Do you think Bill C-21 will have a positive impact on reducing gang-related violence?

• (1200)

[English]

**Vice-Chief Heather Bear:** Thank you for listening and hearing what has been going on in the north and in many of our communities.

When you look at whether the legislation will have a positive impact on what's happening, as an example, in the north, I can't really say for sure. When someone is doing crime, they really don't care. I think the laws are in place to seize guns when crime is happening. When you're dealing with drug- and gun-related violence, there are laws already in place to take a gun away. People doing crime really aren't looking at the law. They're already doing the crime. I really don't see how this bill is going to prevent those things from happening.

Again, I think we're looking at mental health. We're looking at addictions. I think we need to really focus on preventative measures not only in, for example, the release plans for people coming out of jail after doing violent crimes, but also in terms of mental health. I think we could do better there.

[Translation]

**The Chair:** Thank you, Ms. Bear.

[English]

We'll now go to Mr. Garrison for two and a half minutes.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

I want to assure both witnesses that I'm hearing very clearly the emphasis on prevention and increasing the capacity of first nations policing.

In your opening, Chief Teegee, you expressed concerns about the red flag laws, particularly the possibility of infringing upon treaty and indigenous rights. You suggested that they need to be amended.

I'm going to ask you a very specific question, because I'm trying to get a clear picture here. If those sections on the red flag laws are not amended, would you prefer to see them removed from this bill?

**Regional Chief Terry Teegee:** Whether this is succeeding in its intention is something for your committee. I think having those amended to make sure that our first nations are involved....

When it comes to the red and yellow flags, it's really important to communicate how to utilize them and how they are going to affect indigenous people, especially with the free, prior and informed consent of the United Nations declaration, which is law.

There needs to be better engagement on how those laws can be amended to make sure that this bill doesn't have unintended consequences. I would say if it isn't amended, there's quite possibly.... I think there needs to be more engagement on how this can better reflect the current realities of the United Nations declaration.

I don't know. It's really up to the committee whether you take our recommendations or not.

**Mr. Randall Garrison:** I guess you're giving us a yellow light when it comes to those—

**Regional Chief Terry Teegee:** I'm giving you a red flag.

**Some hon. members:** Oh, oh!

**Mr. Randall Garrison:** Yes, exactly.

I would ask the same question of Vice-Chief Bear. If we're not successful in committee at amending those sections, would you prefer to see them dropped for further consultation?

**Vice-Chief Heather Bear:** Absolutely.

When we're looking at shaping the needs of gun reform, I think the impacts of the potential infringements are great. Those are treaty rights that are constitutionally protected. Also, when we talk about free, prior and informed consent in pointing to the UNDRIP, we need to do better there.

At the same time, I think there is a healthy process when we're talking about creating the narrative and conversation on how to better protect our women, children and men from gun violence. A lot of good could come out of those conversations.

• (1205)

**The Chair:** Thank you, Mr. Garrison.

That wraps up our questioning for this panel. I appreciate the panel for being here today to share with us their experience, knowledge and wisdom, and for helping us with this study.

With that, I will suspend. We'll bring in the next panel. Thank you.

• (1205)

(Pause)

• (1210)

**The Chair:** I call this meeting back to order.

With us by video conference for the second hour, we have, as an individual, Francis Langlois, professor and associate researcher, Observatoire sur les États-Unis of the Raoul-Dandurand Chair of Strategic and Diplomatic Studies. We also have Dr. Caillin Langmann, assistant clinical professor in the department of medicine at McMaster University.

I will note that all witnesses have completed the required connection tests.

We will start by inviting each witness to provide an opening statement.

Mr. Langlois, please go ahead for five minutes.

**Mr. Francis Langlois (Professor and Associate Researcher, Observatoire sur les États-Unis of the Raoul-Dandurand Chair of Strategic and Diplomatic Studies, As an Individual):** Thank you very much for the invitation. I will use English just to be quicker.

I have been studying firearms culture, legislation and technology for many years. I'm here to talk about ghost guns—firearms that are not identified by a serial number. They are a growing public security issue. They have been found everywhere in North America, but here in Quebec in March 2021, a young man was arrested at the border with 248 ghost guns that were Glock 17 replicas. They are coming here through the border or they are made here.

I will propose a few ideas to help curb this growing threat to Canadian public security. One of the main ideas I will defend is to broaden the definition of what is a firearm, because at the moment, essentially, serial numbers are on one part of the firearm—the receiver—so people can either print or make a receiver from polymer or metal and then order the parts from the United States where it's legal to produce such parts. In American law, they are not considered weapons, so one barrel bought online is not considered a weapon. A slide is not considered a weapon either. If somebody buys it, there is no verification, so they are quite easy to get and perhaps even to get here. That's what I will talk about.

• (1215)

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

We'll now go to Dr. Langmann for five minutes, please.

**Dr. Caillin Langmann (Assistant Clinical Professor, Department of Medicine, McMaster University, As an Individual):** Thank you for letting me present my research regarding Canadian firearms legislation and its association with homicide, spousal homicide, mass homicide and suicide in Canada.

I am an assistant professor of medicine at McMaster University and an emergency physician in Hamilton. I serve as an academic peer reviewer in the areas of firearm control, homicide, suicide, violence and gang deterrence for academic journals and have four peer-reviewed publications on legislation and the effects on homicide and suicide in Canada.

I have submitted my studies and a report regarding the current proposed legislation to the committee. However, I will briefly summarize it.

Bill C-21 proposes two significant regulations: an essential ban on handgun sales and a regime allowing for emergency firearms prohibition orders. My research on previous Canadian legislation is applicable in answering the question of what the effects of this legislation may be.

Since 2003, the number of restricted firearms, including handguns, has doubled from 572,000 to 1.2 million. However, the rate of overall firearm homicide has not increased, nor has the rate of homicide by handguns. While there has been a recent increase similar to the levels in the early 2000s, the rates of homicides have actually fluctuated about a steady mean when statistical analysis is performed. Please see the graph attached to my brief.

In the 1990s, legislation banned over 550,000 firearms, many of them handguns. However, research has demonstrated that there was no statistically significant benefit regarding homicide, spousal homicide or mass homicide rates from this. While suicide by firearm decreased, hanging replaced it and no overall changes in suicide occurred. Other jurisdictions, such as Australia and England, have also applied significant controls to handguns and no statistically significant changes in homicide rates were detected.

In terms of emergency prohibition orders, currently a system exists where anyone can report a firearm owner to the CFO. I personally have been involved in this process as a physician with psychiatric patients and have found the response to be quick and efficient regarding the removal of firearms and licences.

For physicians, there's currently a system where one can detain a patient under an application for psychiatric assessment if one has justified concerns for homicidal or suicidal intentions. I utilize this method regularly. At such a point, we can explore risk reduction with suicidal patients. I have concerns about expanding this process further in terms of sharing confidential patient data with a CFO without consent. The Privacy Commissioner of Canada has also warned about this in their 2001 report on the firearms program.

In the 1990s, Canada made changes allowing people to report concerns to the CFO and allowing the CFO to revoke licences and confiscate firearms. Unfortunately, research demonstrates that these Canadian regulations have had no effect on homicide, spousal homicide or mass homicide rates. Interestingly, a recent study on protection orders in California also revealed no associated benefit from similar regulations.

In summary, the evidence so far demonstrates that handgun laws will have no associated reduction in homicide rates or overall suicide rates. The replacement of the current emergency protection system is redundant.

The proposed recent gun bans and new regulations may well cost billions of dollars to implement and enforce. The current finance minister announced recently that Canada will need to adopt equal cuts for all new spending. Nova Scotia needs to invest \$500 million in its health care system. My city currently faces emergency wait times of six to eight hours, and it takes me months to have a psychiatric patient seen by psychiatry. The money being considered for these firearms programs would have greater effect being invested in health care where lives would benefit.

Thank you.

**The Chair:** Thank you.

We'll start our rounds of questions now with Mr. Lloyd.

Go ahead, please, for six minutes.

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

I'm going to start with Dr. Langmann.

A number of witnesses who have come before the committee from various sport shooting disciplines are concerned that this legislation is not going to exempt their sports. Other witnesses have come here and said that we cannot allow these sports to be exempt because it's a threat to public safety.

From your research, would you conclude that an expansion of an exemption for IPSC or mounted-shooting clubs will in any way have a negative impact on public safety?

• (1220)

**Dr. Caillin Langmann:** As I said before, over 550,000 firearms were banned, many of them short-barrelled handguns, in the 1990s, and there was no associated benefit from that.

I don't see how not allowing a relatively tiny group of users to have handguns would have any effect, especially when recent reports have shown that about 85% of handguns used in crimes are imported from the United States illegally.

**Mr. Dane Lloyd:** Jumping on that, I heard Mr. Langlois talking about the prevalence of ghost guns, which we're very concerned about.

It feels like we have traditional approaches to constrict the supply of guns. I think Bill C-21 is definitely a traditional approach.

Given the reality of ghost guns, do you think that Bill C-21 will actually be effective in any way at reducing gun violence in Canada?

**Dr. Caillin Langmann:** I don't think so at all. The problem with a lot of the studies that are performed is there are so many substitute methods for obtaining firearms. It's even in U.S. studies. The ease and ability to transfer firearms across borders through various states makes a lot of those studies somewhat inconclusive.

I can't see this having any benefit at all.

**Mr. Dane Lloyd:** Earlier in this study, we had witnesses from Canadian Doctors for Protection from Guns. They claimed that Bill C-21 and other similar gun control policies will significantly reduce the overall rate of suicide in Canada. They said they had strong evidence. They said they would provide it to committee. I just did a review this morning and they haven't provided that evidence to committee yet.

Other than your work in the Canadian context, I haven't seen any peer-reviewed study to suggest that this kind of legislation will reduce overall suicides. Are you aware of any evidence that suggests otherwise?

**Dr. Caillin Langmann:** For Canada in particular, I am not. A recent Canadian Medical Association Journal article came out showing that while firearm suicides do seem to go down in association with gun legislation, overall suicide stays the same. They ranked my studies, actually, as the highest-ranking studies within their review.

Other studies from Australia have also shown that while firearm suicide rates may decrease, overall suicide rates don't change. There are multiple studies involved and I have submitted those in my brief to this committee.

On the ease and ability for hanging, hanging is 80% effective for suicide, which is similar to firearms. When someone has serious intent, it's almost impossible to deter them. Unfortunately, as physicians we have no clinical decision rules or ability to really predict who's going to commit suicide.

When I see a patient and they own firearms, we discuss risk reduction. That means the CFO removes the firearms or they give them to their friends. The second thing I can give them is a referral to psychiatry for about eight months later. That's almost an insult.

**Mr. Dane Lloyd:** Yes, that's something you mentioned.

With Bill C-21, we're talking about a gun buyback that the government is contemplating, which will potentially be in the billions of dollars. Do you think that money would be far better spent on addressing the mental health challenges in Canada? Would that actually have a greater effect on reducing suicide, reducing domestic abuse and reducing overall gun crime in this country?

**Dr. Caillin Langmann:** It would have a far greater effect.

I've been coming here for 10 years. People have said to me that they are increasing funding, but so far our wait-lists have increased, especially over the last two years.

**Mr. Dane Lloyd:** Finally, we've had some witnesses who said they use single-action revolvers for their sports. We have people who use black powder, muzzle-loaded pistols from the 17th and 18th centuries. These are all considered handguns under this legislation.

Does your research indicate that those kinds of handguns are far less likely to be used by criminals?

**Dr. Caillin Langmann:** My research doesn't look into that, but other research has looked into what criminals prefer. They typically do prefer the firearms with ejectable magazines. That has changed over the years. Previously, they did use revolvers.

With restrictions in D.C. and other places in the United States, and restrictions in Australia, there has been no associated benefit in terms of reduction of homicide.

• (1225)

**Mr. Dane Lloyd:** We know there's already a very low likelihood that a licensed handgun owner is going to commit a crime. Would you conclude that it's fair to say that somebody who uses a muzzle-loaded, black powder firearm or a single-action revolver is at an even lower risk of being a public safety risk?

**Dr. Caillin Langmann:** I would suspect that's the case. I don't have evidence for that. I would strongly doubt it.

**Mr. Dane Lloyd:** Do I have much time left, Mr. Chair?

**The Chair:** You have 12 seconds.

**Mr. Dane Lloyd:** I want to thank the witnesses.

I'm sorry I couldn't get to you, Mr. Langlois. I found your stuff on ghost guns very interesting.

**The Chair:** Thank you, Mr. Lloyd.

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

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

I appreciate the input from the witnesses, particularly from the witnesses who are experiencing the outcome of gun violence in the operating rooms and in the emergency wards.

My first question will be for Dr. Langmann.

I understand that you appeared before the guns and gangs committee and I'm aware that you completed some research. Did that research reflect on the impact of Bill C-71, which included background checks and forfeiture of firearms to the Crown under prohibition orders? What was the date or time of your research?

**Dr. Caillin Langmann:** My research has looked at the years over 1974 to 2016, during which time there have been a number of legislative regulations implemented, some of which involves licensing implemented in 2001. Unfortunately, there's no evidence that there has been any reduction in homicide rates or spousal homicide rates with that, as well as confiscation of firearms—

**Mr. Tony Van Bynen:** That evidence is dated 2016. That's the evidence you were looking at. I'm facing a very difficult challenge here, and that is trying to equate and balance what you're saying with what I heard from other witnesses—as recently as last week—who have a very different opinion.

I'm sure you're aware of Dr. Najma Ahmed and her testimony. Dr. Ahmed is a professor of surgery at the University of Toronto. She's also a trauma and emergency surgeon. She has indicated, "Gun injury and death is an urgent public health issue." She also indicated that the Canadian Medical Association declared firearms-related injuries and fatalities "a major cause of premature and preventable death". Do you agree with that statement from the Canadian Medical Association?

**Dr. Caillin Langmann:** Yes, of course. Firearms injuries are a serious issue. What we're talking about today is legislation, and I've done research on that. Dr. Ahmed has not. This is what the evidence shows. I can only bring you what the evidence shows.

**Mr. Tony Van Bynen:** I appreciate what you're saying in your research, but to me what you're saying is that the existing legislation hasn't been as effective as we would like it to be for the outcomes. That would lead me to conclude that what we should be doing is considering the provisions of Bill C-21 to enhance and strengthen the safety measures that we're trying to create.

**Dr. Caillin Langmann:** Sure, and the point of my research is to address some of those issues.

As I said, in the 1990s, over 550,000 firearms were banned, which included handguns. Australia also banned handguns, essentially restricting them to people like Olympic sports trainees, and there's been no reduction in firearms homicides from that.

I would suggest that you may wish to pursue other methods, such as investing in youth deterrence programs and getting at youth when they are at risk of developing criminal behaviour. Those diversion programs have shown significant evidence of a reduction in homicide later on, as well as criminal violence. Even Public Safety Canada conducted a report in 2012 showing that some of the small programs that are performed in Canada had a 50% reduction in recidivism among juvenile offenders.

I would suggest that what you're doing probably isn't working because you're focusing on firearms owners who tend to be extremely low risk. They've been licensed, they've been screened and they are monitored daily, so your gain from spending a lot of money in those areas is very low, considering that those licences, for example—

• (1230)

**Mr. Tony Van Bynen:** Thank you, Doctor. I do want to state that we invested \$122 million to support 47 gang prevention and diversion projects, and we invested \$250 million in the building safer communities fund, so we are making those investments as well.

I want to turn to another item, and it is something you alluded to in your introduction: the concern about confidentiality if you have a concern that surfaces with your patients. I understand that mandatory reporting is difficult, as it crosses several jurisdictions, including the rules that doctors impose upon themselves through your regulatory college. However, would you be supportive of a federal requirement for mandatory reporting for a physician if there are reasonable grounds to believe that a patient may pose a danger to themselves or to others? They would report that belief to the peace officer, firearms officer or the chief firearms officer for use as evidence to expropriate and initiate an ex parte transaction to remove those weapons.

**Dr. Caillin Langmann:** For violence, that already exists. If you have a significant concern that a patient is about to commit a homicide or violence, you have a duty to report to the police. In terms of suicide—

**Mr. Tony Van Bynen:** Okay—

**Dr. Caillin Langmann:** You asked me two questions, so let me get into it, because that's a different subject.

What you're asking me to do as a physician is send to the CFO all of my patients who have had any form of depression or suicidal discussion, which may not be intent, and for them to keep a record of this. That's a significant number of patient records that are being submitted to a third party. I mean, there have already been releases of some patient records, including these psychiatric detention orders, to the American government—

**Mr. Tony Van Bynen:** I'm running out of time, Doctor, but in Quebec they've—

**The Chair:** You're already out of time.

**Mr. Tony Van Bynen:** I'm sorry?

**The Chair:** Thank you. You're out of time.

[Translation]

Ms. Michaud, you have six minutes.

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

Good afternoon, Mr. Langlois. Thank you for accepting our invitation to testify before the committee. I am pleased that we are able to benefit from your expertise.

The issue of firearms in Canada and in the U.S. is precisely your field of expertise. Since this bill was tabled, I have received many comments and emails from people who are worried, and I'm sure that is also the case for my colleagues. People think that Bill C-21 will take away their right to own firearms, as if we had something like the U.S. second amendment. You know what I mean.

Yesterday, we heard from representatives of PolySeSouvient, who said they were concerned to see this kind of American-style gun culture show up more and more in cities like Montreal and major Canadian cities. In these cities, young people are increasingly joining street gangs and other young people want to get firearms to protect themselves.

I am wondering if you believe that some ideologies or reflexes that are more American regarding firearms possession are slowly finding their way into Canada. Do you think Bill C-21 can help protect us from that?

**Mr. Francis Langlois:** Thank you for the question, Ms. Michaud.

Yes, we are indeed hearing here in Canada something very similar to the rhetoric being bandied about in the United States. Proponents of the right to own and use firearms sometimes spout arguments taken directly from organizations such as the National Rifle Association.

That said, you are absolutely right. The Supreme Court of Canada and one of the Ontario courts have reaffirmed the right of the federal government to legislate on firearms here in Canada. In Canada, ownership of a firearm remains a privilege that is given by the government.

Allow me to digress for a moment. Ghost guns weaken and even take away the powers of decision of the federal government in terms of who can own a firearm and the types of firearms that can legally be sold to Canadians. That's what I have to say on that issue.

Here in Canada, we are seeing a firearm ideology and culture that have been imported from the United States and are being broadcast in the media and on social media. However, as Dr. Langmann, has stated, protection is the number one reason why people get a gun. That's also the reason some criminals get one.

Research literature on gun violence has been published in the United States. I am referring to the studies conducted by Patrick Sharkey and Thomas Abt, which are fairly recent. These studies prove that protection is the main motivation for getting a gun. Then there is the cultural aspect, by which I mean status. Ownership of a firearm gives a certain status to the individual and obviously, that individual makes it known.

Other studies have shown the problems that follow. If someone is in possession of a firearm on the scene of an altercation, chances are very high that the firearm will be discharged, especially if it is illegal. The impact of these firearms can be seen in the news in our big cities, like Toronto, Montreal and Vancouver.

I would say that this culture is definitely imported, but the idea that a firearm becomes a solution to various problems, whether for criminals or other individuals, also comes from the United States. These ideas are percolating into Canada.

● (1235)

**Ms. Kristina Michaud:** Thank you. That's very interesting.

You touched upon the issue of ghost guns. This phenomenon is increasing, and sadly, Bill C-21 does not really tackle the problem. I know that you have a few suggestions to make. I also know that the government seems ready to make amendments to its bill. If it doesn't, I would like to do so.

What would be your recommendations in terms of legislation on the best possible way to tackle ghost guns?

**Mr. Francis Langlois:** As I said in my introduction, one of the major problems is that the components that are identified by a registered serial number are the cartridges and the breeches, i.e., the receivers of handguns and assault-style rifles. Moreover, most firearm components have a serial number given by the manufacturer. Since only the receiver is considered an identifiable component of a firearm, it becomes easy to produce this component at home either using polymer and a 3D printer or by retooling a piece of metal with a machine.

Once a person has done that, he or she can buy the other components individually and there will be no checks. There are virtually no checks in the United States.

There is even an industry that manufactures "polymer 80" firearms, so-called because the weapons aren't quite finished; you have to assemble them and makes some holes in the receiver. These firearms are easy to produce in the United States. Obviously, these firearms are coming in from the United States and we have no control over what is done in that country. We can, however, reinforce our controls, not only at the border but also with Canada Post, etc.

We have to check what people are ordering. If, for example, a person is ordering lots of barrels for handguns or something similar, we have to be able to identify the components so that they are included in the definition of a firearm. That would be very important. A firearm is not simply composed of a grip or a receiver, there's also the barrel, the breech...

**The Chair:** I am sorry to interrupt you, Mr. Langlois, but there is no more time.

[English]

Mr. Garrison, if you please, you have six minutes.

**Mr. Randall Garrison:** Thank you very much.

Dr. Langmann, you say you have presented research—which I don't dispute as it is very well-respected—covering the years 1974 to 2016. In that research you found there was no effect on homicide and suicide rates from the various gun control measures.

What I'm having trouble with is the bit of a leap you seem to make when saying, then, that no future measures restricting or controlling firearms could have any impact on gun violence in this country. Is that actually what you're arguing?

● (1240)

**Dr. Caillin Langmann:** It's not a leap because you can extrapolate from the fact that a large number of handguns were already banned in the 1990s and there was no effect. There's been a large increase in the number of handguns owned by Canadians since 2000 and there's been no similar increase in the rate of homicides. Also, Australia adopted quite similar legislation that you're proposing, with complete handgun bans. These also demonstrated no effect in terms of homicide reduction. I think we can extrapolate from this that you're probably not going to see much benefit, if any benefit at all, from your legislation.

It's quite expensive legislation. You might want to consider some other methods that have been proven to have better effects, especially, as I said before, on youth deterrence.

**Mr. Randall Garrison:** You've made another leap that I don't share, in saying that we have to choose between the preventative measures and gun control measures. We're in a wealthy country where if everybody paid what they actually owed, we could afford to do both.

I want to talk specifically about some more statistics. As I have heard as a member of the justice committee and seen in looking at recent evidence here from narrower studies, the evidence has shown that a woman is five times more likely to be killed as a result of domestic violence when there's a gun present. We've also heard that adolescent suicide rates increase by three to four times when a gun is present in the home. That seems to be at odds with your more general studies.

Would you say those studies are invalid or that they're perhaps dealing with a more specific question and we should pay attention to those studies?

**Dr. Caillin Langmann:** First of all, you need to read the American Journal of Public Health study, because that study also showed that a woman who owns a firearm for protection is less likely to be killed.

That was a cross-sectional study, and those are the weakest studies of all. It was also an American study done on American women. My studies are not cross-sectional. They are quasi-experimental studies. They are time-series studies. They have a control and an experimental effect.



I have looked at spousal homicide and have looked at the legislation with those studies, and there's been no reduction in spousal homicide with any of that legislation or the prohibition of firearms. In the last 10 years, looking at some of the evidence, maybe 0.01% of firearms owners have their licences confiscated for domestic reasons, so I don't expect there to be any effect from the legislation you are proposing.

In terms of adolescent suicide, once again, it's a cross-sectional study. You may have heard about cross-sectional studies showing that drinking more wine causes cancer or drinking more wine does not cause cancer. They conflict with each other all the time. It's because they don't have proper controls and they have confounders. You need to look at the better studies. Those are the ones I'm talking about that are like the quasi-experimental studies that I do.

I have done studies on youth suicide and firearm legislation in terms of prohibition, storage and so on, and none of those studies have shown that there is a reduction in overall youth suicide rates after the implementation of legislation or the confiscation of firearms.

**Mr. Randall Garrison:** Dr. Langmann, I want to thank you for the frontline work you do as an emergency physician, even if we may differ on the implications of your research.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Garrison.

We'll now go to Mr. Motz, please, for five minutes.

**Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC):** Thank you very much, Mr. Chair, and thank you to both witnesses for being here.

Dr. Langmann, thank you for your comments in regard to youth deterrence and youth at risk initiatives there. I agree that it's something we need to be focused on.

I'm a firm believer—and I think the evidence is clear, as you've indicated—that Bill C-21 is flawed. I've only been on this committee for five or six meetings, but most of the witnesses I've see at this committee have been critical of aspects of Bill C-21 as it's proposed. We've seen that pieces of this legislation are already covered in existing laws. This has been mentioned by many witnesses.

This seems to be ideologically based on a fear of firearms. We've seen what can only be described as a complete lack of understanding of sport shooting, recreational airsoft, recreational firearm use at ranges and the culture that is built around not only the safe but legal use of firearms.

We have all heard the saying that if you're a hammer, everything looks like a nail. Some would think that you can legislate away gun violence, but the fact is, those who would use a gun to commit a crime will likely not care about laws or the good intentions behind the creation of those laws.

I'm kind of curious about that. What practical advice would you give this committee on what we need to add to Bill C-21? Is Bill C-21 or sections of it even worthy of saving? Where do we start, and what do we need to do to fix it?

• (1245)

**Dr. Caillin Langmann:** I think the sections that I've talked about, especially the handgun ban, are not going to have any effect, and I have certain concerns about the prohibition orders.

The system we have now allows someone to make an anonymous complaint to a CFO. In my experience, those have been rapidly investigated. This new legislation asks people to stand before a judge to give evidence. In my experience of working with women at risk, that is one of the most dangerous things you can have them do, because there are going to be repercussions.

I would suggest, rather, that we start looking at investment into women's shelters. Women are most at risk in a domestic situation when they are about to leave or when they are about to call the police or another authority. We need to get them out of that situation. In my experience of working with my patients, very often women's shelters are filled, so where can those women go?

I don't see this new prohibition order having any beneficial effect. I see it acting even more as a boundary or hindrance for some parties. I think the current system works at acceptable levels, but in terms of the handgun bans, as I said before and I can restate, there's going to be no beneficial effect.

In terms of what we can do, we really need to start looking at root causes. They've mentioned that they've spent some money in some places. Why not spend more? The buyback of restricted firearms that we talked about last time is going to cost billions of dollars. We're looking at billions of dollars, but right now I can't get patients seen within six months for psychiatry. I just don't understand why we're not investing in those other areas.

**Mr. Glen Motz:** Thank you for your thoughts on that, Dr. Langmann. I agree.

One thing that has always amazed me since I've been in this place is that, while some things may be well-intended, the consequence or how we go about them is very backwards.

I look at this legislation, and I've heard others describe it as lazy. I would concur. It's easy to go after the low-hanging fruit that have, as you said, a 0.01% potential of being a problem. We have gang violence, problems with our bail reform act, problems with smuggling and youth who are at risk. We have funding to throw around everywhere but not where the problems really exist.

I am extremely troubled by where this is going. We're spending effort, time and resources on a piece of legislation that, as it's currently written, will have zero impact on public safety, period.

If there is anything that either of you gentlemen can add to the recommendations on where this legislation needs to be amended and changed, I would encourage you to please forward it to the committee, if you haven't already done so.

Thank you very much for your time.

**The Chair:** Thank you, Mr. Motz.

We'll now go to Mr. Noormohamed for five minutes.

• (1250)

**Mr. Taleeb Noormohamed:** Thank you very much.

Professor Langlois, I'd like to begin with you.

The Vancouver Police Department, as well as other police forces like the CACP, has shared with us their concerns about ghost guns and the ability for people to make their own weapons at home and to order parts. One of the opportunities for us in Bill C-21 is to start thinking about adding provisions that look at regulating trigger assembly, slides, barrels and so on.

What impact do you think this would have on the problems of today and, more importantly, on solving the policing problems of tomorrow in terms of gun violence?

**Mr. Francis Langlois:** Thanks for the question.

Identifying other parts, like the barrel figure and the slide, would make it more difficult for anybody to order parts and make them. Then if they're caught making them, they will be caught making a weapon and they can have bigger jail sentences.

It would be easier for the authorities to arrest somebody who is importing those parts in Canada. At the moment, they are part of a weapon, but they are not identified as a weapon if a person made the parts themselves. That's the first thing. The other thing is that the government should be thinking about asking firearms producers to give identification numbers to those parts.

Also, the Canadian government should think about how to forbid anyone from creating or importing 3-D printing machines that are specially designed to make weapons like the Ghost Gunner, made in Texas by Defense Distributed. This is one of the best known examples, but there are other such devices or machines that are available online. That being said, regular 3-D printing machines should stay available.

**Mr. Taleeb Noormohamed:** Thank you, Professor.

Professor Langmann, I'll turn to you.

You've expressed a particular set of views that I don't necessarily agree with, but perhaps ghost guns are something that we are able to agree on. Do you think this is a problem going into the future, or do you think that ghost guns are just a passing fancy?

**Dr. Caillin Langmann:** No, I think it's a serious problem going into the future. We're seeing more and more unidentified guns coming up in the statistics.

I think any restrictions on imports may cause a small reduction in the numbers available, but I suspect that over time there will be substitute methods of procuring those parts and substitute developments in making those parts in underground markets.

Once again, if you don't start targeting the root causes.... The people using these are youth at risk. They get into small crime—

**Mr. Taleeb Noormohamed:** I'm sorry, Professor. I'm not disagreeing with you on the importance of prevention. I just want to confirm that you agree that ghost guns are a problem we should be thinking about addressing. Whether you do or not is what I wanted to know.

**Dr. Caillin Langmann:** They're definitely a problem worth addressing, but I think most of your methods are probably going to be futile in the end.

**Mr. Taleeb Noormohamed:** Thank you.

Professor Langlois, I want to come back to your research in this particular area. You have been speaking to police forces and looking at trends for the future, and when you consider the ease with which parts for ghost guns can be acquired and the ease with which these weapons can be manufactured at home, what do you see as the trajectory if we don't put a stop to this and if we don't try to take this on head-on by ensuring that many of the same provisions placed on firearms are placed on parts?

**Mr. Francis Langlois:** It will get worse, faster, but I think Dr. Langmann is right. The problem will grow because it has gotten easier to make ghost guns since 2013, when the first printed gun was made. It was cheap then; it would break very easily, but now, very efficient firearms can be printed and made at home.

Of course, the government has to act and do something to slow this down and show its intent to curb the trafficking of [*Technical difficulty—Editor*].

• (1255)

**The Chair:** Doctor, you've gone on mute.

**Mr. Francis Langlois:** Yes, I was on mute. Sorry.

**The Chair:** I think we have to pull the plug there.

We'll now go to Madame Michaud. We will terminate after that.

[*Translation*]

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

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

Mr. Langlois, when the government tabled Bill C-21, it presented four or five measures or provisions that would help in the fight against illegal firearms trafficking, such as an increased maximum sentence for firearms trafficking. However, according to an article published in the *Devoir* in June, when you were asked if longer sentences would prove useful, you replied: "We know that, generally speaking, criminals are more motivated by the fear of getting caught than of longer sentences."

I am inclined to agree with you, and I often give the example of William Rainville, a young man who had no criminal record and crossed the border with approximately 250 firearms in his possession. He was sentenced to five years in prison and released on parole less than a year later.

Do you believe that this measure will really help in the fight against firearms trafficking? If not, what do you think would be useful?

**Mr. Francis Langlois:** Mr. Rainville's case is interesting because he only spent a few months in prison for having tried to import approximately 250 replica Glock 17s. He was released from prison in July of this year.

My opinion hasn't changed: punishment is not the best way to discourage people from committing crimes. That said, we cannot soften our stance when it comes to people who import firearms or other dangerous goods that are a threat to public safety.

The increased maximum sentences are not necessarily a bad thing, but we have to wage a war on two fronts.

We should increase surveillance at the border in cooperation with the American authorities. That's what I'm currently working on. We have to work on both sides of the border to prevent firearms trafficking. We should improve surveillance by bringing in more human resources and increase sentences for firearms trafficking.

We also have to tackle the root causes of violence, as Dr. Langmann reminded us. Why are young men in our big Canadian cities getting guns? We could target these causes to reduce gun violence generally.

I'm now going to make a link with the question you asked me earlier.

It seems that in this forum, as well as in the media and in public discourse, we have imported the American way of discussing the issue of firearms. According to this way of looking at the issue, either we ban firearms, or we have a policy of intervention on the ground. But I say that we should do both; they are inextricably linked. We have to tackle the problem by repression and fight the root causes of firearm violence by working on prevention with those at risk of falling into a life of violence. We have to help the communities that need more resources. We could set up numerous programs.

So I think we need both, and not just one or the other. Obviously, there are budgetary considerations, but I...

**The Chair:** Thank you, Mr. Langlois.

[English]

That wraps up this panel.

I thank both witnesses for their wisdom, their experience and their information. It is a great help to us as a committee.

I want to remind the committee that the deadline for submission of amendments remains the 17th, as per the work plan. We have one more witness meeting this afternoon, but I would certainly encourage everyone to get their amendments to the legislative clerks as soon as possible in case there are any bottlenecks.

With that, thanks, everybody.

We are adjourned.

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