

New firearms measures to combat crime and increase public safety

By **Mark Pavilons**

Municipalities like Caledon will be given the opportunity to ban handguns.

The move comes as the Federal government passed new firearms rules, aimed at keeping innocent people safe, and keeping guns out of the hands of dangerous people.

Governments at all levels have identified firearm-related violence as an area of concern.

According to Statistics Canada, firearms were used in over 40 per cent of homicides in Canada in 2019.

This violence must stop.

Last May, the Government of Canada banned more than 1,500 models and variants of assault-style firearms and some of their components. The government is continuing to take every step necessary to combat gun violence and keep Canadians and communities safe.

Prime Minister Justin Trudeau recently announced the introduction of new legislation to amend the Criminal Code and the Firearms Act to make communities safer while respecting law-abiding gun owners. Through the proposed legislation and other measures, the government would:

Combat intimate partner and gender-based violence, and self-harm involving firearms by creating 'red flag' and 'yellow flag' laws. These laws would allow people, such as concerned friends or relatives, to apply to the courts for the immediate removal of an individual's firearms, or to ask a Chief Firearms Officer to suspend and review an individual's licence to own firearms.

Fight gun smuggling and trafficking by increasing criminal penalties, and by enhancing the capacity of the Royal Canadian Mounted Police and the Canada Border Services Agency to combat the illegal importation of firearms.

Help create safer communities by supporting municipalities that ban handguns through bylaws restricting storage and transportation in their jurisdictions. Individuals who violate these municipal bylaws would be subject to federal penalties, including licence revocation and criminal sanctions.

Protect Canadians from gun violence by creating new offences for altering the cartridge magazine component of a firearm and depicting violence in firearms advertising, introducing tighter restrictions on imports of ammunition, and ensuring the prohibition of imports, exports, sales, and transfers of all replica firearms.

Complete the prohibition of assault-style firearms to ensure these weapons cannot be legally used, transported, sold, transferred, or bequeathed by individuals in Canada. We also intend to move forward with a buyback program in the coming months to support the safe removal of these firearms from our communities.

Caledon CAO Carey Herd said staff are looking into the implications of the proposal but at this time, they don't have a position.

Mayor Allan Thompson, however, says he is concerned that there may be a 'patchwork set of rules' across all municipal jurisdictions in the country and that could lead to confusion and challenges for a consistent approach to compliance by handgun owners.

In terms of enforcement, from a safety perspective, it is not reasonable to expect municipal By-law Officers to enforce matters

pertaining to firearms as these officers are not trained nor equipped for such matters and it will become a matter of municipal police services to enforce any such municipal bylaws," he said.

Caledon OPP noted they can't provide opinions on legislation, they can only enforce them.

OPP already lay charges for hand gun possession (classified as a restricted or prohibited weapon depending on the barrel length and calibre), according to Constable Joe Brisebois, Community Safety Officer for Caledon OPP.

"One Canadian killed by gun violence is one too many. The tragedies we have seen in Ste-Foy and Portapique, and more recently in Toronto and Montréal, should never happen. This is why our government has taken some of the strongest action in our country's history against gun violence. We will continue to take steps to strengthen gun control measures, remove dangerous weapons from our streets, and make sure everyone can feel safe from violence," said Prime Minister Trudeau.

"Too many Canadians have been killed or injured because of gun violence, and we need to take every reasonable step to stop more Canadians from suffering the same fate. These concrete measures we're announcing today build on actions already taken to address some of the most serious firearms safety issues and are part of our government's detailed firearms strategy that will help make our communities safer for everyone," added Bill Blair, Minister of Public Safety and Emergency Preparedness.

There were more than 99,000 victims of intimate partner violence (IPV) in Canada in 2018. Firearms were present in more than 500 IPV incidents. Women accounted for almost 8 in 10 victims of all IPV incidents and they were even more likely to be the victim in the more than 500 IPV incidents where a firearm was present.

The rates of violent and non-violent offences specific to firearms increased for the fifth consecutive year in 2019. The number of violent offences specific to firearms increased by 21% (an increase of 642 from 2,861 to 3,503).

Statistics Canada reports the use of firearms in homicides increased from 30% in 2009 to 40% in 2019.

Break and enter for the purposes of stealing a firearm continue to increase. Police reported just over one-third of these offences involved breaking into a motor vehicle for the purpose of stealing a firearm.

The remainder involved breaking and entering into another location, the majority of which were private residences.

In order to improve the firearms classification framework, the Minister of Justice will conduct a review of firearms classification. The Minister will also look into modernizing language in the regulation and the Criminal Code with respect to prohibited weapons, devices, and ammunition to close gaps in the law.

In June 2019, new legislation on firearms received Royal Assent, and many measures will come into force soon. The 2019 legislation includes practical, targeted, and measured steps to keep Canadians safe, including: Helping ensure people with a history of violence are not granted a licence to own firearms through expanded background checks that consider the applicant's lifetime history, not just the preceding five years.

A Criminal Code amnesty is in place until April 30, 2022, to protect lawful owners from criminal liability and to enable them to comply with the law. Under the amnesty, the newly prohibited firearms can only be transferred or transported within Canada for specific purposes.