



May 26, 2010

Garry Breitkreuz, M.P.
Chair, Standing Committee on Public
Safety and National Security
Sixth Floor, 131 Queen Street
House of Commons
Ottawa, ON K1A 0A6

Dear Mr. Breitkreuz,

Re: Bill C-391 - Repeal of Long-Gun Registry

I am writing on behalf of the Canadian Bar Association's National Criminal Justice Section (CBA Section) to provide our views on Bill C-391. The Canadian Bar Association is a national association representing over 37,000 jurists, including lawyers, notaries, law teachers and students across Canada. The CBA's primary objectives include the improvement in the law and in the administration of justice. The CBA Section consists of prosecutors and defence lawyers from all parts of Canada.

Bill C-391, if enacted, would change the law to no longer require registration of a firearm unless it is a restricted or prohibited weapon. Like the Canadian Association of Chiefs of Police and the Canadian Police Association, the CBA Section supports retaining the firearms registry.

The CBA has supported measures to control the use and ownership of guns in Canada since 1972. The Association has made several submissions to Parliamentary Committees and passed internal resolutions in support of gun control.¹ The CBA favours responsible and limited gun ownership, viewing gun ownership as a privilege rather than a right.

If Bill C-391 were to be enacted the whereabouts of millions of firearms currently registered or required to be registered will no longer be known. They will in effect simply "disappear", and become impossible to locate through a public registry.

The CBA Section views this as a large step backward, impeding the police in being able to prevent the illegal use or sale of firearms. We have continually stressed that resources for police, rather than amendments to the *Criminal Code*, are more likely to advance the laudable goal of improved public safety. Repealing the long-gun registry would make it much more difficult for police to anticipate the presence of firearms when called to the scene of a potentially violent crime. This would reduce community safety in general, and police safety in particular.

¹ See, for example, CBA Resolutions: 90-23-M, Firearms Control; 93-07-M, Prohibition of Handguns, and Submission on Bill C-68, *Firearms Act* (Ottawa: CBA, 1995).

In 2004, the current President of the Canadian Association of Chiefs of Police said:

There is no question that the system is working and that it is a valuable tool. Compliance rates are high - more than 2 million (90%) of gun owners are licensed and almost 7 million (85%) of guns are registered.²

In 2009, the Deputy Director General of the same Association stated:

Registration of firearms is essential to the licensing process. When gun owners are held accountable for their firearms, they are less likely to sell or give them to unlicensed individuals. Registration assists police in knowing what firearms to look for when enforcing prohibition orders. Information about registered firearms found at the scene of a crime supports criminal investigations and convictions.

Rhetoric around the registry's cost obscures the reality that the money has been spent. To dismantle an effective system now would be a waste. The costs going forward are largely associated with licensing of firearm owners. In 2006 the RCMP testified that eliminating rifle and shotgun registration would save less than \$3 million a year, roughly the cost of a couple of complex murder investigations.

The bottom line is that all firearms are potentially lethal. Gun control is a necessary part of an integrated strategy to address violence. The CACP is proud of Canada's international reputation as a country with effective gun control legislation and strenuously opposes any weakening of Canada's current firearms control regime. Lives depend on it.³

While it is not surprising that opponents of gun control would call for the registry to be scrapped, it is important for Canadians to understand what is at stake. Canada cannot combat illegal guns in our country without first having an effective system to control legal guns.⁴ While firearm violence remains a concern in Canada, rates of gun crime, homicide and death have fallen significantly over the last decade, in part because of stricter controls on firearms.⁵

Canada's gun control registry allows for the screening of legal gun owners, increases their accountability and provides tools to prevent the diversion and misuse of firearms. While we expect that changes could always be made to improve the registry's efficiency and cost effectiveness, this does not warrant eliminating the registry as proposed.

In April 2010, in relation to the Bill's predecessor, the President of the Canadian Police Association stated:

[C]ritics of Canada's firearms program who suggest that the firearms program is not effective in reducing crime are unfortunately unaware of, or unwilling to recognize the inherent benefits as described in this letter. We may not be able to name the police officer

² Press Release of the Canadian Association of Chiefs of Police, January 21, 2004
www.guncontrol.ca/English/Home/Supporters/CACP21Jan2004.pdf.

³ Op Ed by Canadian Association of Chiefs of Police - Deputy Director General, Steven Chabot, April 7, 2009.

⁴ The US experience is a case in point.

⁵ See, www.statcan.gc.ca/daily-quotidien/080220/dq080220b-eng.htm

or crime victim whose life has been saved because of information obtained by the registry, nor can we name the countless individuals whose lives have been saved by seatbelt laws, bicycle helmets and child restraints. But that does not mean those efforts have not been successful in reducing injuries and deaths.

Significant money has been invested in Canada's firearms program, and we are now starting to realize the important public safety benefits. It would be irresponsible to suspend or abandon any element of this program, now that it is starting to deliver the intended results. Without registration of firearms, the program will not work.⁶

The CBA Section endorses an efficient, cost effective system to register all firearms. Requiring registration will continue to improve public safety and require appropriate accountability of firearms owners.

Thank you for the opportunity to participate in the review of Bill C-391.

Yours very truly,

(Original signed by Gaylene Schellenberg for Joshua A. Weinstein)

Joshua A. Weinstein
Chair, National Criminal Justice Section

⁶ Letter from Canadian Police Association President Charles Momy to Michael Ignatieff, April 7, 2009.