



Gun policy in Canada

AIMING OFF TARGET

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Executive summary | *sommaire*

On November 22, 2021, Canada’s federal government presented Bill C-21, *An Act to Amend Certain Acts and to Make Certain Consequential Amendments (Firearms)*. Amongst other things, Bill C-21 aims to entrench in law aspects of the 2020 Order in Council banning what the government has labeled “assault-style firearms,” codify the 2022 regulatory “freeze” on the purchase, transfer, and inheritance of handguns, and further strengthen Canada’s already robust “red flag” laws. Later amendments to the bill broadened the scope significantly, including by proposing a prohibition on all semi-automatic firearms manufactured after the bill comes into force that are designed to accept detachable magazines.

Evidence shows that these changes will have little effect on violent crime, but will adversely affect hundreds of thousands of Canadian hunters, farmers, trappers, collectors, and sport shooters, including Indigenous communities, and those businesses and networks supporting them. Worse still, these policies distract from meaningful, evidence-based efforts to reduce crime and violence.

Canada has strictly regulated access to handguns since the 1930s. Beginning in 1932 Canadians wanting to acquire a handgun had to show evidence of an approved need before they could do so. Current law and practice limits those approved needs to being a member of a handgun shooting club or range, an approved collector, special occupational requirements, and, very rarely, for personal protection.

The freeze on handguns affects Canada’s licensed and highly-regulated community of gun owners by preventing new entrants to regulated sports, reducing or eliminating available markets for exempted users to purchase the equipment they need, and preventing collectors from selling or trading their collection of historical handguns or passing heirlooms to their families. These objects, some of significant historical, monetary, and personal value dating from the First and Second World Wars, will be destroyed, which will lead to a major financial loss for collectors. The ban offers no appreciable public safety benefit; the overwhelming majority of guns misused for the commission of crime continue to stream into Canada illegally from the United States.

The government first announced its intention to ban what it labeled “assault weapons,” or “military-style assault weapons,” in the run-up to the 2019 election, though in fact true assault rifles had been prohibited in Canada since 1978. Existing scholarly evidence clearly demonstrates that bans on specific types of firearms are not effective at combating gun violence, including mass shootings. Similarly, “red flag” laws, which have been gaining popularity in the United States, have been framed by proponents as a way to remove firearms from the hands of potential mass shooters in an emergency situation. But Canada has had similar laws on the books since the 1995 *Firearms Act*. Under the Criminal Code (s. 117), police already have the authority to confiscate firearms from someone who may pose a threat. The changes Bill C-21 makes to these laws are mainly to repackage them using the popular “red flag” terminology and will not increase public safety.

Canada’s ability to control the supply of illicit firearms in our country is limited; we share the world’s largest undefended border with a country that has the largest supply of firearms in civilian hands and decentralized manufacturing technology, like 3D printing, has led to the illicit production of “ghost guns” in recent years. Tackling gun violence must involve shifting our approach to focus on community-based interventions in areas where gun violence is concentrated.

Recent changes to Canada’s gun policies have been shaped largely by political considerations and wedge politics, not by the government sincerely considering public safety research and concerns. This paper offers a few recommendations for improvement, including that the government remove the freeze on legal handgun transfers, sales, and inheritances, repeal the ban and planned confiscation of assault-style firearms, and review the existing firearms classification system. Further, the government should give the RCMP Canadian Firearms Program more resources to strengthen Canada’s gun licensing system and properly enforce the existing laws.

Le 22 novembre 2021, le gouvernement fédéral canadien présentait le projet de loi C-21, Loi modifiant certaines lois et d’autres textes en conséquence (armes à feu). Ce projet de loi visait notamment à enchâsser les éléments du décret de 2020 prohibant les « armes à feu de style arme d’assaut », telles que définies par le gouvernement, à codifier le « gel » réglementaire sur l’achat, le transfert et la transmission d’armes de poing (2022) et à renforcer les lois « drapeau rouge » déjà robustes du Canada. Les amendements ultérieurs au projet de loi en ont considérablement élargi la portée, notamment en proposant l’interdiction des armes à feu semi-automatiques à chargeurs détachables fabriquées après l’entrée en vigueur du projet de loi.

Les éléments de preuve attestent que ces changements n’auront à peu près aucun effet sur la criminalité avec violence, mais qu’ils lèseront des centaines de milliers de chasseurs, agriculteurs, trappeurs, collectionneurs et tireurs sportifs, y compris les

communautés autochtones, ainsi que les entreprises et les réseaux qui les soutiennent. Et encore plus regrettable, ces politiques détourneront l'attention des mesures éprouvées contre la criminalité et la violence.

Le Canada encadre rigoureusement l'accès aux armes de poing depuis les années 1930. Dès 1932, les Canadiennes et Canadiens qui souhaitent acquérir une arme de poing devaient démontrer avoir obtenu l'approbation nécessaire. Dans la législation et les pratiques actuelles, les demandes approuvées sont limitées aux membres d'un club ou d'un champ de tir, aux collectionneurs autorisés et aux individus qui font face à des exigences professionnelles particulières ou, très rarement, assurent leur protection personnelle.

Le gel des armes de poing nuit aux propriétaires d'armes agréés et étroitement réglementés, en empêchant tout nouveau venu dans les sports réglementés, en limitant, voire en supprimant les marchés de vente de matériel aux utilisateurs qualifiés et en interdisant aux collectionneurs de vendre ou d'échanger leurs collections anciennes ou, encore, de léguer leur patrimoine à leur famille. Ces objets, dont certains ont une valeur historique, monétaire et personnelle importante qui remonte à la Première ou à la Seconde Guerre mondiale, seront détruits : des pertes financières importantes pour les collectionneurs. L'interdiction ne procure aucun avantage appréciable en matière de sécurité publique; une majorité écrasante d'armes à feu utilisées pour commettre des crimes continue d'affluer illégalement au Canada depuis les États-Unis.

Le gouvernement a initialement annoncé son intention d'interdire ce qu'il a qualifié « d'arme d'assaut » ou d'« arme d'assaut de style militaire » à l'approche des élections de 2019, bien que, en fait, les véritables fusils d'assaut soient prohibés au Canada depuis 1978. Les données scientifiques démontrent clairement qu'interdire des types d'armes à feu particuliers est inefficace contre la violence armée et même les fusillades de masse. Dans le même ordre d'idées, les promoteurs des lois « drapeau rouge » – qui gagnent en popularité aux États-Unis – les ont érigées en moyen de désarmer les tireurs de masse potentiels en cas d'urgence. Mais là encore, le Canada dispose d'une législation similaire : la Loi sur les armes à feu de 1995. En vertu du Code criminel (article 117), la police est déjà habilitée à confisquer les armes à feu de toute personne susceptible de poser une menace. Les modifications apportées par le projet de loi C-21 sont principalement des reformulations pour intégrer le populaire terme « drapeau rouge », ce qui ne renforcera pas la sécurité publique.

La capacité du Canada à contrôler l'offre d'armes à feu illicites est limitée : il partage la plus longue frontière non défendue du monde avec un pays qui est peuplé de citoyens pourvus d'une gigantesque quantité d'armes à feu et qui possède la technologie de fabrication décentralisée, comme l'impression 3D, source de production illicite d'« armes fantômes » ces dernières années. Pour lutter contre la violence armée, il faut changer d'approche en privilégiant les interventions communautaires dans les zones où la violence armée est concentrée.

*Les récents changements des politiques canadiennes en matière d'armes à feu ont largement été façonnés par des considérations politiques et une politique de clivage, non pas par une tentative sérieuse de la part du gouvernement de miser sur la recherche et les questions de sécurité publique. Dans ce document, on présente quelques recommandations pour améliorer la situation, notamment la levée du gel sur le transfert, la vente et la transmission des armes de poing légales, le retrait de l'interdiction et de la confiscation planifiée des armes d'assaut et une revue du système actuel de classification des armes à feu. Le gouvernement doit en outre mieux financer le Programme canadien des armes à feu de la GRC pour renforcer le système canadien de permis de port d'armes et faire respecter les lois existantes. **MLI***

Introduction and context

On November 22, 2021, Canada's federal government presented Bill C-21, *An Act to Amend certain Acts and to Make Certain Consequential Amendments (Firearms)*. Amongst other things, Bill C-21 aims to entrench in law aspects of the 2020 Order in Council banning what the government has labeled “assault-style firearms” (ASF), codify the 2022 regulatory “freeze” on the purchase, transfer, and inheritance of handguns, and make changes to Canada’s already robust “red flag” laws. Later amendments to the bill broadened the scope significantly, including by proposing a prohibition on all semi-automatic firearms manufactured after the bill comes into force that are designed to accept detachable magazines.

These measures are out of step with the strongest evidence. While they will have little effect on violent crime, these policies will have significant adverse impacts on hundreds of thousands of Canadian hunters, farmers, trappers, collectors, and sport shooters, including Indigenous communities, and those businesses and networks supporting them. Worse still, these policies distract from meaningful, evidence-based efforts to reduce crime and violence.

Handgun freeze

Canada has strictly regulated access to handguns since the 1930s. Legal changes in 1995 required those wishing to purchase handguns, by then classified as restricted firearms, to complete two mandatory safety training classes and four tests (two written, two practical) before applying for a license. Like all Canadian gun owners after the introduction of the *Firearms Act*, licensed

handgun owners must present character references and evidence of spousal consent, disclose any mental health or financial issues, and have their information entered in the Canadian Police Information Centre database. This effectively amounts to a continual background check as their data is routinely scanned through the system and any interactions with law enforcement are flagged. Handguns in Canada have been subject to mandatory registration since 1934, and firearms owners are required by law to report lost or stolen firearms to the police.

Beginning in 1932 Canadian handgun owners had to show evidence of an approved need before they could acquire a handgun. Current law and practice limits those approved needs to being a member of a handgun shooting club or range, an approved collector, or special occupational requirements. Personal protection permits are sometimes issued to high-profile individuals facing imminent threats, an especially rare scenario amounting to only a few cases per year.¹ Examples of major handgun sporting disciplines include Olympic target shooting, those under the International Practical Shooting Competition (IPSC) umbrella, and Cowboy Action shooters (another competitive shooting sport).



The ban offers no appreciable public safety benefit.

The freeze on handguns targets Canada's licensed and highly-regulated community of gun owners by preventing new entrants to regulated sports, reducing or eliminating available markets for exempted users to purchase the equipment they need, and preventing collectors from selling or trading their collection or passing heirlooms to their families. Under the current system, an existing, licensed handgun owner is prevented from transferring their handgun to another existing, licensed handgun owner. The ban offers no appreciable public safety benefit; the overwhelming majority of guns misused for the commission of crime continue to stream into Canada illegally from the United States. Scholarly studies (Leuprecht and Aulthouse 2014; Morselli and Blais 2014; Cook, Cukier, and Krause 2009), government reports (Canada 1998; Heemskert and Davies 2008), and public data and testimony from police forces

and civil servants (Canada, House of Commons 2022a, 17; Canada, House of Commons 2022b, 18) consistently demonstrate that the majority, and in large metropolitan areas a supermajority, of crime guns are sourced illegally from the United States.

Firearms are useful tools for criminals involved in the illicit drug trade, including gang members. Canada shares the world's largest undefended border with the country with the greatest number of guns in civilian hands. Given economic incentives, handguns can be purchased easily in the United States and sold illegally for a large profit in Canada. Further, the increasing ease and decentralization of manufacture alongside the demand for alternative sources of firearms by criminals is leading to a burgeoning underground cottage industry of illegally manufactured "ghost guns," that have never been on the legal market. Some police departments, like the Toronto Police Services account (@TPSGunsSeized) share social media images of confiscated firearms. These firearms are often models that have been prohibited in Canada for decades or have been illegally manufactured.

Given the comparatively small use of domestically sourced handguns in the commission of crime, the high demand for illicit firearms, the large potential for profits, and the comparatively easy access to alternative sources, it is unlikely that Bill C-21 will meaningfully disrupt the supply of guns to criminals and gang members.

Assault-style firearm ban

The government first announced its intention to ban what it labeled "assault weapons," or "military-style assault weapons," in the run-up to the 2019 election. The platform did not clearly define what the term meant or which guns it was focusing on. True assault rifles, that is, firearms chambered for an intermediate cartridge and capable of both fully automatic and semi-automatic fire, had been prohibited in Canada since 1978 with the coming into force of Bill C-51. By the 2019 platform, the government adopted the term to describe ordinary civilian semi-automatic firearms of "modern design" that often use polymer (plastic) rather than wood in their construction that have ergonomic controls like telescoping stocks and pistol grips, and that can accept removable magazines.

Canadian regulators borrowed their expansion of the “assault weapon” term from advocates in the United States. Though handguns are used in the vast majority of American gun homicides and mass shooters use them more often than rifles (FBI 2017; Yablon 2018), American pro-control advocates struggling to mobilize support for handgun prohibitions instead decided to target “assault weapons,” which they believed were an easier public relations win. In a policy paper, pro-control advocate and head of the Violence Policy Coalition Josh Sugarman wrote: “The weapons’ menacing looks, coupled with the public’s confusion over fully automatic machine guns versus semi-automatic assault weapons – anything that looks like a machine gun is assumed to be a machine gun – can only increase the chance of public support for restrictions on these weapons” (Sugarman 1988; Barrett 2013). This framing technique has been imported into Canada by pro-control advocates (Coalition for Gun Control 2018; PolySeSouvient/PolyRemembers 2023) and adopted by the government.

Following their public consultation on the topic in 2019, the government adopted the term “assault-style firearm” (ASF), but failed to provide a robust technical definition of what this included. In 2020, following the mass murder in Portapique, Nova Scotia, which the perpetrator carried out using mostly smuggled American firearms (McMillan 2022), the government prohibited through an Order in Council a handful of semi-automatic rifles and their variants that they identified as ASFs. These rifles are now prohibited, and the government has signaled its intention to confiscate them from owners.

The government introduced an “evergreen” definition of an ASF in Bill C-21. Under this definition, any semi-automatic, centrefire firearm that is capable of accepting detachable magazines and manufactured after the legislation comes into force will be prohibited. While not a part of Bill C-21, the government has pledged to complement this with a backwards-looking Order in Council prohibition of existing models on the advice of an “independent” advisory committee. Firearms that the government has flagged as in consideration for additional bans include those that do not meet even the new proposed definition of ASF, including the SKS, M1 Garand, and various rimfire rifles.

Existing scholarly evidence clearly demonstrates that bans on specific types of firearms are not effective at combating gun violence. A large body of research shows that policies targeting “assault-style weapons” are not associated with a reduction in mass shootings (Smart 2023; Gius 2014; Greene-Colozzi,

and Silva 2020) or homicide (Schwartz 2022; Siegel, Pahn, Xuan, et al. 2019; Webster, McCourt, Crifasi, et al. 2020; Gius 2014; Gilmour, Wattanakamolkul, and Sugai 2018; Blau, Gorry, and Wade 2016; Kalesan, Mobily, Keiser, et al. 2016; Koper and Roth 2001) even in cases where access to these firearms is relatively less well controlled through other means such as permits or background checks. In Canada, where access to these firearms has been strictly controlled for decades through a licensing system designed to limit ownership to trained and thoroughly vetted users, it is highly unlikely that prohibitions would have further meaningful impacts.

Red flag laws

“Red flag” laws have been gaining popularity in the United States and have been framed by proponents as a way to remove firearms from the hands of potential mass shooters in an emergency situation. Despite the fact that Canada has had similar laws on the books since the 1995 *Firearms Act*, Bill C-21 makes changes to these laws, repackaging them using the popular “red flag” terminology. This repackaging can be reasonably interpreted as a cynical attempt by the government to piggyback on the prevalent American news cycle to capitalize on the discussion of these laws south of the border.

The proposed changes will not increase public safety. Under the Criminal Code (s. 117), police already have the authority to confiscate firearms from an individual who may pose a threat. This confiscation can even occur even before the police secure a warrant. Changes to the system, which will allow anonymous complainants to petition the court for a firearm revocation, are not supported by women’s groups, who have noted that the new system will be even more complicated for victims to navigate. The generally pro-gun control Canadian Bar Association has called the existing laws “sufficient and preferable to the proposed changes” (Bronskill 2022). While Liberal MPs have suggested that the new laws are necessary as individuals may not be comfortable going to local police, victims can readily bypass that problem by reporting safety concerns directly to staff in the centralized Canadian Firearms Program.

Concerningly, the changes to Canada’s license revocation system will be vulnerable to abuses, especially against police officers, Indigenous people, and

other marginalized populations. Because the complaints are filed *ex parte*, are anonymous, and court records are sealed, this system will be susceptible to false, trivial, or vexatious complaints that under the existing system could be weeded out by police, who will often have information or investigative tools that could indicate whether a complaint is vexatious, malicious, an attempt at “swatting,”² or even being made by an abuser seeking control over a victim. The court does not have access to these tools in an *ex parte* hearing. Indigenous Canadians and those from other marginalized groups disproportionately targeted by the criminal justice system and more vulnerable to domestic violence, including the control tactics that this process may enable, will likely suffer the most (Passifume 2023). There is no requirement in the revised law to consider Indigenous hunting rights, for the complainant to have any relationship to the accused, or for the accused to be heard in court. Police and military members serving abroad are subject to the provisions, meaning that a malicious complaint could even prevent them from using their service weapon.

“Various groups have raised valid and substantial concerns about the extremely punitive mandatory license ineligibility processes in Bill C-21.”

In addition to the “red flag” provisions, various groups have raised valid and substantial concerns about the extremely punitive mandatory license ineligibility processes in Bill C-21. Those considered ineligible include anyone who is subject to a protection order, which may include a peace bond. Due to the way protection orders work, an individual may lose their license and have no automatic way of getting it back in cases when an emergency protection order is denied at a confirmation hearing. Mandatory prohibitions on the possession of firearms also include anyone who has any history of domestic violence.

While this may sound like a positive development, the language is broad and may include an altercation with a parent as a youth, a shouting match with a spouse for which police were called, or even an agreement to be subject to a peace bond. That broad language combined with the complete lack of any

discretion or appeal mechanisms means that individuals are likely to lose their licenses unjustly – sometimes for a decades-old incident – even when they present no public safety risk; there is no mechanism of appeal. The Chief Firearms Officer already has the power to revoke or deny a license for these causes. The elimination of the officer’s ability to use their discretion may have punitive impacts and is contrary to the recommendations of the Canadian Bar Association.

Impact on stakeholders

Bill C-21 will have a significant impact on 2.2 million Canadian hunters, farmers, trappers, sports shooters, and collectors, as well as on the businesses that serve this community. Those affected include the 1.3 million hunters who contributed \$5.9 billion dollars to Canada’s economy in 2018, the 1.4 million sports shooters³ who contributed \$2.6 billion, and the 45,000 trappers who contributed \$131 million (Conference Board of Canada 2020).

Though existing owners will be able to keep their handguns, sports like IPSC (International Practical Shooting Confederation), which are practiced by over 4000 active members in Canada (IPSCC 2020), will be unable to recruit new participants. As equipment deteriorates and needs to be replaced, athletes will be forced to quit the sport. Olympic-style target shooters, who compete with low-powered rimfire handguns, will face a similar situation. Even communities of historical reenactors and cowboy enthusiasts, who compete with historical firearms, including some single-shot, muzzle-loading, black powder pistols – which filmgoers may recognize as those used by Johnny Depp in the *Pirates of the Caribbean* movies – will slowly see their sport disappear.

Under the new laws, collectors of historical handguns will be unable to pass these firearms on to their next of kin. These objects, some of significant historical, monetary, and personal value dating from the First and Second World Wars, will be destroyed. In addition to the loss of historically significant objects, the new laws will lead to a major financial loss for collectors, who may have invested significant sums of money in their purchases and will have no opportunity for recourse. Some may have made their purchases with the intent of leaving their collection for their heirs, who will not receive compensation when the firearms are destroyed.

Even those covered by the limited exemptions will face difficulties, mostly due to the sudden collapse of the available market from hundreds of thousands of users to mere hundreds. The Fur Institute of Canada has expressed concerns that trappers, an exempted profession that commonly requires handguns for their work, will not be able to source suitable replacements. Olympians testified before the House of Commons Committee that they would not be able to find suitable domestic competitors with whom to practice to ensure they are Olympic-ready. Both groups expressed concern over the difficulty of finding replacement handguns, parts, or aftermarket support due to market elimination. Many dealers are unable or unwilling to navigate the complexities of a new system without a sufficient domestic market to support it. Government MPs indicated before the House Committee that the strict limitations of these exemptions were the policy goal.

In addition to their use in shooting sports, hunters, farmers, and trappers in rural and remote areas also use semi-automatic rifles for protection from wildlife. They are especially useful for destroying numerous pests such as prairie dogs, or potentially dangerous pests and predators like wolves, coyotes, boar, and bears, where even a single animal attacking a person, property, or livestock may require multiple rapid shots to dispatch safely. This is a use case widely acknowledged by federal and provincial governments. For example, out of concern for their safety, the government of British Columbia recently issued its conservation officers now-prohibited semi-automatic firearms with detachable magazines (Chiu 2022).

“C-21 will have a significant impact on businesses in Canada that cater to the gun-owning community.”

C-21 will have a significant impact on businesses in Canada that cater to the gun-owning community. While large multinational or big-box retailers may be able to diversify, the majority of gun and hunting shops in Canada are small- or medium-sized businesses in rural and remote areas that supply large geographic areas. Some have already closed down as a result of the 2020 Order in Council (Berls 2022). Even if businesses can raise prices to counter their increased costs, their customers may not be able to cope with those increases.

The especially hard-hit will be rural and Indigenous sustenance hunters, already significantly poorer than the Canadian average and who rely on the purchasing power of higher-volume participants such as sport shooters to sustain a ready supply of firearm goods at a reasonable cost and distance.

The new measures will further erode public trust in government amongst gun owners, who interpret them as a politically motivated attack on their way of life. It is important to maintain a relationship of trust between regulator and regulated, as gun control programs require public buy-in to function since the government cannot be in all places at all times. Regulations that appear to be politically motivated squander that trust.

Canada's way forward

Recent changes to Canada's gun policies have been shaped largely by political considerations and wedge politics, not by the government sincerely considering public safety research and concerns. The way we think about gun violence prevention as a society requires a paradigm shift. Canada has already shown that it can balance the needs of stakeholder communities (hunters, sports shooters, and collectors) with public safety concerns and it must return to a position of consensus-seeking to ensure a lasting and functional approach.

That position should include supplementing existing efforts at controlling the supply of firearms to the criminal market with sustainably funded community-based programs to curb the demand for illegal firearms. Canada's ability to control the supply of illicit firearms in our country is limited by several factors, including that we share the world's largest undefended border with a country that has the largest supply of firearms in civilian hands and that decentralized manufacturing technology, like 3D printing, has emerged in recent years. This latter development will continue for the foreseeable future. Tackling gun violence must thus involve shifting our approach to focus on targeted and community-based interventions in areas where gun violence is concentrated.

This does not mean that Canada should give up on preventing gun smuggling. Recent cooperation between Canadian police and the American Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has resulted in

42 arrests and the seizure of 173 guns, which demonstrates the potentially beneficial effects of cross-border collaboration and intelligence sharing (Harrison 2023). Further, Canada's federal government should work with First Nations police forces and increase funding to help tackle smuggling on cross-border Indigenous reservations (Powell 2022).

“*Gun owners are knowledgeable stakeholders and want to help make the country safer.*”

Neither does this mean that Canada should give up on gun control methods shown to be effective, or where stakeholder buy-in exists. When revising its policies the government should treat gun owners as partners in public safety rather than as antagonists in electoral politics. Gun owners are knowledgeable stakeholders and want to help make the country safer. They must be met halfway and treated respectfully.

The Canadian government can also make system improvements to enhance the existing, effective gun control measures. Organizations on all sides of the debate have expressed concerns about the responsiveness of the Canadian Firearms Program. The government should appropriately fund the Canadian Firearms Program and its Chief Firearm Officers, and set clear service standards to ensure that all references are called, all safety concerns are followed up on, and all paperwork completed in a timely manner. Such an approach would be advantageous to gun owners and to public safety. Providing funds so that existing laws can be enforced adequately is preferable to adding additional rules that also require funding even as they ineffectively replicate work.

The history of provincial hunting regulation in Canada demonstrates that public safety is improved when gun owners are treated as partners. For example, collaboration between provincial wildlife agencies and conservation groups representing hunters and anglers has produced robust partnerships that have halved hunting accidents since the 1960s and virtually eliminated hunting-related accidents involving non-hunters (OFAH 2015). Gun owners in Canada are safety-oriented and are eager to assist in these processes.

Recommendations

Set our sights on the appropriate target

We recommend that the government *remove the freeze on legal handgun transfers, sales, and inheritances*, or at minimum create significant exemptions to allow participants to fully engage in the shooting sports, including through equipment replacement. The existing measures are draconian and do not mirror those in even highly restrictive peer nations such as Australia.

If Canada's government decides to continue the handgun "freeze" it should also create a sunset clause⁴ or "thaw date" after which the legislation can be evaluated.

The government should also create a general exemption for shooters involved in formal leagues, like the IPSC. Further, if the "freeze" absolutely must persist, at minimum those handguns chambered in rimfire cartridges, single-action revolvers, and historical replica firearms like muzzle-loading black powder handguns should be exempted.. There is already precedent for this. Semi-automatic rimfire rifles are already exempt from the assault-style firearm definition put forward by the government.

We recommend that the government *repeal the costly and ineffective 2020 OIC ban of assault-style firearms, as well as the planned expansion of the ban to include other firearms*. Compensating gun owners for their confiscated property from the 2020 Order in Council alone is estimated to cost at least \$750 million (Giswold and Stanton 2021), and once administrative costs are considered, the entire operation will likely cost several billion dollars (Mauser 2021). Should the government impose additional Orders in Council as it has pledged to do, this figure is likely to increase significantly. Despite the high costs, there is little evidence that these prohibitions will contribute to public safety through a reduction in either homicide or mass homicide. The downside is known: it will harm Canadian businesses, will erode necessary trust in the Canadian government by gun owners, and will remove firearms from communities where they are necessary for sustenance, employment, or protection from wildlife.

We recommend that the government *review the existing firearms classification system*. The current system is confusing, overly bureaucratic, and too easily politicized. Firearm classifications should be set clearly in legislation.

The government may use regulations to clarify Parliament's intent, but should not make sweeping prohibitions that are often unpredictable for end users. Categorizations of individual firearms should be determined by impartial experts and made based on objective, transparent, and technical factors established directly in legislation, and must not include merely the appearance or reputation of a firearm. The classification criteria must be evidence-based. Furthermore, no firearm should be prohibited by name in a regulation or administrative decision if it is otherwise lawful according to legislation.

Take aim at smuggled guns, enforcement, and root causes

The major source of guns that are used in crime in Canada is the country's external border. Investing resources there can help reduce the supply of such guns or raise the costs of gun smuggling. Further, the RCMP Canadian Firearms Program (CFP) should be given more resources to strengthen Canada's gun licensing system and properly enforce the existing and agreed-upon laws.

Existing resources are insufficient to properly enforce the laws already on the books. Canada's robust licensing system can only work effectively if its procedures are followed. For example, while all gun license applicants are required to provide character references, the RCMP CFP does not collect data on the percentage of references who are contacted (Cain 2014). Insufficient funds also leads to the RCMP failing to follow up with individuals who amass large collections of the same type of cheap registered firearms, cases that may represent straw purchasing, when a licensed individual purchases firearms to sell onto the black market, and require investigation (Cain 2016). The government's significant and arbitrary changes to Canada's gun laws have only worsened this problem. By creating more ill-considered and time-consuming rules and traffic for the Canadian Firearms Program without providing adequate resources, service standards have declined and failures to enforce policies are commonplace.

Canada cannot ignore the fundamental supply-and-demand economics of the illegal firearm trade. Canada's ability to control the supply of illegal firearms will always face limitations. Instead, it must make a serious effort to curb the demand for illegal firearms by criminal groups using community programs.

Evidence-based community programs have demonstrated incredible promise in reducing gun and gang violence. The programs have been used

and evaluated in various jurisdictions with serious gun violence problems and the research shows clearly that community-based programs for violence reduction are the most effective means of reducing gun violence (Makarios and Pratt 2012). This is because gun violence is often concentrated amongst small segments of the population, most often in marginalized communities. Targeted interventions to help these communities have proven to be effective not just at reducing gun violence but increasing the quality of life for residents. Effective programs balance police interventions with work by counselors, social workers, and community groups to tackle the root causes of gun violence.

Examples of such programs include:

- **Violence interruption programs:** Programs like Operation Cease-fire (Makarios and Pratt 2012) focus on mediating conflicts between gang members and interrupting the cycle of tit-for-tat violence that often drives gang-related conflicts. They have been tested in cities like Boston, Chicago, and Baltimore and have shown to be very effective (Picard-Fritsche and Cerniglia 2013; Makarios and Pratt 2012; Park, Schoenberg, Bertozzi, and Brantingham 2021).
- **Place-based strategies:** As violence is often clustered in very small geographic areas, research has shown that efforts to improve high-violence areas by planting trees and gardens, removing garbage, and other efforts can reduce gun violence (Blais 2019).
- **Focusing on youth:** Young men are more likely to be both the victims and perpetrators of gun violence. Programs that invest in youth programming while identifying and intervening with at-risk young men have been shown to reduce violence (Papachristos and Kirk 2015; Makarios and Pratt 2012).

The government often claims to be funding these programs, usually in the form of large funding announcements. However, this funding is often episodic and handed out in the form of one-time grants and short-term projects. Organizations cannot create and maintain effective programming for ongoing issues without sustainable funding. Stop-and-start programs are wasteful because they fail to solidify positive impacts over the long term, even if the fundamentals of a particular program are successful. In order to be effective, investments in these programs must be long-term and reliable. [MLI](#)

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Endnotes

- 1 Access to Information and Privacy (ATIP). 2021. Request number A-2021-02156 to the Government of Canada (March 22).
- 2 Swatting is a prank call made to emergency services that is designed to bring police en masse out to another person's address.
- 3 There is some overlap among these communities.
- 4 A sunset clause is an expiry date for legislation. At that time, the policy can be evaluated to assess its impact, and policymakers can decide based on this whether to continue the policy.

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