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CANADA

A PATH FORWARD: REDUCING GUN AND GANG VIOLENCE IN CANADA

**Report of the Standing Committee on Public Safety and
National Security**

Honourable Jim Carr, Chair

**APRIL 2022
44th PARLIAMENT, 1st SESSION**

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Chair**

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NOTICE TO READER

Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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THE STANDING COMMITTEE ON PUBLIC SAFETY AND NATIONAL SECURITY

has the honour to present its

THIRD REPORT

Pursuant to its mandate under Standing Order 108(2), the committee has studied gun control, illegal arms trafficking and the increase in gun crimes committed by members of street gangs and has agreed to report the following:

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LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That the Government of Canada create and fund an interdisciplinary National Centre of Excellence dedicated to collecting Canadian specific data and conducting research on firearms violence. 28

Recommendation 2

That the Government of Canada provide additional resources to Statistics Canada and law enforcement agencies to ensure consistency in the collection of data related to firearms smuggling, the use of firearms in the commission of a crime, and the use of firearms in gang-related crime. 28

Recommendation 3

That the Government of Canada update the federal firearms program to require police agencies to submit for tracing firearms that were acquired by police in relation to criminal activity or sent in for destruction. 29

Recommendation 4

That the Government of Canada create uniform standards for tracing firearms involved in the commission of a crime, and that police services be adequately resourced in order to enhance tracing capabilities. 29

Recommendation 5

That the Government of Canada mandate the Royal Canadian Mounted Police to implement effective ongoing training for Royal Canadian Mounted Police officers to close gaps within current Canadian National Firearms Tracing Centre's efforts. 29

Recommendation 6

That the Government of Canada increase funding for the Canadian Criminal Intelligence Service to enable comprehensive intelligence sharing across all police services in Canada to improve their effectiveness in tracing firearms and combatting organized and gang-related crime. 29

Recommendation 7

That the Government of Canada focus on diverting youth and young adults from gang culture as an effective measure to prevent gun and gang violence and to prevent young people from ending up in the justice system. 41

Recommendation 8

That the Government of Canada expand the National Crime Prevention Strategy to provide streamlined and stable funding for community organizations delivering culturally specific, key community social programs aimed at addressing the root causes of violence involving youth and young adults, such as:

- gang diversion programs focused on youth and young adults, particularly pre-gang involvement;**
- gang diversion programs for Indigenous Peoples and racialized Canadians;**
- gang exit programs that incorporate the experience of former gang members who can provide support and advice to individuals looking to leave gang life;**
- victim-led and trauma informed community services designed to support families and communities recover from the violence of shootings. 41**

Recommendation 9

That the Government of Canada recognize Indigenous community organizations engaged in gang diversion and community safety as policing services and fund these organizations to work on mental health services, peacekeeping, security, accountability and youth diversion in their respective communities. 42

Recommendation 10

That the Government of Canada host a National Gun and Gang Summit in Ottawa for community organizations working on preventing youth and young adults from being involved in gang activities and assisting those already involved to exit this lifestyle..... 42

Recommendation 11

That the Government of Canada recognize that serious crimes involving firearms and drug trafficking should bear serious penalties given the threat to public safety, and that violent offenders should be kept off our streets to protect the public, while a public health response should be adopted to deal with people suffering from substance abuse..... 42

Recommendation 12

That the Government of Canada:

- recognize that the high profitability of the illicit drug trade, which contributes to the opioid epidemic in Canada, gives rise to gun and gang violence, as well as the illicit tobacco trade;**
- recognize the need for greater funding for public education to reduce stigma associated with substance abuse and addiction, treat trauma, and expand access to treatment, and recovery services;**
- study the role of harm reduction in preventing gun and gang violence; and**
- increase support to divert individuals suffering from addiction from being involved in the criminal justice system in favour of rehabilitation..... 42**

Recommendation 13

That the Government of Canada decriminalize the simple possession of all illicit drugs as called upon by the Canadian Association of Chiefs of Police and public health officials, in consultations with provincial authorities and other stakeholders, while not impeding law enforcement’s ability to prosecute the trafficking of illicit drugs. 43

Recommendation 14

That the Government of Canada recognize the importance of increasing police resources to combat gang violence, with particular emphasis on enhancing youth and young adult gang diversion efforts, while encouraging greater diversity in police services. 49

Recommendation 15

That the Government of Canada increase funding to the Akwesasne Mohawk Police Service, promote economic development in Akwesasne, and encourage the surrounding police of jurisdiction to strengthen collaboration and information sharing with Akwesasne and other border communities to ensure improvement in law enforcement’s ability to intercept illegal firearms at the provincial and international border. 51

Recommendation 16

That the Government of Canada fully implement the three recommendations from Public Safety Canada’s 2019 report entitled *Evaluation of the Akwesasne Organized Crime Initiative*:

- Continue to support the Akwesasne Mohawk Police Service in building their capacity to ensure their full participation on the Joint Investigative Team and contribution to the disruption of organized crime in and around Akwesasne.**
- Identify the appropriate funding mechanism (e.g. multi-year contribution agreement or grant) to support the Akwesasne Mohawk Police Service’s sustained long-term participation in the Joint Investigative Team.**

- Explore opportunities to streamline administrative requirements for the Akwesasne Mohawk Police Service and internal Public Safety Canada practices to increase efficiency and address existing burdens on both the recipient and Public Safety Canada staff. This could include revising reporting requirements, considering longer term funding and increasing coordination with other programs..... 51

Recommendation 17

That the Government of Canada ensure that as it co-develops a legislative framework for First Nations policing which recognizes it as an essential service, that Indigenous police services like the Akwesasne Mohawk Police Service are part of the co-development process. 51

Recommendation 18

That the Government of Canada recognize that smuggling is a significant contributor to gun and gang violence in Canada and that more resources must be allocated to firearms smuggling. 54

Recommendation 19

That the Government of Canada investigate the need for enhanced border surveillance of international commercial rail operations and ocean freight shipping operations..... 54

Recommendation 20

That the Government of Canada allocate additional human and financial resources to the Canada Border Services Agency to enable them to better investigate and apprehend those attempting to smuggle illegal firearms into Canada, including innovative technological solutions..... 54

Recommendation 21

That the Government of Canada develop a legal framework that distinguishes between regulatory and criminal firearms offenses in order to provide limited police resources the ability to focus on violent crime and gang activity. 64

Recommendation 22

That the Government of Canada develop a standardized schedule and definitions of prohibited firearms within the *Criminal Code* of Canada, with an emphasis on simplicity and consistency. 64

Recommendation 23

That the Government of Canada fund additional research into the prevalence of the domestic diversion of firearms, including considering implementing a reasonable limit on the number of restricted firearms a person can own should it be found to be a significant factor in domestic diversion..... 68

Recommendation 24

That the Government of Canada as part of its prohibition on certain firearms implement a mandatory buyback program following consultation with relevant stakeholders. 71

Recommendation 25

That the Government of Canada study models adopted by other jurisdictions, like the U.K. and Australia, in banning certain firearms in their jurisdictions in order to better understand what a made-in-Canada solution would look like..... 72

Recommendation 26

That the Government of Canada review the importation, domestic manufacturing, sale, and possession of all firearms magazines that can be easily modified to hold more than the maximum permitted capacity..... 75

Recommendation 27

That the Government of Canada amend current legislation to require a possession and acquisition license to purchase magazines in the same way as ammunition. 75

Recommendation 28

That the Government of Canada regulate the possession, sale, and import of firearm component parts such as barrels, slides, and trigger assemblies. 79

Recommendation 29

That the Government of Canada further investigate the prevalence of, and develop a strategy to counteract the manufacturing of illegal firearms or ghost guns..... 79

Recommendation 30

That the Government of Canada amend the definition of a firearm in Section 2 of the *Criminal Code* to include in its specification of firearms and firearm parts “blank castings of frames or receivers not yet capable of holding various firing components.” 79

Recommendation 31

That the Royal Canadian Mounted Police ensure that the Chief Firearms Officer verify all information contained in a possession and acquisition license application. 81

Recommendation 32

That the Government of Canada, amend licensing regulations to clarify the licence verification provisions by stating that a seller must provide a potential buyer's licence number to the Registrar so that it can confirm its validity in the system before issuing a reference number authorizing the transfer of a firearm. 81

Recommendation 33

That the Government of Canada amend the law to ensure that individuals under a protection order related to intimate partner violence automatically have their possession and acquisition licence revoked and their firearms surrendered to the Crown. 81

Recommendation 34

That the Government of Canada introduce legislation as soon as possible that take into account the recommendations of this report. 82



A PATH FORWARD: REDUCING GUN AND GANG VIOLENCE IN CANADA

CHAPTER 1—INTRODUCTION

1.1 Context of the Study

The motion that led to this study was put forward in the House of Commons in reaction to the intensification of gun and gang violence in Montreal and the metropolitan area, which had involved numerous deadly shootings in public spaces. Recognizing the trauma of gun and gang violence and its impacts on health and wellbeing, the House of Commons adopted a motion on 7 December 2021 instructing the Standing Committee on Public Safety and National Security (the Committee) “to undertake as a priority a study on gun control, illegal arms trafficking and the increase in gun crimes committed by members of street gangs.”¹

This study had to be undertaken in a timely manner as various communities across Canada have recently observed a disturbing surge in gun and gang violence, which has had a devastating impact on them. The trauma of such violence not only affects its direct victims but also extends to families and communities who are exposed as witnesses. Gun and gang violence needs to be urgently addressed: public safety is paramount.

Accordingly, the Committee quickly started this important study and allocated seven meetings to hear from approximately 50 witnesses who generously agreed to share their expertise and experiences with the Committee to curb illegal firearms and gun violence.

Throughout the study, the Committee heard a clear message from witnesses: one policy or program alone will not fix the problem of gun violence in our communities. It is a multifaceted issue that requires reflection and a comprehensive set of solutions that include data collection and research, prevention and intervention, as well as coordination and collaboration between all levels of governments, law enforcement agencies, social services, grassroots organizations, Indigenous peoples and local communities.

From the outset, the Committee recognizes that several areas aimed at combatting gun and gang violence, such as prevention and justice, are matters of shared jurisdiction and

1 House of Commons, *Debates*, 44th Parliament, 1st Session, 7 December 2021.



that collaboration between the different levels of government is required to tackle this issue. The Committee's recommendations arising from this study are to be reviewed with that lens.

1.2 Organization of the Report

The report is divided into five chapters, including this introduction. Chapter 2 provides an overview of the data collected throughout the study regarding firearms smuggling and trafficking, gun violence and the involvement of street gangs. It also discusses trends observed in various communities across the country in relation to gun and gang violence. The third chapter looks at the root causes of gun and gang violence, as well as programs that are aimed at preventing youth and young adults from engaging in gang activities and violence. The fourth chapter deals with gun control as a way to reduce gun violence. Chapter 5 discusses law enforcement approaches and the prosecution of firearms offences.

CHAPTER 2—UNDERSTANDING GUN AND GANG VIOLENCE

Access to comprehensive data is crucial for informing policy, allocating resources and taking actions designed to effectively reduce gun and gang violence, and trafficking of firearms. For law enforcement agencies, gathering reliable data and intelligence is key to informing policing operations, disrupting the activities of individuals and groups involved in arms trafficking and preventing gun violence from happening in the first place. As stated by Staff Sergeant Michael Rowe from the Vancouver Police Department, “information is one of our key tools in conducting any type of successful law enforcement action.”²

During the Committee’s study, several witnesses presented statistics to describe how firearms make their way into our communities, the types of firearms used in criminal incidents and the involvement of gangs in these activities. Some of these statistics provided conflicting views of these issues. Part of the problem can be explained by the lack of a consistent definition applied by all police services across Canada as to what constitutes gun violence or a “crime gun.” There are also issues with the quantity and quality of the data collected at the national level to understand the full extent and nature of gun and gang violence. These gaps must be addressed urgently, according to several witnesses who appeared before the Committee. Chief Evan Bray of the Canadian Association of Chiefs of Police noted:

Each police service does a good job of handling the crimes happening in its jurisdiction or community, but we need to also look at it globally and enhance good data so that we can make good decisions and try to restrict firearms and these crimes happening in Canada.³

This urgent need for better data and intelligence is recognized by the Royal Canadian Mounted Police (RCMP), which informed the Committee of recent investments to implement a national criminal intelligence service system:

We need a national, comprehensive picture. That’s why we are in the process of developing a brand new, modern national criminal intelligence service system that will be used by all police services across the country for organized crime intelligence, gang intelligence, and included in there will be firearms intelligence.⁴

2 House of Commons, Standing Committee on Public Safety and National Security (SECU), *Evidence*, 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

3 SECU, *Evidence*, 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

4 SECU, *Evidence*, 16 December 2021 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).



This chapter presents the data provided to the Committee during the study and their limitations in relation to the type of firearm used in the commission of violent offences or seized during those criminal incidents; the origin of illegal firearms found in Canada; the rise of gun violence in recent years, particularly in urban centres; and the involvement of gangs. To conclude, trends observed in gun and gang violence in major cities are also discussed, based on the information provided by local police services and stakeholders operating in these communities.

2.1 Defining Gun Violence and Improving National Firearms Data

As noted above, the Committee was told that there is no common definition of what constitutes gun violence or a crime gun that is consistently applied across the country by all police services. This lack of a common definition can create confusion, according to criminal defence lawyer Solomon Friedman, who noted that

[...] the definition of “crime gun” further self-selects and obscures our focus. “Crime gun” generally refers to firearms—including, by the way, pellet guns and replica firearms—seized by police in the course of their duties. This includes both offence- and public safety-related seizures. That definition does not differentiate between a handgun used in a gang shooting and a hundred non-restricted, safely stored firearms that are seized from an elderly gun collector who is the subject of a police wellness check because his daughter has not heard from him in days.⁵

The inconsistency in the application by police services of what constitutes a crime gun was further explained by Solomon Friedman, who shared the following:

We have really anecdotal evidence coming from individual police services. I'll give you an example. I did a murder trial by firearm, in which the Crown at one point in the proceedings actually pulled statistics from the Ottawa Police Service about the seizure of crime guns and the proliferation of crime guns in Ottawa. These are statistics that are being collected locally by police services. They do not use consistent definitions from service to service. For example, when I inquired into the definition of a crime gun, I got an answer from the Toronto Police Service that was different from that of the Ottawa Police Service.⁶

In its brief, Statistics Canada recognized these limitations and the overall need to improve national data collection in relation to firearms used in the commission of criminal offences, “such as details about the exact type of gun, who owned it (e.g., accused, victim, or someone else), how it was stored or whether the owner was

5 SECU, *Evidence*, 10 February 2022 (Solomon Friedman, Criminal Defence Lawyer, As an Individual).

6 Ibid.

licensed.”⁷ In fact, the Committee was informed that several changes have already been made to address some of these limitations and that Statistics Canada continues to collaborate with various partners, including police services, to “identify and address critical information needs.”⁸ Chief Evan Bray from the Canadian Association of Chiefs of Police noted, for example, that in 2021, Statistics Canada implemented “new standard definitions for firearms terminology related to shootings and crime guns.”⁹ According to the new standard definition for “crime guns” to be used by police services:

“Crime guns” are defined as a) firearms (as defined under the *Criminal Code*) that are used or suspected to be used in the commission of a criminal offence, regardless of whether the firearm was possessed legally; or b) a firearm that has an obliterated, altered or removed serial number.¹⁰

Chief Evan Bray also noted that amendments to the *Uniform Crime Reporting Survey* (UCR Survey) “include new firearm codes that distinguish between seized, stolen and recovered firearms.”¹¹ According to Chief Bray, “the first results will be expected in the fall of this year.”¹²

Data reported by police services to Statistics Canada through the UCR Survey or the *Homicide Survey* provide a range of information related to firearms, such as “whether a firearm was present in the commission of a violent offence and whether a victim sustained an injury caused by a firearm.”¹³ In the UCR Survey, for example, police services are invited to indicate the most serious weapon present on a crime scene that was, according to them, relevant to the commission of a violent crime. The presence of a weapon is “defined as either used against a victim causing injury, used against a victim without causing injury (e.g., as a threat) or was present during the offence but was not used in any manner.”¹⁴ The *Homicide Survey* offers more detailed information, especially when the firearm was the cause of death, such as the ownership status of the firearm. In 2019, the *Homicide Survey* was redesigned

7 SECU, [Brief](#), Statistics Canada, 10 February 2022, p. 9.

8 SECU, [Evidence](#), 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada); SECU, [Brief](#), Statistics Canada, 10 February 2022, p. 9.

9 SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

10 SECU, [Brief](#), Statistics Canada, 10 February 2022, p. 9.

11 SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

12 Ibid.

13 SECU, [Brief](#), Statistics Canada, 10 February 2022, p. 1.

14 Ibid.



[...] to address additional data needs, including: if the accused was in legal possession of the firearm; the status of an illegally owned firearm (e.g., stolen, lost or missing); the action type and barrel length of the firearm; whether the firearm was sent for tracing; and the origin of the firearm (i.e., within Canada or outside).¹⁵

So far, the data collected under this improved survey present high levels of “unknown” responses or non-responses. As a result, the reliability of the data should be viewed with caution.¹⁶

2.2 The Rise of Firearm-Related Violent Crimes in Canada

Although firearm-related crimes typically represented less than 3% of all violent crimes reported by police to Statistics Canada, at least 8,344 victims were directly impacted by these crimes across the country in 2020, excluding the province of Quebec.¹⁷ The rate per 100,000 population in 2020 was similar to what was recorded in 2019.¹⁸ However, from 2014 to 2019, the rate “had been increasing year over year.”¹⁹ Indeed, it was found to “be 20% higher in the six years from 2015 to 2020 than over the previous six years (2009 to 2014).”²⁰

In 2020, the highest rates of firearm-related violent crime were recorded in Saskatchewan, Manitoba and the three territories, which may reflect higher rates of violence more generally.²¹ As noted by Statistics Canada:

High rates of firearm-related violent crime may be a reflection of overall high rates of violence. The provinces where the proportion of violent crime that was firearm-related was highest were Saskatchewan (3.9%), Alberta (3.4%) and Ontario (3.2%). This was also the case among major cities. As in 2019, the census metropolitan areas (CMAs) with the

15 Ibid., p. 2.

16 Ibid.

17 The data presented by Jeff Latimer from Statistics Canada regarding firearm-related violent crime excluded “the data from Quebec due to a high level of unknowns reported for the weapon type in violent incidents.” SECU, [Evidence](#), 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada).

18 In 2020, police reported a rise of firearm-related violent crimes in all the territories and some provinces. For more information, see SECU, [Evidence](#), 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada). SECU, [Brief](#), Statistics Canada, 10 February 2022, p. 9.

19 SECU, [Evidence](#), 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada).

20 SECU, [Brief](#), Statistics Canada, 10 February 2022, p. 2.

21 Ibid., p. 3.

highest rates of firearm-related violent crime in 2020 were Regina, Brantford, Winnipeg and Saskatoon.²²

Moreover, “[a]s in previous years, rates of firearm-related violent crime in 2020 were higher in rural areas than in urban centres in most provinces.”²³

Police-reported statistics specific to firearm-related homicides offer a slightly different picture. As stated by Jeff Latimer from Statistics Canada:

The national homicide rate increased for a second consecutive year in 2020, marking the highest rate since 2005. Police reported 743 homicides in 2020—56 more than in 2019. Of these 743 homicides, 37%, or 277, were committed with a firearm; this is a slight increase compared to 2019.²⁴

Overall, the “rate of homicides involving firearms has generally been increasing over the last eight years.”²⁵ In fact, according to the information provided by Statistics Canada, firearm-related homicides saw

[...] a 91% increase from 2013 to 2020, moving from 1.45 homicides per 100,000 population in 2013 to a rate of 1.95 in 2020. As a result, the proportion of homicides that involved a firearm rose from 26% of all homicides in 2013 to 37% in 2020.²⁶

2.3 Type of Firearm Used in the Commission of Violent Crimes

The evidence reviewed by the Committee shows that the type of firearm used most often to commit violent crimes varies across the country. For example, in Winnipeg, Mitch Bourbonniere, outreach worker for the Ogiijiita Pimatiswin Kinamatawin, expressed the view that it is mostly long guns and altered long guns that are used in the commission of violent crimes.²⁷ However, in general, Statistics Canada data on police-reported crimes show that

[i]n urban areas, firearm-related violent crime primarily involves handguns, while in rural areas, the firearm used most commonly is a rifle or a shotgun. In some major

22 Ibid.

23 Ibid., p. 5.

24 SECU, *Evidence*, 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada).

25 Ibid.

26 SECU, *Brief*, Statistics Canada, 10 February 2022, p. 7.

27 SECU, *Evidence*, 3 February 2022 (Mitch Bourbonniere, Outreach Worker, Ogiijiita Pimatiswin Kinamatawin, As an Individual).



urban centres, handguns were used in the vast majority of firearm-related crimes, including Toronto at 86%, Windsor at 80%, and Ottawa and Barrie both at 78%.²⁸

According to Statistics Canada police-reported data on homicides in Canada, handguns continue to be the firearm used most often in the commission of homicides, “with about half of all homicides committed with a handgun [49%].”²⁹ The proportion of handguns used in homicides was higher in most provinces, except for

[...] Saskatchewan and Alberta where a rifle or shotgun was used in 83% and 45%, respectively. This was also the case in Nova Scotia, where the type of firearm was unknown for two-thirds of firearm-related homicides in 2020.³⁰

Statistics Canada goes on to explain:

The type of firearm used to commit homicide in Canada has changed over the past 30 years. Prior to the 1990s, rifles or shotguns were used far more frequently than handguns. However, a shift towards the use of handguns in homicides in Canada has been observed since the early 1990s.³¹

Some police services are observing trends regarding the type of firearm used to commit criminal offences in their communities. In Vancouver, for example, Staff Sergeant Michael Rowe noted an increase in the use of illegally made firearms, also known as “ghost guns,” and high-capacity magazines, a trend that has been observed in many parts of the country, as discussed later in the report.³²

2.4 Understanding the Origin of Crime Guns in Canada

Various witnesses came forward with conflicting views and numbers in relation to the origin of firearms used to carry out criminal offences, either within their communities or in Canada. These differences can be explained by several factors, such as regional disparities in the type of firearms mostly used in the commission of crimes, the

28 SECU, *Evidence*, 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada). As noted previously, the information provided to the Committee by Statistics Canada excluded data from Quebec. Due to technical issues, they were unable to include them in the national figures.

29 Ibid.

30 SECU, *Brief*, Statistics Canada, 10 February 2022, p. 9.

31 Ibid., p. 8.

32 SECU, *Evidence*, 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department); See also, SECU, *Evidence*, 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

definition used by local police services to qualify a “crime gun”, as well as the number of firearms that are sent for tracing and effectively traced to a source. As explained later, at the national level, a small fraction of firearms found by police services across the country are successfully traced to a known source.³³

Generally, as noted by Brian Sauvé, President of the National Police Federation, “it is the experience of law enforcement that most of these guns are illegally obtained” from the United States (U.S.).³⁴ However, for some witnesses, it is more a mix of guns originating from Canada and the U.S. In their opinion, diversion, which is “a process by which legal guns turns into illegal guns, largely through theft,”³⁵ is an important factor related to the availability of crime guns in Canada.

Based on his policing experience, Chief Inspector Benoît Dubé from the Sûreté du Québec explained that most firearms linked to crimes seized in Quebec come from the U.S., which means that “[we] need to focus our efforts on the borders between the United States and Canada.”³⁶ In fact, according to Chief Inspector David Bertrand from the Service de police de la Ville de Montréal (SPVM), approximately 80% of seized illegal firearms in Quebec are smuggled from the U.S.³⁷

While looking into what is going on in Vancouver, the Committee learned that, based on 60 firearm tracing requests made to the Canadian National Firearms Tracing Centre³⁸ in 2021 in that city, “26 firearms were found to have originated in Canada, 21 were found to have originated in the United States and 26 were not able to be traced to a known source.”³⁹ Clearly, a great proportion of firearms were not successfully traced to a known source. Several reasons can account for the current situation. Indeed, the Committee

33 Firearm tracing is the tracking of a firearm that has been found or seized by law enforcement officers to identify its origin, figure out if the gun was imported and trace firearm ownership whenever possible.

34 SECU, [Evidence](#), 1 February 2022 (Brian Sauvé, President, National Police Federation).

35 SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

36 SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

37 SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

38 The Canadian National Firearms Tracing Centre can also count on the National Forensic Laboratory Services “which do the forensic analysis of firearms on behalf of law enforcement agencies across Canadian [sic] with the exception of Ontario and Quebec, which have their own provincial labs.” The National Forensic Laboratory Services is “not involved in the tracing of firearms.” They use different technologies to restore the serial number of the firearm whenever possible. For more information, see SECU, [Evidence](#), 1 February 2022 (Don Halina, Director General, National Forensic Laboratory Services, Royal Canadian Mounted Police).

39 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).



was reminded that tracing a firearm is a complex process that can take a long time as “[i]t involves tracking from the point of manufacture through importation and delivery to distributors, to retailers, out to licence and to restricted and prohibited firearms dealers.”⁴⁰ Some factors increase that complexity. For example, the Committee was informed that ghost guns are often impossible to trace through traditional systems because of the way they are built (some are composed of 3-D printed parts or from multiple parts from various firearms, resulting in multiple serial numbers).⁴¹ Criminal defence lawyer Solomon Friedman told the Committee that, in general, domestic firearms are much easier to trace, which could explain why the national data in relation to tracing, as explained below, show a greater proportion of firearms originating in Canada.⁴²

The results of tracing also seem to vary according to the specific type of firearm. For example, when looking into handguns seized in Ontario, Kellie Paquette, Director General of the Canadian Firearms Program, noted that tracing data reveals that “79% of traced handguns [in Ontario] were foreign sourced.”⁴³ Similarly, in Toronto, 86% of successfully traced crime handguns were sourced in the U.S. in 2021, a percentage that has continued to rise since 2019.⁴⁴

At the national level, RCMP Commissioner Brenda Lucki told the Committee that when firearms can successfully be traced, the data reveal that most firearms are sourced in Canada, not in the U.S. She stated that “[i]n the tracing Centre, of the known source, 73% were deemed to be sourced within Canada and 27% were smuggled or possibly smuggled within the country from the U.S.”⁴⁵ Stephen White, RCMP Deputy Commissioner for Specialized Policing Services, pointed out that it is important to keep in mind that only a small number of the overall firearms seized by law enforcement are currently traced.⁴⁶ He further explained:

There were over 30,000 firearms seized [...] in 2020. We received tracing requests for 2,094 and were able to successfully trace 1,472. Seventy-three per cent of those were

40 SECU, [Evidence](#), 16 December 2021 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

41 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

42 Ibid., (Solomon Friedman, Criminal Defence Lawyer, As an Individual).

43 SECU, [Evidence](#), 1 February 2022 (Kellie Paquette, Director General, Canadian Firearms Program, Royal Canadian Mounted Police).

44 SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

45 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

46 Ibid., (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

deemed to be imported legally or manufactured in Canada, and 27%, as mentioned, were smuggled or possibly smuggled. Of that 1,472, 71% were long guns and, of these, 85% were domestically sourced, while 29% were handguns, and 58% of those handguns were identified as smuggled or possibly smuggled.⁴⁷

Brian Sauvé from the National Police Federation reminded the Committee that “there’s no requirement right now for municipal, provincial, or even the RCMP detachment to send guns for tracing unless they need to be used as evidence in court.”⁴⁸

The Committee also heard witnesses, like criminal defence counsel Christian Pearce, who stated that about half of crime guns “start as legal guns owned by legitimate Canadian gun owners. They then are stolen or otherwise find themselves into the black market and become crime guns.”⁴⁹ In his opinion, diversion plays “a huge factor in the availability of illegal firearms.”⁵⁰

It’s an unfortunate reality, but diversion is an extremely significant issue and the only way to address it is by cutting out the availability on the legal side. They may be coming theft from production facilities, as we saw at Para Ordnance many years ago, truck theft, as we saw just a few days ago in Peterborough—fortunately those guns were recovered—or primarily theft from legitimate gun owners, who keep safe stocks of firearms. They become targets for break and enters to be stolen and to be turned over to criminals at elevated prices to be used in all sorts of crime.⁵¹

Similar views were presented to the Committee by Wendy Cuckier, President of the Coalition for Gun Control, who stated:

We also know that the diversion of legal guns to illegal markets is a significant problem. Guns are diverted through theft, illegal sales and, in some instances, straw purchases. We saw in the last few days, over 2,000 guns that were allegedly stolen recently. We’ve also seen a number of high-profile incidents like the Danforth shooting, where the gun that was used was from gang members and stolen in Saskatchewan.⁵²

Overall, many witnesses noted that we do not seem to have a good understanding of patterns and trends in relation to the origins of illegal firearms in Canada. This gap was

47 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

48 Ibid., (Brian Sauvé, President, National Police Federation). As noted in Statistics Canada brief, Ontario has its own Firearms Tracing and Enforcement Centre. SECU, [Brief](#), Statistics Canada, 10 February 2022.

49 SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

50 Ibid.

51 Ibid.

52 SECU, [Evidence](#), 15 February 2022 (Wendy Cuckier, President, Coalition for Gun Control).



brought to the Committee’s attention by several witnesses, including Statistics Canada, which noted in its brief that “there is currently little information publicly available which indicates origin of firearms used in crime to determine whether a firearm used in a crime was stolen, illegally purchased or smuggled into the country.”⁵³

In the words of RCMP Deputy Commissioner Stephen White, “we would need to do more tracing on a larger scale to really get some very good insight of patterns and trends.”⁵⁴ The benefits associated with tracing firearms are significant for the fight against gun and gang violence. Tracing “can assist in identifying the suspect in a crime and the criminal sourcing of that gun and any trafficking networks.”⁵⁵ It can link apparently unrelated shootings and provide tactical intelligence to support targeted police operations aimed at curbing gun smuggling and gun violence.⁵⁶ As noted by RCMP Commissioner Brenda Lucki, firearm tracing

[...] is the key tool in determining the sources of and the diversion routes for the illegal firearms, as well as the link between the criminal use of firearms and specific vendors, and to identify the tracking routes and patterns.⁵⁷

During the study, many witnesses recommended improving the tracing of firearms recovered at crime scenes.⁵⁸ Mandating law enforcement across the country to submit the firearms they seized for tracing would be a best practice, according to the President of the National Police Federation.⁵⁹

To conclude this section, the Committee was pleased to hear that the RCMP is working to increase firearms tracing in order to obtain a “more comprehensive intelligence picture.”⁶⁰ In the 2021 federal budget, the RCMP was provided with an investment of \$15 million over five years to increase its “capacity to trace firearms and identify the

53 SECU, [Brief](#), Statistics Canada, 10 February 2022.

54 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

55 SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

56 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

57 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

58 SECU, [Evidence](#), 3 February 2022 (Maurice Sabourin, President, Winnipeg Police Association); SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

59 SECU, [Evidence](#), 1 February 2022 (Brian Sauvé, President, National Police Federation).

60 SECU, [Evidence](#), 16 December 2021 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

movement of illegal firearms into and within Canada.”⁶¹ This investment is expected to triple the capacity of the RCMP to trace firearms.⁶²

2.5 The Involvement of Gangs in Gun Violence and the Trafficking of Drugs and Firearms

The Committee was told repeatedly throughout the study that gun and gang violence are issues that are deeply interconnected with the trafficking of drugs and firearms.⁶³ As RCMP Deputy Commissioner Stephen White explained:

Our intelligence and investigative work clearly indicate that one of the primary activities of street gangs is drug trafficking. In recent CISC work looking at street gangs, the estimate was that over 400 street gangs are operating in Canada. The vast majority of them use violence to further their criminal activities. A lot of their activities are very high visibility crimes, I'd say, like shootings. Some of their main activities are drug trafficking. It branches out as well to human trafficking and sex trade offences.

[...]

With the drug trafficking environment goes the use of firearms by organized crime groups or by gangs somewhat recruited by organized crime groups to assist with street-level distribution and street-level trafficking of drugs.⁶⁴

This connection between drug trafficking and gun and gang violence was clearly illustrated by several witnesses, including Mitch Bourbonniere from Ojijiita Pimatiswin

61 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

62 SECU, *Evidence*, 1 March 2022 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

63 For example, see SECU, *Evidence*, 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police); (Dale McFee, Chief of Police, Edmonton Police Service); SECU, *Evidence*, 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual); (Michael Rowe, Staff Sergeant, Vancouver Police Department); SECU, *Evidence*, 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal). Of note, in a brief submitted to the Committee, the National Coalition Against Contraband Tobacco states that acting against the flow of contraband tobacco is “a key component of tackling gun crime and illicit gun trafficking”, noting that “approximately 175 organized crime groups [are] involved in the illicit tobacco trade, who make millions of dollars daily from contraband tobacco. They use these proceeds of crime to fund other illicit activities, such as the sale and distribution of guns, cocaine, illegal, unregulated, cannabis and fentanyl as well as human trafficking.” See, SECU, *Brief*, National Coalition Against Contraband Tobacco, March 2022.

64 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).



Kinamatawin, who stated that “[g]uns are needed to carry out the drug trade.”⁶⁵ They are needed for protection, intimidation, to deal with “failure of payment, hostile takeovers, retribution, payback and retaliation.”⁶⁶ In the words of Chief Inspector David Bertrand, Criminal Investigative Services, SPVM:

[...] there is still a connection between drug trafficking and firearms possession or trafficking. We must remember that the more money or drugs people have, the more protection they need. We've been seeing this recently with drug theft. People want to protect themselves, they don't want to be attacked, so they carry guns. People also use guns for intimidation and to protect their territory, of course.

As I was also saying, you must remember that they use the same routes.⁶⁷

RCMP Deputy Commissioner Stephen White noted that there are huge markets in Canada for fentanyl and methamphetamine, as well as cocaine, “which has always been more of a staple for organized crime groups in terms of drug importation and distribution in Canada.”⁶⁸ The drug patterns may have changed in some part of the country,⁶⁹ but as Deputy Commissioner White explained:

[W]hatever the drug is—whether it's cocaine, fentanyl, or meth—if the demand is there, you are going to get groups that are moving into it, both gangs and organized crime. With that comes competition between gangs and organized crime, and that does foster a potential increase in violence.⁷⁰

Similarly, Staff Sergeant Michael Rowe from the Vancouver Police Department noted the following:

65 SECU, [Evidence](#), 3 February 2022 (Mitch Bourbonniere, Outreach Worker, Ogijiita Pimatiswin Kinamatawin, As an Individual).

66 Ibid.

67 SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

68 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

69 For example, the Committee was informed that the drug patterns in the Edmonton area have changed in recent years. In 2007 up to 2014, the main drug was cocaine, but today, “the most often recognized is meth”. SECU, [Evidence](#), 8 February 2022 (Dale McFee, Chief of Police, Edmonton Police Service).

70 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

It's my belief that where there are significant opportunities to make a profit, that's also where you see the violence increase as well, as people compete for that market. I do believe there is a direct link.⁷¹

In other words, "that lucrative drug market typically invites conflict that will then result in gang violence."⁷² According to Chief Evan Bray from the Canadian Association of Chiefs of Police:

[W]e can't overstate the importance of seeing the correlation between drugs and drug-related activity and firearms. They are intertwined. People are committing offences because they're involved in the drug world. The drug world drives a lot of violent firearms-related crime in our country. People committing the crimes often have a serious addiction problem, which obviously just perpetuates this and causes it to continue to be a problem in the country.⁷³

Considering that drugs and gun violence are so intertwined, several witnesses expressed views regarding how best to address the issue of substance abuse and drug violence. Since substance abuse is a recognized underlying cause of gun violence, these arguments will be discussed in the next chapter.

The Committee learned early on that national data on street gangs and their criminal activities are very limited. Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, contended that "we actually know very little about street gangs because of the ambiguity of the term itself. A street gang in one community is not a street gang in another."⁷⁴

Based on Statistics Canada police-reported data in 2020, only "6% [of] firearm-related violent crime was identified by police as confirmed or suspected to be committed by, and for the benefit of, a criminal organization or street gang."⁷⁵ As noted in its brief:

Although police report and sign off on these data, there are likely still challenges in reporting accurately whether or not the incident was committed by or for the benefit of organized crime, therefore this is likely an undercount.⁷⁶

71 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

72 Ibid.

73 SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

74 Ibid., (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).

75 SECU, [Brief](#), Statistics Canada, 10 February 2022.

76 Ibid.



Police-reported data specific to homicides reveal that “[g]angs were involved in 39% of homicides involving firearms in 2020.”⁷⁷ This was the lowest proportion recorded since 2015.⁷⁸ As noted by Jeff Latimer from Statistics Canada, “firearms are used in the vast majority of gang-related homicides, and most often it is a handgun.”⁷⁹

2.6 Trends Observed in Major Urban Centres Regarding Gun and Gang Violence

Recognizing the limitations of the national data on gun and gang violence and that some communities are experiencing higher occurrences of such violence, the Committee felt it was important to allude to specific tendencies related to the increase in gun and gang violence observed in those communities. The following sections briefly address some trends observed by local law enforcement agencies operating in major urban centres across the country.

2.6.1 Surge of Gun Violence in Public Spaces

As previously noted, many Canadian cities have experienced spikes in gun violence in recent years. Often, shootings are occurring in public spaces, threatening numerous innocent individuals. In certain parts of the country, gun violence is a daily occurrence. According to the President of the Winnipeg Police Association, Maurice Sabourin, this is the case in Winnipeg, which is “arguably one of the most violent jurisdictions in the country.”⁸⁰ In Toronto, a 20% increase in the number of homicides was recorded in 2021, including 46 shooting homicides. In Edmonton, 150 shootings were recorded that year.⁸¹

Likewise, the increase in gun violence observed in Montreal in recent years is striking. Chief Inspector David Bertrand from the SPVM informed the Committee that 129 criminal incidents where a firearm was discharged were recorded in 2021,

77 SECU, *Evidence*, 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada).

78 Ibid.

79 Ibid.

80 SECU, *Evidence*, 3 February 2022 (Maurice Sabourin, President, Winnipeg Police Association).

81 SECU, *Evidence*, 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police); (Dale McFee, Chief of Police, Edmonton Police Service).

compared to 89 in 2020, and 32 in 2019.⁸² With respect to firearm-related homicides, he informed the Committee that the number “increased from five in 2020 to 19 in 2021”.⁸³

In his testimony, Toronto Police Service Deputy Chief Myron Demkiw spoke about the threat to public safety fuelled by the rise in gun violence in Toronto and the proliferation of illegal firearms:

When it comes to the gun violence the city’s experiencing, I can tell you that we are seeing more guns being fired and the discharge of firearms in public spaces, not in people’s homes and not in confined spaces. It’s difficult to draw a clear line between what is a gang shooting and what is a shooting that’s drug related or related to protection of turf or illicit business. We know we have a serious issue with respect to the proliferation of firearms among persons who are not readily known to be gang members or associated to gangs.⁸⁴

2.6.2 More Shots Being Fired During Shootings

Staff Sergeant Michael Rowe explained that the Vancouver Police Department is noticing more shots being fired when gun violence is occurring in the city, which could be explained by gang members having easy access to ammunition and high-capacity magazines, as well as fully automatic firearms:

Even recently, we had a drive-by shooting of a residence. We noted that over 10 shots were fired in a very short period of time. I believe this is definitely a reflection of the access to more ammunition and high-capacity magazines. It can also be a reflection of the proliferation of fully automatic firearms as well.⁸⁵

Similarly, Deputy Chief Myron Demkiw from the Toronto Police Service reported a significant increase in shell casings seized at crime scenes in the city of Toronto:

The number of shell casings seized at shootings has risen significantly in 2021. We have seized 2,405 shell casings at crime scenes, representing a 48% increase over the previous year.

[...]

82 SECU, *Evidence*, 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

83 Ibid.

84 SECU, *Evidence*, 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

85 SECU, *Evidence*, 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).



each of those shell casings represents a projectile that flew in our city.⁸⁶

2.6.3 Greater Involvement of Young Persons in Gun Violence

Deputy Chief Myron Demkiw from the Toronto Police Service and Fady Dagher, Director of the Service de police de l'agglomération de Longueuil (SPAL), informed the Committee that they are seeing younger persons becoming involved in gun violence. Deputy Chief Demkiw was particularly concerned about their greater involvement in shootings in Toronto:

There is increasing concern over the involvement of younger persons in shootings and the risk that our youth face from gun violence in Toronto. In 2021, the average age of persons involved in shootings, either as an accused or suspect, or as a person of interest, dropped from 25 years of age to 20 years of age.⁸⁷

Similar observations were made by Director Fady Dagher from the SPAL, who also noted that youth are increasingly using guns for protection:

What we're increasingly seeing, on the one hand, is youth arming themselves because they're afraid. On the other hand, you have young people who are being paid by organized crime to engage in actual shooting.⁸⁸

2.6.4 Greater Accessibility of Illegal Firearms and a General Sense of Impunity Among Youth and Gang Members

Like Toronto, Montreal seems to be experiencing a proliferation of firearms in the hands of gang members and criminals. Chief Inspector David Bertrand from the SPVM noted the increased accessibility of illegal firearms on the streets of Montreal and a general sense of impunity among youth and gang members in relation to being seen with firearms. It seems like the gun culture is now more valued than ever among gang members who are using social media to exhibit their lifestyles and challenge their opponents. As Chief Inspector David Bertrand explained:

We have made several observations. Illegal firearms have become more accessible in recent years in particular. Even gun dealers sometimes do business in public, in broad daylight. We've also noted a stronger presence of firearms among youth. There is a sense of impunity, a strong gun culture, an all of these factors partly explain this gun

86 SECU, *Evidence*, 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

87 Ibid.

88 SECU, *Evidence*, 10 February 2022 (Fady Dagher, Director, Service de police de l'agglomération de Longueuil).

craze emphasis on gun possession. Finally, shows of force are prized and advocated within crime groups. In short, [sic] and the increase we've seen in violent events involving firearms.

We also need to adapt to new realities, which include crime groups using social media to flaunt their lifestyle and challenge their opponents. It's important to focus on this usage.

[...]

people no longer fear being seen with guns on social media or walking around with guns.

We are more and more regularly seeing people with crime backgrounds starting over and making a show of force on social media. We've had investigations into videos where six, seven, eight guns were on display and ultimately the investigation found that they were real guns. Obviously, there is a prevailing sense of impunity because people are no longer afraid to be seen with firearms.

In the past, when a crime was committed, the perpetrator would leave the gun at the scene. Remember, that was what people did in recent years. Why did they do it? To avoid being caught with the weapon after the crime was committed. Now what we are seeing more and more is people are not leaving the gun at the scene of the crime. The fear or dread of being caught with the gun after a crime is no longer there.

We also see it when we stop vehicles. Back then, this is a few years ago, when criminals were stopped, we would often find a single firearm inside the vehicle; now we often find two or three.⁸⁹

Similar observations regarding crime guns being treated as a commodity were made by Detective Philip Neyron from the Winnipeg Police Association:

They're almost cleaning their guns and cleaning things that have been used in a crime. A gun is a commodity; instead of throwing it in the river or hiding it, they are selling it, making a profit. Illegal gun prices have at least doubled, especially handguns with ammunition. They ship them to different parts of the country where they make a profit.⁹⁰

Finally, as previously noted, several police services spoke about the increased presence of ghost guns and high-capacity magazines on the illegal market. Staff Sergeant Michael Rowe from the Vancouver Police Department described these troubling trends:

89 SECU, *Evidence*, 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

90 SECU, *Evidence*, 3 February 2022 (Philip Neyron, Detective, Winnipeg Police Association).



Modern 3-D printing materials can produce a durable firearm, capable of shooting hundreds of rounds without a failure. For example, one of my teams recently completed an investigation in which we executed search warrants on a residential home. Inside this home, we located a sophisticated firearms manufacturing operation capable of producing 3-D printed firearms. They had firearm suppressors and they were completing airsoft conversions—converting airsoft pistols into fully functioning firearms.

Another trend we're dealing with is the use of high-capacity magazines. Magazines are modified to accept more than the lawfully allowed five rounds of ammunition. These magazines allow for more shots to be fired without the user having to pause to reload. High-capacity magazines can be manufactured by altering lawfully purchased magazines, but also through 3-D printing.⁹¹

2.7 Addressing the Urgent Need for Better Data and Intelligence Regarding Gun and Gang Violence in Canada: Recommendations of the Committee

As illustrated in this chapter, there are considerable limitations regarding data collection on gun and gang violence in Canada, notably regarding firearms tracing. Given that access to reliable data and intelligence is crucial for informing policy, allocating resources and disrupting the activities of individuals and groups involved in gun violence and trafficking, the Committee recommends:

Recommendation 1

That the Government of Canada create and fund an interdisciplinary National Centre of Excellence dedicated to collecting Canadian specific data and conducting research on firearms violence.

Recommendation 2

That the Government of Canada provide additional resources to Statistics Canada and law enforcement agencies to ensure consistency in the collection of data related to firearms smuggling, the use of firearms in the commission of a crime, and the use of firearms in gang-related crime.

91 SECU, *Evidence*, 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

Recommendation 3

That the Government of Canada update the federal firearms program to require police agencies to submit for tracing firearms that were acquired by police in relation to criminal activity or sent in for destruction.

Recommendation 4

That the Government of Canada create uniform standards for tracing firearms involved in the commission of a crime, and that police services be adequately resourced in order to enhance tracing capabilities.

Recommendation 5

That the Government of Canada mandate the Royal Canadian Mounted Police to implement effective ongoing training for Royal Canadian Mounted Police officers to close gaps within current Canadian National Firearms Tracing Centre's efforts.

Recommendation 6

That the Government of Canada increase funding for the Canadian Criminal Intelligence Service to enable comprehensive intelligence sharing across all police services in Canada to improve their effectiveness in tracing firearms and combatting organized and gang-related crime.



CHAPTER 3—ROOT CAUSES AND PREVENTION OF GUN AND GANG VIOLENCE

The Committee heard compelling evidence about the need to address the underlying causes of gun and gang violence, prevent youth from joining gangs, and assist individuals involved in gang activities to exit this lifestyle. While witnesses stressed repeatedly that there is no one solution that will eradicate gun violence, all agreed that addressing the root causes of violence is a critical component of any strategy put forward to effectively reduce its occurrence.⁹²

This chapter discusses the factors that make some individuals more vulnerable to engage in gang activities and gun violence, the features of gang culture related to violence and recruitment and, more importantly, what needs to be done to prevent youth and young adults from joining gangs in the first place.

3.1 Root Causes of Gun and Gang Violence

The underlying causes of gun and gang violence are varied, complex and interrelated, especially as regards Indigenous people. During the Committee’s study, poverty, inequality, Indigeneity, racism, mental illness, social isolation, substance abuse, extremist ideologies,⁹³ access to affordable housing, education and health were presented as risk

92 For example, see SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police); SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police); (Caillin Langmann, Assistant Clinical Professor, Department of Medicine, McMaster University, As an Individual); SECU, [Evidence](#), 10 February 2022 (Solomon Friedman, Criminal Defence Lawyer, As an Individual); SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control); (Marcell Wilson, Founder, One By One Movement Inc.); (Evelyn Fox, Founder, Communities for Zero Violence). SECU, [Evidence](#), 17 February 2022 (Keith Loh, President, Port Coquitlam & District Hunting & Fishing Club); Matthew Hipwell (President, Wolverine Supplies); SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

93 The National Police Federation reminded the Committee that “[m]ental health issues and extremist ideologies have led multiple perpetrators to gun violence.” SECU, [Brief](#), National Police Federation, February 2022, p. 5.

factors rendering some individuals more susceptible to engage in gun and gang violence.⁹⁴

Based on his experience as a criminal defence lawyer, Michael Spratt shared with the Committee that almost all the individuals he has represented for firearm-related offences were either racialized, suffering from addiction or mental health problems, or living in poverty.⁹⁵

As mentioned in Chapter 2, many witnesses who participated in this study were very concerned that “[p]eople committing the crimes often have a serious addiction problem, which obviously just perpetuates this and causes it to continue to be a problem in the country.”⁹⁶ This can be a vicious cycle, as Professor Robert Henry explained:

Violence creates trauma. Trauma without proper supports moves people to find alternatives to deal with the trauma. This then moves to substance misuse, with substances used to numb the trauma and pain.⁹⁷

In view of this vicious cycle, several witnesses held that prevention of gun and gang violence requires “[getting] to the root issues [...] as they relate to why people are addicted.”⁹⁸ It was recognized that simply imprisoning a person with a drug addiction will likely not solve the problem of gun and gang violence: what they need is support and treatment.⁹⁹ In the opinion of criminal defence lawyer Michael Spratt, considering that drug and gun violence are so intertwined, legalizing drugs and providing safe supply to people using drugs would save lives:

94 For example, see SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022; SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control); (Evelyn Fox, Founder, Communities for Zero Violence); SECU, [Evidence](#), 3 February 2022 (Nicole Whiskeyjack, Community Coordinator, Native Counselling Services of Alberta); For example, see SECU, [Evidence](#), 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual); (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police); (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual); SECU, [Evidence](#), 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence); SECU, [Evidence](#), 16 December (Hon. Marco Mendicino, Public Safety Minister).

95 SECU, [Evidence](#), 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual).

96 SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

97 Ibid., (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).

98 Ibid., (Myron Demkiw, Deputy Chief, Toronto Police Service).

99 SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).



Real solutions are more complex [...] One of the big solutions is changing how we deal with drug laws in Canada. Almost all of the firearms offences that I've seen are connected in some way to drug crimes. It's the system of drug enforcement and prosecution that we have in Canada, making narcotics illegal, that fuels the use of guns. Guns follow profit. A system of legalization and safe supply would cure many ills, and one of them is that it would help with gun offences.¹⁰⁰

The Committee also heard that children and youth in the child welfare system are more at risk of engaging in and being recruited by gangs, especially Indigenous children, who are overrepresented in the child welfare system when compared to their proportion of the general population. As explained by Professor Robert Henry:

When we look at individuals engaged in street gangs, especially with Indigenous people, we see very high rates of individuals who have been multiply placed within child welfare systems. A lot of individuals say that was their first taste of understanding institutionalization. That's where they started building their relationships, going through there with like-minded individuals.¹⁰¹

Addressing the issue of Indigenous children more specifically, Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta, stated that “[i]nvolvement in child welfare systems that separate families, punish children and parents for historic trauma behaviours [...] leads youth directly from foster care to the prison system.”¹⁰²

Indeed, the overrepresentation of Indigenous people in Canadian prisons is well documented.¹⁰³ In his testimony, the Minister of Public Safety spoke about how overrepresentation of Indigenous and racialized people in correctional facilities is related to the root causes of gun violence:

I think looking at some of the root causes of gun violence and violence writ large across the country does mean confronting systemic challenges within our institutions, including within the criminal justice system. We see far too much overrepresentation of Indigenous and racialized people in our jails. That is a problem that we need to address.¹⁰⁴

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- 100 SECU, [Evidence](#), 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual).
- 101 SECU, [Evidence](#), 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).
- 102 SECU, [Evidence](#), 3 February 2022 (Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta).
- 103 See various annual reports and special reports published by the Office of the Correctional Investigator of Canada.
- 104 SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Public Safety Minister).

Throughout the study, many witnesses reminded the Committee of the intergenerational trauma resulting from the mass removal of Indigenous children from their families by child protection services in the 1960s. They stressed that the legacy of residential schools continues to be felt today by the Indigenous population, who are confronted with higher rates of poverty, lack of housing and poor living conditions, poor mental and physical health, high rates of substance use, limited access to services and programs, racism, and, as noted above, overrepresentation in the child welfare system and the criminal justice system.¹⁰⁵

All these social and historical factors are making Indigenous youth more vulnerable to becoming involved with gangs. Marlene Orr from the Native Counselling Services of Alberta spoke about how the historical trauma feeds into gang activity:

The means by which Indian residential school survivors parented children are directly related to how they were conditioned with violence and abuse in the schools. Prior to Indian residential school involvement, parenting and raising children involved many others in the community, who taught the values embedded in natural law: the values of kindness, respect, humility, sharing and self-determination. Indian residential school replaced the nurturing of community with control, violence, abuse, identity shame and loss of connection to family, community and nation. Survivors of Indian residential school parented their children in the only way they were taught—with violence and abuse.

This intergenerational violence, combined with other colonial impacts like community poverty, loss of cultural identity, blatant racism and the lack of opportunity for education and employment, has left Indigenous youth powerless and hopeless.¹⁰⁶

As explained by Nicole Whiskeyjack, Community Coordinator, Native Counselling Services of Alberta, a former gang member recruited when she was 18 and very vulnerable, “[o]ftentimes, people who are living on the streets in that kind of life, that’s why they get caught up with gangs and violence and drugs because a lot of times, that’s their safe way out.”¹⁰⁷

The legacy of residential schools also impacted the relationship many Indigenous people have with police services. Nicole Whiskeyjack said that many Indigenous children still

105 For example, see SECU, *Evidence*, 3 February 2022 (Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta); (Nicole Whiskeyjack, Community Coordinator, Native Counselling Services of Alberta); SECU, *Evidence*, 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).

106 SECU, *Evidence*, 3 February 2022 (Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta).

107 *Ibid.*, (Nicole Whiskeyjack, Community Coordinator, Native Counselling Services of Alberta).



mistrust police services because “[t]hey know that the police service came and took their parents away, took them to a residential school. They never saw them again. It’s all of that stuff.”¹⁰⁸ Witnesses reminded the Committee that the experience of Indigenous people with different services, including school, health care, child welfare and the justice system, is too often shaped by racial stereotypes, whether intentional or not. Nicole Whiskeyjack further explained that “those children have had a lot of traumas in their lives, historical trauma, and nobody has ever been there to help them deal with it or to give them the tools they need to deal with it.”¹⁰⁹

3.2 Understanding the Violence in Gang Culture

3.2.1 Gangs Prey on Vulnerabilities

Several witnesses emphasized that gangs prey on vulnerabilities to recruit new members. When Indigenous youth are struggling with poverty, racism and trauma, they often become disconnected and feel oppressed, which can make them vulnerable to joining gangs. As noted by Marlene Orr:

Gangs prey on this and they exploit trauma-based behaviours like alcohol and drug addiction, as well as exploiting the deep longing for cultural identity and a place to belong. Gangs take concepts of historical identity, like warriors, and twist them to their advantage.¹¹⁰

Similarly, Nicole Whiskeyjack, who shared with the Committee her experience regarding her struggles when she was recruited by a gang at the age of 18, described the cycle of violence operating within gang culture:

Then these gangs come in, and pick these kids up, and build those relationships with them and then they make them feel safe and then guns come into play. We will give you this gun. This is your protection. Then they feel safe, they have a relationship and they have protection. Most of the time that’s what Indigenous children want is a relationship, protection and trust, somebody they can trust and build a relationship with.¹¹¹

One of the issues identified during the study was the recruitment of Indigenous youth in prisons. The Committee learned that Indigenous youth are often forced to become

108 Ibid.

109 Ibid.

110 Ibid., (Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta).

111 Ibid., (Nicole Whiskeyjack, Community Coordinator, Native Counselling Services of Alberta).

involved with gangs for their own protection within the correctional institution. It was explained to the Committee that

[i]n the Prairies, Indigenous gangs control the institutions. Even gang members with international links and [sic] might know that their status doesn't get them protection in federal institutions in Canada. Paying Indigenous gangs to protect them is a usual practice. The overrepresentation of Indigenous people in justice and corrections has resulted in a lot of power being centralized in the hands of Indigenous gangs in the institutions. The power of sheer numbers of Indigenous gang members means strength in the institutions, so as we continue with high incarceration rates of Indigenous people, we are contributing to the gang problems in this country.

Young Indigenous offenders serving their first federal sentence in penitentiaries are vulnerable to the pressure. They are targeted for membership and are taught how to be more violent and more dangerous. They're taught to expand their criminal skills during incarceration.¹¹²

3.2.2 The Concept of Hypermasculinity

During the study, the concept of hypermasculinity was presented as a focal point in understanding gang culture. As Professor Robert Henry explained, hypermasculinity is a factor both in prompting gang members to violence and preventing them from reaching out for help and support:

Why is violence used, and how does it escalate to a point where firearms and shootings become necessary and normalized within different spaces? Through my research as well as research conducted internationally, we see that masculinity becomes a focal point. A hypermasculine performance is promoted within the street, and challenges to their face, status, respect or power become a primary reason that an individual may act out with specific violence and a hyperviolence that leads to an increase in gun violence.

We also have to understand, however, that the violence is framed within localized street codes and street justice. These codes then frame how violence is used and the level of violence that needs to be used to protect oneself, or protect one's face, if you will. Again, because of the connection to masculinity, going to the police, whether to help or support individuals, is actually problematic. They're not going to go to them for help, as they will be labelled as unable to look after themselves, which actually increases their victimization for later in life.¹¹³

112 Ibid., (Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta).

113 SECU, *Evidence*, 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).



3.3 Youth Interventions and Diversion Programs

The Committee heard repeatedly that programs focussing on diverting young people from gang culture are critical to tackling the issue of gun and gang violence. Professor Caillin Langmann from the Department of Medicine of McMaster University stated the following when he was asked what the focus should be regarding investments in the prevention of gun violence going forward:

The best focus would be to spend this money on deterrents and reduction in the level of gang violence by reducing the number of youth who are starting to get involved in gang activity by comprehensive methods like Operation Ceasefire¹¹⁴ and other programs, like the comprehensive gang strategy and Wraparound Milwaukee.¹¹⁵

Throughout the study, the Committee heard about the significant benefits provided by programs and initiatives aimed at encouraging vulnerable youth to participate in positive activities and preventing them from joining gangs. These benefits are demonstrated not only by the successes shared with the Committee by the people involved in those programs and initiatives but also by research. As explained by Professor Caillin Langmann in his brief:

A research report by Public Safety Canada 2012, gathered evidence from a number of programs operating in Canada to reduce youth gang participation and demonstrated beneficial effects in the ranges of 50% reduction in gang participation.¹¹⁶

According to Professor Langmann, the most promising avenues for reducing gun and gang violence entail gang deterrence, intervention and collaboration. He also noted that “[s]ocial programs which reduce poverty, income inequality and unemployment rates and provide a focus on education have also been shown to reduce firearms violence.”¹¹⁷ Programs and initiatives providing support and services to vulnerable communities are accordingly essential, especially in Indigenous communities, where access to programs and services is lacking or highly underfunded.

114 Operation Ceasefire was launched in Boston. It involves reducing “the demand for weapons by targeting gangs specifically in terms of warning and legal interventions as well as working with community groups and workers to reduce youth membership in gangs.” SECU, [Brief](#), Caillin Langmann, 8 February 2022, p. 8.

115 SECU, [Evidence](#), 8 February 2022 (Caillin Langmann, Assistant Clinical Professor, Department of Medicine, McMaster University, As an Individual).

116 SECU, [Brief](#), Caillin Langmann, 8 February 2022.

117 Ibid.

Several witnesses echoed Professor Langmann, stating that these promising initiatives and programs are currently significantly underfunded and that to effectively reduce gun and gang violence, additional investments to support them are required.¹¹⁸

When youth are already engaged in gun and gang violence, the Committee was told that youth diversion programs are key to prevent further involvement in criminal activities. According to Professor Caillin Langmann:

If we want to target some of these issues, I would suggest diverting youth at an early age, when we know they are starting to run into problems with the criminal justice system, as well as when we find mothers who are reaching out for help, either in the emergency department or in the community. When they have no support for their children, when the children have no psychiatric support, it takes sometimes months for a referral from me to a psychiatrist for these patients to be seen.

I would strongly recommend that you divert money towards psychiatric care as well as some of these anti-gang initiatives.¹¹⁹

Throughout the study, the Committee heard about several promising local prevention initiatives and programs aimed at preventing youth from participating in gang activities, offering support to individuals to exit gangs or fulfilling the unmet needs of vulnerable communities. A number of these local initiatives involve people with lived experiences who “understand how the streets work.”¹²⁰ The following examples of promising initiatives operating in communities across the country were presented to the Committee:

- The STR8 UP program was designed by two former gang members. Based in Saskatoon, its mission is “to assist individuals in mastering their own destiny and liberating themselves from gangs, addictions and criminal street lifestyles.”¹²¹
- The non-profit organization Keep6ix has developed, among other initiatives, a program called “Gangs 4 Tuition,” which “gives individuals an opportunity to trade gang lifestyles for education in skilled trade and the

118 SECU, *Evidence*, 3 February 2022 (Kevin Walker, Interim Executive Director, Bear Clan Patrol Inc.).

119 SECU, *Evidence*, 8 February 2022 (Caillin Langmann, Assistant Clinical Professor, Department of Medicine, McMaster University, As an Individual).

120 SECU, *Evidence*, 15 February 2022 (Marcell Wilson, Founder, One By One Movement Inc.).

121 SECU, *Evidence*, 8 February 2022 (Stan Tu’Inukuafe, Co-Founder, STR8 UP: 10,000 Little Steps to Healing Inc.).



tech sector by means of mentorship and expert-delivered training programs, along with life coaching.”¹²²

- In Manitoba, Ogijjita Pimatiswin Kinamatawin offers support to marginalized, at-risk Indigenous young adults and their families. It operates, among other services, a gang diversion program in Winnipeg that attempts to prevent youth from joining gangs in the first place and provide support to gang members to exit gang life.¹²³
- Bear Clan Patrol Inc. was created in 1992 in the North End of Winnipeg. It is now present throughout Canada. Its “mission is to provide a constant visible presence on the street addressing the conflict with non-violent interventions, promoting and providing safety, empowering our women, youth, elders and vulnerable sectors of our community.”¹²⁴ Many initiatives are supported under this program, such as a food security program and female-led youth patrols.
- One By One Movement Inc. was founded by former gang, extremist and organized crime members to help identify and research effective social programming for youth outreach. Its primary goal is operating as a think tank to assist organizations with the implementation of effective strategies to prevent extreme acts of violence.¹²⁵
- Communities for Zero Violence was founded by a mother who lost her son to gun violence. It provides “peer-led supports for homicide survivors and victims of community violence, as a way to interrupt the cycle.”¹²⁶
- The ILAUNCH program, which stands for “linking actions for unmet needs in children’s health,” is a community-based program supporting Indigenous families and youth, providing them with the tools and

122 SECU, [Evidence](#), 15 February 2022 (Richard Miller, Founder, Keep6ix).

123 SECU, [Evidence](#), 3 February 2022 (Mitch Bourbonniere, Outreach Worker, Ogijjita Pimatiswin Kinamatawin, As an Individual).

124 Ibid., (Kevin Walker, Interim Executive Director, Bear Clan Patrol Inc.).

125 SECU, [Evidence](#), 15 February 2022 (Marcell Wilson, Founder, One By One Movement Inc.).

126 Ibid., (Evelyn Fox, Founder, Communities for Zero Violence).

resources they need to get the help they need and advocating for them.¹²⁷

- Liberty for Youth offers several prevention and intervention programs to disadvantaged, marginalized and at-risk youth and young adults in Hamilton, including various sports and musical programs, education assistance and tutoring.”¹²⁸

3.4 Preventing Gun and Gang Violence and Youth and Young Adults from Participating in Gangs: Recommendations of the Committee

It is clear from the testimony and documentation received during the study that to effectively deter individuals from engaging in gun and gang violence, we as a society, must address the root causes of such violence. The majority of witnesses stressed that greater attention and resources must be provided to support community-based intervention and prevention programs aimed at reducing gun and gang violence.

Greater investment must also be made in Indigenous communities so they can address historical trauma. Grand Chief Abram Benedict of the Mohawk Council of Akwesasne said that the government must “promote economic development, partner and create more jobs,” as he argued that sometimes criminal activity is a response to the lack of opportunities: “When there are fewer opportunities, that means they are looking for ways to support themselves that are outside of social supports.”¹²⁹

Several witnesses also recognized that tackling these issues will require a whole-of-society approach.¹³⁰ As Deputy Chief Myron Demkiw from the Toronto Police Service stated, ensuring the safety of our communities is a shared responsibility that “requires

127 SECU, [Evidence](#), 3 February 2022 (Nicole Whiskeyjack, Community Coordinator, Native Counselling Services of Alberta).

128 SECU, [Brief](#), Liberty for Youth, 22 March 2022.

129 SECU, [Evidence](#), 3 February 2022 (Abram Benedict, Grand Chief, Mohawk Council of Akwesasne).

130 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).



coordination and collaboration between all levels of government, the police, communities and social services.”¹³¹

In addition, the Committee heard that prevention programs and initiatives to address the issue of gun violence and street gang activities must take the following into account:

- Programs must be tailored to communities’ needs and be culturally adaptable.¹³²
- Early childhood, youth and young adult violence prevention initiatives are needed to educate and raise awareness.¹³³
- Considering the realities often faced by youth involved in gang activities (e.g., poor education, limited prospects for employment), meaningful alternatives for youth at risk must be provided in each community impacted by gun and gang violence.¹³⁴
- Exit strategies and community support must be available in all affected communities across the country for people involved in gang activities.¹³⁵
- Organizations providing effective prevention programs must have access to core funding.¹³⁶
- Since substance abuse is an important contributor to gun violence “we [as a society] need to look at moving from punitive and criminal justice

131 SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

132 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

133 SECU, [Evidence](#), 15 February 2022 (Marcell Wilson (Founder, One By One Movement Inc.); SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

134 For example, see SECU, [Evidence](#), 15 February 2022 (Richard Miller, Founder, Keep6ix).

135 For example, see SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police); SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

136 SECU, [Evidence](#), 3 February 2022 (Kevin Walker, Interim Executive Director, Bear Clan Patrol Inc.).

approaches to more of a public health approach” to deal with this problem.¹³⁷

- “Healing dollars for Indigenous people need to be directed to Indigenous groups.”¹³⁸
- Considering the negative relationships with police services in some communities – especially Indigenous communities – we [as a society] need to build healthy relationships that are community led, not led by police. “Rather, police need to come in as partners.”¹³⁹

In light of these considerations, the Committee recommends:

Recommendation 7

That the Government of Canada focus on diverting youth and young adults from gang culture as an effective measure to prevent gun and gang violence and to prevent young people from ending up in the justice system.

Recommendation 8

That the Government of Canada expand the National Crime Prevention Strategy to provide streamlined and stable funding for community organizations delivering culturally specific, key community social programs aimed at addressing the root causes of violence involving youth and young adults, such as:

- **gang diversion programs focused on youth and young adults, particularly pre-gang involvement;**
- **gang diversion programs for Indigenous Peoples and racialized Canadians;**

137 SECU, *Evidence*, 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).

138 SECU, *Evidence*, 3 February 2022 (Marlene Orr, Chief Executive Officer, Native Counselling Services of Alberta).

139 SECU, *Evidence*, 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).



- **gang exit programs that incorporate the experience of former gang members who can provide support and advice to individuals looking to leave gang life;**
- **victim-led and trauma informed community services designed to support families and communities recover from the violence of shootings.**

Recommendation 9

That the Government of Canada recognize Indigenous community organizations engaged in gang diversion and community safety as policing services and fund these organizations to work on mental health services, peacekeeping, security, accountability and youth diversion in their respective communities.

Recommendation 10

That the Government of Canada host a National Gun and Gang Summit in Ottawa for community organizations working on preventing youth and young adults from being involved in gang activities and assisting those already involved to exit this lifestyle.

Furthermore, the Committee recognizes that drug addiction is an important contributor to gun violence and must be treated as a public health issue. While gun violence and drug trafficking are serious criminal offences that deserve rigorous enforcement of current legislation, individuals struggling with addictions deserve treatment, not prison or punishment. In light of these considerations, the Committee recommends:

Recommendation 11

That the Government of Canada recognize that serious crimes involving firearms and drug trafficking should bear serious penalties given the threat to public safety, and that violent offenders should be kept off our streets to protect the public, while a public health response should be adopted to deal with people suffering from substance abuse.

Recommendation 12

That the Government of Canada:

- **recognize that the high profitability of the illicit drug trade, which contributes to the opioid epidemic in Canada, gives rise to gun and gang violence, as well as the illicit tobacco trade;**

- **recognize the need for greater funding for public education to reduce stigma associated with substance abuse and addiction, treat trauma, and expand access to treatment, and recovery services;**
- **study the role of harm reduction in preventing gun and gang violence; and**
- **increase support to divert individuals suffering from addiction from being involved in the criminal justice system in favour of rehabilitation.**

Recommendation 13

That the Government of Canada decriminalize the simple possession of all illicit drugs as called upon by the Canadian Association of Chiefs of Police and public health officials, in consultations with provincial authorities and other stakeholders, while not impeding law enforcement's ability to prosecute the trafficking of illicit drugs.



CHAPTER 4—LAW ENFORCEMENT AGENCIES AND THE CRIMINAL JUSTICE SYSTEM

Law enforcement agencies cannot combat gun and gang violence on their own. As previously stated, tackling gun and gang violence requires concerted efforts by law enforcement agencies and community stakeholders.¹⁴⁰

This chapter provides an overview of the activities of law enforcement agencies across the country regarding gun and gang violence and discusses the key requirements witnesses reported they need to improve their work, including appropriate funding; stronger border control; enhanced collaboration, coordination and partnerships; and adequately resourced prosecution services and appropriate sentencing.

4.1 Overview of the Roles and Responsibilities of Law Enforcement Agencies

Across the country, law enforcement agencies, whether federal, provincial, municipal or Indigenous, have complementary and equally important roles and responsibilities in protecting our communities. Indeed, collaborative initiatives and partnerships between these agencies are considered to be central to effectively deal with gun and gang violence. This section of the report discusses their various roles and responsibilities.

4.1.1 Federal Law Enforcement Agencies

The RCMP has a wide mandate. It has policing jurisdiction across much of Canada, “including all provinces except Ontario and Quebec, all territories, 155 municipalities and approximately 600 Indigenous communities, as well as the contracted policing of jurisdictions.”¹⁴¹ The RCMP also provides specialized policing services to law enforcement agencies across the country, for example, by supporting “the identification, arrest and prosecution of criminals and criminal groups that seek to commit gun- and gang-related crime.”¹⁴² These specialized services are primarily provided through the Canadian Firearms Program, the Criminal Intelligence Service Canada and the Forensic Science and Identification Services.

140 For example, see SECU, *Evidence*, 8 February 2022 (Abram Benedict, Grand Chief, Mohawk Council of Akwesasne).

141 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

142 Ibid.

While the RCMP’s mandate focuses on gun and gang violence and gun smuggling and trafficking between the ports of entry in Canada, the Canada Border Services Agency (CBSA) has the mandate of ensuring compliance with existing laws and therefore plays an important role in the detection of firearms at the border. To carry out its mandate, the CBSA focuses on collaboration and partnerships with various law enforcement agencies in Canada and abroad, and its “firearms strategy focuses on identifying criminal networks and trafficking routes in order to prevent illicit firearms from crossing the border, and to disrupt the smuggling done by criminal networks.”¹⁴³

4.1.2 Provincial and Municipal Police Services

During the study, the Committee heard from various provincial and municipal police services that are currently working to curb gun and gang violence within their jurisdictions. The Committee heard examples of promising policing approaches to address this important issue:

- In Quebec, the Sûreté du Québec coordinates the fight against organized crime across the province in cooperation with its “municipal, Indigenous, provincial, national and international partners.”¹⁴⁴ In recent years, with the help of additional funding from the federal and provincial governments, the Sûreté du Québec has established “two new teams, one dedicated to firearms manufacturing, importing and trafficking cases and the other to organized-crime-related disappearances and murders.”¹⁴⁵ At the municipal level, the SPVM and the SPAL have both established units dedicated to gun and gang violence.¹⁴⁶ Further, the SPVM has a strategic plan to address gun violence which “mobilizes police officers around short-, medium- and long-term action. The plan rests on two pillars: an integrated and concerted strategy, and a commitment from all stakeholders.”¹⁴⁷
- In British Columbia, the Vancouver Police Department has an organized crime section, which includes a “task force responsible for reducing gang

143 Ibid., (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency).

144 SECU, *Evidence*, 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

145 Ibid.

146 Ibid., (Fady Dagher, Director, Service de police de l’agglomération de Longueuil).

147 SECU, *Evidence*, 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).



violence within the city of Vancouver.”¹⁴⁸ The task force’s mandate is “to target people and groups involved in the Lower Mainland gang conflict” and also to “investigate the possession, trafficking and manufacturing of firearms.”¹⁴⁹

- The Alberta Law Enforcement Response Teams (ALERT) is “a combined law-enforcement model” that has had an impact on Alberta’s ability to combat organized and serious crime.¹⁵⁰
- The Toronto Police Service has developed, in collaboration with key city representatives, an “executive leadership table to facilitate greater public safety collaboration” and has introduced a framework to tackle gun and gang activity known as “SafeTO.”¹⁵¹

4.1.3 Indigenous Police Services

Across the country several Indigenous police forces ensure the security of their communities. These Indigenous police forces face many challenges in combatting gun and gang violence. In particular, some Indigenous communities straddle Canada’s international and provincial borders, which brings additional challenges and makes the communities vulnerable to drug and gun smuggling and trafficking.

4.1.3.1 Akwesasne

During the study, the Akwesasne Mohawk Police Service (AMPS) and the Mohawk Council of Akwesasne expressed to the Committee their commitment to ensuring public safety. They emphasized the challenges their geography poses, making them vulnerable to gun smuggling and trafficking and requiring them to have specialized patrols. Indeed, the Akwesasne territory is a known route for smugglers.¹⁵²

148 SECU, *Evidence*, 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

149 Ibid.

150 SECU, *Evidence*, 8 February 2022 (Dale McFee, Chief of Police, Edmonton Police Service).

151 “Introduced in 2021, SafeTO is a city-led collaborative plan that includes the development of a comprehensive multi-sector gun violence reduction plan, which is to address the complex challenges posed by gun and gang activity. The goal is to shift from reliance on a reactive and siloed response towards a model of integrated prevention and intervention that tackles upstream root causes.” SECU, *Evidence*, 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

152 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

The Akwesasne territory is divided by a land border with the U.S. and straddles two provinces: Quebec and Ontario.¹⁵³ The St. Lawrence River also forms a border of their territory. The Mohawk Council of Akwesasne indicated that half of its 13,100 members reside in Quebec or Ontario and the other half in the State of New York. There are two customs points that “allow access onto the territory: Dundee and Cornwall.”¹⁵⁴ Also, since the territory is located in two provinces, the laws of Quebec or Ontario may apply.

Shawn Dulude, Chief of Police of the AMPS, explained that, since the international and provincial borders run through the St. Lawrence River, “it requires a specialized marine patrol unit,”¹⁵⁵ which has been provided through a bilateral agreement with Ontario. Moreover, “the river can still be used by smugglers to bring in their contraband, even when it is frozen,”¹⁵⁶ using automobiles and snowmobiles or motorboats in some unfrozen sections of the river.

4.2 The Need for Law Enforcement Agencies to Be Appropriately Funded

The Committee heard repeatedly that law enforcement agencies need to be appropriately funded and staffed to fulfil their mandates and to effectively combat gun and gang violence. In fact, when resources are scarce, law enforcement agencies adopt a reactive role as they focus on the most pressing priorities. This means they cannot work proactively on larger-scale issues.¹⁵⁷

During the study, recent investments made by the Government of Canada and provincial governments directed at law enforcement agencies to combat gun and gang violence were discussed. However, although the recent investments were deemed welcome and useful, some witnesses cautioned the Committee that the lack of resources is still a concern for many law enforcement agencies, preventing them from effectively combatting gun and gang violence.¹⁵⁸

Brian Sauvé from the National Police Federation underlined that, over the past number of years, the RCMP has faced different challenges, including “staffing levels, recruitment

153 SECU, [Evidence](#), 3 February 2022 (Shawn Dulude, Chief of Police, Akwesasne Mohawk Police Service).

154 Ibid.

155 Ibid.

156 Ibid.

157 SECU, [Evidence](#), 1 February 2022 (Brian Sauvé, President, National Police Federation).

158 Ibid.; SECU, [Evidence](#), 3 February 2022 (Maurice Sabourin, President, Winnipeg Police Association).



and member well-being,”¹⁵⁹ and that all areas of policing “have experienced a significant increase in demand for services beyond crime prevention and law enforcement.”¹⁶⁰ As a result, the National Police Federation recommends that the federal government provide additional funding to the RCMP and to social program initiatives “so that RCMP Members can concentrate their efforts towards law enforcement and crime prevention.”¹⁶¹

With regard to the CBSA, Mark Weber, National President of the Customs and Immigration Union, indicated that increasing technology and putting money towards intelligence make sense but “must go hand in hand with adequate staffing numbers. Technology must be used to assist, not to replace, our actual presence in the field.”¹⁶² He emphasized that “[m]ost ports of entry are chronically understaffed and officers are overworked”¹⁶³ and that several ports of entry are running “predominantly on overtime.”¹⁶⁴ He stated that their “ability to effectively intercept smuggled goods such as illegal firearms has been severely affected.”¹⁶⁵ In that sense, he suggested that an increase of 1,000 or 1,500 border agents would be needed.¹⁶⁶ He added that the CBSA currently has a recruitment problem and, in order to help staffing, the recent changes made to the recruitment system, which make the process longer and result in officers “working in places where they don't really want to be,”¹⁶⁷ should be reviewed.

This lack of resources affects not only law enforcement agencies at the federal level but also provincial and municipal police forces, which also highlighted the need for additional resources.

Maurice Sabourin, President of the Winnipeg Police Association, expressed concerns that they do not currently have the resources to combat gun and gang violence:

Our complement in the last six years has decreased by over 100 police officers, and we have become a completely reactive service. There is no patrolling of back lanes anymore

159 SECU, [Evidence](#), 1 February 2022 (Brian Sauvé, President, National Police Federation).

160 Ibid.

161 In its brief to the Committee, the National Police Federation makes specific recommendations as to how much funding should be provided to the RCMP. SECU, [Brief](#), National Police Federation, February 2022, p. 4.

162 SECU, [Evidence](#), 1 February 2022 (Mark Weber, National President, Customs and Immigration Union).

163 Ibid.

164 Ibid.

165 Ibid.

166 Ibid.

167 Ibid.

to curb gang or gun violence. The unfortunate thing is that we could use more resources on the street [...].¹⁶⁸

He pointed out that only one of their members was dedicated to gang prevention and that more resources directed towards this issue were needed.¹⁶⁹

Deputy Chief Myron Demkiw from the Toronto Police Service indicated that additional resources should be directed at “greater tracing, greater analysis and greater integration of data as it relates to what that teaches us, so that we can deal with the flow of firearms onto our streets from a law enforcement perspective.”¹⁷⁰

Staff Sergeant Michael Rowe from the Vancouver Police Department also highlighted the need for increased funding, particularly “to put together local municipal firearms enforcement teams.”¹⁷¹

Consequently, the Committee recommends:

Recommendation 14

That the Government of Canada recognize the importance of increasing police resources to combat gang violence, with particular emphasis on enhancing youth and young adult gang diversion efforts, while encouraging greater diversity in police services.

4.2.1 The Need for Indigenous Police Services to Be Adequately Funded

The question of ensuring that Indigenous police services are adequately funded is an issue on which the Committee has already taken a position in its report entitled *Systemic Racism in Policing in Canada*.¹⁷² In this report, the Committee made recommendations to the government of Canada, among other things, to ensure that Indigenous police services be adequately funded and to designate them as essential services.

Through tripartite policing agreements, the federal and provincial governments fund policing services in First Nation and Inuit communities. Among other things, through these agreements, a First Nation or Inuit community can manage its own police service

168 SECU, [Evidence](#), 3 February 2022 (Maurice Sabourin, President, Winnipeg Police Association).

169 Ibid.

170 SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

171 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

172 SECU, [First Report](#), 44th Parliament, 1st Session; SECU, [Systemic Racism in Policing in Canada](#), 6th Report, 43rd Parliament, 2nd Session, June 2021.



in accordance with the laws of the province or territory. However, these Indigenous police services are not currently considered essential services.

During the study, the Mohawk Council of Akwesasne and the AMPS expressed the need for additional funding.¹⁷³ Chief Shawn Dulude of the AMPS indicated that they are currently not equipped to combat drug and gun smuggling and trafficking because of the specific challenges presented by the location of their territory. He underlined that they lack the personnel required to conduct round-the-clock surveillance of their “waterways and all the land leading to the St. Lawrence River.”¹⁷⁴

As explained by Grand Chief Abram Benedict of the Mohawk Council of Akwesasne, additional resources are needed to enhance their capacity and their ability to conduct lengthy investigations, and to invest in technology that will enable them to patrol the 25 kilometres of waterways on their territory.¹⁷⁵

However, the budget of the AMPS “has not seen a significant increase in the last several years, except with respect to Ontario, which has provided specific funding for five years to create a snowmobile, all-terrain vehicle and vessel enforcement unit known as SAVE.”¹⁷⁶ Grand Chief Benedict highlighted Public Safety Canada’s 2019 report entitled *Evaluation of the Akwesasne Organized Crime Initiative*, which included the recommendation to “[c]ontinue to support the Akwesasne Mohawk Police Service in building their capacity to ensure their full participation on the Joint Investigative Team and contribution to the disruption of organized crime in and around Akwesasne.”¹⁷⁷

Grand Chief Benedict was of the view that designating their police service as an essential service would ensure that they have access to adequate resources.

After consideration of the evidence, the Committee recommends:

173 SECU, [Evidence](#), 3 February 2022 (Abram Benedict, Grand Chief, Mohawk Council of Akwesasne) (Shawn Dulude, Chief of Police, Akwesasne Mohawk Police Service).

174 SECU, [Evidence](#), 3 February 2022 (Shawn Dulude, Chief of Police, Akwesasne Mohawk Police Service). Chief of Police Dulude explained that, since the St. Lawrence River runs along the border, “it requires a specialized marine patrol unit” and this patrol has been provided through a bilateral agreement with Ontario. However, he underlined that he recently asked the Quebec’s Department of Public Security for a similar agreement, as the funds provided by Ontario are “not sufficient to have patrols around the clock, seven days a week.”

175 Ibid., (Abram Benedict, Grand Chief, Mohawk Council of Akwesasne).

176 Ibid., (Abram Benedict, Grand Chief, Mohawk Council of Akwesasne); (Shawn Dulude, Chief of Police, Akwesasne Mohawk Police Service).

177 Public Safety Canada, [Evaluation of the Akwesasne Organized Crime Initiative](#), Report, 2019.

Recommendation 15

That the Government of Canada increase funding to the Akwesasne Mohawk Police Service, promote economic development in Akwesasne, and encourage the surrounding police of jurisdiction to strengthen collaboration and information sharing with Akwesasne and other border communities to ensure improvement in law enforcement's ability to intercept illegal firearms at the provincial and international border.

Recommendation 16

That the Government of Canada fully implement the three recommendations from Public Safety Canada's 2019 report entitled *Evaluation of the Akwesasne Organized Crime Initiative*:

- **Continue to support the Akwesasne Mohawk Police Service in building their capacity to ensure their full participation on the Joint Investigative Team and contribution to the disruption of organized crime in and around Akwesasne.**
- **Identify the appropriate funding mechanism (e.g. multi-year contribution agreement or grant) to support the Akwesasne Mohawk Police Service's sustained long-term participation in the Joint Investigative Team.**
- **Explore opportunities to streamline administrative requirements for the Akwesasne Mohawk Police Service and internal Public Safety Canada practices to increase efficiency and address existing burdens on both the recipient and Public Safety Canada staff. This could include revising reporting requirements, considering longer term funding and increasing coordination with other programs.**

Recommendation 17

That the Government of Canada ensure that as it co-develops a legislative framework for First Nations policing which recognizes it as an essential service, that Indigenous police services like the Akwesasne Mohawk Police Service are part of the co-development process.



4.3 The Need to Strengthen Border Controls

The border that separates Canada and the U.S. is the longest undefended border in the world. As emphasized by several witnesses, Canada’s geography and the length of its border, as well as the wide availability of firearms in the U.S, one of the biggest weapons manufacturers in the world, come “with [their] own unique set of security challenges.”¹⁷⁸ During the study, several witnesses identified gun smuggling as a troubling issue in Canada. As mentioned in Chapter 2, although the tracing of crime guns needs to be improved, based on the evidence provided by most local law enforcement agencies, a considerable portion of crime guns used in Canada are smuggled across the border.

Responsibility for the issue of gun smuggling is shared between the RCMP and CBSA. While CBSA has “the mandate at ports of entry for the enforcement [...] the RCMP has the mandate in between ports of entry.”¹⁷⁹ As discussed later in the report, this requires close collaboration between the RCMP, the CBSA and different U.S. stakeholders. The Committee was informed that recent investments to combat smuggling and to enhance CBSA’s technology and intelligence sharing have been made by the federal government.¹⁸⁰ For example, the RCMP indicated that the federal government has invested \$40.3 million over five years and \$5.5 million in ongoing funding to assist them in addressing firearms smuggling. The CBSA also indicated that the federal government has made a “five-year investment of \$38.5 million, with an ongoing amount of over \$6 million”¹⁸¹ that will, among other things, be used to enhance its technology and its intelligence and investigative capacity.

RCMP Commissioner Brenda Lucki clarified that their mandate with regard to gun smuggling focuses on the areas between ports of entry; however, the RCMP is “not designed to actually provide a patrol function along the border in its entirety.”¹⁸² She specified that they must deploy their “limited resources in line with the threat environment” and would welcome “investments in additional investigative capacity and

178 SECU, [Evidence](#), 1 February 2022 (Mark Weber, National President, Customs and Immigration Union). See also, SECU, [Brief](#), National Police Federation, February 2022, p. 5; SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

179 SECU, [Evidence](#), 16 December 2021 (John Ossowski, President, Canada Border Services Agency).

180 Ibid., (Hon. Marco Mendicino, Minister of Public Safety).

181 SECU, [Evidence](#), 1 February 2022 (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency).

182 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

especially technology, which would further strengthen our capabilities to counter these threats.”¹⁸³

Mark Weber of the Customs and Immigration Union explained that, currently, CBSA border officers are “restricted in their ability to act outside of ports of entry and must rely on other agencies, mainly the RCMP, to address issues related to so-called ‘port runners’ or other criminal activities occurring in-between ports.”¹⁸⁴ He further explained that CBSA officers who are witnessing suspect activities between ports of entry are expected to make a phone call, noting “[t]he attitude seems to be very much that you are to sit at your port of entry, and anything outside of there is not your problem. Phone someone.”¹⁸⁵ In his view, this situation slows down CBSA’s “general ability to react in a timely fashion to problematic situations and it weakens the integrity of our border.”¹⁸⁶ He was of the opinion that, to address firearms smuggling, simple legislative changes could be made to expand the mandate of the CBSA’s border officers.¹⁸⁷ This would allow border officers to collaborate with the RCMP in patrolling between border crossings.¹⁸⁸

Mark Weber also warned the Committee of issues at the marine and railway levels that are undermining Canada’s ability to control the flow of illegal firearms:

At the marine level, the overall reporting infrastructure is both insufficient and outdated. Once again, officers lack the necessary tools and authority to intervene, impacting their ability to intercept dangerous goods.

Perhaps most glaring of all are the rail mode operations, where, according to the union’s own data, as of 2019, only one one-millionth of all rail cargo was effectively being examined. The reality is that our current operational abilities in the rail field are virtually non-existent. Canada has almost zero examination capabilities directly at the border, due in part to geographical issues, inadequate tools and political decisions not to force rail carriers to supply the necessary facilities. In other words, there’s almost a zero per cent chance that any illegal weapons entering the country via rail will ever be found. All these operational gaps find themselves compounded by the aforementioned staffing shortage.¹⁸⁹

183 Ibid.

184 SECU, [Evidence](#), 1 February 2022 (Mark Weber, National President, Customs and Immigration Union).

185 Ibid.

186 Ibid.

187 Ibid.

188 Ibid.

189 Ibid.



On the issue of rail mode operations, CBSA President John Ossowski indicated that “with the rail lines that are trusted traders, the actual materials are considered in bond until they arrive in the country” and that they “have insights into how they maintain the security of the conveyances.”¹⁹⁰ He further explained that

around two to two and half million rail cars come into the country every year, so when I look at that risk level compared to the travel regime or other sort of modes necessarily and given the data and the risk profiles, rail is not something that we think is as big a risk as the union conveyed.

[...]

What we would like to do is actually start working upstream where the rail cars are assembled in the United States and target using the intelligence approach that we’re focusing on right now to make sure we’re targeting the right train before it actually gets into the country.¹⁹¹

Therefore, the Committee recommends:

Recommendation 18

That the Government of Canada recognize that smuggling is a significant contributor to gun and gang violence in Canada and that more resources must be allocated to firearms smuggling.

Recommendation 19

That the Government of Canada investigate the need for enhanced border surveillance of international commercial rail operations and ocean freight shipping operations.

Recommendation 20

That the Government of Canada allocate additional human and financial resources to the Canada Border Services Agency to enable them to better investigate and apprehend those attempting to smuggle illegal firearms into Canada, including innovative technological solutions.

190 SECU, *Evidence*, 1 March 2022 (John Ossowski, President, Canada Border Services Agency).

191 Ibid.

4.4 The Need for Enhanced Collaboration, Coordination and Partnerships

All law enforcement agencies that appeared before the Committee already collaborate with partners to confront gun and gang violence. Indeed, during the study, several witnesses updated the Committee on initiatives already in place to collaborate, coordinate and build partnerships with different law enforcement agencies to fight gun and gang violence, including in the area of information-sharing. Moreover, some witnesses stressed that law enforcement agencies could not wage an effective fight against gun and gang violence without collaboration, coordination and partnership between the different law enforcement agencies, and they pointed out that they are constantly looking for ways to work more collaboratively to be more effective.¹⁹²

As highlighted by RCMP Commissioner Brenda Lucki, the most efficient ways of tackling gun violence include good intelligence-gathering and collaboration between all police services and partner agencies such as the CBSA to ensure they are “able to share that information and turn the intelligence into evidence; and following the chain of where things are seized.”¹⁹³

Like several other witnesses, RCMP Deputy Commissioner Stephen White contended that gathering and intelligence sharing between law enforcement agencies is key to successful law enforcement action:

The more intelligence and the better intelligence we can share between law enforcement agencies right across the country, the better understanding we'll have of the criminal landscape and the more insights we'll have of how we counter that.¹⁹⁴

192 For example, see SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police); SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police); (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency); SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec); SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

193 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

194 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police). See also, SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police); SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police); (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency); SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).



As mentioned previously, data gathering associated with the tracing of firearms will provide the intelligence law enforcement agencies need to tackle gang and gun violence, particularly gun trafficking and smuggling.¹⁹⁵ In fact, witnesses affirmed that this additional intelligence will help the RCMP to collaborate with the CBSA and other police jurisdictions to target the routes for firearms smuggling and straw purchasing activities.¹⁹⁶ Underlining the importance of intelligence sharing, the RCMP indicated that they are, as mentioned in Chapter 2, “in the process of developing a brand new, modern national criminal intelligence service system that will be used by all police services across the country for organized crime intelligence, gang intelligence, and included in there will be firearms intelligence.”¹⁹⁷

Furthermore, the Committee was informed about Operation Centaur, a strategy launched by the Government of Quebec to combat gun violence that focuses on optimized cooperation between different law enforcement agencies. Witnesses confirmed that the operation appears to be working well. Of note, information sharing and intelligence is one of the goals of Operation Centaur.¹⁹⁸ As part of the operation, they expanded their team dedicated to firearms cases to create a joint team – the integrated weapons enforcement team – which brings together the Sûreté du Québec, the SPVM, the RCMP and the CBSA.¹⁹⁹ The operation depends on the cooperation of all partners, and their “joint investigation teams are backed by the involvement of the RCMP, CBSA, the Ontario Provincial Police, or OPP, and 26 municipal police forces.”²⁰⁰

With regard to combatting gun smuggling and trafficking at the border, several witnesses indicated that collaboration and cooperation initiatives are already in place with national, provincial and municipal law enforcement agencies, as well as with international partners.²⁰¹ For example, domestically, there is already an “integrated

195 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

196 Ibid.; SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

197 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

198 SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec); SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police); SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

199 SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

200 Ibid.

201 SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police); (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency).

border enforcement team, which coordinates the RCMP and provincial police services through joint operations.”²⁰² Scott Harris, Vice-President of the Intelligence and Enforcement Branch at the CBSA, also mentioned that they “currently have over 13 joint force operations with the RCMP, and other police or jurisdictions across the country, that are yielding results.”²⁰³ He also pointed out that, in 2021, the CBSA established a cross-border task force on firearms that involves the CBSA, the RCMP and different American partners, including the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, the U.S. Department of Homeland Security and U.S. Customs and Border Protection.²⁰⁴

Brian Sauvé from the National Police Federation maintained that coordination was a challenge for police forces and that a centre should be created to coordinate the efforts of various teams, including the integrated border enforcement teams, national weapons enforcement support teams and the Canadian Firearms Program.²⁰⁵

Several witnesses also highlighted that effective collaboration, coordination and partnerships between law enforcement agencies and community services are essential in the fight against gun and gang violence. Deputy Chief Myron Demkiw from the Toronto Police Service explained:

Community safety is a shared responsibility that requires coordination and collaboration between all levels of government, the police, communities and social services to address the complex root causes that lead individuals to use a criminal firearm in the first place.²⁰⁶

Several witnesses mentioned various programs and initiatives to combat gun and gang violence, such as the successful Surrey RCMP “Shattering the Image” anti-gang program, which involves both the RCMP and community partners in Surrey.²⁰⁷

4.4.1 Collaboration with Indigenous Police Forces

To tackle gun and gang violence, Indigenous police services, like their counterparts in police services across the country, need to collaborate with other law enforcement

202 Ibid., (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

203 Ibid., (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency).

204 Ibid.

205 Ibid., (Brian Sauvé, President, National Police Federation).

206 SECU, *Evidence*, 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

207 SECU, *Evidence*, 1 February 2022 (Brian Sauvé, President, National Police Federation).



agencies to gather the intelligence necessary to arrest individuals engaged in criminal activities.

The Minister of Public Safety indicated that his government

is committed to working with Indigenous leaders and communities across the country to ensure that we are collaborating with them in a way that allows Indigenous leadership to ensure public safety across communities.

[...]

We are going to make sure we are investing additional financial resources to co-develop the policies and the regulatory and administrative frameworks, which begins with Indigenous perspectives in our communities.²⁰⁸

The RCMP told the Committee that the integrated enforcement teams that were set up for the sharing of intelligence and investigations work “very well and do include Indigenous police services.”²⁰⁹ For example, RCMP Commissioner Brenda Lucki indicated that the RCMP has “joined forces with the Akwesasne, the Kanesatake and the Kahnawake police” to tackle gun violence.²¹⁰

With regard to Akwesasne, Chief Shawn Dulude of the AMPS explained that the fact that their community straddles the border with the U.S. adds to the challenges facing the police force since the different jurisdictions mean that “[o]ur authority as peace officers and as police ends as soon as we cross the border with the United States.”²¹¹ This requires even further collaboration with other law enforcement agencies, including a lot of information sharing regarding criminal activities.

Addressing this issue, RCMP Deputy Commissioner of Federal Policing Michael Duheme indicated that the RCMP is “working closely with the Akwesasne Mohawk Police Service, the Sûreté du Québec detachment in Salaberry-de-Valleyfield and the one in Cornwall,

208 SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

209 SECU, [Evidence](#), 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police); (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

210 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

211 SECU, [Evidence](#), 3 February 2022 (Shawn Dulude, Chief of Police, Akwesasne Mohawk Police Service).

our American partners at U.S. Customs and Border Protection, and our integrated teams.”²¹²

Indeed, Chief Dulude pointed out that his police service is part of various groups, including the integrated border enforcement teams. However, Grand Chief Benedict underlined that although the AMPS “is part of a joint investigative team with the RCMP, OPP, SQ and CBSA,” they need “to be part of the joint forums on border activities, policy and law development”²¹³ and “to be at the table where decisions are made and intelligence is shared.”²¹⁴

4.5 The Need for Adequately Resourced Prosecution Services and Appropriate Sentencing

Law enforcement is a big part of dealing with illegal firearms, organized crime and gang activities, “but equally big is the full continuum of Canada’s justice system.”²¹⁵ Indeed, when investigations lead to arrests, the important work of prosecution comes into play.

Chief Inspector Benoît Dubé of the Sûreté du Québec illustrated the importance of prosecution services being appropriately resourced. He explained that as a result of recent investments by the Quebec government in Operation Centaur, there has been an increase in operations and arrests related to illegal firearms.²¹⁶

Chief Inspector David Bertrand from the SPVM underlined the complexity of investigations involving firearms:

It’s important to understand that firearms investigations are complex and demanding for those who conduct them, particularly because of the legal requirements that must be met. Evidence relies heavily on investigative techniques, as few witnesses and victims cooperate in these types of investigations.²¹⁷

212 SECU, *Evidence*, 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

213 SECU, *Evidence*, 3 February 2022 (Abram Benedict, Grand Chief, Mohawk Council of Akwesasne).

214 Ibid.

215 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

216 SECU, *Evidence*, 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

217 SECU, *Evidence*, 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).



Further, the courts have a central role to play in sentencing, a topic that was discussed by various witnesses, who shared their views with the Committee.

Dale McFee, Chief of Police, Edmonton Police Service, highlighted the need for appropriate sentences, depending on the offences committed. He indicated that individuals who commit serious offences should be held accountable and be sentenced to prison; however, he argued that individuals who commit low-risk crimes should not be mixed with high-risk offenders because, when that happens, “they all become high-risk.”²¹⁸

The Minister of Public Safety also recognized the importance of sentencing in reducing gun and gang violence, stating that “where appropriate, there do need to be jail sentences, and we must trust our courts and our judges to dispense, with justice, where appropriate.”²¹⁹

Brian Sauvé from the National Police Federation stated that “well-resourced, well-conducted investigations, along with sentencing, will help drive deterrence.”²²⁰ Indeed, he indicated that strong sentencing might counter the appearance of a “revolving door” in the criminal justice system, which “enables repeat offenders to walk free repeatedly after being arrested and awaiting trial.”²²¹ Maurice Sabourin from the Winnipeg Police Federation also spoke about the revolving door phenomenon, noting that further crimes are often committed when “offenders are not kept in remand or kept in incarceration until court dates.” That being said, according to criminal defence lawyer Michael Spratt, claims that people arrested for gun crimes “are back out on the streets the very next day” are not supported by the data.²²²

Various discussions about sentencing took place in the context of the proposed repeal of certain mandatory minimum sentences.²²³

Bill C-5, An Act to amend the Criminal Code and the Controlled Drugs and Substances Act, which was introduced in the House of Commons on 7 December 2021, would,

218 SECU, [Evidence](#), 8 February 2022 (Dale McFee, Chief of Police, Edmonton Police Service).

219 SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

220 SECU, [Evidence](#), 1 February 2022 (Brian Sauvé, President, National Police Federation).

221 SECU, [Brief](#), National Police Federation, February 2022, p. 8.

222 SECU, [Evidence](#), 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual).

223 SECU, [Evidence](#), 8 February 2022 (Robert Henry, Assistant Professor, Department of Indigenous Studies, University of Saskatchewan, As an Individual).

among other things, remove mandatory minimum sentences of imprisonment for certain offences in the *Criminal Code* that relate to firearms.²²⁴ However, mandatory minimum sentences would remain in place for the *Criminal Code* offences that are considered by the federal government to be more serious or related to the trafficking and smuggling of firearms.²²⁵ Although it did not feature in Bill C-5, the Minister of Public Safety indicated that the federal government is committed to increasing “the maximum penalty for firearms trafficking, smuggling and related offences from 10 to 14 years imprisonment.”²²⁶

With respect to concerns over the proposed repeal of mandatory minimum sentences, the Minister of Public Safety reiterated the principle of judicial independence and pointed out that “we trust that the courts will dispense those sentences, where appropriate, in accordance with the principles under the criminal code and the charter.”²²⁷ He went on to say that section 718.2 of the *Criminal Code* allows for the courts to consider aggravating factors.²²⁸

For his part, Chief Inspector David Bertrand from the SPVM was of the opinion that “discussions about minimum sentences in certain gun usage and possession situations should be brought back to the forefront.”²²⁹

Moreover, Matthew Hipwell, an RCMP veteran now representing Wolverine Supplies, a gun supplier, was of the opinion that by reducing mandatory minimum penalties, the deterrent element is no longer present and “we are failing to hold people and individuals accountable for their actions.”²³⁰

224 [Bill C-5, An Act to amend the Criminal Code and the Controlled Drugs and Substances Act](#), 44th Parliament, 1st Session. Bill C-5 is almost identical to Bill C-22 which was introduced in February 2021, but died on the *Order Paper*. [Bill C-22, An Act to amend the Criminal Code and the Controlled Drugs and Substances Act](#), 43rd Parliament, 2nd Session.

225 SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

226 SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

227 Ibid.

228 Ibid.

229 SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

230 Ibid., (Matthew Hipwell, President, Wolverine Supplies).



Maurice Sabourin from the Winnipeg Police Federation also expressed concerns regarding Bill C-5, particularly as he saw benefits to longer incarceration terms.²³¹

This discussion regarding mandatory minimum sentences must consider the rulings of the Supreme Court of Canada²³² and various appeal courts, which found some mandatory minimum penalties in the context of firearms unconstitutional. Criminal defence lawyer Michael Spratt told the Committee that “the Supreme Court of Canada ruled mandatory minimum punishments in the firearm context unconstitutional, and we’ve seen them struck down in a variety of offences across the country.”²³³ Addressing the view of some that minimum penalties act as a deterrent, he argued that even if mandatory minimum penalties were available, they are not effective at deterring crime: “it seems that they might actually increase recidivism and they disproportionately affect so many historically marginalized and disadvantaged groups. They’re also incredibly expensive.”²³⁴

231 SECU, [Evidence](#), 3 February 2022 (Maurice Sabourin, President, Winnipeg Police Association).

232 For example, see [R. v. Nur](#), [2015] 1 SCR 773.

233 SECU, [Evidence](#), 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual).

234 Ibid.

CHAPTER 5—GUN CONTROL

While we cannot rely solely on criminal law to reduce gun and gang violence and must allocate more resources to its prevention, gun control remains an important issue for Parliament, which has jurisdiction to legislate in the area of criminal law to enhance “public safety by controlling access to firearms through prohibitions and penalties.”²³⁵ In fact, as Brian Sauvé from the National Police Federation, points out, “[e]vidence-based firearm controls are vital to ensuring that the ownership and use of firearms is as safe as possible.”²³⁶

During the study, various discussions took place regarding the best ways to use gun control to reduce gun violence. This chapter addresses gun control from the various perspectives raised by witnesses.

5.1 Classification of Firearms and Firearm Offences

Currently, Part III of the *Criminal Code*²³⁷ sets out three classes of firearms: prohibited, restricted, and non-restricted.

According to criminal defence lawyer Solomon Friedman, since the “passage of the original *Firearms Act* in 1992, which delineated what were non-restricted, restricted and prohibited firearms,” successive governments have used orders in council either to add or remove firearms from that list instead of amending the current legislative framework.²³⁸ This has led to a system that is irrational and “widely seen as unfair and unpredictable.”²³⁹

In particular, he indicated that instead of classifying firearms by appearance, the current firearms framework should be amended to “classify firearms based on their inherent danger, their use and other evidence-based criteria.”²⁴⁰ Similar views were shared by Matthew Hipwell, President of Wolverine Supplies.²⁴¹

235 [Reference re Firearms Act \(Can.\)](#), [2000] 1 S.C.R. 783, para. 4.

236 SECU, [Evidence](#), 1 February 2022 (Brian Sauvé, President, National Police Federation).

237 [Criminal Code](#), R.S.C., 1985, c. C-46, s. 84.

238 SECU, [Evidence](#), 10 February 2022 (Solomon Friedman, Criminal Defence Lawyer, As an Individual).

239 Ibid.

240 Ibid.

241 SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).



On a different note, criminal defence lawyer Solomon Friedman indicated that our current firearm legislative framework makes all firearm offences *Criminal Code* offences and stated that this framework should be amended to distinguish between crimes of a regulatory nature and more reprehensible crimes. He explained that

we need a legal framework that distinguishes between what the Supreme Court has called the regulatory end of the spectrum and the true crime end of the spectrum. [...] The rural Manitoban who leaves her rifle in her locked hunting cabinet without a trigger lock on it and the gang member with a handgun tucked in his waistband are subject to the same legal regime. A free-standing regulatory scheme for non-violent firearms offences is long overdue. It would ensure that the criminal sanction is only applied to the morally blameworthy.²⁴²

Therefore, the Committee recommends:

Recommendation 21

That the Government of Canada develop a legal framework that distinguishes between regulatory and criminal firearms offenses in order to provide limited police resources the ability to focus on violent crime and gang activity.

Recommendation 22

That the Government of Canada develop a standardized schedule and definitions of prohibited firearms within the *Criminal Code* of Canada, with an emphasis on simplicity and consistency.

5.2 Ban on Certain Firearms and Buyback Program

During the study, witnesses discussed the ban on certain firearms and the buyback program introduced by the federal government, and their effectiveness in preventing gun and gang violence.

In May 2020, the government prohibited over 1,500 firearms.²⁴³ A two-year amnesty order is in effect until 30 April 2022 for owners to comply with the new rules in place concerning the banned firearms.²⁴⁴ The Minister of Public Safety reiterated to the Committee that “[n]ow that we have banned assault rifles, we have to take the next

242 SECU, [Evidence](#), 10 February 2022 (Solomon Friedman, Criminal Defence Lawyer, As an Individual).

243 SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

244 Royal Canadian Mounted Police, [What you need to know about the Government of Canada’s new prohibition on certain firearms and devices](#).

steps and implement a buyback program. [...] We are going to make the buyback program mandatory.”²⁴⁵ Recently, the federal government extended the amnesty period to October 2023 to implement the program.²⁴⁶

In addition, in February 2021, the government introduced Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms), which included provisions that would have permitted municipalities to restrict handguns in their jurisdictions if allowed by their province or territory.²⁴⁷ Although Bill C-21 died on the *Order Paper*, the Minister confirmed to the Committee the government’s intention to move forward with further measures to restrict handguns, noting that the government “is committed to investing one billion dollars to support those provinces and territories that want to ban handguns.”²⁴⁸

The Minister also indicated that new legislation is coming soon that will reintroduce initiatives that died on the *Order Paper*.²⁴⁹

5.2.1 Ban on Handguns

In Canada, most registered firearms are handguns. In fact, the Committee was informed that there are approximately 1.1 million registered firearms: 96.7% of them are handguns, which means that “approximately one million handguns are registered in Canada.”²⁵⁰ These registered handguns are owned by approximately 276,000 owners.²⁵¹

245 SECU, *Evidence*, 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

246 Department of Justice, [Amendments to the Criminal Code Amnesty Order related to the May 1, 2020, ban on assault-style firearms](#), Background, 2022.

247 [Bill C-21, An Act to amend certain Acts and to make certain consequential amendments \(firearms\)](#), 43rd Parliament, 2nd Session; Government of Canada, Public Safety Canada, [Bill C-21: An Act to amend certain Acts and to make certain consequential amendments \(firearms\)](#).

248 SECU, *Evidence*, 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

249 SECU, *Evidence*, 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

250 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

251 *Ibid.*, (Kellie Paquette, Director General, Canadian Firearms Program, Royal Canadian Mounted Police).



Generally, in many parts of Canada, an increase in violence involving handguns has been seen in recent years.²⁵² As noted in Chapter 2, in most urban areas, it is the principal type of firearm used to commit firearm-related violent crimes.

Throughout the study, there were discussions about the best ways to prevent handgun violence, particularly the advisability of the federal government's plan to work with the provinces, territories and municipalities that want to ban handguns.

On the one hand, some witnesses were of the view that banning handguns would be inefficient in reducing gun violence since the handguns targeted by the ban are the legal ones, and the vast majority of handguns used to commit crimes are smuggled into Canada. As these handguns are obtained illegally, they bypass the regulatory scheme, and the adoption of further restrictive legislation would have little to no effect on them.²⁵³ As pointed out by Chief Evan Bray from the Canadian Association of Chiefs of Police who spoke generally about bans, "most of the laws we create are not going to be followed by the people who are committing the crimes with the guns [...] A ban is only as good as the people who are willing to follow it."²⁵⁴

Moreover, according to Professor Caillin Langmann from the Department of Medicine at McMaster University, whose research has examined firearms legislation from 1974 to 2008 and from 1981 to 2016, which does not consider all the changes that occurred since 2016, including amendments found in Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms:²⁵⁵

[N]o statistically significant beneficial associations were found between firearms legislation and homicide by firearm, as well as spousal homicide by firearms, and the criminal charge of "Discharge of a Firearm with Intent." Bans of military-appearing firearms, semiautomatic rifles and handguns, short barrel handguns and Saturday night specials in the 1990s has resulted in no associated reduction in homicide rates. Social and economic factors were associated with firearm homicide rates. For instance, the older the age of the population was associated with a lower the rate of homicide using a long gun while an increase in the unemployment rate was associated with an increase in spousal homicide. Homicide by handgun, usually used by people involved in criminality,

252 For example, see SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety); SECU, [Evidence](#), 3 February 2022 (Kevin Walker, Interim Executive Director, Bear Clan Patrol Inc.); SECU, [Evidence](#), 10 February 2022 (Jeff Latimer, Director General, Health, Justice, Diversity and Populations, Statistics Canada).

253 For example, see SECU, [Brief](#), Caillin Langmann, 8 February 2022; SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); (Evelyn Fox, Founder, Communities for Zero Violence); SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).

254 SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police).

255 [Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms](#), 42nd Parliament, 1st Session.

was associated with an increase in the unemployment rate, poverty rates, and immigration. As well the overall increase in incarceration was associated with increases in homicide rates likely reflecting in increase in crime rates overall. These results suggest further areas to study as well as beneficial areas to target by public policy to reduce homicide rates.²⁵⁶

In that sense, some witnesses argued that instead of investing resources to establish and administer a handgun ban, resources should be directed to addressing the root causes of gun and gang violence through intervention and prevention, as well as issues associated with the detection of illegal firearms at the border.²⁵⁷

Alternatively, some witnesses told the Committee that since handguns are the type of firearm most often used to commit crimes, to effectively reduce gun violence, they should be banned completely.²⁵⁸ In other words, for these witnesses, the availability of these firearms is part of the gun violence problem. They also believe that the threat caused by handguns outweighs their utility.²⁵⁹ According to criminal defence counsel Christian Pearce:

[T]he one way that Parliament can really address gun availability because that's the easier side of the gun crime problem is through a complete ban on handguns. Handguns are implicated in the crime gun problem in Toronto 95% and up of the time. There is simply no legitimate arguable reason that I have heard in researching the book, thinking about this issue over time that justifies the possession of handguns merely for sport and collection purposes, when the downside risk is that those guns fall into the hands of criminals and end up being used to create the kind of carnage that we see on Toronto streets and in other cities around the country.²⁶⁰

To address the argument that handguns are smuggled and that a ban would have little or no effect, Michael Spratt, lawyer, noted that a ban on handguns would not be a

256 SECU, [Brief](#), Caillin Langmann, 8 February 2022.

257 For example, see SECU, [Evidence](#), 8 February 2022 (Evan Bray, Chief of Police, Canadian Association of Chiefs of Police); (Caillin Langmann, Assistant Clinical Professor, Department of Medicine, McMaster University, As an Individual (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence); SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).

258 For example, see SECU, [Evidence](#), 15 February 2022 (Boufeldja Benabdallah, Spokesman, Centre culturel islamique de Québec); (Heidi Rathjen, Coordinator, PolySeSouvient); (Wendy Cukier, President, Coalition for Gun Control); SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal); (Christian Pearce, Criminal Defence Counsel, Author, As an Individual); SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022.

259 SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control); SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

260 SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).



“panacea” and that “domestic violence and domestic homicides often involve legal handguns, and those are a large problem in terms of the number of homicides we see.”²⁶¹ As mentioned previously, the diversion of legal guns to illegal markets, either through theft, illegal sales or, in some instances, straw purchases, is a “significant problem that must be considered.”²⁶²

Some witnesses pointed out that if a handgun ban is contemplated, it should be a federal ban, not one based on the will of provinces, territories or municipalities, since the movement of people and goods between provinces is unaffected by borders.²⁶³

Finally, Christian Pearce, criminal lawyer, added that if Parliament decides not to go forward with a handgun ban, a cap on handgun ownership could be considered.²⁶⁴ Similar views were made by the Canadian Doctors for Protection from Guns regarding a limit of ownership for all firearms.²⁶⁵ According to Pearce, some people may value the fact of using a handgun for sport shooting purposes, but having multiple handguns “defies any rational argument when the risk is that those guns will be stolen in aggregate globally and then become crime guns on the street.”²⁶⁶

Given the importance of this issue and the need to improve our knowledge on domestic diversion of firearms, the Committee recommends:

Recommendation 23

That the Government of Canada fund additional research into the prevalence of the domestic diversion of firearms, including considering implementing a reasonable limit on the number of restricted firearms a person can own should it be found to be a significant factor in domestic diversion.

261 SECU, [Evidence](#), 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual).

262 SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control).

263 For example, see SECU, [Evidence](#), 10 February 2022 (Michael Spratt, Partner, Abergel Goldstein & Partners LLP, As an Individual); SECU, [Evidence](#), 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence).

264 SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

265 SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022.

266 SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

5.2.2 Ban on Assault-Style Weapons and Buyback Program

During the study, similar discussions to those that took place regarding a possible handgun ban were held in relation to the ban on assault-style weapons currently in place.

Indeed, several witnesses expressed doubts about the value of a ban on assault-style weapons. Professor Langmann’s research questions the effectiveness of bans in reducing gun violence.²⁶⁷ Like other witnesses, he also questions the effectiveness based on the fact that many firearms used to commit crimes are obtained illegally.²⁶⁸ It should be noted that Professor Langmann’s research did not consider the 2019 order in council. Some witnesses felt that resources should be directed instead towards prevention, intervention, education, law enforcement and border detection.²⁶⁹ In addition, Matthew Hipwell, President of Wolverine Supplies, mentioned that the definition of assault-style weapons is not one that is “evidentiary-based.”²⁷⁰

However, some witnesses believed that, in order to prevent gun violence, a ban on assault-style weapons is warranted as their availability is a part of the problem. These firearms, while they may start out as legal, can be diverted to the black market and, as noted previously in relation to handguns, the threat they pose outweighs their utility.²⁷¹ As the Minister of Public Safety reminded the Committee, some of the banned assault-style weapons were used “at École Polytechnique, at the Quebec City mosque and at Dawson College.”²⁷² Moreover, he noted that “this type of weapon was designed with one purpose in mind, and that is to kill people.”²⁷³ The Minister specified the criteria used to ban firearms, including “deadly force, the length of the barrel, the calibre of

267 SECU, [Brief](#), Caillin Langmann, 8 February 2022.

268 Ibid.; SECU, [Evidence](#), 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence); SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).

269 SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence); SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).

270 SECU, [Evidence](#), 17 February 2022 (Mathew Hipwell, President, Wolverine Supplies).

271 For example, see SECU, [Evidence](#), 15 February 2022 (Boufeldja Benabdallah, Spokesman, Centre culturel islamique de Québec); (Heidi Rathjen, Coordinator, PolySeSouvient); (Wendy Cukier, President, Coalition for Gun Control); SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

272 SECU, [Evidence](#), 16 December 2021 (Hon. Marco Mendicino, Minister of Public Safety).

273 Ibid.



ammunition that a gun can hold, the number of rounds in a cartridge, and whether or not it can be discharged within a certain period of time.”²⁷⁴

Considering that assault-style weapons are dangerous and that their availability remains problematic either through trafficking or diversion,²⁷⁵ some witnesses noted that the buyback program is urgently needed to prevent these firearms from falling into the wrong hands:²⁷⁶ “As long as the weapons are out there, the risk to public safety, that there will be another mass shooting, exists.”²⁷⁷ The Minister of Public Safety recognized that addressing the root causes of gun violence is critical, and indicated that the buyback program is only one part of the government’s strategy.²⁷⁸

Chief Inspector Benoît Dubé from the Sûreté du Québec said that reducing gun violence is a complicated issue that requires assessing many aspects, and he pointed out that the buyback is “having an impact, but it’s definitely not the only solution to armed violence.”²⁷⁹

However, some witnesses noted that like banning handgun and assault-style weapons, the buyback program would not be effective as it targets legal owners who have registered firearms. Deputy Chief Myron Demkiw from the Toronto Police Service noted for example that a buyback occurring in Toronto “may have made some tangible difference in collecting guns that otherwise were unsafely stored”, however “when it comes to the use of criminal handguns and the proliferation of handguns, that is not where the successes came from.”²⁸⁰ In their opinion, these legal firearms are not used to commit crimes, and criminals won’t hand their firearms to the government.²⁸¹

274 SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

275 SECU, [Evidence](#), 17 February 2022 (Christian Pearce, Criminal Defence Counsel, Author, As an Individual).

276 For example, see SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control) (Heidi Rathjen, Coordinator, PolySeSouvient); (Boufeldja Benabdallah, Spokesman, Centre culturel islamique de Québec); SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022.

277 SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

278 SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

279 SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

280 SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service).

281 For example, see SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence); (Richard Miller, Founder, Keep6ix); SECU, [Evidence](#), 17 February 2022 (Keith Loh, President, Port Coquitlam & District Hunting & Fishing Club).

Moreover, in the view of these witnesses, the buyback program unjustly targets legal owners:

[A] gun buyback of legal firearms that were used safely and legally for sporting and hunting, such as [those] by our members, punishes those who already have to pass screening, who already have to abide by laws against improper usage. [...] The fact is, gangsters are not using the \$3,000 competition rifles that our members may lose in a buyback.²⁸²

Some witnesses, notably Maurice Sabourin, President of the Winnipeg Police Association, indicated that the buyback program will be costly and that resources could be better spent on, among other things, programs targeting the root causes of gun violence, intervention, diverting youth from gangs, law enforcement, prosecution and operations targeting the smuggling of illegal firearms at the border.²⁸³ Finally, Brian Sauvé from the National Police Federation stated, “[o]ur challenge with the buyback program is that, once again, it’s increasing the mandate of an overstretched police service that doesn’t have enough boots on the ground to do what it’s doing today.”²⁸⁴

After consideration of the evidence, the Committee recommends:

Recommendation 24

That the Government of Canada as part of its prohibition on certain firearms implement a mandatory buyback program following consultation with relevant stakeholders.

5.2.3 International Experience

During the study, public policy options adopted by other jurisdictions to combat gun violence were discussed. Although he noted that he has not conducted specific research on this issue, Deputy Commissioner Stephen White of the RCMP underlined that Canada’s unique geography needs to be considered when reviewing policy options from other jurisdictions, noting for example “that the geography of New Zealand is very different from Canada.”²⁸⁵

282 SECU, *Evidence*, 17 February 2022 (Keith Loh, President, Port Coquitlam & District Hunting & Fishing Club).

283 For example, see SECU, *Evidence*, 3 February 2022 (Maurice Sabourin, President, Winnipeg Police Association); SECU, *Evidence*, 15 February 2022 (Evelyn Fox, Founder, Communities for Zero Violence); (Richard Miller, Founder, Keep6ix).

284 SECU, *Evidence*, 1 February 2022 (Brian Sauvé, President, National Police Federation).

285 *Ibid.*, (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).



More specifically, Wendy Cukier, President of the Coalition for Gun Control indicated that Australia and the United Kingdom (U.K.) have implemented prohibitions on certain firearms and introduced a buyback program and that [i]f you look at the successful prohibitions in the U.K. and Australia, they were accompanied by buybacks.”²⁸⁶

She further explained that although Canada, the U.K. and Australia have “about the same rate per 100,000 of beatings, stabbings and other kinds of homicides,”²⁸⁷ there is a “profound difference” between them when it comes to gun violence. For example, “[t]he U.K., which has twice as many people as Canada, last year had about 30 gun murders. Canada had 277, the highest number we’ve seen in many years.”²⁸⁸ She indicated that the higher rates recorded in Canada can be explained by the fact that Australia and the U.K. have put in place prohibitions on certain firearms and a buyback program that have reduced the availability of firearms in their respective jurisdictions, whereas in Canada, firearms remain available. As she noted, availability “increases the likelihood people will die.”²⁸⁹ In its brief to the Committee, Canadian Doctors for Protection from Guns also pointed out that since the implementation of stricter gun control in Australia and the U.K., no school shootings or mass shootings have occurred in these countries.²⁹⁰

However, Professor Caillin Langmann stated that recent Australian research demonstrates “no statistically significant association between Australian firearms legislation and firearms homicide reduction from 1979 to 2013.”²⁹¹ Firearms homicides had already been on a downward trend.

After consideration of the evidence, the Committee recommends:

Recommendation 25

That the Government of Canada study models adopted by other jurisdictions, like the United Kingdom and Australia, in banning certain firearms in their jurisdictions in order to better understand what a made-in-Canada solution would look like.

286 SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control).

287 Ibid.

288 Ibid.; See also SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022.

289 SECU, [Evidence](#), 15 February 2022 (Wendy Cukier, President, Coalition for Gun Control).

290 SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022.

291 SECU, [Brief](#), Caillin Langmann, 8 February 2022.

5.3 High-Capacity Magazines and Ammunition

As mentioned in Chapter 2, the use and availability of prohibited high-capacity magazines and the availability of ammunition constitute a worrying trend that has been flagged by several witnesses.²⁹² Some witnesses reported to the Committee an increase in the number of seizures of overcapacity magazines and in the number of shell casings collected at shootings.²⁹³ As previously noted, this was believed to be “a reflection of the access to more ammunition and high-capacity magazines.”²⁹⁴ As indicated by Kellie Paquette from the Canadian Firearms Program, a licence is not required to buy a magazine for a firearm or to possess ammunition, but a licence is required to buy ammunition.²⁹⁵ With regard to the availability of ammunition, Michael Duheme, RCMP Deputy Commissioner of Federal Policing, noted that it is difficult to control the amount of ammunition people may be buying, as people may “buy a box of ammo here, a box of ammo there, and eventually it starts building up.”²⁹⁶

As noted by Matthew Hipwell from Wolverine Supplies, “high-capacity magazines were banned back in 1993.”²⁹⁷ Indeed, currently, high-capacity magazines are illegal in Canada if they exceed the maximum permitted capacity prescribed by law, unless they have been permanently altered to hold no more than the legal limit.²⁹⁸ As a general rule, the maximum legal capacity of magazines for semi-automatic firearms is five cartridges, and for most handguns it is 10 cartridges.²⁹⁹

292 For example, see SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department); [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); Royal Canadian Mounted Police, [Maximum permitted magazine capacity](#); SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

293 SECU, [Evidence](#), 8 February 2022 (Myron Demkiw, Deputy Chief, Toronto Police Service); SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

294 Ibid. The CBSA and RCMP have also reported seizures of magazines and ammunition. See, for example, SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police); (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police); (Scott Harris, Vice-President, Intelligence and Enforcement Branch, Canada Border Services Agency).

295 SECU, [Evidence](#), 1 February 2022 (Kellie Paquette, Director General, Canadian Firearms Program, Royal Canadian Mounted Police).

296 Ibid., (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

297 SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).

298 [Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted](#), (SOR/98-462).

299 Royal Canadian Mounted Police, [Maximum permitted magazine capacity](#); SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).



During the study, some witnesses identified flaws in the current legislation that need to be addressed because of the serious risks ammunition and magazines present.³⁰⁰

The Canadian Doctors for Protection from Guns express their opinion to the Committee that restrictions on the amount of ammunition that can be possessed by individuals should be imposed.³⁰¹

Heidi Rathjen, Coordinator of PolySeSouvient, stressed that it is currently legal to possess a high-capacity magazine, which could normally hold, for example, “20, 30, 50 or even 100 bullets,”³⁰² if it has been permanently altered to hold no more than the legal limit. Some witnesses explained that it is easy to restore an altered magazine to its full illegal capacity.³⁰³ As described by Staff Sergeant Michael Rowe from the Vancouver Police Department:

The current practice to limit capacity on a magazine is that people will often insert a rivet in the back of the magazine that prevents the follower—the small piece that follows the rounds—from progressing lower and taking a higher capacity. Often we'll look for this rivet. You can often see on magazines where the capacity has been expanded that this rivet is simply drilled out. Therefore, it's not a permanent alteration. It's very easily defeated.³⁰⁴

Heidi Rathjen reminded the Committee that many mass murderers “had all legally purchased modifiable magazines and removed the screw to use the full capacity of the weapon.”³⁰⁵

Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms), which was introduced February 2021 but died in the *Order Paper*, included a provision that would have made it a hybrid offence to alter a cartridge magazine that is not prohibited to exceed its lawful capacity, i.e., to alter it in such a way as to make it prohibited.³⁰⁶ That being said, the Minister of Public Safety's mandate letter included the

300 SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022; SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

301 SECU, [Brief](#), Canadian Doctors for Protection from Guns, 27 February 2022.

302 SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

303 For example, see SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient); SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department); SECU, [Evidence](#), 17 February 2022 (Matthew Hipwell, President, Wolverine Supplies).

304 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

305 SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

306 [Bill C-21, An Act to amend certain Acts and to make certain consequential amendments \(firearms\)](#), 43rd Parliament, 2nd Session, clause 2.

following two commitments: “requiring the permanent alteration of long-gun magazines so that they can never hold more than five rounds”³⁰⁷ and “banning the sale or transfer of magazines capable of holding more than the legal number of bullets.”³⁰⁸

According to Heidi Rathjen, the penalty that was proposed in Bill C-21 was not sufficient “to stop someone who’s about to commit mass murder from modifying a magazine.”³⁰⁹ She recommended that all magazines “be limited to five bullets” and explained that the firearms industry “is perfectly capable of producing magazines that have five bullets and not more.”³¹⁰ Similarly, Staff Sergeant Michael Rowe from the Vancouver Police Department indicated that he would “certainly support the outright ban of high-capacity magazines” and stated that such a ban “is very important to law enforcement.”³¹¹ RCMP Commissioner Brenda Lucki informed the Committee that she was also in favour of such a ban.³¹²

Consequently, the Committee recommends:

Recommendation 26

That the Government of Canada review the importation, domestic manufacturing, sale, and possession of all firearms magazines that can be easily modified to hold more than the maximum permitted capacity.

Recommendation 27

That the Government of Canada amend current legislation to require a possession and acquisition license to purchase magazines in the same way as ammunition.

307 Prime Minister of Canada, [Minister of Public Safety Mandate Letter](#), 16 December 2021.

308 Prime Minister of Canada, [Minister of Public Safety Mandate Letter](#), 16 December 2021. The Minister of Public Safety also indicated during the study that they are looking “at creating new laws to prohibit the alteration of magazines which would allow for a greater number than is permissible.” See SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

309 SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

310 Ibid.

311 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

312 SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).



5.4 Illegally Made Firearms

As previously noted, in some provinces, the use of firearms that are illegally manufactured and not easily traceable – also known as “ghost guns” – is a worrying trend for a number of law enforcement agencies who participated in this study. As Staff Sergeant Michael Rowe explained:

Ghost guns can be 3-D printed or modified from what’s called a Polymer80 handgun. Specific styles of high-quality airsoft handguns can also be easily converted into fully functioning firearms. Ghost guns can also be composed of multiple parts from other firearms, resulting in a firearm that has multiple serial numbers on it.³¹³

5.4.1 Importation of Gun Parts

Some witnesses signalled to the Committee that the importation of firearm parts to produce ghost guns is a disturbing trend that needs to be addressed.³¹⁴ In fact, according to these witnesses, imports of different legal and prohibited firearm parts, such as barrels, slides, trigger assemblies, magazines, silencers and suppressors, in particular from the U.S., have been observed in many parts of the country.³¹⁵ When firearm parts are being purchased, imported or possessed in bulk, it is an indicator of manufacturing.³¹⁶ In addition, “[s]ome individuals are illegally importing gun frames from companies like Polymer80, and then modifying them with parts they get delivered through the Canadian postal service.”³¹⁷

313 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

314 For example, see SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department); SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police); SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

315 For example, see SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police); SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department); SECU, [Brief](#), Vancouver Police Service, 15 February 2015.

316 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

317 SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal).

Chief Inspector Benoît Dubé from the Sûreté du Québec clarified that current legislation “does not allow us to search or seize firearms parts at Canada Post.”³¹⁸ This impedes the police’s capacity to conduct investigations.³¹⁹

As several witnesses explained, apart from the receiver, which is regulated,³²⁰ “a firearms part on its own is legal. It’s only when parts are assembled that the weapon becomes illegal.”³²¹

Consequently, some witnesses recommended to the Committee that current legislation be amended to regulate the import, purchase, possession and circulation of firearm parts.³²² Staff Sergeant Michael Rowe from the Vancouver Police Department made specific recommendations to this effect in a brief presented to the Committee.³²³ The National Police Federation also recommended “[exploring] language expansion of criminal code offences in reference to manufacturing and assembly to contribute to tackling the issue of ghost guns.”³²⁴

Of note, on 1 March 2022, the Minister of Public Safety specified that his government is contemplating legislation to address the issues regarding gun parts.

I will say that the legislation we are actively contemplating does seek to address the very issue you have put your finger on. We need to be sure that we send a very clear message to those who would try to alter cartridges, and to those who would try to use different components to increase the deadly force that guns can carry out with devastating effect, that this is unlawful, and if they break the law there will be serious consequences.

318 SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

319 Ibid.; (Michael Rowe, Staff Sergeant, Vancouver Police Department).

320 Ibid., (Solomon Friedman, Criminal Defence Lawyer, As an Individual); SECU, [Brief](#), Vancouver Police Service, 15 February 2022.

321 SECU, [Evidence](#), 10 February 2022 (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec).

322 SECU, [Evidence](#), 17 February 2022 (David Bertrand, Chief Inspector, Criminal Investigative Services, Service de police de la Ville de Montréal); SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department); (Benoît Dubé, Chief Inspector, Director Criminal Investigation, Sûreté du Québec); SECU, [Evidence](#), 16 December 2021 (Brenda Lucki, Commissioner, Royal Canadian Mounted Police).

323 SECU, [Brief](#), Vancouver Police Service, 15 February 2022.

324 SECU, [Brief](#), National Police Federation, February 2022, p. 7.



We plan to give law enforcement all of the tools they need to ensure that those new laws are able to be enforced once they're on the books.³²⁵

On another note, the question of when the “collection of parts become a firearm”³²⁶ was raised by witnesses, with some noting that the matter needs “to be examined in the context of the [Criminal] code and the Firearms Act regulations.”³²⁷ Criminal defence lawyer Solomon Friedman argued that we need to ensure that “only licensed, background-checked and pre-screened individuals have the ability to possess not only completed firearms, but also potential firearms in whatever form.”³²⁸

5.4.2 Ghost Guns

Some witnesses warned the Committee that there is an increase of firearms parts that are being produced with 3-D printers, including silencers and high-capacity magazines, which are used to manufacture ghost guns.³²⁹ In fact, the Committee learned that “modern 3-D printing materials can produce a durable firearm, capable of shooting hundreds of rounds without a failure.”³³⁰

The Committee was told that these printers are affordable as they “can be purchased lawfully from a variety of stores for as little as \$300,”³³¹ and “the cost of the materials used to produce the firearms, the plastic material that is fed into the printer, can work out to literally dollars per firearm produced.”³³²

These printers are unregulated in Canada.³³³ To target people using the 3-D printed receivers into functioning guns, Staff Sergeant Michael Rowe from the Vancouver Police Department suggested that the regulation of firearm parts would be required:

325 SECU, [Evidence](#), 1 March 2022 (Hon. Marco Mendicino, Minister of Public Safety).

326 SECU, [Evidence](#), 10 February 2022 (Solomon Friedman, Criminal Defence Lawyer, As an Individual).

327 Ibid.

328 Ibid.

329 SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police); SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

330 SECU, [Evidence](#), 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

331 Ibid.

332 Ibid.

333 SECU, [Evidence](#), 1 February 2022 (Michael Duheme, Deputy Commissioner, Federal Policing, Royal Canadian Mounted Police).

Each 3-D printed receiver, the component they can 3-D print, requires specific parts to turn it into a functioning firearm, such as a trigger assembly, a barrel, a slide and rails, the metal pieces that go inside it. If we're able to regulate the sale, possession and importation of these specific parts, that would allow us to more effectively target people who are putting together the 3-D printed receivers into the functioning guns.³³⁴

After careful consideration of the evidence, the Committee recommends:

Recommendation 28

That the Government of Canada regulate the possession, sale, and import of firearm component parts such as barrels, slides, and trigger assemblies.

Recommendation 29

That the Government of Canada further investigate the prevalence of, and develop a strategy to counteract the manufacturing of illegal firearms or ghost guns.

Recommendation 30

That the Government of Canada amend the definition of a firearm in Section 2 of the *Criminal Code* to include in its specification of firearms and firearm parts “blank castings of frames or receivers not yet capable of holding various firing components.”

5.5 Verification of Licences When Transferring a Non-Restricted Firearm

Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms,³³⁵ which received Royal Assent in June 2019, amended the *Firearms Act* and *Criminal Code*, among other matters, to require that the seller of a non-restricted firearm “verify that the person they are selling to has a valid firearms licence.”³³⁶ This includes validating the photo and information on the licence.³³⁷ As explained by Kellie Paquette from Canadian Firearms Program, the RCMP does not have a role in verifying that the seller did a correct verification of the licence: “At this point it would be based on that seller being

334 SECU, *Evidence*, 10 February 2022 (Michael Rowe, Staff Sergeant, Vancouver Police Department).

335 [Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms](#), 42nd Parliament, 1st Session.

336 SECU, *Evidence*, 1 February 2022 (Stephen White, Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police).

337 *Ibid.*



responsible for that visual inspection of the licence.”³³⁸ Once the seller is satisfied, the seller is “then [...] responsible for submitting a request to the registrar for a licence verification number.”³³⁹

Such a process does not provide enough safety, according to Heidi Rathjen from PolySeSouvient:

Running the licence number through the system is the only way to ensure that a licence is not counterfeit, stolen or revoked. A seller cannot check that themselves, and yet the regulations tabled last June require no such thing. According to the proposed regulations, once they check the photo on the buyer’s licence, sellers will have to contact the RCMP to obtain a reference number authorizing the transfer. However, there is no obligation for a seller to provide any information whatsoever related to the buyer’s licence to the RCMP, and there is no obligation stated anywhere in the laws and regulations that the RCMP has to run the licence number through the system.³⁴⁰

In a written response provided to the Committee about the licence verification system established under Bill C-71, the RCMP gave the following details:

On coming into force of the C-71 amendments to section 23.1 of the Firearms Act the transferor (seller) of a non-restricted firearm must first apply to the Registrar for a reference number.

In order to issue a reference number, the Registrar must be satisfied that the transferee (the buyer) holds, and is still eligible to hold, a licence authorizing the transferee to acquire and possess non-restricted firearms. Consequently, the Registrar will require a transferor requesting a reference number to provide the transferee’s licence number, and any additional information on the firearms licence card that the Registrar may need in order to conduct the necessary licence check and may include: the transferee’s full name, date of birth, height, gender, and/or eye colour.

In applying for a reference number, a transferor must also confirm with the Registrar that they have taken reasonable steps, as described in the regulations, to confirm that the transferee and the individual depicted on the firearms licence presented by the transferee are the same person.

338 Ibid., (Kellie Paquette, Director General, Canadian Firearms Program, Royal Canadian Mounted Police).

339 Ibid.

340 SECU, [Evidence](#), 15 February 2022 (Heidi Rathjen, Coordinator, PolySeSouvient).

[...]

Currently, section 23.1 of the Firearms Act states the transferor (seller) may request that the Registrar inform the transferor as to whether the transferee (buyer) holds, and is still eligible to hold, a firearms licence for the acquisition of a non-restricted firearm.

On coming into force of the C-71 amendments to section 23.1 of the Firearms Act, the transferor must first apply to the Registrar for a reference number. In order to issue a reference number, the Registrar must be satisfied that the transferee holds, and is still eligible to hold, a licence authorizing the transferee to acquire and possess a non-restricted firearm. Anyone found transferring a non-restricted firearm without having first obtained a reference number would be liable to charges under sections 99 and 101 of the Criminal Code.³⁴¹

In light of these considerations, the Committee recommends:

Recommendation 31

That the Royal Canadian Mounted Police ensure that the Chief Firearms Officer verify all information contained in a possession and acquisition license application.

Recommendation 32

That the Government of Canada, amend licensing regulations to clarify the licence verification provisions by stating that a seller must provide a potential buyer's licence number to the Registrar so that it can confirm its validity in the system before issuing a reference number authorizing the transfer of a firearm.

Recommendation 33

That the Government of Canada amend the law to ensure that individuals under a protection order related to intimate partner violence automatically have their possession and acquisition licence revoked and their firearms surrendered to the Crown.

341 Royal Canadian Mounted Police, Written response to the Committee, February 2022.



CONCLUSION

During the Committee's study, witnesses were unanimous: combatting gun and gang violence requires engaging all stakeholders including all levels of government, civil society, law enforcement agencies, social services, grassroots organizations, Indigenous peoples and local communities. In addition, addressing the underlying causes of gun and gang violence, preventing youth from engaging in such violence and assisting individuals involved in gang activities to exit this lifestyle are key components in the fight against gun and gang violence.

The Committee shares the concerns expressed by witnesses from different parts of Canada, and values the expertise and time they provided. The Committee wishes to highlight their valuable contribution to finding solutions to combat gun and gang violence.

The Committee drew upon the evidence it received to formulate key findings and recommendations aimed at strengthening Canada's efforts to tackle the problem of gun and gang violence. With this report, the Committee intends to send a clear message that gun and gang violence needs to be urgently addressed. It firmly believes that the implementation of the recommendations that are formulated in this report will assist all stakeholders in preventing gun and gang violence and make it possible to correct the gaps that were brought to its attention during our study.

Therefore, the Committee recommends:

Recommendation 34

That the Government of Canada introduce legislation as soon as possible that take into account the recommendations of this report.

APPENDIX A LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee's [webpage for this study](#).

Organizations and Individuals	Date	Meeting
Canada Border Services Agency Scott Harris, Vice-President Intelligence and Enforcement Branch John Ossowski, President	2021/12/16	3
Department of Public Safety and Emergency Preparedness Talal Dakalbab, Assistant Deputy Minister Crime Prevention Branch Hon. Marco Mendicino, P.C., M.P., Minister of Public Safety Rob Stewart, Deputy Minister	2021/12/16	3
Royal Canadian Mounted Police Mathieu Bertrand, Director Federal Policing Criminal Operations D/Commr Michael Duheme Federal Policing Commr Brenda Lucki Kellie Paquette, Director General Canadian Firearms Program D/Commr Stephen White Specialized Policing Services	2021/12/16	3
Canada Border Services Agency Fred Gaspar, Vice-President Commercial and Trade Branch Scott Harris, Vice-President Intelligence and Enforcement Branch	2022/02/01	4
Customs and Immigration Union Mark Weber, National President	2022/02/01	4

Organizations and Individuals	Date	Meeting
National Police Federation Brian Sauvé, President	2022/02/01	4
Royal Canadian Mounted Police A/Commr Michel Arcand Federal Policing Criminal Operations D/Commr Michael Duheme Federal Policing Don Halina, Director General National Forensic Laboratory Services Kellie Paquette, Director General Canadian Firearms Program D/Commr Stephen White Specialized Policing Services	2022/02/01	4
Akwesasne Mohawk Police Service Chief Shawn Dulude	2022/02/03	5
As an individual Mitch Bourbonniere, Outreach Worker Ogijiita Pimatiswin Kinamatawin	2022/02/03	5
Bear Clan Patrol Inc. Kevin Walker, Interim Executive Director	2022/02/03	5
Mohawk Council of Akwesasne Chief April Adams-Phillips Grand Chief Abram Benedict	2022/02/03	5
Native Counselling Services of Alberta Marlene Orr, Chief Executive Officer Nicole Whiskeyjack, Community Coordinator	2022/02/03	5
Winnipeg Police Association Det Philip Neyron Maurice Sabourin, President	2022/02/03	5

Organizations and Individuals	Date	Meeting
As an individual Robert Henry, Assistant Professor Department of Indigenous Studies, University of Saskatchewan Caillin Langmann, Assistant Clinical Professor Department of Medicine, McMaster University	2022/02/08	6
Canadian Association of Chiefs of Police Chief Evan Bray	2022/02/08	6
Edmonton Police Service Chief Dale McFee	2022/02/08	6
STR8 UP: 10,000 Little Steps to Healing Inc. Stan Tu’Inukuafe, Co-Founder	2022/02/08	6
Toronto Police Service D/Chief Myron Demkiw S/Supt Lauren Pogue	2022/02/08	6
As an individual Solomon Friedman, Criminal Defence Lawyer Michael Spratt, Criminal and Appeal Lawyer Abergel Goldstein & Partners LLP	2022/02/10	7
Service de police de l’agglomération de Longueuil Fady Dagher, Director	2022/02/10	7
Statistics Canada Jeff Latimer, Director General Health, Justice, Diversity and Populations Lucie Léonard, Director Canadian Centre for Justice and Community Safety Statistics	2022/02/10	7
Sûreté du Québec Benoît Dubé, Chief Inspector Director Criminal Investigation	2022/02/10	7
Vancouver Police Department S/Sgt Michael Rowe	2022/02/10	7
Centre culturel islamique de Québec Boufeldja Benabdallah, Spokesman	2022/02/15	8

Organizations and Individuals	Date	Meeting
Coalition for Gun Control Wendy Cukier, President	2022/02/15	8
Communities for Zero Violence Evelyn Fox, Founder	2022/02/15	8
Keep6ix Richard Miller, Founder	2022/02/15	8
One By One Movement Inc. Marcell Wilson, Founder	2022/02/15	8
PolySeSouvient Heidi Rathjen, Coordinator	2022/02/15	8
As an individual Christian Pearce, Criminal Defence Counsel, Author	2022/02/17	9
Port Coquitlam & District Hunting & Fishing Club Keith Loh, President	2022/02/17	9
Service de police de la Ville de Montréal David Bertrand, Chief Inspector Criminal Investigative Services	2022/02/17	9
Wolverine Supplies Matthew Hipwell, President	2022/02/17	9
Canada Border Services Agency Scott Harris, Vice-President Intelligence and Enforcement Branch John Ossowski, President	2022/03/01	11
Department of Public Safety and Emergency Preparedness Talal Dakalbab, Assistant Deputy Minister Community Safety and Countering Crime Hon. Marco Mendicino, P.C., M.P., Minister of Public Safety	2022/03/01	11
Royal Canadian Mounted Police Commr Brenda Lucki D/Commr Stephen White Specialized Policing Services	2022/03/01	11

APPENDIX B LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

Canadian Doctors for Protection from Guns

Langmann, Caillin

Liberty For Youth

National Coalition Against Contraband Tobacco

National Police Federation

Statistics Canada

Vancouver Police Department

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 3 to 9, 11, 13 to 16 and 18](#)) is tabled.

Respectfully submitted,

Hon. Jim Carr, P.C., M.P.
Chair

Safer Communities: Focusing Resources Where They Make a Difference

Introduction

This report has been drafted by Conservative Members of the Standing Committee on Public Safety and National Security to supplement the report by the committee entitled *A Path Forward: Reducing Gun and Gang Violence*. This comprehensive study reviewed the causes and contributing factors of gun violence, as well as analyzed the policing tactics, legal ramifications, and societal impacts. The final report contains a wealth of recommendations, many of which are supported by members of all parties.

However, a small number of recommendations were made that did not align with important evidence presented to the committee. Specifically, the recommendation to implement a mandatory buyback of firearms prohibited under the Government of Canada's May 2020 Order-in-Council (and subsequent additions to the Order-In-Council) and the Government of Canada's proposed provincial handgun ban, did not receive adequate support from witness testimony to warrant a recommendation to government to continue implementation of these initiatives.

Further, the committee heard the significant taxpayer resources to fund the buyback and handgun ban would have a greater impact in reducing gun violence in Canada if those resources were redirected to anti-gun smuggling operations at the US-Canada border, increasing police services, and to youth and young adult gang prevention and diversion programs.

Additionally, the committee heard that the government's Bill C-5 *An Act to amend the Criminal Code and the Controlled Drugs and Substances Act*, which will end mandatory minimum sentencing for those convicted of violent crime involving firearms, would have a negative impact on reducing gun violence.

Recommendation 1

That the Government of Canada revoke the May 2020 Order-in-Council firearms prohibition, discard the mandatory firearms buyback program, and abandon the proposed provincial handgun ban.

The committee heard considerable expert testimony including from law enforcement, academia, and grassroots community organizations that disputed the efficacy and feasibility of the government's proposed mandatory firearms buyback program and proposed provincial

handgun ban. Importantly, the committee heard that gun violence is primarily a result of gang and criminal activity, not law-abiding firearms owners, and as a result, efforts to combat gun violence should be targeted accordingly.

The committee heard that approximately 80 percent of the firearms used in violent crime in Toronto are illegally smuggled from the United States. For example, Deputy Chief of the Toronto Police Service Myron Demkiw explained,

the City of Toronto's experience is that guns are not from law abiding citizens that are being used in crime. They're guns being smuggled from the United States. Those engaged in handling those firearms are not law abiding, licensed gun owners; they are criminals with no firearms license.

Further, Marcell Wilson, Founder and President of the One-by-One Movement Inc., an organization founded by former gang members, extremists and organized crime members to help identify, address, and research strategies on effective social programming for youth outreach, explained, “when speaking on gun control, when we hear the phrase, it should always be synonymous with illegal gun crime and illegal gun trafficking as over 80% of the gun violence we [witnesses is] committed with illegal firearms smuggled in from the USA.”

Evelyn Fox, founder of Communities for Zero Violence, a group founded by a mother of teenaged son killed by gun violence that seeks to create and expand awareness of the violence crisis in Toronto and the GTA, stated, “all the community-level violence is being committed by those who are not licensed to possess or use [guns].”

Additionally, the committee heard from multiple police experts and grassroots community organizations that it is highly unlikely any criminal who illegally obtained and owns a firearm would participate in, or be affected by, any firearm bans. As a result, a buyback program or handgun ban is not likely to take any of these illegally obtained firearms out of the hands of criminals and as a result, will not have a significant impact on reducing gun violence, while costing taxpayers billions of dollars.

For example, Chief Evan Bray, Co-Chair of the Firearms Special Purpose Committee of the Canadian Association of Chiefs of Police, stated that, “a ban is only as good as the people who are willing to follow it. I said to Chief McFee [Chief of police, Edmonton Police Service] that we have a ban on murders in Canada and yet, sadly, we still have homicides happening all the time.”

Kevin Walker, Interim Director of the Bear Clan Patrol, a grassroots Indigenous-led community safety organization in Winnipeg, stated, “I think the people that are using the weapons, criminally, won't be turning them in to anyone any time soon.”

Dr. Caillin Langmann, an Emergency Room Medical Doctor, assistant clinical professor at McMaster University, and leading researcher in Canada on the impact of government gun control measures of licensed firearm owners on gun violence prevalence, who has written several peer-reviewed sociological studies on this issue, shared with the committee that,

No statistically significant beneficial associations were found between firearms legislation and homicide by firearms, as well as spousal homicide and a criminal charge of discharge of firearm with intent. Bans of military-appearing firearms, semi-automatic rifles and handguns, short-barreled handguns, and Saturday night specials in the 1990s has resulted in no associated reduction in homicide rates.

Recommendation 2

That the taxpayer resources allocated to administering the mandatory prohibited firearms buyback program and proposed provincial handgun ban be reallocated to target anti-gun smuggling operations at the US-Canada border, increasing police services, and to youth and young adult prevention and diversion programs.

It is estimated the buyback program could cost the taxpayer upwards of three billion dollars, and the Government of Canada has said it will provide an additional billion dollars to implement a proposed provincial handgun ban. Committee witnesses repeatedly spoke in favour of redirecting the resources for the buyback and proposed handgun ban towards more impactful areas to reduce gun violence, such as increasing anti-smuggling operations at the Canada-US border, increasing resources to police services, and funding youth and young adult gang prevention and diversion programs.

Further, the committee heard from witnesses that the Canada Border Services Agency has limited resources to combat anti-gun smuggling operations. For example, Mark Weber, President of the Customs and Immigration Union of the Canada Border Service Agency, explained CBSA Officers face significant challenges in protecting Canada's border with the United States, which is the longest undefended border between countries in the world. Mr. Weber stated, "not only is Canada's ability to prevent smuggling lacking, but its capacity to gather reliable and sound data is also inadequate," and, "there is an almost 0% chance that any illegal weapon entering the country via rail will ever be found."

Police authorities from across Canada testified that their resources are stretched thin and there are significant challenges to keep pace with the growing gang violence and drug trafficking issues in Canada that contribute to gun violence. Recruitment and retention of police

officers and lack of sufficient resources impact the ability of police to respond to calls for service and the capacity to undertake preventative policing measures. As a result, police services are experiencing burnout and fatigue. These issues contribute to the challenges of the vital role police services have in reducing gun violence in Canada.

Accordingly, the committee heard from police that diverting limited police resources to implement an ineffective firearm buyback program will only exacerbate the pressure on police services and impact their ability to focus on reducing gang activity that causes most gun violence in Canada. Police witnesses at committee repeatedly stated the billions of taxpayer dollars that will be spent on the government's firearm buyback program would have a greater impact on reducing gun violence if those resources were directed to increasing police services for more officer recruitment, technology and equipment upgrades, and community outreach.

For example, Brian Sauvé, President of the National Police Federation explained, "Our challenges with the buyback program is once again increasing the mandate of an overstretched police service that doesn't have enough boots on the ground to do what it's doing today."

The committee consistently heard that youth and young adult gang prevention and diversion programs that create supportive and positive environments at the community level with culturally appropriate outreach, can effectively divert youth from joining gangs at a young age. The committee heard if a youth can be diverted, the likelihood of leading a life of crime and contributing to gun violence is significantly reduced. Currently these programs are extraordinarily underfunded.

For example, the Winnipeg Police Service has only one full-time employee carrying out this work and Maurice Sabourin, President of the Winnipeg Police Association, explained that his force, "could use more resources on the street and also more resources for social programming, because if we can get to those kids early, that prevents them from entering a gang or continuing to be involved in a gang. I believe that funding for that buyback program should be diverted to those social programs."

Community groups like the Bear Clan, the One by One Movement Inc., and Communities for Zero Violence, agreed taxpayer resources spent on gun buybacks and bans would have little impact on reducing gun violence and rather, those resources would make a significant difference in reducing gun violence if they were used to support at-risk youth at the grassroots community level.

For example, Mr. Wilson explained, “We are definitely not seeing enough resources going into preventative measures. As we all know, common sense, deductive reasoning and prevention is a lot cheaper for the taxpaying citizen than intervention.”

Ms. Fox explained, “every instance of violence has an intervention point that has been overlooked or not been acted upon by either people closest to that person, service providers, or those in positions of power whose job it is to intervene,” and, “we have traumatized communities that are never able to heal due to the continued occurrences of violence and the lack of resources to provide them support,” and, “we hardly have any services that cater to community violence...It’s very difficult to find resources that are culturally specific.”

Recommendation 3

That the Government of Canada withdraw Bill C-5 *An Act to amend the Criminal Code and the Controlled Drugs and Substances Act* that seeks to eliminate mandatory minimum sentences for those convicted of serious firearm crime and allow the mandatory minimum penalties for these egregious crimes to remain in place.

A Path Forward makes no recommendation regarding the Government of Canada’s pending repeal of mandatory minimum sentences for several serious firearm crimes, including robbery and extortion with a firearm, and firing a firearm with intent to injure, despite multiple witnesses making the case that these sentences should remain in place to keep violent criminals out of communities. Given the task of the committee was to study how best to reduce gun violence in Canada, it is incongruous that *A Path Forward* fails to make recommendations to the Government of Canada pertaining to the legitimate concerns that criminals who commit violent crimes with guns will not face mandatory prison time and be removed from public society as a result, following the anticipated passage of Bill C-5.

For example, Mr. Sabourin expressed serious concerns,

With the introduction of Bill [C-5](#) and the proposal to remove minimum sentencing, I fear that's going to have a negative effect on public safety here in Winnipeg. As a member of our property crimes unit and our stolen auto unit, I saw the benefits of intensive supervision as well as incarceration and members of the criminal element being placed in incarceration and in remand.

Chief Inspector David Bertrand from the Service de police de la Ville de Montréal (SPVM) suggested, “discussions about minimum sentences in certain gun usage and possession situations should be brought back to the forefront.” Further, Matthew Hipwell, an RCMP

veteran, was concerned that by reducing mandatory minimum penalties, “we are failing to hold people and individuals accountable for their actions.”

Conclusion

This supplementary report diverges from *A Path Forward* on the above mentioned recommendations, which Conservative Members of the committee believe are critical to reducing gun violence in Canada. These recommendations provide a more fulsome reflection of committee testimony from expert witnesses and the realities and challenges of reducing gun violence in Canada.

The evidence is clear: the taxpayer resources earmarked for a mandatory firearm buyback program and proposed provincial handgun ban will not be effective in reducing gun violence because it fails to target the real issue—gang and criminal activity. Instead, taxpayer resources should be redirected to anti-gun smuggling operations at the Canada-US border, increasing police services, and to youth and young adult gang prevention and diversion programs. Properly resourcing these three key areas will have a much greater impact on reducing gun violence in Canada than ineffective gun buybacks and bans.

We hope that the Government of Canada will act swiftly to implement the recommendations contained in this supplementary report.

Bloc Québécois supplementary report regarding the study on gun control, illegal arms trafficking and the increase in gun crimes committed by members of street gangs

The gun violence and deadly shootings that have been plaguing Montreal's metropolitan area in recent months, leaving many victims in their wake, show that the federal government is not doing enough to manage illegal arms trafficking and gun control. On 7 December 2021, a Bloc Québécois motion was passed unanimously by the House of Commons, instructing the Standing Committee on Public Safety and National Security to undertake as a priority a study on gun control, illegal arms trafficking and the increase in gun crimes committed by members of street gangs and to report on constructive and practical solutions to the Government of Canada.

Throughout the study, the Bloc Québécois kept the focus on border security, since hundreds of illegal firearms cross the Canada–US border every week. Evidence suggests that most of these illegal weapons are finding their way into the hands of members of street gangs, which is contributing to the violence taking place in the Montreal area. The Bloc Québécois also called for the Mohawk Council of Akwesasne and the Akwesasne Mohawk Police Service to be heard, given the unique considerations of the community's territory, which straddles the borders of Quebec, Ontario and the United States.

The Bloc Québécois would like to thank all the witnesses who appeared as part of this important study. It hopes that the recommendations in this report will be implemented by the federal government in order to effect real change that ensures the safety of communities and puts an end to gun violence for once and for all. We believe it is important to take decisive action so that everyone can live in a society where they feel safe. While the Bloc Québécois agrees with the recommendations made in this report, we believe that additional clarifications are needed. This supplementary report calls on the federal government to respect the jurisdiction of Quebec and the provinces and to support and fund their initiatives instead of competing with them.

The Bloc Québécois believes that Recommendation 19 should be reworded as follows:

- That the Government of Canada ensure that border surveillance of international commercial rail operations and ocean freight shipping operations is enhanced.

Further to Recommendation 20, the Bloc Québécois proposes:

- That the Government of Canada expand the mandate of Canada Border Services Agency (CBSA) officers to include seizing more illegal weapons at the border.

Further to Recommendation 22, the Bloc Québécois proposes:

- That the Government of Canada amend the definition of prohibited firearms within the *Criminal Code* to define an assault weapon in order to make weapons not covered by the May 2020 orders illegal (e.g., WK180).

The Bloc Québécois believes that Recommendation 24 should be reworded as follows:

- That the Government of Canada implement, as soon as possible, the mandatory buyback program promised as part of the ban on assault-style firearms announced on 1 May 2020.

Further to Recommendation 26, the Bloc Québécois proposes:

- That the Government of Canada amend the necessary legislation regarding firearms magazines that can be easily modified, in order to make them illegal, which would ensure that the maximum legal capacity could no longer be exceeded with simple modifications.

Furthermore, the Bloc Québécois proposes:

- That the Government of Canada take into consideration the recommendations of this report and introduce a bill to amend the *Criminal Code*, the *Firearms Act* and other federal statutes as soon as possible, in order to formalize its commitments involving gun control with a view to protecting Quebeckers and Canadians from the harms associated with firearms.
- That the Government of Canada grant the provinces the authority to ban handguns.
- That the Government of Canada create a forum for collaboration and information sharing between various police forces and organizations involved in the fight against firearms trafficking.

Gun Control, Illegal Arms Trafficking and
the Increase in Gun Crimes by Members of Street Gangs
Supplementary Report of the New Democratic Party

New Democrats support the recommendations contained in this report and reiterate that the Government of Canada must implement measures for tougher gun control and to curb the flow of illegal arms trafficking to make our communities safe.

We offer the following additional comments and recommendations to supplement the report, to further the goal of tackling gun crime among gangs as it relates to the illicit drug trade, with a specific focus on the opioid epidemic, where stronger action is required. The opioid epidemic must be declared as a national public health emergency, as it has accurately been categorized by the Province of British Columbia.

While the Committee recognized that drug addiction is an important contributor to gun violence, and must be treated as a public health issue, the Government of Canada must go further than this.

The testimony of Vancouver Police Department Staff Sergeant Michael Rowe identified a definite link between gun violence and the popularity, addictive nature, and profitability of fentanyl.¹

Through his testimony Chief Evan Bray, Chief of Police, Canadian Association of Chiefs of Police (CACP), reiterated the CACP's 2020 bold call for the decriminalization of simple possession, noting that criminalizing people who use drugs doesn't work, and adding that providing the support to individuals suffering with addiction can free up police resources to do other work in the community.²

Deputy Chief of Police, Myron Demkiw, Toronto Police Service, also testified about the need for "safe supply and wraparound services."³

We must heed the words of our first responders and frontline workers. By moving away from prohibition and punishment and instead adopting a national harm reduction approach, including decriminalization, to substance use and addiction, Canada could ensure access to safe supply, realize a reduction in risk of overdose deaths, and divert encounters with law enforcement. Confronting the highly profitable and highly deadly use of substances like fentanyl with a national harm reduction approach to substance use will significantly impact the firearms violence that is all too often associated with gangs vying for control of the illicit drug trade in our communities.

¹ SECU, [Evidence](#), February 10, 2022 (Staff Sergeant, Michael Rowe, Vancouver Police Department)

² SECU, [Evidence](#), February 8, 2022 (Chief Evan Bray, Canadian Association of Chiefs of Police)

³ SECU, [Evidence](#), February 8, 2022 (Deputy Chief Myron Demkiw, Toronto Police Service)

