

May 31, 2018

Jean-Marie David
Procedural Clerk/Greffier à la procédure
Standing Committee on Public Safety and National Committees Directorate
House of Commons
131 Queen Street, Room 6-17 Ottawa, Ontario

Re: Bill C-71 and the Prevention of Violence Against Rural Canadian Women

Dear Mr. David,

Women's Shelters Canada provides the following recommendations to Members of the Standing Committee on Public Health and National Security in their review of Bill C-71 to support their consideration of ways to prevent firearm-related violence to Canadian women living in rural communities.

Women's Shelters Canada (WSC) is a national non-profit network representing Violence Against Women (VAW) shelters and transition houses. Women's Shelters Canada brings together 14 provincial and territorial shelter organizations representing over 400 VAW shelters across Canada. Our mission is to work as a unified voice for systemic change to end violence against women, while providing leadership for collaboration and knowledge exchange among shelters and transition houses across the country. We believe that governments and societies are responsible for ensuring women's basic human rights and that violence violates women's human rights and equality.

The national statistics on VAW are troubling yet essential to consider in the context of Bill C-71:

- Spousal violence is consistently the most common form of violence against women in Canada;¹
- 7 in 10 people who experience family violence are women and girls;²
- Indigenous women are 2.7 times more likely the victims of violence than non-Indigenous women;³
- Women are 4 times more likely than men to be victims of intimate partner homicide;⁴

¹ Sinha, M. (2013). "Family Violence in Canada: A Statistical Profile, 2011. Section 3: Intimate partner violence." Statistics Canada catalogue no 85-002-X. Ottawa, Ontario.

Available at <https://www.statcan.gc.ca/pub/85-002-x/2013001/article/11805/11805-3-eng.htm>

² Statistics Canada. (2016). "Infographic: Family Violence in Canada 2014." Available at

<http://www.statcan.gc.ca/pub/11-627-m/11-627-m2016001-eng.htm>

³ Statistics Canada. (2017). "Study: Women in Canada: Women and the Criminal Justice System." Available at

<http://www.statcan.gc.ca/daily-quotidien/170606/dq170606a-eng.htm?CMP=mstatcan>

⁴ Miladinovic, Z. and Mulligan, Leah. (2015: 23). Homicide in Canada, 2014.

Statistics Canada Catalogue no. 85-002-x. Ottawa, Ontario.

Available here <http://www.statcan.gc.ca/pub/85-002-x/2015001/article/14244-eng.htm#a9>

- Indigenous women experience homicide at a rate 5 times higher than non-Indigenous women;⁵
- Approximately every 6 days, a woman in Canada is killed by her intimate partner;⁶

As a national network, part of our work involves understanding the unique regional contexts where VAW shelters are located including rural, remote and northern areas. In our conversations with rural VAW shelters, we have heard that rural women are fearful for their safety in homes where firearms are present, that firearms are often not safely stored or locked away, and that firearms impact women's ability to seek help and supports to flee domestic violence.

These realities have been well documented in studies conducted by the Public Legal Education and Information Service of New Brunswick (PLEIS-NB) in collaboration with the Department of Sociology at the University of New Brunswick. Their 2008 study focused on domestic violence within the rural context, examining the social and cultural context of firearms in rural homes and how this impacts women experiencing domestic violence. Their study is ground-breaking in documenting rural women's experiences of domestic violence and the misuse of firearms, as well as, expanding research on firearms victimization. They reported their findings *Exploring the Links: Firearms, Family Violence and Animal Abuse in Rural Communities* to the Canadian Firearms Centre, Royal Canadian Mounted Police and Public Safety Canada.⁷

WSC observes that the Bill, through its proposed amendments to the *Firearms Act*, other Acts and the Regulations, offers measures to better regulate firearms in Canada including:

- the verification of licenses
- the referral of classification of firearms to the RCMP
- the restoration of discretion to Chief Provincial Firearms Officers
- providing access to the registry data for the Province of Quebec
- and extending the licensing screening period to 10 years.

WSC believes the proposed amendments and other amendments we and others suggest will prevent firearm-related death and injury to rural Canadian women.

To date in 2018 more than 57 women have been killed in Canada. In 2016, the most recent year for which complete data is available, 86,406 victims of family violence were reported in our country, including 57,796 female victims (67 percent). Female victims included 86 who died, 75 victims of attempted murder and 225 who were physically assaulted including with firearms.

⁵ Statistics Canada. (2018). *Family Violence in Canada: A Statistical Profile, 2016*. Available here <https://www.statcan.gc.ca/pub/85-002-x/2018001/article/54893-eng.htm>

⁶ Statistics Canada. (2015). Table 6 Intimate partner homicides, by sex of victim, Canada, 1994 to 2014.

Available here <http://www.statcan.gc.ca/pub/85-002-x/2015001/article/14244/tbl/tbl06-eng.htm>

⁷ Doroty, D. and Hornosty, J. (2008). *Exploring the Links: Firearms, Family Violence and Animal Abuse in Rural Communities*. Available here http://www.legal-info-legale.nb.ca/en/uploads/file/pdfs/Family_Violence_Firearms_Animal_Abuse.pdf

In 2016, 93,247 victims of police-reported intimate partner violence were reported in Canada, including 73,400 female victims (79 percent). Female victims included 63 who died, 84 who were victims of attempted murder, and 329 who were victims of a physical assault including with firearms.

In 2016, 12,478 victims of police-reported intimate partner violence involving a weapon were reported in Canada, including 8,155 female victims (65.4 percent). Among female victims, 3,454 were victims of spousal violence and 4,701 were victims of dating violence. Firearms were the weapon used against 594 of these female victims.

In 2016, Canada recorded 611 homicides, of which 223 (36.5 percent) were by shooting, an increase over 2012, when 548 homicides occurred, with 171 (31.2 percent) by shooting. This represented the third consecutive year in which both the number and rate of firearm-related homicides in Canada increased. One-quarter of Canada's 2016 homicide victims (151) were women. The rate of homicides by shooting in 2016 was 21% higher than the average for the previous 10 years (0.61 compared to 0.51 per 100,000 population).

Rural women in Canada are experiencing increasingly high rates of homicide involving firearms. The highest rate among provinces for firearm-related homicides in 2016 was reported in Saskatchewan (1.48), an increase of 52% from the previous year (0.97). The second highest rate was reported in Alberta (1.03). In 2016, shootings were the most common method of committing a homicide in Canada (38%), exceeding stabbings (30%) for the first time since 2012.

Indigenous women in Canada continue to experience homicide at a rate far higher than non-Indigenous women. Among women, the rate of homicide for Indigenous victims was five times that of non-Indigenous victims (3.30 per 100,000 Indigenous women compared to 0.69 per 100,000 non-Indigenous).

Firearms cause harm to Canadian women in ways other than by death and injury. Every year in Canada, more than 100,000 women and children leave their homes to seek safety in a shelter. On any given night in Canada, some 3,500 women and 2,750 children sleep in shelters to escape abuse.

We call to Members' attention the close correlation between the availability of a firearm in the home and the risk of completed suicide and homicide, the prevalence of firearm use in spousal murder-suicides and the role of availability of a firearm as a risk factor for fatal intimate partner violence and the link between death rates from unintentional firearm injuries and rates of firearm ownership in the home.

We ask that Members of the Committee back specific measures in Bill C-71 that we believe will improve the regulation of firearms in Canada and decrease the threat to the health, safety and well-being of Canadian women including the verification of licenses, the referral of classification of firearms to the RCMP, the restoration of discretion to the chief provincial firearms officer, providing access to the registry data for the Province of Quebec, and extending the licensing screening period to 10 years.

We urge Members to re-affirm in the Bill a prohibition on ownership by civilians of military assault weapons, and to provide for classification of restricted and prohibited firearms to be updated urgently through Orders in Council, based on regular and frequent review and recommendations from the RCMP and Canadian police experts.

In addition, the following specific amendments to Bill C-71 are recommended:

Licensing criteria

We see the firearm licensing provisions of the legislation as fundamental to effective regulation and the screening process as necessary to reduce the risk that persons who pose a threat to themselves or others, including children and youth, will obtain or maintain access to firearms. Current provisions assess risk of domestic violence, suicide, political violence and crime. Proposed provisions represent narrow criteria and should be amended to better embody the intent of the law so that, per the section "Public Safety,"

5 (1) A person is not eligible to hold a licence if it is desirable, in the interests of the safety of that or any other person, that the person not possess a firearm.

Criteria

(2) In determining whether a person is eligible to hold a licence under ss (1), a chief firearms officer or, on a reference under section 74, a provincial court judge shall have regard to whether the person, within the previous five years,

(a) has been convicted or discharged under section 730 of the Criminal Code of

(i) an offence in the commission of which violence against another person was used, threatened or attempted,

(ii) an offence under this Act or Part III of the Criminal Code,

(iii) an offence under section 264 of the Criminal Code (criminal harassment), or

(iv) an offence relating to the contravention of subsection 5(1) or (2), 6(1) or (2) or 7(1) of the Controlled Drugs and Substances Act;

(b) has been treated for a mental illness, whether in a hospital, mental institute, psychiatric clinic or otherwise and whether or not the person was confined to such a hospital, institute or clinic, that was associated with violence or threatened or attempted violence on the part of the person against any person; or

(c) has a history of behaviour that includes violence or threatened or attempted violence

ADD: (d) or for any other reason is considered a threat to themselves or other.

This additional criteria will specify that a broader range of issues or circumstances may be considered, including but not limited to the concerns of a spouse or family member, and that references are contacted.

Controls on sales of unrestricted firearms

We urge that Bill C-71 restore controls respecting the sale of rifles and shotguns that were in place in 1977 requiring the licensed firearms dealer to record the Firearms Acquisition Certificate (now License) number, make model and serial number of firearms, and subject these records to annual inspection. These provisions enabled police to inspect records without a warrant as needed to trace firearms, without additional authorization, while requiring a warrant for more in depth investigations, for example when conducting a criminal investigation of a firearms dealer.

Controls on handguns

Handguns and other restricted weapons are deemed to be particularly dangerous because of their concealability or fire power and therefore are subjected to additional controls. Handguns are not used for hunting nor are they used by farmers to protect their livestock from predators. Not only should restricted weapons permits be issued only after careful assessment of the legitimate purposes claimed by the applicant (livelihood, member of a shooting range, bona fide gun collector) but their movements should be carefully controlled to reduce the chances of misuse, theft or diversion.

We recommend that the controls on handguns as restricted and prohibited weapons be reinstated through the restoring of strict issuance of Authorizations to Transport (ATT). Previous legislation allowed restricted and prohibited weapons to be transported between two or more defined locations; the proposed amendment to issuance of ATTs allows them to be transported to any gun club or range in the owner's province of residence, with no compensating measures to check proliferation or mitigate the risk of diversion. Restricted and prohibited weapons need to be strictly regulated and should only be transported between pre-defined locations.

We further recommend that the Bill's provisions include measures to:

- Subject individuals and dealers who are owners of multiple firearms to greater scrutiny to mitigate the risk of diversion, including through stronger application of existing powers to conduct annual inspection of storage facilities. Owners of multiple firearms present an increased risk to public safety because of the potential for theft and diversion and should be subject to higher levels of scrutiny, for example, safe storage inspection with notice of collections of more than 25 firearms. We also recommend the Committee consider introducing mechanisms to track stockpiling;
- Require health care professionals and others to report to the RCMP or provincial Chief Firearms Officers individuals who are a threat to themselves or others and who should not have access to firearms paralleling current provincial legislation on drivers' licenses; and, extend the mandatory reporting by health care professionals of firearms injuries, which is in place in some provinces, to a national reporting requirement;

- Restore transparent firearms data collection and analysis, evidence based policies and public education about the public health and public safety risks of firearms;
- Establish within the Firearms Act requirements for investment in children and youth and primary prevention services, and services for victims of gun violence and their families; and,
- Provide appropriate mechanisms to address non-powder firearms which are a significant threat particularly to children and youth.

WSC applauds the Government's efforts to tighten and toughen licensing and screening provisions in Bill C-71. We look to Members to take into account the experiences of rural Canadian women and place emphasis on reducing harm caused to rural women by death, injury and other forms of violence in which firearms are involved. We express our confidence that the proposed amendments in the Bill, augmented by those we suggest, will better protect rural Canadian women from firearm-related violence.

Respectfully submitted,



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