

THE SENATE

Thursday, December 12, 1991

The Senate met at 2 p.m., the Speaker in the Chair.
Prayers.

SENATORS' STATEMENTS

THE STANDING SENATE COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

LETTERS TO MINISTER OF JUSTICE ON GUN CONTROL LEGISLATION

Hon. Nathan Nurgitz: Honourable senators, today in my capacity as Chairman of the Standing Senate Committee on Legal and Constitutional Affairs, I am delivering a letter in both official languages to the Minister of Justice. We thank her and her officials for appearing with respect to the gun control legislation. The letter goes on to say:

The decision to report Bill C-17 back without comment was not, however, without controversy. Various members of the Committee, from both parties, wished to see the Report incorporate a statement as to how the Bill could be improved.

However, Committee members agreed that it would make a strong symbolic statement about the sad events of 6 December 1989 if Bill C-17 were to become law in time for the second anniversary of the Polytechnique tragedy. Since it was not possible to complete a Report incorporating the Committee's various concerns with Bill C-17 by that date, I would like to convey them to you by this letter. I am sure that, under the circumstances, you will give them as much weight as if they had formed part of the formal Report.

As Chairman of the Standing Senate Committee on Legal and Constitutional Affairs, and on behalf of my colleagues on that Committee, I would urge you to take the following steps towards ensuring that the use of firearms in Canada is as safe as possible, and that no further lives are unnecessarily lost:

1. Ensure that officials have all the necessary resources to expedite the drafting of regulations and the speedy implementation of Bill C-17;
2. Ensure that officials give the greatest possible attention to the three areas consistently mentioned by the witnesses before our committee:
 - * development of a firearms registration policy;
 - * regulations ensuring better control over safe storage; and
 - * the implementation of better training procedures.

On the first point, there was a general consensus that Bill C-17, with the accompanying regulations, must be implemented as expeditiously as possible. I realize you have already made such a commitment, and your officials testified that they would be working through the Christmas season to try to ensure that an initial regulatory package will be ready for the return of Parliament in early February. The Committee would, therefore, encourage you to ensure that your officials have all necessary resources to accomplish the job as quickly as possible. In addition, we urge that you give priority to the programs necessary for the effective implementation of Bill C-17, such as educating Crown attorneys, police officers and others on the use of prohibition orders in bail and peace bond proceedings.

Second, we wish to reinforce the message delivered to the Committee that effective gun control can always be improved. Towards the close of the hearings, one Senator summed up the testimony of witnesses wishing stronger gun control as follows: better information through firearms registration, better control over safe storage and better training for firearms users.

Our Committee recognizes that not all social problems can be solved by more legislation. There are competing interests, and the citizens being regulated often feel the restraints to be unnecessary or overly harsh. However, we feel that improvements in the three areas mentioned (firearms registration, safe storage, and training) would not place an unfair burden on firearms' owners or users. In fact, these are areas in which further regulation would only bring gun control into line with how we handle other dangerous implements, whether automobiles or toxic chemicals.

Registering automobiles, for example, does not stop automobile accidents, or the criminally negligent use of automobiles, or the theft of automobiles for the commission of crimes. It does, however, help to control such conduct, in part by making it clear that it will be easier to trace those responsible. As the Association des Étudiants de Polytechnique said on the issue of registration—

The Hon. the Speaker: Senator Nurgitz, I must interrupt you—

Hon. Gildas L. Molgat (Deputy Leader of the Opposition): We give leave for the honourable senator to continue.

Senator Nurgitz: Thank you. I will continue with the letter.

"As you know, most gun-related deaths are not created by career criminals but by people who know each other . . . We believe you cannot control something about which you