

*Criminal Code*

During the debate on Bill C-83 and the discussions which have transpired since then, the primary focus has been that of firearms control. The public contributions in this area have been particularly extensive, and I am thinking in particular of the work that has been done by concerned groups such as the Canadian Association for Sensible Arms Legislation, including as one of its members the Canadian Wildlife Federation; the Canadian Retailers' Association, and the city of Windsor, again to name but a few.

● (1540)

The major differences between Bill C-51 and its predecessor are found in the firearms sections, and I am confident the time has come to adopt these especially vital measures of protection for society. If some were able to claim when the predecessor bill was before the House that they were not consulted adequately, or their views were not taken into account in the preparation of that bill, let me say that is not the case with the bill now before the House. There has been extensive consideration of and consultation on all possible points of view on this bill.

It is clear to me that our laws in this country relating to firearms need to be changed. It is wrong, for example, that an escaped criminal from a penitentiary can go to the nearest sporting goods store and buy a gun, rifle or shotgun without questions being asked, as easily as he can walk into a drugstore and buy toothpaste. Something is wrong with the law when that is permitted and possible, and it is my responsibility to recommend to my colleagues and parliament the necessary changes in the law to alter that situation. I submit that it is parliament's responsibility to deal deliberately with that situation and with my recommendations.

In this country it is difficult to propose measures relating to firearms control. I say that because this country is diverse. The interests of those in the huge metropolitan areas of Montreal, Toronto, and Vancouver, have to be matched with the interests of the trapper in northern Saskatchewan, or of the Inuit in Tuktoyaktuk who depend on a rifle for their livelihood, or the interests of all those countless numbers of people across Canada who use rifles and shotguns for legitimate and responsible sporting purposes. Combining within one régime various provisions which will protect the public and take into account the diversity of our country is an immensely difficult job. As a result of the introduction of Bill C-83 and all the discussion which flowed from it we have been successful, in Bill C-51, in marrying the public objective with the need to protect the rights of certain people who, for responsible and legitimate purposes, use long guns in this country.

The objectives of the government's firearms control proposals remain unchanged. Simply, they are to prevent the potentially dangerous user from gaining access to guns to the extent feasible; to encourage responsible gun ownership and use; and to discourage the criminal use of firearms as much as possible. Bill C-51 addresses itself to meeting these objectives in a number of ways. It will do this, first, by screening new acquirers of firearms before they can obtain a weapon; second,

by providing a mechanism for identifying existing gun owners who may be potentially dangerous and preventing them from possessing and using firearms; third by prohibiting certain particularly dangerous firearms which have no legitimate sporting purpose, and restricting others; fourth, by strengthening the registration provisions for restricted weapons—but obviously this in no way applies to long guns or shotguns; fifth, it will do it by strengthening and extending the permit provisions for businesses that deal in firearms and ammunition; sixth, by promoting the education and training of firearm owners; and seventh, by providing stiff penalties for criminals who use firearms.

The instruments for achieving these ends were developed with a view to utilizing existing schemes and mechanisms as much as possible in ensuring that they involved the least possible interference in the lives of responsible Canadians and provided the greatest effectiveness for the least cost. Thus we have moved away from the concept of universal screening of gun owners and zeroed in on those gun owners or would-be owners who might be dangerous to themselves or others if they have access to a firearm. These include persons who have histories of conviction for offences involving violence against anyone, those who have been convicted of firearms offences, those who have a history of violent behaviour or who have a record of treatment for mental disorders associated with violence. These provisions have been, to the best of our ability, spelled out in the most objective terms possible. Consequently there is an objective test governing who may or may not qualify for a firearms acquisition certificate.

Had we been able to use these screening criteria last year, and I do not want to spend much of my time dealing with incidents which have occurred—a number of tragic incidents would never have taken place, including the one involving Ernest Lamourandire, the Yonge Street sniper. He had a long history of convictions for crimes of violence, yet there was nothing in the law to stop him from walking into a Yonge Street gun store and buying the high powered rifle he used to wound five people and kill himself. That there exists no mechanism in the law which could prevent this is wrong.

For new acquirers of firearms we have developed a firearms acquisition certificate system. Anyone wishing to obtain a firearm would first have to apply for and be issued a firearms acquisition certificate application. The acquisition certificate application would be reviewed by a firearms officer, in most cases a police officer. This system has several important advantages. It permits the screening out of persons who should not have access to firearms. It provides an effective delay or cooling off period before a firearm can be acquired. It provides a tangible means by which firearm retailers can determine that a buyer is not under an order of prohibition. It offers a measure of control over the mail order sale of firearms. Also the need to obtain a firearm acquisition certificate should cause new acquirers, some of whom may be unbalanced, to reflect more carefully on the serious responsibility inherent in firearms ownership.