

CHAPTER 1

INTRODUCTION

1. THE FORMATION AND MANDATE OF THE COMMITTEE

This Special Committee was established pursuant to a motion made by the Honourable Kim Campbell, Minister of Justice, for a study of the subject-matter of Bill C-80, "An Act to amend the Criminal Code and the Customs Tariff in consequence thereof." This motion was passed by the House of Commons on Friday, November 23rd, 1990, and the Committee held its organizing meeting on Thursday, November 29th, 1990. The Order of Reference from the House gave the Special Committee all the powers of a Standing Committee, and ordered the Committee to complete its work and present a final report to the House by no later than Friday, February 15, 1991.

Bill C-80 was tabled before the House on June 26, 1990, and proposes a number of amendments to Part III of the Criminal Code, which is entitled "Firearms and Other Offensive Weapons." All of its proposed measures would affect the acquisition, possession and use of firearms, and would thus amend what are referred to as our "gun control" laws. The bill is, however, only part of a package of proposed measures, which would include the use of subordinate law-making powers and administrative actions. The purpose of these measures would be to improve the system by which the use of firearms in Canada is regulated in the interests of public safety, while also ensuring that the interests of responsible gun owners are at the same time dealt with fairly and equitably.

While Canada has a long history of laws regulating the possession and use of firearms, the issue has been controversial and at times highly contentious, requiring the balancing of divergent interests. Bill C-80 and its accompanying proposals would introduce significant changes to these laws, and the Minister of Justice thus proposed that this Special Committee be struck to allow input from Members of Parliament and members of the public on the concerns that gave rise to the government's package, the elements of the package itself, the concerns raised by it, and what might be done to improve upon it.

The package of proposed government measures goes well beyond the provisions of Bill C-80 itself, and the establishment of a Special Committee on the subject matter of the bill afforded the opportunity for a public process that would allow an examination of the objectives of the complete package, and the means chosen to accomplish these aims. The Minister also noted that other measures to improve the system were under consideration, and invited the Special Committee to consider additional approaches to those contained in the government's package, and to make recommendations on any additional steps that should be taken to improve the effectiveness of the system in the interests of all Canadians.

2. THE HISTORICAL CONTEXT

Although gun control is often thought of as a modern development, its history in Canada goes back to 1877, when penalties were provided for the carrying of handguns where there was no reasonable cause to use them for self-defence. Further controls were placed on handguns early in