



LETTER TO THE COMMITTEE CHAIR

The Honourable Jim Carr
Chair of the Standing Committee on Public Safety and National Security
House of Commons
Ottawa, Ontario K1A 0A4

Dear Colleague:

On April 25, 2022, the Standing Committee on Public Safety and National Security (the Committee) requested that the Government table a comprehensive response to the recommendations included in its third report, entitled: *“A Path Forward: Reducing Gun and Gang Violence in Canada.”* The 34 recommendations cover a broad range of important issues that the Government is actively working to address, including: improving data and research on firearms crime; providing additional resources to law enforcement agencies to better identify illegal guns, strengthen the border to reduce smuggling, enhance training and support intelligence sharing; focusing on gang prevention, diversion, and exit programming for populations facing systemic barriers such as youth and young adults, Indigenous peoples, and racialized communities, including by supporting community organizations; recognizing the connection between illicit drugs and gun and gang violence, as well as balancing public health and public safety measures; continuing to introduce and implement gun control measures, including by amending legislation and regulations, as well as completing the prohibition on assault-style firearms by implementing the mandatory buyback program.

I would like to commend the Committee for its examination of the complex challenges facing Canada’s efforts to address gun and gang violence and for recommending innovative and practical actions that the Government of Canada may take to address this important public safety risk. Too many individuals in Canada have been marked by senseless acts of gun violence. The Government agrees that gun violence is a multifaceted issue that requires reflection and a comprehensive set of solutions. As the Committee recognized in its Report, reducing gun violence requires effort by all levels of government, law enforcement and community partners. We stand ready to continue supporting and collaborating with all of our partners to take greater action to tackle gun and gang violence.

In accordance with Standing Order 109 of the House of Commons, I am pleased, on behalf of the Government, to respond to the recommendations of the Committee. The Government agrees in principle with the overall tenor and majority of the Committee’s recommendations. There are many programs and initiatives currently in place that respond to issues raised in the Report, and it is my hope that this Government’s Response clearly demonstrates our continued commitment to addressing gun and gang violence and ensuring that our communities are kept safe.

Enhancing Data and Research

The first step in addressing a problem starts with understanding it. The Committee's Report highlights the importance of improving access to reliable, comprehensive, and disaggregated data, which is crucial for informing policy, allocating resources, and taking actions to disrupt and reduce gun and gang violence and firearms trafficking. The Government recognizes these limitations as well as the overall need to improve national data collection related to firearms used in the commission of criminal offences. We are committed to continue exploring various avenues to strengthen data sources to generate evidence-based decision-making, including establishing partnerships to better collect Canadian-specific data and conducting research (**Recommendation 1**).

Public Safety Canada will continue to collaborate with Statistics Canada to enhance the quality and improve the availability of firearms data by updating and standardizing how firearm-related crimes are reported by the police. Beginning in fiscal year 2021-22, Public Safety Canada is investing \$1.25 million over five years for Statistics Canada to respond to data needs in the area of firearm-related crime. Statistics Canada has worked with the Canadian policing community to revise the Uniform Crime Reporting Survey to capture new data such as the number of firearms recovered, seized, stolen or discharged in a criminal incident; has improved measures related to "shootings" by developing a standard definition to be used by police services; and, has created a standardized definition of "crime-gun" for implementation across Canadian police services. Data collection and implementation of these definitions began in 2022 (**Recommendation 2**).

I am committed to examining how additional research could support a better understanding of how firearms are diverted from owners of lawful sources and used to commit crimes in Canada. This research could help identify risk factors in domestic diversion, define the nature and prevalence of the problem, understand how to best develop and implement prevention and intervention policies and programs, and assist in funding and resource decisions, while taking into account equity and anti-racism considerations (**Recommendation 23**). Public Safety Canada will also continue to undertake comparative research on firearms bans as well as other gun control measures in other jurisdictions, including the United Kingdom, Australia, New Zealand and the United States (U.S.). This analysis has already informed existing actions taken by the Government to ban assault-style firearms and will continue to help the Government determine the feasibility of similar measures in Canada, given commonalities and differences with regard to legal framework of firearms ownership, political structure, demographics, and geography, among other factors (**Recommendation 25**).

Addressing Root Causes of Gun Violence

The Government recognizes that addressing the root causes of gun violence is critical. Many young people facing systemic barriers are lured into joining gangs or see a life of crime as their only option in their communities. The Committee's Report noted that there is no one solution to eradicating gun violence and stressed the importance of programs that focus on diverting youth in our communities away from gang culture. The Government also recognizes the root causes of

gun violence can differ in urban and rural communities in Canada as the nature of firearm-related violent crime differs between these areas.

Statistics Canada reports that in urban areas, firearm-related violent crime most commonly involves handguns, while in rural areas, the firearm present is most commonly a rifle or shotgun. Statistics Canada also reports that, in 2020, while most victims of firearm-related violent crime in Canada are male, female victims account for a higher proportion of victims in rural than in urban areas. Furthermore, female victims in incidents where a firearm was present were more likely than males to be victims of intimate-partner violence in all regions, but most notably in rural areas. The Government is actively working to implement prevention strategies to address gun and gang violence, and recognizes that harm reduction efforts must be accessible, holistic, public health focused, violence and trauma-informed, and culturally sensitive in order to address the underlying reasons behind gang involvement and gun violence.

Gun and Gang Prevention Programming

In March 2018, Public Safety Canada hosted a Summit on Gun and Gang Violence that brought together over 180 experts from across the country to share challenges, opportunities, and best practices in combatting the deadly effects of guns and gangs in Canadian communities. Information gathered from the Summit has been invaluable in helping to identify priority actions needed to collaboratively address gun crime and criminal gang activity and inform the Government's way forward. During this Summit, and through other engagements with community partners, we heard the call from our partners for the need to support prevention, intervention, rehabilitation, and enforcement initiatives, and we have taken action. We will continue to engage stakeholders on this important issue through various fora (**Recommendation 10**).

Many at-risk, vulnerable young people are lured into joining gangs, or see a life of crime as their only option in their communities. The Government makes it a priority to support these young people through preventative programming to help them overcome their challenges, build confidence, and discover a better path. We are providing significant funding to help communities divert youth away from gang culture through the National Crime Prevention Strategy (NCPS), which is the Government's main policy framework for implementing crime prevention interventions across Canada (**Recommendation 7**). To date, the NCPS has invested approximately \$565 million in support of 684 crime prevention interventions. In fact, through the NCPS, Public Safety Canada invests over \$40 million annually in funding to community organizations to deliver culturally specific interventions that address the root causes of violence among youth and young adults (**Recommendation 8**). Specifically, since 2007, the Youth Gang Prevention Fund (YGPf) has invested \$122.7 million and has supported 47 gang prevention and diversion projects. The crime prevention interventions that have been funded all aim to address key criminogenic risk factors, such as youth violence and anti-social behaviour, and enhance protective factors such as academic attachment and pro-social engagement, in order to lead youth away from criminal involvement. Further, these projects aim to build knowledge of what works in crime prevention, and many of them are profiled in the NCPS' Crime Prevention Inventory (CPI). The CPI is a useful

online tool that provides communities across Canada with the knowledge of promising models and practices that work in crime prevention and that are ready for implementation.

Further, on March 16, 2022, the Government announced \$250 million through the Building Safer Communities Fund (BSCF) which will provide direct funding to municipalities and Indigenous communities to strengthen local efforts to counter the social conditions that lead to criminal behaviour. This funding builds on the \$358.8 million over five years, allocated by the Government in 2018 under the *Initiative to Take Action Against Gun and Gang Violence (ITAAGGV)*, to support communities, enhance enforcement capacity, and provide federal leadership to reduce gun and gang violence across Canada. Moreover, the Department of Justice's youth justice funding programs supports the delivery of programming that focuses on diverting youth out of the formal youth criminal justice system and that contributes to addressing the circumstances underlying the offending behaviour, including factors associated with youth gang involvement (**Recommendation 14**).

The Committee's Report calls for the recognition of Indigenous community organizations as police services and for greater investments in Indigenous communities. While the authority to designate organizations as police services is the sole responsibility of provinces and territories, the Government supports Indigenous communities in building their capacity to develop and deliver holistic, innovative, community-led crime prevention programs and services. Public Safety Canada supports Indigenous-led community safety and wellbeing approaches through the Aboriginal Community Safety Planning Initiative (ACSPI), and the NCPS' Northern and Indigenous Crime Prevention Fund (NICPF). Indigenous Services Canada supports Indigenous-led and designed community safety and well-being programs and services through the Pathways to Safe Indigenous Communities Initiative. These initiatives and funding programs seek to address the safety concerns, priorities, and unique circumstances of Indigenous communities by identifying community strengths, assets, and safety and wellness goals and ensure that First Nations, Inuit, and Métis communities are better served to develop, implement and evaluate culturally relevant crime prevention practices to address community-identified needs wherever they may reside (**Recommendation 9**).

To date, Public Safety Canada has invested a total of \$40.1 million through the NICPF and has supported 54 projects in northern and Indigenous communities. For more than a decade, the NCPS has invested in crime prevention interventions in communities across Canada, including Indigenous communities. For example, in 2012, the YGPF funded four projects with an Indigenous focus, worth approximately \$20 million. Further, in 2018 the YGPF funded another 15 projects, in 9 Indigenous communities, worth \$47 million. The NCPS has continued to focus on Indigenous communities, as part of the 2021 Crime Prevention Action Fund call for applications, which prioritized projects that focus on empowering Indigenous as well as Black youth and diverting them away from criminal activity through trauma-informed, culturally relevant, and gender-responsive approaches (**Recommendation 8 and 9**).

We know that more can be done to improve current initiatives, identify service gaps, and streamline funding and resource allocation, and are committed to the continued collaboration and efforts with community partners to combat gun crime and gang violence in Canada.

Addressing Substance Use

According to Statistics Canada, between 2015 and 2020, the percentage of firearm-related homicides motivated by a settling of accounts or debts, or related to illegal drug trade activities, was 46% in urban areas, 19% in the rural South, and 17% in the rural North. This affirms the Government's recognition that gun and gang violence does not occur in isolation and is often interconnected with other criminal activity such as drug trafficking and international organized crime. In Canada, illegal drugs are contributing to an increasing number of harms, including gun violence associated with the illegal drug market. Motivated by high profit margins, organized criminal groups are saturating communities with an illegal supply of drugs that are often mixed with highly potent synthetic opioids, notably fentanyl and its analogues while recruiting disaffected youth facing multiple barriers. In responding to the harms associated with the illegal drug trade, the Government is addressing substance use and related harms as health issues first and foremost, while balancing public safety priorities (**Recommendation 12**).

The Government continues to take a comprehensive, collaborative, and compassionate approach to substance use issues and its response to the opioid crisis that is guided by the Canadian Drugs and Substances Strategy (CDSS), which comprises four pillars: prevention, treatment, harm reduction, and enforcement, underpinned by a robust evidence base. Since 2016, the Government has taken urgent action to address substance use and the opioid crisis across all four pillars of the CDSS, through legislative and regulatory action, as well as significant federal commitments of over \$800 million to help save lives and meet the diverse needs of people who use drugs.

While provinces and territories are primarily responsible for the delivery of treatment and recovery services, the Government of Canada is committed to supporting access to a wide range of evidence-based treatment and recovery services. This included \$150 million through Budget 2018 for the Emergency Treatment Fund which was cost matched by provinces and territories and will result in investments of over \$300 million dollars to improve access to a wide range of evidence-based treatment services.

Canada's response to addressing drug stigma and other harms associated with substance use includes a recent commitment of \$100 million over three years in Budget 2022 to support community-level projects on harm reduction, treatment, and prevention through the Substance Use and Addictions Program. It also includes approximately \$22.8 million since 2016 for public education through national and targeted advertising, partnerships and experiential marketing on the risks of opioids, overdose awareness, harm reduction, and stigma awareness and reduction. Additionally, Public Safety Canada has developed and launched a Drug Stigma Awareness Training specifically for the law enforcement community to support improved interactions between front-line police and people who use drugs. The Government welcomes the

Committee's recommendation to study how harm reduction efforts may prevent gun and gang violence. This may help reveal who joins gangs and how they are being recruited. The Government will explore this as part of a broader research approach on firearms violence.

Simple possession of illegal drugs

Investments under the CDSS builds on past action to implement a number of measures to divert people who use drugs away from the criminal justice system and towards health and social services, including through guidance to prosecutors on alternatives to prosecution that should be considered for simple possession offences when there are no serious aggravating circumstances. On December 7, 2021, the Government introduced Bill C-5, *An Act to amend the Criminal Code and the Controlled Drugs and Substances Act*. The objective of this Bill is to maintain public safety while ensuring that responses to criminal conduct are fairer and more effective. With respect to mandatory minimum penalties (MMP) in the *Controlled Drugs and Substances Act*, the Bill would remove all MMPs from the Act, thereby restoring judicial discretion to impose fit sentences in all drug cases, including by allowing sentencing courts to give fuller consideration of the principle of restraint in the use of imprisonment, where appropriate. It would also emphasize treatment programs by requiring police and prosecutors to consider alternative measures and also enact a set of principles to guide police and prosecutors in the exercise of their discretion to lay a charge or to prosecute in respect of persons possessing illicit drugs.

We are committed to examining all options and evidence to respond to the tragic increase in overdoses and to help save lives, while also ensuring the safety of communities across the country. The growing number of overdoses and deaths caused by opioids (powerful pain relieving drugs, including fentanyl) is a national public health crisis. Protecting the health and safety of Canadians is a priority for the Government. The *Good Samaritan Drug Overdose Act* is part of the Government's comprehensive approach to addressing the crisis. It provides some legal protection for people who experience or witness an overdose and call 911 or their local emergency number for help. We hope the Act will help to reduce fear of police attending overdose events and encourage people to help save a life by staying at the scene, calling for emergency help, carrying naloxone to use if one suspects an opioid overdose, and providing first aid, including rescue breathing (CPR), if necessary, until emergency help arrives. The Act complements the CDSS. We will continue to work with provincial and municipal officials as well as Indigenous partners on options to address their regional needs and help people who use drugs to get the support they need.

The Government recognizes that there are increasing calls from a wide range of stakeholders to decriminalize the simple possession of drugs as another tool to help reduce stigma that can lead many to hide their drug use and avoid seeking supports, including treatment, and address the disproportionate impacts of the overdose crisis on Indigenous, racialized and marginalized peoples who continue to be overrepresented in the criminal justice system. The Government is exploring policy approaches and a broader framework that would ease the impact of criminal prohibitions in certain circumstances. Together, these measures would enable all actors in the

justice system to determine the right course of action for the individual before them, which could range from diversion and enabling access to treatment or support for those in need, to punishing offenders who continue to jeopardize the health and safety of our communities through imprisonment (**Recommendation 13**).

On May 31, 2022, at the request of British Columbia's (BC) Minister of Mental Health and Addictions, the federal Minister of Mental Health and Addictions and Associate Minister of Health announced a decision granting a 3-year exemption under subsection 56(1) of the *Controlled Drugs and Substances Act*. Under the terms of the exemption, and subject to certain exception, adults 18 and over in the province will not be subject to criminal charges for the personal possession of up to a total of 2.5 grams of opioids, cocaine, methamphetamine, or MDMA, or any combination thereof for personal use. Instead, these individuals will, at minimum, be provided with information on local health and social services. They can also be provided with assistance to connect with those services, if requested. The exemption will be in effect from January 31, 2023, to January 31, 2026, and is an additional tool, among others, that is being deployed as part of a comprehensive public health response to help address the overdose crisis in BC (**Recommendation 11**). Given that this exemption is a first of its kind in Canada, the Government will be rigorously monitoring and evaluating it to measure progress toward objectives, intended outcomes, unintended consequences, and other potential risks on an ongoing basis.

Law Enforcement, Intelligence and Investigations

The role that laws enforcement agencies – whether federal, provincial, municipal or Indigenous – have in protecting our communities from gun violence is substantial in advancing efforts across Canada to reduce gun crime. We agree that in order for law enforcement agencies to effectively address gun and gang violence in Canada, they require the appropriate resources as well as enhanced collaboration, coordination and partnerships. I am pleased to see that this is echoed by the Committee in its Report.

Investments in Federal, Provincial and Territorial Enforcement

Since 2018, we have made significant investments of over \$214 million to provinces and territories under the Gun and Gang Violence Action Fund through the ITAAGGV to support police services and other organizations in enhancing efforts to prevent, disrupt and combat gun and gang violence, and increase awareness and understanding of these issues. We have also provided \$32.1 million to the Royal Canadian Mounted Police (RCMP) and \$92.9 million to the Canada Border Services Agency (CBSA) under the ITAAGGV to enhance firearms investigations and strengthen controls at the border to prevent illegal firearms from entering the country. Further, as part of Budget 2021 investments, we are investing \$35.7 million in the CBSA over five years beginning in 2021–22 and \$40.4 million in the RCMP over five years, beginning the same year, for these agencies to increase their capacity to combat gun smuggling and trafficking (**Recommendation 2, 18 and 20**).

These investments are working. We have seen increased gun seizures and arrests thanks to the hard-working members of the RCMP and the CBSA. Approximately 21,000 firearms are seized annually by law enforcement. Our financial support for the RCMP and CBSA to stop illegal guns at their source and to detect and disrupt gun smuggling is already paying dividends, with over 1,000 firearms seized at the border last year. More specifically, in 2021–22, CBSA has reported seeing a large upward trend with 678 firearms seized to-date in the first half of the fiscal year compared to total firearms seized in 2018–19 (696), 2019–20 (753) or 2020–21 (548). With the removal of COVID-19 restrictions at the land border, we anticipate that this trend is likely to continue. New tools and resources such as x-ray machines, parcel scanners and detector dogs are helping to prevent illegal firearms from entering Canada. Furthermore, in 2021, the RCMP successfully traced approximately 2,572 of 3,200 firearms and found that 69% of them were domestically sourced and the remaining 31% were either smuggled or without importer documentation; with the increased funding, the RCMP expects to be able to triple their ability to trace firearms.

The RCMP is currently undergoing a modernization of its Regular Member Recruitment process as it seeks to position itself as a preferred career option for Canadian citizens and permanent residents, and to further diversify its talent pool by attracting applicants from Black, Indigenous and other racialized groups and to reflect the community they serve (**Recommendation 14**). Targeted recruitment efforts are underway to proactively engage, develop and maintain partnerships with applicants from Black, Indigenous and other racialized communities. The renewed assessment elements have been carefully designed to ensure no applicant will have an advantage based on cultural background and puts urban and rural/remote candidates on a level playing field.

Indigenous Policing and Community Safety

Indigenous peoples have long called for reform to how First Nations and Inuit police services are funded, have advocated for federal legislation that recognizes First Nations policing as an essential service, and have called for more community-driven safety interventions. These calls for reform were heightened with the release of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, which included Call for Justice 5.4 to reform the delivery of policing services in Indigenous communities.

Through Budget 2021, the Government of Canada proposed to provide \$861 million over five years, beginning in fiscal year 2021–22, and \$145 million ongoing, to support culturally responsive policing and community safety services in Indigenous communities. This new funding includes \$540.3 million over five years, beginning in fiscal year 2021–22, and \$126.8 million ongoing, to support First Nations and Inuit communities currently served under the First Nations and Inuit Policing Program and expand the program to new First Nations and Inuit communities. It also includes \$108.6 million over five years, beginning in fiscal year 2021–2022, to repair, renovate, and replace policing facilities in First Nation and Inuit communities. As well, this funding includes \$43.7 million over five years, beginning in fiscal year 2021–22, to co-develop a legislative framework for First Nations policing that recognizes First Nations policing as an essential service.

The Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQIA+ People reiterated the commitments to support policing and community safety in Indigenous communities. The Government's investments into policing and community safety initiatives are a significant part of the federal pathway. These include the aforementioned ACSPI, NICPF, and Pathways to Safe Indigenous Communities Initiative, as well as the First Nations and Inuit Policing Program, the First Nations and Inuit Policing Facilities Program, the co-development of First Nations police services legislation, and the engagement of Inuit and Métis organizations, groups, and communities.

We are already taking concrete steps to engage directly with First Nations to inform the co-development of First Nations police services legislation that would recognize First Nations police services as essential services (**Recommendation 17**). From March to May 2022, Public Safety Canada hosted 13 engagement sessions with First Nations, First Nations organizations, First Nations police services, First Nations police boards and commissions, First Nations women, youth, and 2SLGBTQIA+ people and organizations on policing priorities, and will continue to host dialogues with First Nations as requested. A "What We Heard" report will be released in Summer 2022.

Public Safety Canada is also collaborating with the Assembly of First Nations (AFN), First Nations Chiefs of Police Association (FNCPA), the First Nations Police Governance Council, self-governing First Nations, and provinces and territories on the practical and technical considerations of federal legislation. Public Safety Canada is providing the FNCPA with up to \$1.3 million to support its involvement in the collaborative process. The FNCPA represents First Nations police services in Canada and has expertise that will help ensure that the legislation will meet the needs of both First Nations and First Nations police services. Public Safety Canada is providing the AFN with \$4.4 million to participate in the co-development process, including undertaking its own complementary engagement processes at both the national and regional levels. The AFN has established its own First Nations Policing Task Force Committee to provide advice during the co-development process. Results from both engagement processes will help inform the co-development of options for legislation.

Recognizing their important role, including that of co-funders, provinces and territories will continue to be deeply involved in the co-development of federal legislation to ensure that new legislation will be complementary to provincial/territorial legislation and jurisdiction. In addition, the RCMP published its first report on reconciliation online in 2021, entitled *RCMP Path of Reconciliation: Strengthening Trust in the RCMP*. The report highlights RCMP initiatives that advance reconciliation and address the Missing and Murdered Indigenous Women and Girls Calls for Justice, recognizing the way forward must be in collaboration with Indigenous peoples.

Furthermore, the Government is committed to collaborative dialogues with Inuit organizations and communities across Inuit Nunangat (Inuvialuit, Nunavut, Nunavik, and Nunatsiavut) and Canada, as well as with Métis organizations and groups throughout the Métis Nation and across Canada, to better understand and identify unique Inuit and Métis policing and community safety

priorities, as well as the practices and approaches that would best serve them. We will be undertaking future engagement with Inuit and Métis on policing and community safety in fiscal year 2022-23.

Strengthening Partnerships with Mohawk Council of Akwesasne

Our efforts to strengthen Indigenous policing and community safety complements ongoing commitments to support the Akwesasne Mohawk Police Service (AMPS). The Government recognizes that smuggling of firearms is happening at both controlled and uncontrolled border points. We also know that criminals take advantage of the unique geography of some First Nation communities near the international border, such as the Territory of Akwesasne. That is why, we have been working with the Mohawk Council of Akwesasne (MCA) and AMPS since 2001 through the Akwesasne Organized Crime Initiative contribution agreement, which has since been regularly renewed.

This agreement allows the AMPS to have a dedicated team operating in the community supported by officers from the following agencies: the RCMP (Valleyfield and Cornwall detachments), the CBSA in Cornwall, the Ontario Provincial Police and the Sûreté du Québec. The team also works closely with the Cornwall Regional Task Force, the Saint Regis Mohawk Tribal Police, the U.S. Customs and Border Protection and the New York State Police. Supported by positive results from the 2019 *Evaluation of the Akwesasne Organized Crime Initiative*, the agreement has been renewed to provide the AMPS with an additional \$8.4 million over a four-year period (from fiscal year 2019–20 to fiscal year 2022–23) (**Recommendation 15**).

We have also taken steps to fully implement the three recommendations from the evaluation. Discussions between Public Safety Canada and the MCA have revealed that a multi-year contribution agreement would still serve as the most appropriate funding mechanism to support the AMPS. The new agreement will allow for longer term, four-year funding and increase efficiency by decreasing recipient reporting requirements. More specifically, Public Safety Canada has already found reporting efficiencies by moving from quarterly activity and financial reporting to annual activity and biannual financial reporting in the current agreement. This practice is anticipated to continue for new contribution agreements going forward. We are continuing to work with the MCA to identify specialized policing funding and enhance their capacity to respond to organized crime activities in and around the community. While Public Safety Canada received funding through Budget 2018 to ensure ongoing support for the AMPS' long-term participation in the Joint Investigative Team, the department continues to work collaboratively with the community in order to identify a need-based and sustainable funding mechanism that would offer consistent and stable support to the AMPS' participation (**Recommendation 16**).

Gun Smuggling and Border Control

Securing our border and tackling gun smuggling is one of the Government's top priorities. I welcome the Committee's recommendations on this important issue as the Government

recognizes the threat posed by firearms smuggled into our country. While evidence suggests that firearms smuggling across the Canada – U.S. border, particularly handguns, is a significant source of illegal guns in Ontario (**Recommendation 18**), law enforcement agencies, including the RCMP and the CBSA continue to take significant action to stop illegal guns from all of their sources (e.g., smuggling across the border, trafficking within Canada, diversion from the legal market through domestic straw purchasing and theft). Furthermore, Canada is working with the U.S. to strengthen border controls and address gun smuggling and trafficking and has re-established the Cross-Border Crime Forum and created a Cross-Border Firearms Task Force. As a result of the ministerial Cross-Border Crime Forum on March 22, 2022, Canada and the U.S. have agreed to advance our shared understanding of the threat posed by firearms violence and to work collaboratively, including sharing data, to reduce cross-border firearms smuggling and trafficking. Our respective law enforcement agencies will leverage their collective resources, including intelligence, to identify the source and movement of unlawful firearms into our countries, including those moving across our shared border.

In addition to significant investments to the RCMP and CBSA to enhance firearms investigations and strengthen controls at the border to prevent illegal firearms from entering the country, as part of Budget 2021, we announced an investment of \$656.1 million over five years, beginning in fiscal year 2021–22, and \$123.8 million ongoing for the CBSA to modernize our borders, including enhancing its ability to detect contraband and helping protect the integrity of our border infrastructure. Moreover, the CBSA remains vigilant against contraband and firearms smuggling in all modes, including in the rail and marine environments (**Recommendation 18** and **19**).

Given the geographic and operational complexities of the border, the CBSA understands that a comprehensive and integrated approach involving federal, provincial/municipal and international partners is key to our success in these challenging environments. Specifically, the CBSA 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. This includes the establishment of the CBSA national firearms desk in 2021 that brings together CBSA partners working to combat firearms smuggling in order to maintain a real-time, national border-focused threat picture of illicit firearms in Canada and their movements across our borders (**Recommendation 20**). We expect that with this increased funding the Government will be able to better target criminal use and diversion of firearms to the illicit market, strengthen border controls to combat smuggling, reduce gender-based and intimate partner violence; and address root causes of firearms-related violence. Specifically, this new funding will result in more guns being traced, increased capacity to detect, disrupt, deter firearms smuggling, both at the border and inland, and enhanced services for legal owners.

Intelligence Gathering and Investigations

Firearms tracing is a key tool in determining the sources of and diversion routes for illegal firearms. The Committee's report acknowledges the Government's efforts to increase firearms tracing in order to establish comprehensive intelligence picture of the origins and trafficking patterns of illegal firearms in Canada. The RCMP's Canadian National Firearms Tracing Centre

(CNFTC) is Canada's only national organization for conducting firearms tracing for domestic and international law enforcement agencies. The CNFTC has well established standards for tracing firearms involved in the commission of a crime and firearms seized during a police investigation or for public safety (**Recommendation 4**). For all trace requests, the CNFTC tracks the movement of a firearm from its manufacture or introduction into commerce by the importer through the distribution chain (wholesalers and retailers) to identify the last known lawful owner or business. The CNFTC continues to work with its partners, including the Firearms Analysis Tracing and Enforcement (FATE) program in Ontario, to enhance firearms tracing. FATE assists police services (namely those located in Ontario) and partners (e.g., CBSA) with firearm tracing, the identification of groups and trends in trafficking and/or smuggling of guns, as well as identifying links in cases between jurisdictions.

We support the Committee's recommendation and are taking action to increase the RCMP's capacity to trace firearms and identify the movement of illegal firearms flowing into and within Canada by investing \$15 million over five years, beginning in fiscal year 2021–22, and \$3.3 million ongoing. This funding will also support: the development of a new national tracing database; increased outreach to law enforcement agencies on the strategic benefits of tracing to criminal investigations (**Recommendation 5**); and the establishment of a national network to detect straw purchasing and promote information sharing between law enforcement partners to counter firearms trafficking and smuggling. The RCMP has also introduced a new mandatory tracing policy that requires all RCMP seized illegal guns to be submitted to the CNFTC for tracing and will be actively supporting the Canadian Association of Chiefs of Police and partner agencies to advance the Committee's recommendation requiring all police agencies to submit seized firearms to the CNFTC for tracing (**Recommendation 3**). The RCMP will work with partners to look for opportunities to train RCMP officers on firearms tracing.

Furthermore, the Government recognizes the value of the Criminal Intelligence Service Canada (CISC) to Canada's efforts to address gun and gang crime. Beginning in fiscal year 2021–22, the Government is investing \$35.9 million over five years and \$4.3 million ongoing to develop and implement the Canadian Criminal Intelligence System that will enhance CISC's capability to collect, develop and share actionable intelligence with law enforcement across Canada on organized crime and street gangs, including those that use and/or profit from illegal firearms. CISC also received funding from Budget 2021 to enhance its capacity to collect, develop, and share intelligence on the origin of firearms used by high-level organized crime groups. This will help to equip law enforcement across Canada, including the RCMP and public safety agencies, with improved assessments of organized crime's involvement in firearms smuggling and trafficking, and will support law enforcement operations across Canada. This builds on CISC's ongoing funding from Budget 2018 to enhance and coordinate national criminal intelligence on the activities of street gangs, including their firearm-related activities (**Recommendation 6**). We agree with the Committee that CISC is an important enabler of intelligence collection, analysis, and sharing among law enforcement across Canada on organized and gang-related crime. To this end, the RCMP will work with partners to look for additional opportunities to further leverage CISC in their collaborative efforts to combat gun and gang violence.

Strengthening the Legal Framework & Criminal Justice System

The Committee's Report recognizes that, in addition to allocating more resources, gun control measures remain an important issue for Parliament given its jurisdiction to legislate in the area of criminal law to enhance public safety while respecting basic rights and freedoms, particularly of equity populations facing systemic barriers, and avoiding the profiling and stigmatization of historically disadvantaged communities. The Government appreciates the Committee's suggestions on ways the current legal framework can be improved to enhance efforts to address gun violence and tackle gun smuggling and trafficking.

We are continuing to implement gun control measures through the law-making process, including by amending and modernizing legislation and regulations. Most recently, on May 30, 2022, the Government introduced Bill C-21, *An Act to amend certain Acts and to make certain consequential amendments (firearms)*. The Bill proposes to raise maximum penalties for firearms trafficking and smuggling, possession of a loaded restricted or prohibited firearm, and possession of a firearm knowing its possession is unauthorized from 10 to 14 years' imprisonment (**Recommendation 11**). As part of the Government's ongoing work to stop illegal guns from all of their sources – namely smuggling (**Recommendation 18**), trafficking, and diversion – the Bill proposes to increase maximum penalties from 10 to 14 years imprisonment for firearms-related offences, including firearms smuggling and trafficking. In addition, the Bill proposes to implement a national "freeze" on the sale, purchase or transfer of handguns by individuals within Canada, and bringing newly-acquired firearms into Canada; as well as allow sharing of certain firearms registration data with law enforcement across Canada in cases of suspected straw purchasing (**Recommendation 23**). The Bill also recognizes that certain forms of gender-based violence and self-harm, can be lethal when a firearm is involved. To address this, the Bill would create a new "red flag" law that would enable courts to issue an emergency order to prohibit individuals considered to be a danger to themselves, their family, or to public safety, including perpetrators of intimate-partner and gender-based violence, people at risk of suicide, and radicalized individuals from possessing firearms during the duration of the order. Following the coming into force of the legislation, the extended licence revocation authority would help protect those in danger from firearms violence and would permit a Chief Firearms Officers to revoke a firearms licence, including in cases of domestic violence and/or criminal harassment (e.g., stalking) (**Recommendation 33**). The "red flag" law would also introduce measures to protect the safety of the individual applying for the emergency order, including by protecting their identity. These measures will be implemented in a way that respects the rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

While the Government is taking action to tackle large capacity magazines through Bill C-21 by proposing to create a new offence for altering a cartridge magazine to exceed its lawful capacity, the Committee's Report acknowledges the need to go further and examine more restrictions related to cartridge magazines and other firearm components. Magazine capacity is currently limited by law because large capacity magazines pose a public safety risk as they enable certain firearms to have sustained fire with less frequent reloading, thus increasing the perpetrator's killing and injury capacity. Mass shooting events that have occurred in Canada illustrate that

individuals armed with firearms with large capacity magazines can cause many casualties and injuries in a matter of minutes. To this end, the Government is committed to bring forward updated regulations that will require that long-gun magazines be permanently altered so they can never hold more than five rounds, and that ban the sale and transfer of magazines that are capable of holding more than their legal capacity (**Recommendations 26 and 27**).

We have already taken action to strengthen gun control to limit access to firearms. Effective May 18, 2022, we brought into force increased licence verification and business record-keeping rules that require individuals and businesses transferring or selling a non-restricted firearm to confirm the validity of the transferee's firearms licence by obtaining a reference number from the Registrar of Firearms prior to completing the transfer or sale (**Recommendation 32**). Firearms businesses also are now required to retain sales and inventory records related to non-restricted firearms. This measure will support law enforcement's efforts to trace illegal guns with proper judicial authorization.

Currently, Chief Firearms Officers verify all information contained in a possession and acquisition licence application (**Recommendation 31**), as needed to assist them in determining an individual's eligibility to hold a firearms licence. All new firearms licence applicants are subject to a mandatory lifetime review and are automatically searched against police databases to assist a Chief Firearms Officer in determining an individual's eligibility to hold a firearms licence in accordance with the requirements of the *Firearms Act*. A Chief Firearms Officer may also search court databases and/or contact an individual's references/spouse if they require additional information to assess licence eligibility.

Firearms license holders are also subject to continuous eligibility screening, and Chief Firearms Officers are alerted either through a Firearm Interest Police or directly by police and courts of occurrences that may affect the individual's eligibility to hold a firearms license. Continuous eligibility screening is an automated process that enables relevant occurrences, when entered into police databases, to be compared to all licensee information held in the Canadian Firearms Information System. Any potential matches are sent to the Chief Firearms Officer of jurisdiction for further review and investigation.

As noted in my December 2021 mandate letter and in the 2021 Speech from the Throne, the Government is committed to implementing the mandatory buyback and deactivation of assault-style firearms as we continue efforts to ensure Canadian communities are safe from the harm that assault-style firearms can cause (**Recommendation 24**). The buyback program, which will be introduced before the end of 2022, will offer fair compensation to affected owners and businesses. Owners will also have the option of deactivating the affected firearms at the government's expense. Both options will support the safe removal of these firearms from our communities. My officials are currently in the process of refining the design and implementation plan for a buyback program.

We also remain committed to conducting a review of firearms classification in order to improve the firearms classification regime under the *Criminal Code* (**Recommendations 21, 22, and 30**).

We will take the Committee's recommendations related to further amendments to the *Criminal Code* under consideration and will also examine modernizing the language in the *Criminal Code* with respect to the definition of firearms, prohibited weapons, devices, and ammunition in the law. While the existing legal framework established under the *Criminal Code* and *Firearms Act* provides the appropriate distinction between regulatory and criminal offences, the firearms classification review would also be an opportunity to further examine other issues in the firearms legislative framework, such as licensing and/or import/export requirements for cartridge magazines and other firearms components that are either not currently regulated under the legal regime or where the law is not yet in force (**Recommendation 28**). While the Government is taking action to strengthen gun controls, we know that criminals continue to adapt and circumvent the law in order to advance their illicit activities. We acknowledge the emerging technology and practices that facilitate the illegal manufacturing of "ghost guns" or "privately-made firearms" which are terms generally used to describe a firearm that is anonymous as to its origins and, therefore, untraceable. The Government will continue to further examine and analyze additional measures to combat the illegal manufacturing of firearms, such as the 3D printing of firearms. (**Recommendation 29**).

Regarding how police resources are used, the Government does not provide direction on what firearm-related offences require greater focus by police, as provinces and municipalities are responsible for determining which crimes they wish to target in their jurisdiction. However, attention by police is regularly given to more serious firearms offences such as illegal possession and trafficking, while regulatory infractions such as improper storage and transport receive less focus due to their reduced risk to public safety (**Recommendation 21**).

Regarding the Committee's recommendation that the Government introduce legislation as soon as possible that take into account the recommendations of this report (**Recommendation 34**), the Government will further review and study these complex issues as well as the appropriate mechanisms for possible implementation. This would build on recent legislative and regulatory measures to strengthen gun control including Bill C-21, which was referred to SECU in June 2022. It would also build on the subsequent regulations to former Bill C-71, *An Act to Amend Certain Acts and Regulations in relation to firearms*. These important regulatory measures expanded background checks to cover the lifetime of an applicant and re-instated a requirement to apply for an Authorization to Transport to some places, which came into force in July 2021, and put in place licence verification and business record-keeping measures for non-restricted firearms, which came into force on May 18, 2022.

Conclusion

The Government is committed to ensuring its combined efforts to strengthen gun control, tackle gun smuggling, and address gun and gang violence contributes to the overall public safety of Canada. I appreciate the insights and recommendations provided by the Committee, and this Report will be a valuable resource as the Government continues to take action to combat gun and gang violence in Canada.

Sincerely,



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