



Canadian Association of Chiefs of Police *Leading Progressive change in policing*
Association canadienne des chefs de police *À l'avant-garde du progrès policier*

Thursday, May 19, 2011

Honourable Vic Toews,
Minister of Public Safety Canada
Public Safety Canada
Minister's Office
269 Laurier Avenue West – 13th floor
Ottawa, Ontario K1A 0P8

Ref: **On behalf of CACP National Firearms Committee**

Dear Minister,

First, on behalf of the Canadian Association of Chiefs of Police, let me congratulate you and your colleagues on the re-election of your party, and in particular your personal victory in your own riding. The CACP is gratified that your Government-elect has re-affirmed its commitment to public safety and we applaud your commitment to strengthening certain aspects of the Criminal Code where necessary to make our communities safer.

The CACP recognizes it is still your intention to amend the Firearms Act and the Criminal Code so that the requirement to obtain a Registration Certificate for a non-restricted firearm (“long gun”) will be eliminated. We also acknowledge that it is your prerogative to make these changes as an elected Government, and we wish to be part of the solution going forward.

The CACP applauds your continued commitment to maintaining the firearms licensing requirements of the *Firearms Act* and the *Criminal Code*, recognizing that the screening of licence applicants by our colleagues at the RCMP and the ongoing continuous eligibility monitoring of licence-holders via the CPIC is a reasonable approach to managing the public safety risks associated with the privilege of owning a personal firearm. **The current requirement to renew these licences every five years is a key component of the managing these risks, because it allows a fresh look at applicants’ family situations and other risk factors on a regular basis.** We also applaud your commitment to maintaining registration of restricted and prohibited firearms.

With respect to your intention to repeal the requirement to register non-restricted firearms, there are several impacts on law enforcement which we feel can be partially mitigated through careful drafting of the amendments to the Firearms Act, Criminal Code, and associated Regulations.

Impact of Eliminating Long Gun Registration on Police Investigations

From the CACP’s perspective, the main benefit of universal registration in an on-line searchable database is that it provides police tactical responders and investigators access in real-time to names and addresses of firearms licencees/owners, linked to serial numbers and descriptions of their firearms. This information is invaluable in investigating firearms crimes or following up on suspicious firearms, because their pedigree can be quickly determined. It also reduces the risk to police officers, who can better inform themselves regarding the likelihood of firearms being present at a particular location.

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Because many crimes are committed with non-restricted firearms, complete loss of these firearms from this centralized searchable database would severely reduce the ability of police to trace them. The CACP proposes you consider three minor modifications to the existing regime that could be put in place at the same time as the long gun registry is abolished.

- 1) **The CACP proposes that the RCMP's existing underlying data (firearms descriptions, serial numbers, owners' names and addresses) for currently-registered non-restricted firearms be transferred from the Canadian Firearms Registry to the Canadian National Firearms Tracing Centre ("Tracing Centre"), still within the RCMP IT infrastructure, and available to all Canadian police as a searchable resource through CPIC and the NPS Network. There would no longer be a requirement for the long-gun Registry or Registration Certificates, and they could be abolished.**

The second point relates to sales of new non-restricted firearms.

- 2) **The CACP proposes that the requirement for businesses to keep a record of sales of non-restricted firearms from the importer thru to the first retail sale be re-instituted. In addition records would have to be uniformly kept and available to the Tracing Centre in a timely manner. The RCMP's Business Web Services system would be remaining in place to record sales of restricted and prohibited firearms, so continuing this process (but without issuing a Registration Certificate) for long guns would allow the Tracing Centre to collect descriptions and serial numbers for new non-restricted firearms, and names/addresses of the owners, for investigative purposes.**

Maintenance of firearms records in the Tracing Centre would also allow Canada to live up to various international agreements and arrangements to facilitate crime gun tracing, particularly with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE). Furthermore, on the subject of imported firearms, CACP understands that Firearms Import Export Regulations as well as the Firearms Marking Regulations could be brought into force with minor amendments so that newly imported firearms would also be recorded in the Tracing Centre.

- 3) **The CACP recognizes that sales/transfers of non-restricted firearms between individuals would no longer require approval or issuance of new Registration certificates, but also notes there was language in earlier Government bills on registration of non-restricted firearms that required individuals to confirm the validity of a purchaser's licence with the RCMP, and the RCMP to confirm that the firearm was not restricted or prohibited, prior to the sale taking place. This is another point at which non-restricted firearms' descriptions, serial numbers, and the owner's name and address could be recorded for use by the Tracing Centre.**

If the above noted transfer confirmation process is not used, the legislation to repeal non-restricted firearms registration should be drafted to place the onus on individuals who transfer non restricted firearms to retain a predetermined amount of information which would allow law enforcement to determine to whom the firearm was transferred. Once again there would have to be a suitable time frame established for the retention of these records by individuals.

Absent of these requirements for accountability, the ability for law enforcement to trace a "long gun" in Canada will be severely degraded. With the three points noted above, an alternate trace regime can be constructed which will be workable within the context of investigations involving non restricted firearms ("long guns"). However it is important to mention that this will be labour and time intensive.

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As a last point, over the past five years the CACP has watched as an interested observer, but non-participant, in your Firearms Advisory Committee. The CACP is very interested in being represented on this Committee, as this would provide you with timely and balanced advice on firearms issues from the leading law enforcement organization in Canada.

I would like once again to congratulate you on your victory, and the electoral success of your party. I wish to re-emphasize our willingness to work with you and your Government in crafting legislation that is consistent with your campaign promises, while also meeting the needs of law enforcement and making communities safer.

Yours truly,



Chief William Blair, O.O.M.
President, CACP

CC/ ADM Richard Wex

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