

Deposition Relating to Proposed Firearms Regulations : Canadian Association for Adolescent Health

Introduction

The Canadian Paediatric Society and the Canadian Association for Adolescent Health have submitted recommendations to the Subcommittee on the Draft Regulations on Firearms of the Standing Committee on Justice and Legal Affairs.

There are a number of areas in which aspects of the regulations have a direct or indirect impact on child and adolescent safety and health. The CPS and CAAH hope to have the opportunity to present their perspective on this issue.

Proposed Regulations

Application for licensure: Under the Firearms Act, existing firearm owners and all applicants to become an owner must obtain a licence to possess and/or acquire a firearm. Licensure requirements will include presentation of a photograph of the applicant, two signed statements from acquaintances of at least 3 years duration stating that there are no safety concerns, and notification of all current and former spouses or common law partners (within the past two years). The proposal to require notification of all current and recent ex-spouses (within two years) if their spouse or ex-spouse applies for a firearm licence will give these present or former spouses the opportunity to raise concerns about their own safety or the safety of others, for example, children in the family. Domestic violence and spousal abuse and homicide have a major impact on the safety and psyche of the children in affected families.

The Fees for Licensure and Possession: These fees are:

- \$10 for an owner to obtain a 5 year licence to keep presently owned firearms, until the end of 1998. The fee
- will rise to \$60 by the year 2000.
- \$60 every 5 years for an applicant to obtain a licence to own and acquire new unrestricted firearms.
- \$80 every 5 years for a licence to own and acquire restricted firearms.
- \$10 one time only registration fee to register a firearm. Current owners of unregistered firearms may register all their firearms for the \$10 FEE.

It is helpful to put these fees into perspective. If we compare guns to others consumer products, these fees seem small in comparison to licensure and registration fees for automobiles, for example. A bicycle helmet (required for all Ontario children) costs at least \$25, more than a 5 year possession-only license. A child's car seat may cost from \$45-\$100. Fencing to enclose a swimming pool may cost hundreds of dollars. Chapdelaine and Maurice recently made a powerful argument in support of licensure and registration measures and the attendant screening. These measures will: 1. Serve to reduce access to firearms by high risk persons, 2. Make owners accountable for the use of their firearms and encourage compliance with safe storage requirements, 3. Help to control the import and circulation of firearms by allowing the police to

distinguish between legally and illegally owned firearms, 4. Be a basis for research and education campaigns, 5. May encourage some guns owners to remove their firearm from the home, rather than register them.¹ In an Angus Reid study of 1991, over half of gun owners surveyed had not used their firearms in the previous 12 months. These owners may well choose to dispose of their firearm rather than register it.¹

Aboriginal Communities: The firearms regulations will be applied to aboriginal populations. There will be provisions to recognize communal ownership of firearms in aboriginal communities, and different storage requirements for remote wilderness areas such as out-post camps. While the firearm may be a more ubiquitous and accepted feature of life in aboriginal, rural communities, it is important to remember that these firearms are implicated in suicides, homicides and unintentional deaths in aboriginal communities, and that homicide and suicide rates in these communities are higher than for general Canadian population.²

The Purchase of Ammunition: As of January, 2001 a firearms license will be required to buy ammunition. This provision should discourage impulsive adolescents who find a firearm or acquire one illegally from obtaining ammunition. This added inconvenience or barrier to unauthorized use may result in the impulsive adolescent being deterred from doing harm to him or herself or others.

Storage Provisions : The storage requirements were not strengthened in the proposed regulations. The current and proposed regulations require:

1. Unrestricted firearms must be stored unloaded, locked up or deactivated, and must be stored separately from ammunition.
2. Restricted firearms must be locked with a trigger lock or similar locking device and stored in a locked container or room.

Unfortunately the new regulations do not address some major concerns about the current storage regulations. A recent coroner's inquest ordered to look into the issue of safe storage of firearms made several recommendations:³

1. The different requirements for restricted and unrestricted weapons were felt to be confusing. It was recommended that there be a single requirement for safe storage that applied to all types of firearms.
2. The requirements for locking the firearms were too vague, and could be interpreted broadly. A firearm left lying about in a locked home could be considered to be "locked up", for example. The coroner recommended that the firearm be stored in a container or area specifically intended for the storage of the firearm, and that only the owner have access to the key or combination. There should be no exemptions made for those claiming the need for easy access to the firearm for the purpose of controlling animals or predators except for cases in which a dire need can be proven.

One particularly cost effective method for locking a gun is the "trigger lock". This is a device which renders the firearm unable to discharge and whose cost is moderate: the model "Masters" costs \$13.99 and fits all popular types of firearms.⁴

Our previous gun control laws have not resulted in universal safe storage of these firearms. Leger & Leger's study of Sept. 94 showed that 61.3% of the respondents had firearms stored in such a manner as to make them easily accessible.⁵ Firearm owners in this study justified their storage practice by reasoning that their safety measures (such as hiding the gun) were adequate or that they needed to have ready access to the gun. Passing a routine firearms training course was not shown to result in owners' practising safe storage techniques with their firearms. In this same study, 91.3% of the owners had taken a firearm safety course, yet the majority stored their guns improperly; 46.9% of these gun owners either did not know or were uncertain about whether there even was a law requiring safe storage.

Webster studied firearm owners in Maryland in 1991.⁶ Gun owning parents' attitudes towards their children and gun safety showed that many parents had overly optimistic beliefs in the effectiveness of measures such as education or close supervision to safeguard their children in the presence of a firearm. Public health research has taught us that education, and active measures such as supervision, are the least effective preventative strategies. Strategies which can be put into place and remain effective without constant attention or effort (such as a fence around a swimming pool or a trigger lock) are more likely to consistently prevent injury.

Some firearm owners will argue that these measures will cause inconvenience. However if the purpose of ownership of the weapon is for target shooting or hunting, a few moments to unlock the firearm and ammunition will not appreciably affect these pastimes. The use of a firearm for self protection (a use for which arguably, instant access to a loaded weapon might be important) is not accepted, except in very rare circumstances, as a legitimate reason for ownership of a firearm in Canada. Therefore the inconvenience of safe storage of weapons must be seen as minor, compared to the benefits of reducing unauthorised and/or impulsive use of the firearm. We expend effort and expense in many other areas to make our children safe - we have regulations covering crib design, car seats for infants, the lead content for paint. Everyone who has ever struggled with a child-proof cap on a bottle of pills knows that these effective safety measures can cause inconvenience. In 1994, 25 children age 14 and under died from firearm injuries. This is over three times the number of children who died from accidental poisonings that year. We gladly accept the inconvenience of child-proof caps because it results in the safeguarding of our children. We need to accept similar preventative strategies for firearms.

Recommendations

1. The proposed regulations relating to licensure, registration, spousal notification, aboriginal communities, and buying ammunition are particularly likely to result in improved safety for children, adolescents and their families. Any inconvenience or cost secondary to these measures is highly justifiable when compared to the present high costs associated with firearm injury and death.
2. There should be a universal, well defined requirement for safe storage that applies to all firearms in Canada. Every firearm should be stored unloaded, and with a trigger lock. Ideally this firearm should then be kept in a locked container or room, and be out of sight. The key or combination to this lock should be available only to the owner, not to the other family members or acquaintances.
3. The ammunition should be stored in a separate location, also locked.

4. The safe storage provisions of the law should be emphasized in the firearm safety training and education, and these provisions should be vigorously enforced.

References

1. Angus Reid, Firearm Ownership in Canada, Ottawa, Justice Canada, 1991: 30.
2. Chapdelaine A et al, Firearm-related injuries in Canada: issues for prevention. CMAJ, Vol. 145, No. 10, 15 Nov 1991.
3. Rapport d'enquête du coroner, Bureau du coroner, Gouvernement du Québec, 13 Jan 1995.
4. Enquête du Coroner sur l'entreposage des armes à feu, Mémoire de la Conférence des régies régionales de la santé et des services sociaux du Québec et du Conseil des directeurs régionaux de santé publique.
5. Enquête sur l'entreposage des armes à feu au Québec. Léger et Léger Inc. Septembre 1994.
6. Webster DW, Parents' belief about preventing gun injuries to children. Pediatrics, Vol. 89, No. 5, May 1992.