

## Regulations for the implementation of bill C-68 on gun control.

### Statements and recommendations of CAAH.

It is important that CAAH engage in advocacy, influencing the law when pertinent to the health and well being of adolescents. Even if our organization does not allow at the present time for much time and energy to be spent on such issues, CAAH as nevertheless been involved in defending Bill C-68, through the work and dedication of one of its member, Dr. Katherine Leonard. She continue her fight and it is important for CAHH and its members to support her.

The government plans to introduce regulations which will allow for the implementation of Bill C-68 on firearms control, passed last december. These regulations are very important because they define the provisions and allow for enforcement of the bill. Dr. Katherine Leonard, expert in the field, was at the federal department of justice (DOJ) in july to discuss this and felt that CAAH should have an official opinion on a certain number of issues in relation to the regulations. She proposed that CAAH develop statements concerning the relevant regulations and support the Justice Minister against the gun lobby.

### Dr. Leonard wrote:

"The 3 areas of regulations which I saw as having special application to the safety of adolescents were:

#### 1. Safe Storage:

The previous gun control bill required all guns to be stored unloaded. The locking requirements were different and depending on the type of gun, i.e. restricted, or unrestricted. The governments initial proposal for the current regulations was to require a trigger lock on all firearms and that the firearm additionally be kept in a locked box or room. The trigger lock is a device which prevents the gun from firing, and can diminish unauthorized use significantly. The use of a locked room or container is likely to reduce the chance of theft, as well as further reducing the likelihood of unauthorized or impulsive use. Unfortunately the gun lobby reacted very loudly and strongly against this provision saying it made their access to their firearms too inconvenient. My counter argument was that it was precisely this inconvenience which conferred the added protection. The more difficult the access, the less likely the chance of unauthorized or impulsive use, or theft. Lastly, we assume that the guns in the home are not kept there for the purposes of self-protection (as this is rarely seen as an authorized reason to acquire a firearm in Canada). There should be no need to get the use of the gun immediately. Therefore the minimal time it would take to undo two locks should not be an undue inconvenience if the gun is being used for hunting or sport shooting, for example.

#### 2. Safety and Education Training: there are *two issues* here.

- a. What sort of education should new gun owners be required to have? Presently the new course emphasizes hunting safety and mechanical issues about the guns. I argued strongly for the inclusion of items teaching the new gun owner about adolescent suicide and the risk of

having a gun in the home, particularly if there is an adolescent male in the household. Another important item would be developmental information about the abilities of children and adolescents to distinguish between toy and real guns, to tell if a gun is loaded, and to safely handle a gun.

- b. Another issue that was raised was the advisability of offering "firearm safety education" to children and adolescents. Two DOJ presenters spoke highly of a safety course called "Eddie the Eagle" which was developed by the National Rifle Association (NRA) in the US. One recommended distributing the course to all firearms Officers for distribution to Canadian schools. I spoke against this idea and explained that this type of course had been criticized for fear that the result of offering the course to children and teen would be to increase their comfort level with firearms and decrease their sense of risk or danger from firearms. I offered to review the course and make specific recommendations.
3. **Screening of Applicants:** There is a debate as to whether new applicants should be screened only through a federal database for criminal record, or additionally have local community checks to assess for things like domestic violence, stalking, child abuse, etc. which might not have resulted in a criminal conviction, and would not appear on the federal database. The problem is that universal community checks would be costly. I argued that a local community check would be more likely to turn up the problems that put youths at risk, such as suicidality or a history of juvenile offences in an adolescent in the home.

The following two items are not actually regulations, but are DOJ functions that relate to the Bill and its implementation:

**Communications:** The DOJ plans a public relation campaign to disseminate information about the new law. However their target group for this campaign is gun owners, hunting groups, sport shooting groups, etc. We argued strongly that educating the general public about the requirements of the bill would be more likely to reach a segment of the population that is likely to be victim of a firearm, i.e. wives of gun owners. Educating the public about the risks of having a gun in the home of a suicidal adolescent, and how the bill is designed to help with that problem, may be more effective than giving that information to hunting groups.

**Research:** The DOJ is hoping to embark on research projects which will provide an empirical basis for the support of the regulations. I recommended research looking at present firearm storage practices in Canada, more age-group specific data on firearm mortality, and more epidemiologic data on rural/urban differences in firearm mortality."

**Following this meeting, Dr. Katherine Leonard prepared two statements that were presented to the Minister of Justice by CAAH, after revision and approval by the president in september. They are presented here.**

## **Firearms availability and accessibility to children and adolescents; CAAH recommendations for regulations regarding safe storage of fire arms**

### ***Background***

In 1992, 130 teens between the age of 15-19 died from gunshot wounds (1). The majority of these deaths were suicides (#102), with homicides (#13), unintentional deaths (#12), and undetermined cause (#2) accounting for the rest. Suicide is the second leading cause of death in this age group, and firearms are a leading method in completed suicides. More 15-19 years olds die from gunshot wounds than from cancer, or from deaths due to fires, falls and drowning combined. In children under 15 years of age, there were 22 firearm deaths in 1992 of which 10 were unintentional deaths, followed by 8 suicides and 4 homicides. Firearm deaths in under 15 year olds outnumber deaths from accidental poisonings (#6), or falls (#10). In their recommendations to the Canadian Senate in 1995, both the Canadian Association for Adolescent Health and the Canadian Paediatric Society called for strict safe storage requirements in Bill C-68 (2,3).

Data from Canada and the US show that the majority of unintentional firearm deaths occur in or around a home, and are associated with unsafe storage of the firearm (4,5,6,7). These studies also show that the typical scenario for these "accidents" is that of a child or adolescent having access to a loaded, unlocked firearm.

In Canada, the majority of homicide victims are related to or acquaintances of the accused (8). A 1993 Canadian homicide study found that 2/3 of all Canadian homicides occurred in a home, and more than one half of all accused perpetrators were found to have been under the influence of alcohol or drugs at the time of the offence. Of the homicide victims, 11% were under age 18, and 6% of the accused were under age 18. One must add to this toll the emotional and developmental disruption visited upon children and adolescents when their parents or family members become victims, or aggressors (9). The easy availability of a firearm, the circumstances of a conflict or dispute, and disinhibition from alcohol and drugs are a lethal combination.

Brent et al studied adolescent suicide completers and compared them to attempters who survived, and nonattempters (10,11). These studies showed that the presence of a firearm in the home significantly increased the risk of completed suicide. These studies were able to demonstrate an advantage to the firearm in the home being locked and stored separately from its ammunition, however this protective effect was small in comparison to the risk conferred by the presence of a firearm in the home of a suicidal adolescent. In the case of a suicidal adolescent, safe storage alone may not be enough of a deterrent; in this instance the firearm should be removed from the home.

### ***Developmental issues***

Developmental capabilities of children and adolescents must be taken into account when discussing firearm safety issues. Even if told not to touch a gun, small children are unable to consistently display the self control needed to avoid touching the firearm. Children may have difficulty telling the difference between real and toy guns, and do not have the ability to ascertain safety if a gun is loaded. Children typically engage in "fantasy" play in which safety messages

learned at school or at home are forgotten. Adolescent impulsivity, feelings of invulnerability, desire to act adult, and peer pressure may cause some adolescents to take unacceptable risks with firearms available in the home. The problem of adolescent suicidality, combined with the disinhibition of substance abuse makes the accessibility of a firearm in the home extremely dangerous, with adolescent males being the most at-risk group.

### ***Educating owners about safe storage requirements***

In 1991 an Angus Reid study estimated that nationwide, 23% of Canadian homes own at least one firearm ranging from 67% in the Yukon and NW Territories to 15% in Ontario. The average number of guns per gun owning household was 2.67 (12). Our previous gun control laws have not resulted in universal safe storage of these firearms. Leger & Leger's study of September '94 showed that 61.3% of the respondents had firearms stored in such a manner as to make them easily accessible (13). 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' practicing 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.

In a U.S. study, respondents were less likely to practice proper storage measures if they had taken a firearms safety course, possibly because the course gave a false sense of security to its participants (14).

Webster studied firearm owners in Maryland in 1991 (15). 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) are more likely to consistently prevent injury (16).

### ***Recommendations***

1. 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 other family members.
2. The ammunition should be stored in a separate location, also locked.
3. These safe storage requirements, and the rationale behind them should be carefully delineated in the firearms safety education course required for new gun owners and disseminated to the public as well. The firearm safety and education course and the public communications course should include information about the dangers of firearms availability to adolescents

and children, and recommendations for removal of the firearm from the home if an adolescent is suspected of being suicidal or depressed. An understanding of these measures should be a requirement for passing the course.

4. The safe storage requirements of the law should be vigorously enforced.

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### **Reducing firearm mortality in children and adolescents: CAAH recommendations regarding firearms safety and education**

#### **Background**

Firearm safety training and education is required of all Canadians who wish to become gun owners. In addition to information regarding gun handling and hunting safety, information about risks of having a gun in the home, and the risks to children and adolescents should be emphasized.

In both Canadian and US studies on gun owner's attitudes, it has been well established that some gun owners continue to feel that the presence of a gun in the home provides protection against harm to family members (1,2). However, in order for a gun to truly be readily available for self-protection, it must be stored in such a manner that it could be used on a moment's notice (probably loaded and unlocked). One of the above studies (Weil and Hemenway) showed that the gun owners who kept a gun for the purposes of self protection were the most likely to store their gun unsafely. The firearm in the home is more likely to be used in a firearm suicide, homicide or unintentional death, and result in the death of a family member or acquaintance than to be used to kill a stranger threatening the home (3). There is an increased risk of homicide and suicide in homes with guns (4,5). Adolescents in particular have been shown to be at increased risk of suicide if there is a firearm present in the home (6,7). Therefore an understanding of the risks of home ownership of a firearm should be carefully linked with a message discouraging the use of that firearm for self-protection. This linked message will encourage compliance with the safe storage regulations.

Webster studied attitudes of gun owners in Maryland towards gun safety for children and adolescents (6). Many gun owners felt that "active" strategies such as education and supervision alone were adequate to protect children and adolescents from harm. These strategies are called active because they require ongoing action and vigilance in order to remain effective. "Passive" strategies which are the most effective, remain effective once put in place without further effort, (e.g. storing gun locked and unloaded, or removing the gun from the home). Webster's gun owners also had unrealistic expectations regarding their children's abilities to handle firearms. Many felt that it was appropriate for children under the age of 12 to handle and shoot a loaded gun, and nearly half felt that small children (under the age of 6) were capable of telling a toy gun from a real gun.

Children under the age of 12 should not be considered to reliably have the experience or maturity to distinguish a toy gun from a real one. Parents must not assume that their child will know that the gun they find on the bedside table is real. Even when small children have learned appropriate safety lessons, these lessons are oftentimes overwhelmed by curiosity, impulsivity and "magical thinking" (small children's exaggerated beliefs in their capability to achieve certain tasks).

Placing a gun out of reach is not likely to deter a curious adolescent, spurred on by his friends to show off his father's rifle. Peer pressure, adolescent feelings of invulnerability, poor judgement and substance use all may push an adolescent to ignore safety messages heard at home or school. Only the very smallest children will be deterred by the approach of keeping a firearm out of sight.

The suicidal adolescent is of particular concern if there is a gun in the home. Even proper storage measures may not be enough to deter an adolescent from obtaining access to the firearm (7). The removal of the firearm is essential in this circumstance. Even though older children and adolescents may have the dexterity and intellectual capability to use firearms they should not be expected to be able to consistently use good judgement in the handling of the firearm. Children and adolescents should not be allowed to handle firearms except under the most controlled circumstances. In the firearm safety and education course, this type of developmental information about the handling of firearms by children and adolescents should be linked with a strong message about the relative effectiveness of passive versus active strategies for protecting children and adolescents against firearms kept in the home.

Finally, it has been suggested that firearms safety education be offered to schoolchildren to teach them about the dangers of handling firearms they may come across. One such course which is offered is "Eddie the Eagle", developed by the U.S. based National Rifle Association. While on the surface this may seem like a good idea, it is fraught with problems. First of all, firearm safety education programs such as this have not been adequately studied to see if they are effective (9). Recently Hemenway et al found that adult gun owners who had received firearm safety training were actually less likely to store their guns safely (10). One must not assume that all education efforts for children will result in improved safety. Second, the explicit or implicit message of a firearm safety education course for children is that children can be made safe around guns through education alone. It is possible that this type of education may actually put children at risk by making them feel safer or more comfortable around firearms. Lastly, parents whose children have completed such a course may feel they need to exercise less caution in keeping firearms away from their children, thus actually increasing the risk for injury. This would be similar to offering swim lessons to infants and telling parents they were "drownproofed". If the parents are less careful around the water due to the lessons, then the infants are at greater risk.

### ***Recommendations***

1. The gun owners' safety and education course should have information regarding the risks of home ownership of firearms to children and adolescents, with an emphasis on male adolescents and suicide. This information should be linked with a message that keeping the gun readily accessible for the purposes of self-protection is counterproductive and illegal.
2. The storage requirements of the law should be carefully spelled out and emphasized to all participants in the course.
3. Accurate and realistic developmental information regarding children and adolescent's abilities to be safe around firearms should be an integral part of the course. The most and the least effective methods (active and passive strategies) of keeping firearms out of the hands of children and adolescents should be taught.
4. The above content should be on the test and all successful participants should have demonstrated an understanding of the above concepts.
5. No firearm safety courses for children should be endorsed or distributed by the Federal Government unless it has been evaluated for effectiveness and reviewed by pediatric developmental and educational professionals.

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