



A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

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Canada: Where Gun Registration Equals Confiscation

"Let us not hear that (registration) is a prelude to the confiscation by the government of hunting rifles and shotguns," Canadian Justice Minister Allan Rock said in Clintonesque tones on Feb. 16, 1995. "There is no reason to confiscate legally owned firearms."

Ten months after Rock's remarks, Parliament passed the Canadian Firearms Act, and confiscating legally owned firearms is precisely the first thing the new law did. The first of three major provisions to go into effect banned private ownership of well more than half of Canada's legally registered pistols. Any handgun of .32 or .25 caliber and any handgun with a barrel length of 105 mm (4.14") or less--more than 553,000 legally registered handguns--became illegal with the stroke of a pen.

Pistol owners, of course, had been promised that registration would never lead to confiscation when Canada's national handgun registry was enacted in 1934. When the newer law passed five years ago, they were given three options: sell their handguns to any dealer or individual legally qualified to buy them (not a real option because the number of potential buyers was so small); render them inoperable; or surrender them to the government without compensation.

The second phase of the new law requires a government-issued firearms owner license. As of Jan. 1, 2001, anyone who owns a shotgun or rifle but did not apply for a license faces five years in prison and a \$2,000 fine. These licenses are also required to buy a long gun, or if you just want to buy a box of rifle cartridges to put in Dad's Christmas stocking.

The third phase of the new law goes into effect Jan. 1, 2003, when each individual long gun must be registered.

If summarily outlawing possession of more than half the nation's legally registered handguns were not enough to raise a firestorm of criticism, the licensing and registration program for long guns has prompted an unprecedented and broad-based call for civil disobedience. This is remarkable for Canadians, who are exceedingly deferential to the government and the courts.

The government has a serious credibility problem brought on by its refusal to release reliable cost figures for implementing and maintaining its licensing and registration scheme, gross exaggerations of the gun crime problem, and deliberate underestimates of the number of guns and gun owners in Canada.

Anne McLellan is Rock's Liberal Party colleague and his successor as Justice Minister. She has been called "Canada's Janet Reno." As recently as 1999, she promised in a letter to the Toronto Star that licensing and registration fees would cover 100 percent of the cost of implementing and maintaining the new licensing and registration bureaucracy.

But members of Parliament say they have been grievously misled about the final cost of the licensing and registration program. They claim bureaucrats in Ottawa are illegally concealing true budget figures in fear of further fueling public outrage.

Garry Breitkreuz, Member of Parliament (MP) from Saskatchewan and leader of the parliamentary opposition to the Firearms Act, told American Rifleman in a telephone interview that the government's claim that its licensing and registration system could be implemented for \$85 million over five years is "pure poppycock."



"The government has admitted on three separate

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occasions . . . that since handgun registration was implemented in 1934, not one single crime in Canada has been solved using the national pistol registry."

--MP Garry Breitkreuz

"Justice Minister Allan Rock told the House of Commons that the cost of setting up the . . . system would be \$85 million spread over five years," Breitkreuz said. "Justice Minister Anne McLellan is desperately trying to convince Canadian taxpayers that the start-up costs for the Liberal gun registry will top out at \$120 million."

David Austin, spokesman for the Canadian Firearms Center, the Department of Justice branch that administers provisions of the new law, said the \$85 million figure was merely "an estimate of the start-up costs," and that the actual figure was \$120 million. He said the total cost over five years will be \$327 million.

Breitkreuz counters, "The government is using cabinet secrecy provisions to hide the real budget numbers. It's going to cost at least 10 times (the original \$85 million) amount just to put in the licensing system, and even that will not cover the cost of registering individual guns."

Although he said he has been "stonewalled every step of the way" and denied all the budget documents he has requested, Breitkreuz said his office has obtained spreadsheets that indicate the cost surpassed \$300 million a year ago.

Just one contractor involved in getting the licensing and registration system up and running, EDS Canada, had five revisions to one contract that resulted in a 325 percent cost overrun, and a second contract had six revisions resulting in a 319 percent cost increase.

Dennis Young, a former Royal Canadian Mounted Police (RCMP) officer and now a parliamentary staff member for Breitkreuz, challenged McLellan's claim that the system would be self-supporting based on fee collection. "As of August 11, they'd only collected \$17 million in owner license fees, and they had to refund \$1.2 million because of the reduced fee," cut from \$30 to \$10 to encourage compliance. "This is not just a little blunder. The taxpayer is footing the bill for the government to deliberately mislead Parliament."

While Austin, the Justice Department spokesman, told *American Rifleman* that the system would require a staff of 400 for the processing center in New Brunswick, Breitkreuz said he has documents indicating that 391 RCMP officers have been re-assigned to the effort, along with at least another 600 civilian staff members. A separate registry is being set up for Quebec, the MP said. The *New York Times* pegged the registry workforce at 1,500, and Edmonton Journal columnist Lorne Gunter, a critic of the new law, said the real figure is closer to 1,700.

And the personnel numbers may go higher. Local and provincial governments in western Canada, angered, in part, by the continual juggling of numbers, have refused to enforce the new law. As a result, the central government was forced to federalize each province's Chief Firearms Officer.

Cost and personnel numbers aside, Breitkreuz said, "Even if you license every single gun owner, and lay a registration paper by every gun, you've done nothing to make our lives safer, our government better, or to reduce crime. There's no benefit to society. Enforcing all this paperwork ties up police resources and thus gives criminals an advantage. It's just politics used to create the impression with the public that the government is improving their quality of life. The only useful purpose registration can serve is as a blueprint if the government later decides on confiscation. It in no way prevents crime."

Also at issue in the Canadian government's numbers game are how many long guns and how many gun owners there are in the nation. License applications came in painfully slowly, indicating potentially enormous compliance problems, until a last-minute rush in December.

The Justice Department's Austin said the government believes there are 2.2 million gun owners among Canada's 30 million citizens. He said 1.8 million owners applied for licenses by the deadline, a compliance rate of about 80 percent, and he estimated that the remainder will sell, disable or surrender their firearms.

Bruce Hutton, a former Royal Canadian Mounted Police (RCMP) officer who founded the Law abiding Unregistered Firearms Ass'n to urge civil disobedience of the new law, said the

government has, over the past few years, continually lowered its estimates on the numbers of guns and gun owners in Canada. Their goal is obvious--make the compliance numbers look more favorable.

"The government is lying to everyone," Hutton said. "About 10 years ago, the RCMP Solicitor General conducted a study and, based on retail and manufacturing figures, estimated the number of gun owners at 4 to 6 million. Since then, the government has revised its estimate on the number of owners downward, to 3.6 million, then 3.3 million and now 2.2 million. I'm sure it's at least twice that number."

Citing other RCMP data, the pro-gun Canadian Institute for Legislative Action (CILA) estimates that as many as 7 million people in the country own a total of 21 million firearms.

"The government doesn't want people to know this because it will show the licensing plan for the dismal failure that it is," Hutton said. "Registration will be even worse. The law is a farce. Civil disobedience will make it meaningless. It's a travesty, a terrible law."

Gary Mauser, a professor and public policy researcher at Simon Frazier University in British Columbia, agrees. "The Firearms Act expands the grounds for warrantless searches, reduces restraints on issuing warrants and requires people to testify against themselves," Mauser said in one report. "Such sweeping police powers . . . authorize police procedures that (would) violate the U.S. Fourth Amendment's protection against warrantless searches and the Fifth Amendment's protections (of) due process."

Like similar gun control campaigns in the U.S., supporters of Canada's new law began pushing their agenda amidst the widespread emotional anguish over the murder of 14 women at a Montreal college by a deranged gunman in 1989.

Chanting the cheerfully mindless mantras of public safety and fighting crime, Liberal Party stalwarts pushed the new law as benign. If it makes sense to register automobiles, they argued, isn't it reasonable to register guns and gun owners?

But applicants for a Canadian driver's license are not asked about their employment and medical history. They are not asked if they've filed for bankruptcy or divorce in the past two years. They are not asked if they've experienced the "breakdown of a significant relationship." Canadians now must reveal such private information and more when they apply for a firearms license.

Like many gun control laws in this country, Canada's Firearms Act was peddled as a badly needed "tool" against crime. But the Canadian government's own numbers tell a different story. Sprawled across five time zones, Canada historically has had a very low rate of gun-related crime. Even Austin, the Justice Department spokesman, concedes that gun-related crimes and gun-related deaths, whether homicide, suicide or accidental, have been in steady decline for the past several years.

"The government has admitted on three separate occasions in the past few years that since handgun registration was implemented in 1934, not one single crime in Canada has been solved using the national pistol registry," MP Breitzkreuz said.

On the other hand, Canada's Ministry of Justice, in a document entitled "Self Defense in Canada," acknowledges that firearms are used about 32,000 times a year for self-protection from criminal activity. CILA cites a 1997 study by Mauser, the Simon Frazier University researcher, saying that when animal attacks that have been prevented with guns are added in, the annual self-defense number doubles to 64,000 incidents.

"If we remove suicides, which are generally considered to be non-preventable," CILA reports, "approximately 40 lives are saved for every life lost with a firearm in Canada," based on the government's 32,000 annual figure. "Consider that 44 percent of rural Canadian households own firearms, compared to 11 percent in cities. Yet the violent crime rate in Canadian cities is 40 percent higher than in rural areas."

But the government has used numbers that indicate a much more serious problem with gun-related crime. The Liberal Party, in particular, has been widely scorned for falsifying such figures to push its political agenda.

RCMP Commissioner Philip Murray complained in a letter to the Justice Minister that his department had greatly overstated the number of gun crimes in Canada for 1993. For instance, Justice figures for that year showed 623 gun-related crimes, but Murray said the real number was 73; and of the 333 homicides investigated by Mounties that year, only six involved a firearm.

Gunter reported in the Edmonton Journal that "the Department of Justice overestimated the number of gun crimes in the country by nearly 10-fold and exaggerated the cost of treating gunshot wounds by nearly 100-fold"

Gunter believes a 1996 speech by Liberal Party Senator Sharon Carstairs unveiled the real

motivation behind Canada's Firearms Act. Sen. Carstairs reportedly told members of the Community Legal Education Ass'n that the new law was a keystone in her party's blueprint to "socially re-engineer Canada." (Carstairs denies making the statement, but she is refuted by two individuals who shared the platform with her when she gave her speech.)

"The Liberals believe (the new law) would re-engineer Canada, and especially male gun owners, making its citizens more docile," Gunter wrote. His is the last word here:

"When lawmakers trample centuries-old liberties without offering an overwhelming social good in return . . . then respect for the law dies and the rule of law along with it."

What Canada's New Law Means For Visiting U.S. Firearms Owners

Canada's Firearms Act affects Americans who bring firearms into Canada or borrow them there for hunting and other purposes. Those who do not have a valid Canadian firearms license will have to declare and register their firearms by completing a Non-Resident Firearm Declaration Form and pay a \$50 fee. Any information given to the Canadian government regarding personal firearms may be shared with the BATF as part of a joint "infoshare" agreement.

Individuals who want to bring "restricted firearms" (mainly handguns) into Canada must apply in advance for an Authorization to Transport. The Authorization is available from the Chief Firearms Officer (CFO) in the province(s) travelers intend to visit. Canada does not allow concealed weapons, and it has additional laws for the transport, storage, lending, selling and giving of firearms.

For information about Canada's new firearms regulations, call the Canadian Firearms Centre at (800) 731-4000 or visit the website at www.cfc-ccaf.gc.ca on the Internet.

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