



*(Translation)*

## **BRIEF**

to the

**Standing Committee on Public Safety and National  
Security**

by

**Graduates and Students of the École Polytechnique**

May 6, 2010

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## Introduction

Following the killings of December 6, 1989, École Polytechnique students circulated a petition for better gun control. A few months later, the petition was presented to Justice Minister Kim Campbell in the main entrance hall of the École Polytechnique. Backed by more 560,000 signatures, students demanded a series of gun control measures, including the registration of all firearms. That was the start of an extensive social campaign that led to the adoption of two bills: C-17 in December 1991 and C-68 in December 1995. The latter included provision for a possession licence system and the registration of all firearms.

Private members' Bill C-391 proposed amendments to the Criminal Code (sections 91, 92, 94 and 117), the Firearms Act (sections 4(a)(i), 23(1)(b) and (c) to (f), 33(a)(ii), 34(a), 35.1(1)(b), 36(1), 38(1)(a)(ii), 44(a), 60, 66, 71(1)(a), 72(5), 83(1)(a) and (b), 105, 112, 114 and 115) and Chapter 8 of the Statutes of Canada, 2003 (sections 30 and 31). The purpose of the bill was to repeal the long gun registry. The proposed amendments address the very object of the Firearms Act (subparagraph 4(a)(i).

## Evidence

*(Evidence of Nathalie Provost and Heidi Rathjen will be read aloud before the Standing Committee.)*

**Nathalie Provost, Ing., M.Eng., M.B.  
Graduate of the École Polytechnique (1990)  
Recipient of the Medal of Bravery (1993)**

Hello,

My name is Nathalie Provost, and I was born at a time when everything was possible. Man walked on the moon. Women could choose their own lives. I am an engineer and the mother of four children. I am happy to put my talents at the service of the state. And I am convinced that we citizens are responsible for making our community a good place to live and to grow together.

However, I am also one of the victims of Marc Lépine. Twenty years ago, on December 6, 1989, that man, who believed women were responsible for his misfortune, entered my school and my classroom. He asked the men to leave, and then fired on my colleagues and me, killing my friends and wounding me with four rounds.

Marc Lépine used a Ruger Mini-14, a very dangerous weapon, a weapon that does serious damage, and one that I have seen and experienced. I was incredibly lucky on that terrible day. I suffered some minor physical after-effects, but that luck today confers on me a responsibility for telling you how important firearms control is.

In the past 20 years, I have thought at length about the events at Polytechnique. I read the coroner's report. I examined the analyses of the incident itself, the motivations of Marc Lépine, the immediate causes and the social issues of the time. I understand that it is not easy to gain a complete grasp and that numerous factors must be considered if we are to hope that we can avoid another slaughter. And that unfortunately appears to be a faint hope, as proven by the events at Dawson College. Marc Lépine, like Kimveer Gill, had a certain genetic background, lived in a particular social environment at a certain time,

and had experienced a certain family life and personal or professional failures. They were the main players in those dramatic events.

But one thing is certain: without a weapon, their destructive capacity would have been infinitely restricted. We, as a society, cannot disregard the instrument through which Marc Lépine expressed himself. That firearm has marked me forever. It is on this matter that I will focus my attention today.

I believe that Canada must be as vigilant as possible on the issue of the control of firearms, of all firearms. Over the years, we have built a mechanism that recognizes that it is a privilege to possess a weapon, not a right, a privilege that renders those who would like to exercise it accountable and that bans the possession of certain weapons whose risks outweigh any benefit to society.

It is important for me that we not relax that mechanism, particularly with regard to long guns, which represent the vast majority of weapons in circulation. Ladies and gentlemen members of the committee, I am here to attest to the fact that all firearms are dangerous.

The Ruger Mini-14 is currently an unrestricted long gun. That weapon, which killed 14 women and seriously wounded 13 other victims in 30 minutes, would no longer be registered under Bill C-391. For me, there is no logic in that. Every day, in the mirror, I remember the destructive capability of that weapon.

A firearm is a dangerous object that must be handled with attention and care. To have one in one's possession is a great privilege that entails a major responsibility that the government must recognize and oversee.

You are in the service of Canadians, as I am. As a citizen, I vote and rely on you to defend the public interest in safety matters. It is your duty and responsibility to legislate to reduce the risk of a slaughter such as the one of December 6 occurring again.

According to all credible experts on this matter, both police departments and suicide and spousal abuse prevention experts, the firearms registry is necessary to reducing those risks.

I am here today to add my voice to those of these groups: keep the firearms registry and retain its current scope, because I want to live in a country where people are responsible for their actions and choice, because I want to live in a country where it is possible to live without being afraid of a weapon.

**Heidi Rathjen, B.Eng, LL.D (hon), Dr. h.c. (hon), C.S.M.  
Graduate of the École Polytechnique (1990)  
President, Student Committee for Gun Control (1990)**

This is not the first time I have spoken to this committee. In the past, it was always to call for the adoption of gun control measures. I would never have imagined that I would be here again, 20 years after the massacre, trying to convince parliamentarians not to retreat on the issue of firearms control.

We students of the École Polytechnique are often accused of being emotional, of having reacted emotionally, of being well intended, but.... We often hear it said, in a patronizing tone: "We understand you; this is a symbolic crusade against firearms."

So let's be clear. Yes, we wept for our sisters. Yes, we detest violence. And yet we want to change the world for the better. And we aren't the only ones. For years now, we have worked alongside many parents and relatives of victims, particularly those killed at Polytechnique. For those fathers, mothers, brothers, sisters and spouses, their families have been destroyed forever. And yet these heroes made a superhuman effort to support stricter gun control legislation. Even though they derived no personal

benefit from it, they showed their suffering to the general public in order to limit the possibility that others would experience a similar nightmare.

Our effort is also a rational one. We are, after all, engineers. What counts for us are the facts. That is also the opinion of the experts, the real experts, those who work to protect us: the police, suicide prevention groups, the organizations that combat marital violence. Pro-weapons politicians and groups are not public health and safety experts.

Here then are a few facts:

1. Long guns are the weapons that kill the most police officers,<sup>1</sup> are most often used in family incidents<sup>2</sup> and are most often used in shooting suicides;<sup>3</sup>
2. At least six coroner's inquests have recommended weapons registration;<sup>4</sup>
3. The main police organizations in the country have attested to the registry's effectiveness;<sup>5</sup>
4. The main public health and suicide prevention organizations in the country support the registry;<sup>6</sup>
5. The Supreme Court has ruled that registration is "integral and necessary to the operation of the scheme", the purpose of which is "the promotion of public safety through the reduction of the misuse of firearms";<sup>7</sup>
6. The number of shooting deaths fell by 43% between 1991 and 2005 (1991: 1,441 to 2005: 818);<sup>8</sup>
7. Murders by weapons declined 40% between 1991 and 2008;<sup>9</sup>
8. Murders by long guns dropped by 70% between 1991 and 2008;<sup>10</sup>
9. The number of women killed by firearms (all types) fell 66% from 1996 to 2007;<sup>11</sup>

<sup>1</sup> Between 1961 and 1997, 112 police officers were killed while on duty: all but five were killed with a firearm. Most of those firearms were long guns, according to **Supt. Greg Getty of the Toronto Police Guns and Gangs Task Force**. [http://winnipeg.ctv.ca/servlet/an/local/CTVNews/20100319/gun\\_registry\\_100319/20100319/?hub=WinnipegHome](http://winnipeg.ctv.ca/servlet/an/local/CTVNews/20100319/gun_registry_100319/20100319/?hub=WinnipegHome).

<sup>2</sup> "Firearms were the most frequently used weapon in the commission of spousal homicides between 1974 and 2000, accounting for the death of more than one in three victims (Table 5). By comparison, in non-spousal homicides, physical force was more likely to be the cause of death (30%)." **V.P. Bunge**, "National Trends in Intimate Partner Homicides, 1974-2000," *Juristat*: Canadian Centre for Justice Statistics, **Statistics Canada**, Vol. 22, no. 5, 2002. And **Canadian Centre for Justice Statistics**, "Family Violence in Canada: A Statistical Profile," October 2009, chart on page 50, which shows that the majority of weapons used are long guns: <http://www.statcan.gc.ca/pub/85-224-x/85-224-x2009000-eng.pdf>.

<sup>3</sup> **Marie-Pier Gagné**, "L'effet des législations canadiennes entourant le contrôle des armes à feu sur les homicides et les suicides," Paper presented to the Faculté des études supérieures, August 2008.

<sup>4</sup> The death of Jonathan Yeo, the murders of the Kassonde children, of Arlene May, of the sports commentator Brian Smith; the massacre in Vernon, British Columbia, the OC Transport shooting in Ottawa.

<sup>5</sup> Police organizations that support the registry (among others): **Canadian Association of Chiefs of Police, Canadian Police Association, Canadian Association of Police Boards**: [http://www.cacp.ca/media/committees/efiles/1/562/CAPB\\_CPA\\_CACP\\_joint\\_statement\\_on\\_firearms\\_final.pdf](http://www.cacp.ca/media/committees/efiles/1/562/CAPB_CPA_CACP_joint_statement_on_firearms_final.pdf).

<sup>6</sup> Health and prevention organizations that support the registry: **Canadian Public Health Association, Canadian Association of Occupational Therapists, Canadian Association of Emergency Physicians, Canadian Association for Adolescent Health, Canadian Federation of Nurses Unions, Association des médecins urgentologues du Québec, Ontario Public Health Association, Association québécoise de prévention du suicide, Association pour la santé publique du Québec, Physicians for Global Survival, Canadian Paediatric Society**: [http://www.nursesunions.ca/sites/default/files/MAIL-10-04-28-HealthGroupsSupportGunControl\\_ENG\\_1.pdf](http://www.nursesunions.ca/sites/default/files/MAIL-10-04-28-HealthGroupsSupportGunControl_ENG_1.pdf).

<sup>7</sup> **Supreme Court**, *Reference re Firearms Act* (Can.), [2000] 1 S.C.R. 783: <http://csc.lexum.umontreal.ca/en/2000/2000csc31/2000scc31.html>.

<sup>8</sup> **Hung, Kwing**, "Firearms Statistics Updated Tables," January 2006; **Statistics Canada**, Mortality, Summary List of Causes 2005, 2009.

<sup>9</sup> **Hung, Kwing**, "Firearms Statistics Updated Tables," January 2006; Sarah Beatty, "Homicide in Canada, 2008," **Statistics Canada**, *Juristat*, Vol. 29, no. 4, October 2009.

<sup>10</sup> **Hung, Kwing**, "Firearms Statistics Updated Tables," January 2006; Sarah Beatty, "Homicide in Canada, 2008," **Statistics Canada**, *Juristat*, Vol. 29, no. 4, October 2009.

<sup>11</sup> "Over the past decade, the rate of firearm-related spousal homicides decreased threefold, declining from 1.7 per million spouses in 1996 to 0.5 per million spouses in 2007. In 1996, there were 27 firearms-related spousal

10. The number of robberies declined by nearly 50% between 1991 and 2008;<sup>12</sup>
11. Suicides by firearms fell 35% from 1995 to 2005 (1995: 911 to 2005: 593);<sup>13</sup>
12. Dismantling the registry would save only \$3 million a year. The money already spent cannot be recovered.<sup>14</sup>

There is no doubt in our minds that all these facts show that the gun registry is necessary and effective.

Unfortunately, these facts have not lessened the Conservative government's intention to terminate the registry.

Perhaps it would be useful to address the issue from the viewpoint of Bill C-391's promoters. Do Stephen Harper, Candice Hoepfner, Vic Toews and all the members of the Conservative Party really want to cause the following situations:

1. Police will no longer be able to link a long gun to its legal owner;
2. Police will no longer be able to distinguish between a legal and an illegal weapon;
3. Police will not know how many or which weapons they must seize when the courts issue a possession prohibition order for a potentially dangerous individual;
4. Weapons owners will be able to sell their weapons illegally to individuals not authorized to own weapons, without fear that those weapons will be traced;
5. There will no longer be any obligation to keep sales records at firearms businesses;<sup>15</sup> police officers will therefore have no tools to trace firearms and assist in their investigations; this will be a return to the 1970s (note that police were able to identify Marc Lépine by checking the records of stores that sold firearms in the Montreal area);
6. Police will have no advance notice of the existence or number of weapons in a home at the time of a marital dispute;
7. Police will lose a critically important tool for crime investigations;
8. Police will no longer be aware of the existence of massive firearms arsenals.

Ultimately, the registry of firearms — of *all* firearms — is necessary in order to ensure full and effective firearms control. This is a matter of public safety, a matter of life or death. We can attest to that.

**François Boucher, B.Eng.**  
**Graduate of the École Polytechnique (1990)**  
**President of the 114th Graduating Class (1990)**

My name is François Boucher, I am a civil engineer, and I am 43 years old. I have three children, ages 9, 10 and 12. I live in the Lanaudière region of Quebec, where I go hunting from time to time.

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homicides compared to nine in 2007," representing declines of 71% in rate and 67% in number. **Statistics Canada, Canadian Centre for Justice Statistics**, "Homicide Survey. Family Violence in Canada: A Statistical Profile," 2009. <http://www.statcan.gc.ca/pub/85-224-x/2009000/part-partie5-fra.htm>.

<sup>12</sup> **Hung, Kwong**, "Firearms Statistics Updated Tables," January 2006; Marnie Wallace, "Police-Reported Crime Statistics in Canada, 2008," **Statistics Canada, Juristat**, Vol. 29, no. 3, July 2009.

<sup>13</sup> **Hung, Kwong**, "Firearms Statistics Updated Tables," January 2006; **Statistics Canada**, Mortality, Summary List of Causes 2005, 2009.

<sup>14</sup> **RCMP Senior Deputy Commissioner**, Peter Martin, evidence to the Standing Committee on Government Operations and Budget Estimates, November 2006.

<sup>15</sup> In 1977, the Criminal Law Amendment Act required business owners to keep a record of firearms sales. In 1995, the new Firearms Act repealed that obligation in view of the introduction of a central registry. Clause 23 of Bill C-391 cancels the registration of non-restricted weapons. As a result, there will no longer be any legal documentation concerning the sale of a specific unrestricted weapon, including point of sale.

More than 20 years ago, on December 6, 1989, I was at Polytechnique at the time of the killings. I lost sisters there, including Anne-Marie Lemay, who was with me on the graduates committee, the 114th Graduating Class, of which I was president.

I am here to support the Polytechnique group in maintaining the firearms registry. I would like to discuss my experience with firearms, their acquisition, possession and registration.

Like many other Canadians, I was introduced to hunting by my father as a young adult. And like all young adults in Quebec in the 1980s, I first had to take a weapons handling course and get a hunting licence.

Starting in 1995, under Canada's new Firearms Act, I took the steps to obtain my possession only firearms licence. It was easy. Two guarantors had to countersign the licence application, which I considered perfectly reasonable.

My father gave me his six hunting rifles and carbines, which I registered with him when the registry was introduced. It took us a few minutes to register them. We spoke with an RCMP official and we checked the brands, serial number and barrel length of each weapon.

Lastly, I obtained a registration certificate for each of my weapons. I keep my weapons and ammunition separately under lock and key. Those weapons will no longer have to be registered, unless I change addresses or they change owner. And if I wanted to acquire a new weapon from a weapon seller, registration would be done at the time of purchase. That's all; it's no more complicated than that.

Registering those weapons never made me feel like a criminal. They are registered in my name and I am responsible for them. That's all.

The system works. The experts (police officers and criminologists) tell us, with figures supporting their statements, that the Firearms Act and registry are invaluable tools in maintaining safety. The registry is used for handguns and long guns. It helps solve crimes and prevent tragedies. Which ones, the system's opponents always ask? I don't know. Because, in the case of prevention, it is impossible to know which tragedies have been prevented. But that is not a reason to doubt the registry's effectiveness.

The Conservatives would have Canadians believe that it is too costly to maintain the registry. However, the system is in place. It is true that it costs a lot of money to introduce possession permits and the registry, but the system works. Today, the handgun and long gun registry costs only \$64 million<sup>16</sup> a year. Deleting long guns from the registry would only represent an annual saving of approximately \$3 million. I believe, on the contrary, that repealing the registry would be a shameful waste.

The Conservatives are unduly extending an amnesty, thus undermining the registration of weapons in circulation. By gradually weakening the Canadian Firearms Act, I believe the Conservatives are jeopardizing the safety of Canadians and Canada's very identity as well.

In the Throne Speech on March 3, the Conservative government linked repeal of the registry to our honouring of those who built this country. On the contrary, the Conservatives undermine that honour by building a country with no values or respect for human life.

Having witnessed a terrible tragedy and all the resulting suffering, we students, engineers, mothers and fathers, prefer to build a peaceful and safe country for our children so that they in turn can secure a society fit for their own children.

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<sup>16</sup> RPP Canadian Firearms Centre, "Planned spending 2007-2008".



**Alain Perreault, B.Eng. MBA**

**Graduate of the École Polytechnique (1990)**

**President of the Association des étudiants de Polytechnique (1989-1990)**

On December 6, 1989, I was heading to the office of the Student Association, of which I was president. I did not get there. My life and those of the students of the École Polytechnique and their families took a decisive turn on that day 20 years ago.

Following the shock of the tragedy and the necessary grieving for those lives taken for no reason, we wanted to take action. We wanted to make a gesture to prevent that kind of incident from occurring again.

Our tragedy was exceptional in its scope. Fourteen young women were violently killed and 13 others seriously wounded.

How do you act in response to that kind of incident? Our hearts told us to weep. Our reason, shaped by our engineering training, helped us to understand the problem, to provide solutions and to initiate action.

We could not predict the incident or prevent Marc Lépine from targeting our school on December 6, 1989. However, by restricting the easy access he enjoyed to such a lethal weapon, we as a society could have minimized the consequences of his folly. There would have been fewer deaths if access to such a powerful weapon had been controlled. That is an undeniable fact.

Stirred to action, we circulated a petition to demonstrate Canadians' support for strict control over the acquisition and possession of firearms. We felt that a hunter's privilege to obtain weapons without limitation had to be restricted and subjected to public safety imperatives.

We recommended a range of measures that, taken together, ensure control over firearms and their owners.

In a presentation to the House of Commons Special Committee on Bill C-80 on December 18, 1990, the students of the École Polytechnique stated:

*We believe that gun control must:*

- *treat the possession of a firearm as a privilege, not a right; prohibit any individual who has been convicted of a crime such as assault or drug trafficking from possessing a firearm...;*
- *require that a person be at least 18 years of age in order to purchase a weapon;*
- *restrict access to semi-automatic weapons and ammunition; withdraw all paramilitary weapons currently in circulation;*
- *require a permit to purchase any firearm; require every firearm to be indexed and registered by type and serial number; require a permit to purchase ammunition;*
- *control the distribution, sale and storage of all firearms more effectively.*

Through the dogged efforts and perseverance of a host of organizations and volunteers, supported by public opinion, the Government of Canada adopted a new act and regulatory system. Although imperfect, those measures effectively address the public safety imperatives of a society such as ours. The firearms registry is an integral part of that system.

The weapons control system is a good system, despite all the amnesties. The number of shooting deaths has declined, the number of murders involving long guns as well, and the number of suicides has fallen substantially, particularly in Quebec, without any indication that any other means have been substituted. Police departments attest to the effectiveness of the act, and more specifically of the registry. Public health authorities emphasize that the registry has played a role in prevention.

Amending the registry would withdraw an essential tool from first-line public health and safety staff. We see and take seriously the vigorous support that experts give to the firearms registry in its current form, as well as their opposition to Bill C-391.

The cancellation of the registry was announced in the Throne Speech. Bill C-391 is no longer a private members' bill and, in fact, never was. The Conservatives' objective has been clear since they have been in power: to undermine the registry in order to render it moot and thus to justify abandoning it.

That is why, on behalf of Polytechnique students at the time, I am calling on the members of this committee and the leaders of the opposition parties.

First I say to the members of this legislative committee: set aside all ideology. Look at the facts. Listen to the experts, the real experts. Denounce the legislation under review because the experts contend that the firearms registry is effective.

Ladies and gentlemen members of the committee: ensure that the possession of a firearm remains a privilege, not a right, as is the wish of Canadian society. Take a stand against Bill C-391.

**Michael Lapointe**

**Student at the École Polytechnique**

**President of the Polytechnique Students Association (2009-2010)**

*Also on behalf of:*

**Marc Alexandre Laroche**

**Polytechnique Graduate and Postgraduate Student**

**President of the Polytechnique Postgraduate Students Association (2009-2010)**

I am president of the Polytechnique Students Association and also represent the Polytechnique Postgraduate Students Association.

I was three years old when the incident of December 6 occurred. Many of us were not even born.

Today we are the ones living the university experience, or, more precisely, the Polytechnique experience. The École Polytechnique is our second home; it is a family. We spend most of our time there. We work hard, form personal relationships, and take part in student life. It is hard for us to conceive that a disturbed person could enter our school and kill 14 students and employees, one after the other, not to mention all the wounded. It is unimaginable.

For this kind of incident, once is once too often. The fact that other massacres have occurred at educational institutions in Canada (Concordia and Dawson, to mention only those two) is tragic and deplorable.

We do not want the solution to be metal detectors installed at all doors, security officers in our halls, with permanent and underlying feelings of insecurity and fear, as is no doubt the case in many cities in our neighbour to the south.

What we want is to live in a country where weapons are strictly controlled, where access to weapons is as difficult as possible for vengeful and suicidal people, where the police have the means to take weapons away from a person who displays high-risk behaviour.

Our weapons legislation is the result of numerous efforts following the Polytechnique massacre. It is an effective tool to protect the public from the criminal use of firearms.



That is why the Polytechnique Student Association and the Polytechnique Postgraduate Students Association absolutely stand with our brothers and sisters of that time. Ladies and gentlemen, reject Bill C-391.

**Gilles Gervais, B.Ing., MBA**  
**Graduate of Polytechnique (1980)**  
**President of the Polytechnique Graduates Association**

A number of members of the board of directors of the Polytechnique Graduates Association are old enough to remember exactly where they were and what they were doing when they learned of President John F. Kennedy's assassination on November 22, 1963. The same is true of my colleagues and me when we learned about the killings at Polytechnique on December 6, 1989.

Tragic incidents of that kind leave indelible memories in those associated with them. For us, it was a tragedy involving our colleagues, our friends, our *alma mater* and our second family for a significant part of our life.

These kinds of incidents also make us reflect and act to change things so those incidents do not reoccur, no doubt because we are directly affected, but also because it is our duty as citizens to take action to protect our colleagues and fellow citizens.

The methods used to protect heads of state were altered and reinforced following President Kennedy's assassination, just as the Montreal Police Department changed its response tactics in similar cases, as at Concordia, to protect and save people's lives (at the risk of the lives of the police officers who respond). After December 6, 1989, a few colleagues from Polytechnique who had directly experienced the tragedy showed courage and considerable effort in initiating and supporting efforts that ultimately led to the establishment of the firearms registry.

Just as the changes made to the situations I have just referred to made it possible to save lives, the firearms registry has had a positive impact on the safety of Canadians. My colleagues' remarks have largely and clearly shown that.

The advantage of the registry is that it is a tool to better control the types of weapons in circulation and the individuals who own them. This is the underlying principle, and no honest and sensible citizen can oppose that principle or that tool.

It is inconceivable for us to consider that some members of the House of Commons might want to take a step backwards by eliminating or narrowing the scope of the firearms registry. The registry is already in place, most of the costs have been incurred and the benefits are clear. In short, it helps improve the safety of Canadians and save lives.

For these reasons, the members of the board of the Polytechnique Graduates Association unanimously oppose and condemn any effort or legislation designed to eliminate or narrow the scope of the firearms registry.