

MASS CASUALTY COMMISSION COMMISSION DES PERTES MASSIVES

Mass Murder Commission Recommendations Part 2 of 4 monthly installments

PUBLISHER'S NOTE: The Shoreline Journal purposefully did not attend or constantly report on the ongoing proceedings of the Mass Murder Commission. Our reasoning was based on several factors: It was not to avoid our journalistic responsibilities. Since we were a monthly as the hearings progressed information and the important data was changing so rapidly, we felt it would be impossible to be current, realistic and informative. However the main reasons were based on

our readers, residents, family and friends of victims and the reputation of the immediate area and surrounding communities. Everyone was so sad, broken and suffering they needed time to start healing instead of having our pages filled with information they had already heard as they followed the commission's ongoing deliberations. You may not agree with our decisions, but they were based on respect of others; compassion, empathy and to permit the healing process to take its natural course.

We further decided to let the MMC present its final report, give people a month or so to digest the outcome, before we published the MMC recommendations. Now that time has passed, the Shoreline Journal will publish all 130 of the commission's recommendations in four monthly installments, starting with the June 2023 issue, exactly as published and located on the MMC website.

This is Part 2 which includes recommendations 30 to 61.

NOTE: We, including you, might not agree totally with the entirety or feel the recommendations were not as "inclusive" as we personally desired, but the Final Report has been presented. As a result, "It is the responsibility of everyone to study the recommendations and to use the recommendations as a yardstick to hold those who bear responsibility for implementation to do so efficiently and in a timely manner." (Maurice Rees, Publisher)

30. Recommendation C.13 REVERSING THE COURSE: ADDRESSING THE PUBLIC HEALTH EMERGENCY IN COLCHESTER, CUMBERLAND, AND HANTS COUNTIES

The Commission recommends that:

(a) By May 1, 2023, the Governments of Canada and Nova Scotia should jointly fund a program to address the public health emergency that exists in Colchester, Cumberland, and Hants counties as a result of an unmet need for mental health, grief, and bereavement supports arising from the April 2020 mass casualty.

(b) This program should be developed and implemented by a local multidisciplinary team of health professionals with the ability to draw on external resources as needed.

(c) The program should provide concerted supports on an urgent basis and transition to long term care over time.

(d) Mi'kmaw communities should have the opportunity to participate in the program either on a joint or an independent basis.

(e) The program should be funded to carry out needs and impact assessments in 2023, 2025, and 2028.

IMPLEMENTATION POINTS

- The program should consult with members of marginalized groups living in the most affected communities to determine how to best meet these needs.
- The plan should include assessing and meeting the needs of women at Nova Institution for Women who have been affected by the mass casualty.
- Organized and supported peer-to-peer networks should be developed as one element of this plan.
- To the extent that sufficient resources are available, consideration should be given to the provision of services in other parts of the province.

31. Recommendation C.14 ENACTING COMMUNITY SAFETY AND WELL-BEING LAWS

The Commission recommends that:

(a) The federal government should enact legislation within six months to create a statutory framework designed to support and enhance community safety and well-being in every province and territory. This national framework would be based on guiding principles central to the delivery of public services that include: (i) the centrality of a commitment to equality and inclusion as foundational principles for community safety and well-being; (ii) a prevention-first approach to safety; (iii) an understanding that social determinants of health are also the social determinants of community safety and well-being; (iv) an understanding that police and corrections are layers of this approach to community safety and well-being as decentred and collaborative partners; (v) community-informed municipal / provincial/territorial multi-sectoral processes to ensure more efficient collaboration between different agencies of community safety and well-being; (vi) an essential focus on community engagement, including input from and consultation with historically overpoliced communities, in any legislative initiative focused on community safety and well-being; and (vii) the sharing of personal information between public sectors (including police, education, health, social services, and corrections) when necessary to achieve the success of these community safety and well-being initiatives, while respecting the privacy rights of an individual.

(b) Where they have not already done so, provincial and territorial governments

should each enact laws within a year to create a statutory framework for community safety and well-being initiatives. These frameworks should include provision for: (i) the establishment within a year of a Community Safety and Well-Being Leadership Council composed of leaders from all sectors, including non-police sector partners (e.g., leadership from health and community-based organizations, gender-based violence advocacy and support sector, historically marginalized communities). This council would be parallel to the federal counterpart and include liaison or joint members. (ii) municipalities (individually or jointly) to prepare and adopt community safety and well-being plans in partnership with a multi-sectoral advisory committee; (iii) municipal safety planning to address four areas: social development, prevention, early intervention, and incident response; (iv) engagement, collaboration, and communication between the community, groups, agencies, and service providers; (v) community engagement, beginning with the development of comprehensive community safety needs assessments, followed by information sharing, awareness raising, and involvement in specific actions and strategies under the plan; (vi) the sharing of personal information between public sectors (including police, education, health, social services, and corrections) when necessary to achieve the success of these community safety and well-being initiatives, while respecting the privacy rights of an individual; and (vii) each community, province, and territory, in alignment with the fundamentals of a national framework, to fashion localized frameworks to best meet the unique needs and circumstances of their communities.

(c) Federal, provincial, and territorial governments should ensure these laws are supported by adequate long-term public funding that puts crime prevention on an equal footing with enforcement of the criminal law.

32. Recommendation C.15 COMMUNITY SAFETY AND WELL- BEING LEADERSHIP COUNCIL

The Commission recommends that; To further strengthen federal, provincial, and territorial initiatives that may already be underway, we recommend that the federal legislation include the establishment within a year of a Community Safety and Well-Being Leadership Council composed of leaders from all sectors, including non-police sector partners (such as health and community-based organizations, gender-based violence advocacy and support sector, and historically marginalized communities). This council should not be driven by any one organization but should facilitate shared responsibility for addressing social issues. It should (a) formulate strategies for addressing social issues together; and (b) lead a multi-sectoral approach that centres prevention by collaboratively addressing the social determinants of community safety and well-being.

33. Recommendation C.16 COMMUNITY SAFETY AND WELL- BEING FUNDING ALLOCATION

The Commission recommends that: Federal, provincial, and territorial governments should: (a) adopt funding allocation methods for community safety and well-being initiatives that take into account rural and remote contexts, and (b) shift budgets to focus on prevention activities.

IMPLEMENTATION POINTS

These laws should: recognize gender-based, intimate partner, and family violence as a central inhibitor of community safety and well-being; prioritize safety and well-being in marginalized communities, recognizing the past and ongoing collective trauma resulting from systemic racism, colonialism, and other processes of marginalization and oppression; and ensure that rural communities have an active role in planning for safety and well-being in their communities. The laws should be accompanied by public and institutional education on community safety and well-being to ensure that there is an understanding of the correlation between properly funding initiatives for prevention and increased overall community safety. This public and institutional education should explain that current funding is being applied in fragmented ways in different government departments and agencies but would be more efficiently used if coordinated under an overall approach. It should reinforce the concept of the economics of community safety and well-being, that is, that the responsibility and economic weight for public safety does not rest solely at the feet of, or in the hands of, the police. Community Safety and Well-Being Leadership Councils should: assist municipalities, provinces, and territories to build and sustain local multi-sectoral approaches at the service delivery level through the establishment of partnerships among multi-agency teams; and support information-sharing and coordination across sectors through mechanisms such as regular meetings, frequent informal communication, co-location of services, and cross-agency secondments.

Monitoring and evaluation mechanisms should be adopted with a defined timeline for implementation:

- Community safety and well-being initiatives should be evidence-based and best-practice informed.
- The design of community safety and well-being plans should include provision for longitudinal studies, data sharing among all partners, as well as metrics to assess the impact and outcomes and processes for monitoring and evaluation, and to identify the most promising actions and strategies.
- A national strategy is needed to support research-based community action and to build community capacity.

All governments should adopt the main features of the recommendations for public service reform made by the Scottish Commission on the Future Delivery of Public Services (chaired by Dr. Campbell Christie):

People: Reforms must aim to empower individuals and communities by involving them in the design and delivery of the services.

Partnership: Public service providers must work more closely in partnership, integrating service provision to improve their outcomes.

Prevention: Expenditure must be prioritised on public services which prevent negative outcomes.

Performance: The public services system – public, non-profit and private sectors – must reduce duplication and share services to become more efficient.

*** Scottish Government, Commission on the Future Delivery of Public Services, Dr. Campbell Christie, Chair (June 2011).*

34. Recommendation C.17 PROMOTING BYSTANDER INTERVENTION AS A DAILY PRACTICE

The Commission recommends that

(a) The federal government should: (i) renew and extend bystander intervention awareness and education campaigns and support their implementation in a wide range of settings, including in education, in workplaces, and in the provision of public services; and (ii) develop and implement a longitudinal evaluation of these campaigns.

(b) Provincial and territorial governments should develop and implement a mandatory gender-based violence and bystander intervention training curriculum in the school system commencing in kindergarten and continuing until Grade 12.

(c) Municipal, provincial, territorial, and Indigenous governments should develop and implement gender-based, intimate partner, and family violence bystander intervention training for their workplaces and staff.

(d) Colleges, universities, and other education and training institutions and workplaces, to the extent they are not already doing so, should provide practical training in support of effective and safe bystander intervention.

IMPLEMENTATION POINTS

- These campaigns and programs should be designed to effectively counteract cultural barriers to bystander intervention.
- These campaigns and programs should be designed to effectively prevent violence in the moment and address social and cultural factors that contribute to condoning gender-based violence.
- These campaigns, programs, and evaluations should be developed and implemented in collaboration with the gender-based violence advisory and service sector.
- These campaigns, programs, and evaluations should be developed and implemented in collaboration through community engagement processes, particularly with members of marginalized communities and with rural communities.

35. Recommendation C.18 BUSINESSES AND INDUSTRY ASSOCIATIONS CHAMPIONING ENDING GENDER-BASED VIOLENCE

The Commission recommends that Businesses should:

(a) undertake a self-assessment of how effectively their existing policies, programs, culture, leadership, and strategy are tackling violence and harassment and supporting survivors and bystanders and whistleblowers;

(b) undertake a self-assessment of how effectively their existing policies, programs, culture, leadership, and strategies are addressing violence and harassment committed by their employees;

(c) commit to a leadership role in fostering cultural shifts that challenge the normalization of gender-based violence and integrate this shift into their business practices; and

(d) play an active role in the development and implementation of community safety and well-being plans.

36. Recommendation C.19 PROACTIVE MONITORING BY PROFESSIONAL LICENSING BODIES

The Commission recommends that All professional licensing bodies should:

(a) monitor their members proactively to better ensure the safety and well-being of their licensees' clients / patients;

(b) through careful monitoring, track and proactively demand accountability when discernible patterns of unethical or illegal behaviour are uncovered; and

(c) take steps to promote awareness of complaints mechanisms, including by requiring that licensees prominently display the Code of Ethics and information about the complaints process in their offices / clinics and online.

IMPLEMENTATION POINTS

- Practice audits and quality control systems can assist in proactive monitoring.
- Professional licensing bodies should: acknowledge that marginalized communities face barriers to reporting concerning behaviour; and take steps to minimize these barriers through engagement with these communities.

37. Recommendation C.20 OVERSIGHT OF PUBLICLY FUNDED SERVICES TO POOR AND MARGINALIZED COMMUNITIES

The Commission recommends that All levels of government should monitor the provision of public health services by independent service providers to people of lower economic means (and those who are otherwise marginalized) to ensure that quality services are being delivered in compliance with professional standards, including ethical codes. Governments should work in partnership with professional regulatory bodies for this purpose.

38. Recommendation C.21 REDUCING GUN LETHALITY

The Commission recommends that

(a) The federal government should amend the Criminal Code to prohibit all semi-automatic handguns and all semi-automatic rifles and shotguns that discharge centre-fire ammunition and that are designed to accept detachable magazines with capacities of more than five rounds.

(b) The federal government should amend the Criminal Code to prohibit the use of a magazine with more than five rounds so as to close the loopholes in the existing law that permit such firearms.

(c) The federal government should amend the Firearms Act: (i) to require a licence to possess ammunition; (ii) to require a licence to buy a magazine for a firearm; and (iii) to require a licensee to purchase ammunition only for the gun for which they are licensed.

(d) The federal government should establish limits on the stockpiling of ammunition by individual firearms owners.

(e) The federal government should reform the classification system for firearms and develop a standardized schedule and definitions of prohibited firearms within the Criminal Code of Canada, with an emphasis on simplicity and consistency.

(f) The federal government should take steps to rapidly reduce the number of prohibited semi-automatic firearms in circulation in Canada.

39. Recommendation C.22 REVOCACTION OF FIREARMS LICENCES FOR CONVICTION OF GENDER-BASED, INTIMATE PARTNER, OR FAMILY VIOLENCE

The Commission recommends that

(a) The federal government should amend the Firearms Act to automatically revoke the firearms licences of persons convicted of domestic violence or hate-related offences.

(b) The federal government should amend the Firearms Act to suspend the firearms licences of persons charged with such offences; where such charges are diverted, withdrawn, stayed, or otherwise resolved without trial, the suspension should remain in place and the burden of proof should be on licence holders to demonstrate they are not a risk or a threat to others.

(c) The federal government should consult with Indigenous groups, the gender-based violence advocacy and service sector representatives of rural communities, firearms officers, and police services to create guidance for the consistent, effective, and safe enforcement of these provisions.

IMPLEMENTATION POINT

- We endorse jury recommendation #13 of the Ontario Office of the Chief Coroner's 2022 inquest into the murders of Carol Culleton, Anastasia Kuzyk, and Nathalie Warmerdam (the Renfrew County Inquest). This recommendation would require all police services to immediately inform the chief firearms officer (CFO) of charges related to intimate partner violence after they are laid, and provide any relevant records, including Firearms Interest Police information collected for the police database and used by chief firearms officers to screen applicants for firearms licences.

40. Recommendation C.23 PREVENTION OF UNLAWFUL TRANSFERS OF FIREARMS FROM ESTATES

The Commission recommends that The federal, provincial, and territorial governments should enact legislative and regulatory changes required to prevent unlawful transfers of firearms from estates.

IMPLEMENTATION POINTS

- Create mechanisms to transfer information from government databases such as Vital Statistics to firearms officers, which would ensure that firearms officers receive immediate notification of a death or licence expiry and take action to identify, retrieve, and secure firearms.
- Educate those administering an estate about their responsibility for the timely and legal deactivation, surrender, or destruction of firearms in the estate and hold them accountable.

41. Recommendation C.24 INTEROPERABILITY OF LAW ENFORCEMENT AGENCIES ENGAGED IN FIREARMS CONTROL AT THE CANADA-UNITED STATES BORDER

The Commission recommends that

(a) All law enforcement agencies with a shared mandate to stop the illegal entry of firearms into Canada should develop fully interoperable systems for the sharing of records and information.

(b) All law enforcement agencies should develop a collaborative framework to ensure effective scrutiny at the border.

(c) Canadian enforcement agencies should engage local border communities to assist in the prevention of illegal cross-border transfer of firearms, and Canada should encourage American law enforcement agencies to do likewise.

42. Recommendation C.25 EFFECTIVE, CONSISTENT, AND ACCOUNTABLE ENFORCEMENT OF FIREARMS REGULATIONS

The Commission recommends that

(a) The federal government should engage with communities, the gender-based violence advocacy and support sector, and firearms regulatory officers to develop practical guidance policies for the effective, consistent, and accountable enforcement of firearms regulations.

(b) The federal government should engage communities, the gender-based violence advocacy and support sector, and firearms regulatory officers to develop a framework for the collection of data about firearms enforcement.

(c) The federal government should collect, analyze, and report data on enforcement of firearms regulations publicly.

(d) The federal government should immediately ratify and implement the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (Firearms Protocol).

(e) The federal government should fully implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (also known as the United Nations International Tracing Instrument, or ITI).

IMPLEMENTATION POINTS

- The Ontario Office of the Chief Coroner's 2022 inquest into the murders of Carol Culleton, Anastasia Kuzyk, and Nathalie Warmerdam (the Renfrew County Inquest) made a number of recommendations to improve enforcement which provide a strong starting point. We endorse that inquest jury's recommendation numbers 69-73. The Chief Firearms Officer (CFO) should work with appropriate decision-makers to: 69. Review the mandate and approach of the CFO's Spousal Support line to: (a) Change its name to one that better reflects its purpose. It should be clear that it is broadly accessible and not limited to a particular kind of relationship; (b) Be staffed 24 hours a day and 7 days a week; (c) Be publicized to enhance public awareness, and become better known among policing partners possibly through All Chiefs' bulletins.

70. Create guidelines for staff in making decisions regarding whether to issue, review, revoke, or add conditions to PALs [Possession and Acquisition Licences] to ensure consistency among staff and through time. Particular attention should be paid to red flags and risk factors around IPV [intimate partner violence], including where there is no conviction.

71. Require that a PAL is automatically reviewed when someone is charged with an IPV-related offence.

72. Require PAL applicants and holders to report to the CFO in a timely manner any change in information provided in application and renewal forms submitted to the CFO, including when an individual with weapons restrictions comes to reside in their home.

73. Amend PAL application and renewal forms to require identification as a surety.

- Steps should be taken to promote standardization and quality control measures in data collection by police, as well as mandatory collecting of information by federal, provincial, and local police.
- This information should be publicly reporting on an annual basis.
- Information gathered should include: disaggregated data on firearm death, injury and crime including gender, age, region and other pertinent characteristics; types of firearms used (unrestricted, restricted (handguns) and others) and their sources (legal owner, diverted from legal owner, smuggled); offender/ victim relationship (was the perpetrator known or unknown to the victim; if the perpetrator was known, what was his or her relationship to the victim); firearm ownership and whether the person who used the gun was licensed; the number of firearms-related investigations, charges and complaints; a breakdown of the data by gender of suspect / victim; offence type; type of firearm; and demographic indicators such as age, educational level and income; the steps and outcome of steps undertaken by police in response to a firearm related complaint, including the number of firearms removed from individuals following the expiry of a licence; the suspension of a licence; the revocation of a licence; and the issuance of an order in the criminal courts prohibiting an individual from possessing firearms; and the outcome of tracing efforts in each case.

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