University of Toronto Guideline on Firearms in Research and Field Teaching (Canada Only)

Preamble

Under some certain circumstances, researchers/instructors may be required to carry and use firearms for protection from animals (*e.g.*, bears or cougars) or for other research-related activities on or off-campus (*e.g.*, hiking, sample collection, or forensic research). Those carrying or using firearms must abide by all applicable local, provincial, territorial, and federal laws and requirements, in addition to the processes and expectations that are outlined in this document.

The application of the requirements and expectations detailed in this document will vary based on the circumstances. In some situations, the researcher/instructor may not own a firearm personally. The firearm may be part of a shared pool of firearms owned, managed, and maintained by a third-party (*e.g.*, Canada Wildlife Services). In these circumstances, the rules and procedures of the third-party organization, with respect to maintenance, incident reporting, transportation of the firearms, *etc.*, would apply. Where feasible and available, the use of such pooled resources is encouraged.

Purpose

The purpose of this guideline is to outline a framework of controls and processes that mitigate risk regarding the use of firearms during research and instructional activities within Canada and sanctioned by the University of Toronto (*e.g.,* off-campus locations, University-owned locations, or on-campus controlled research (*e.g.,* ballistics analysis)). For firearm use outside of Canada, researchers/instructors must follow local requirements for use, possession, storage, transport, and maintenance, *etc*.

Scope

This guideline establishes the minimum requirements for approval of the use of firearms by University of Toronto faculty, staff, and students during sanctioned field research or instructional activities (on or off-campus). It is intended to be interpreted and implemented with all applicable laws, and with particular reference to the following: University of Toronto documents:

- Governing Council Statement on the Bearing of Firearms
- Health and Safety Policy

No part of this guideline is intended to replace or supersede any law established by federal, territorial, provincial, or municipal authorities and jurisdictions.

Responsibility for enforcing the provisions herein lies with academic divisions sponsoring the field research or instruction and with the Division or Campus Head.

In circumstances where an external party is providing services pertaining to the bearing of firearms during any research or instructional activity, consideration is to be given to the roles, responsibilities, and oversight that may impact University of Toronto students and/or employees, to be assessed on a case-by-case basis (*e.g.,* geographic locations where there is a requirement to hire a local guide who bears firearms for the purpose of providing protection).

Definitions

Responsible User: An individual who:

- Requires a firearm in order to safely conduct specific University-sanctioned field research or instructional activities;
- Holds a valid Possession and Acquisition License (PAL);
- Has completed other training required under this procedure and/or as per site or jurisdictional requirements; and,
- Has been authorized by their Division or Campus Head to use non-restricted firearms during specific University-sanctioned research activities (please refer to the Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A)).

Firearm: As defined in Section 2 of the *Criminal Code of Canada*, a barrelled weapon from which any shot, bullet or other projectile can be discharged, and that is capable of causing serious bodily injury or death to a person and includes any frame or receiver of such a barrelled weapon and anything that can be adopted for use as a firearm. For the purposes of this guideline, a "firearm" refers to a non-restricted firearm (see definition below) that may be owned by a member of the research or instructional team, or non-restricted firearm that is used from institutional pools of firearms (see above). Units such as air guns with both a muzzle velocity lesser than 152.4 meters per second and a muzzle energy lesser than 5.7 joules are NOT defined as firearms for the purposes of this guideline; however, standard risk assessment processes (identifying hazards, developing mitigation plans or procedures, provision of training and instruction, maintenance, proper storage) continue to apply, similar to other hazards (*e.g.,* chemical, biological, equipment-related)

Non-Restricted Firearm: (a) a firearm that is neither a prohibited firearm nor a restricted firearm (*i.e.,* not listed in subsection 84(1) of the Criminal Code of Canada), or (b) a firearm that is prescribed to be a non-restricted firearm. Most common long guns (rifles, shotguns) are non-restricted, but there are exceptions. Only non-restricted firearms as defined in the *Firearms Act* (S.C. 1995, c. 39), may be used in University-sanctioned research and instructional activities.

Principal Investigator (PI): The lead researcher for a particular well-defined academic project, laboratory study, or clinical trial, who has been officially designated as such by the University of Toronto.

Secure locking device**:** A device that (a) can only be opened or released by the use of an electronic, magnetic or mechanical key or by setting the device in accordance with an alphabetical or numerical combination; and (b) when applied to a firearm, prevents that firearm from being discharged.

University of Toronto Premises: Includes all University-owned, leased, rented, operated or controlled buildings, residences, grounds and vehicles. For example, Koffler Scientific Reserve.

Roles and Responsibilities

The roles and responsibilities under this guideline are those specified in the Guidelines on Safety in Field Research as they apply to the safe use of firearms, and other roles and responsibilities that are related to the specific requirements of this guideline.

1. Division or Campus Head

   The Division or Campus Head (usually the Dean, Principal or Designate) is responsible for:

   - Ensuring that Principal Investigators (Academic Supervisors) or Field Instructors are aware of and compliant with this guideline.

- Identifying and addressing issues related to non-compliance, incidents, and potential corrective measures. Division or Campus Heads can contact Environmental Health and Safety (EHS) for assistance.
- Designating a departmental/Faculty contact person for all field research teams.
- Reviewing and, where appropriate, approving the Firearms in Research/Teaching Approval Form applicable to their unit/division, including updates, and maintaining a copy of forms and any amendments, including a current list of approved firearm users.

2. Principal Investigator (Academic Supervisor) or Field Instructor

The primary responsibility for compliance with this guideline lies with the Principal Investigator (PI) or Field Instructor. Firearms create their own hazards. If the PI or Field Instructor has determined through their hazard assessment that firearms are required, they must also assess and control related hazards, such as theft, violence or accidental discharges.

A PI/Field Instructor is responsible for:

- Ensuring that each member of the team is aware of, and enforcing compliance with, this guideline, including appropriate corrective actions and/or disciplinary measures as appropriate.
- Communicating health and safety risks (including firearm-related risks) and related procedures to all team members and providing training and instruction to team members as appropriate.
- Completing and submitting a risk assessment for the field research or instructional activity involving firearms and the Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A) to the Division or Campus Head for approval and updating the form to reflect changes.
- Maintaining records related to firearms where applicable (*e.g.,* firearm owned by a Responsible User).
- Developing and implementing standard operating procedures (SOPs) as appropriate.
- Ensuring compliance with applicable jurisdictional legislation and laws related to firearms.
- Ensuring that licences (PAL) and permits are available to show the Responsible User is in legal possession of the firearm (*e.g.,* upon request of a peace officer or other official).
- Ensuring that the firearm is in good working order and arranging for repairs or maintenance as needed and where applicable (e.g., personally owned firearm).
- Providing and ensuring adequate and competent supervision.
- Reporting and investigating firearm-related incidents (refer to the Incident Reporting/Investigation section) and implementing measures to prevent recurrence.
- Submitting an online incident eForm where applicable.
- Conducting a review of field research/instructional activities for which use of firearms has been authorized at least annually and more often as required (*e.g.,* following a firearm-related incident).
- Maintaining copies of all records and procedures for firearm use required by this guideline (*e.g.,* risk assessments, training records and certifications, Approval Form).

3. Team Leader

The Team Leader may be the PI (Academic Supervisor), Field Instructor or, in the absence of the PI or Field Instructor, another member of the team who has been designated as such by the PI (Academic Supervisor) or Field Instructor, with the approval of the Division or Campus Head. Where possible, Team Leaders would be appointed in a continuing stream faculty position; exceptions to this should be approved by the Division or Campus Head. In some situations, it may be practical to have more than one Team Leader. A Team Leader is responsible for:

- Complying with the requirements of this guideline.
- Supporting completion of risk assessments and development of SOPs.
- Properly supervising individuals under their supervision.
- If also designated as a Responsible User, fulfilling the associated requirements.
- Ensuring implementation of the controls established by the PI or Field Instructor.
- Addressing and resolving any safety concerns that may arise in the field.
- Maintaining regular contact with the PI or Field Instructor and/or departmental contacts.
- Informing the PI or Field Instructor and/or departmental contacts of all accidents, illnesses or emergencies that occur in the field (*e.g.*, firearm-related injuries and/or other safety incidents).

4. Team Member

Each member, including the Team Lead, of the field research/instructional team is responsible for:

- Completing assigned training and complying with SOPs and this guideline.
- Working safely and in a manner that prevents harm to themselves or others.
- Reporting any identified hazards to the Team Leader or PI (Academic Supervisor) or Field Instructor.
- Reporting all accidents, illnesses or emergencies to the Team Leader or PI (Academic Supervisor) or Field Instructor.

5. EHS

- Facilitating, if needed, the completion of Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A), risk assessments, and SOPs.
- Liaising with the Office of the Vice-Provost Students if students are involved.
- Providing consultation and advice as needed.
- Receiving and reviewing copies of incident reports and leading or supporting investigations, including implementation of measures to prevent recurrence.

- Maintaining an institutional repository of approved Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A), and reviewing and providing comments and recommendations.

- Liaising with Risk Management and Insurance Services, and the Office of University Counsel as applicable.

Controls and Processes

Ammunition

It is the Responsible User's responsibility to purchase factory ammunition that is appropriate to the firearm(s) that has been approved through this process. Hand-loaded ammunition shall not be used with Field Research Firearms.

In some circumstances (*e.g.,* sample collection), it may be necessary to modify the ammunition. Any additional risks or hazards associated with this task should be identified in the risk assessment and SOPs should be developed accordingly.

Procedures should be in place to pick up spent ammunition to protect the well-being and integrity of the natural environment.

Application/Approval Procedure

Prior to completing and submitting the Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A) for approval, the PI/Instructor should read this guideline and the associated policies and procedures. The appropriate Division or Campus Head must sign the Form. These approvals cannot be delegated. The approval is for a period of five (5) years. The applicant (*e.g.,* PI or Field Instructor) is responsible for reviewing their approvals annually and resubmitting the Form for approval if there is any material change (*e.g.,* location, types of firearms, list of Responsible Users, *etc.*). The PI or Field Instructor should also review the procedures, training materials, and instructions associated with firearms use annually and update those as needed.

Applications should be submitted well in advance of the sanctioned field research to ensure that planning, training, and other requirements of the approval process can be completed. Approvals will be reviewed at least annually as part of field research project planning and risk assessment processes.

All Responsible Users must have a valid PAL, renewable every five (5) years, or as otherwise required by law. For more information on the PAL application process, please visit the Royal Canadian Mounted Police (RCMP) Licensing webpage. Please note that a Police background check is required and Responsible Users should plan accordingly to ensure that sufficient time is allowed for background checks to occur.

Federal, provincial, regional, or local permits may also be required in order to possess or use firearms in specific locations. The need for such permits should be identified through the risk assessment processes.

Maintenance

At all times, the PI/Instructor and Responsible Users are responsible for ensuring that the firearms they own, possess or use are in good working order and safe for use, and must document the inspection and maintenance of their firearms. If there is any doubt regarding the condition of a firearm, it must be removed from service, inspected by a recognized gunsmith and repaired. Situations will vary depending on whether the firearm is individually owned or owned by a third party (*e.g.,* government organization such as Wildlife Services Canada) - please refer to the Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A).

Risk Assessment

Due diligence must be exercised by all concerned parties in assessing the nature of, and the means for dealing with, risks that may be associated with each kind of field research and location, and in determining whether it is appropriate to proceed with the activity, making risks known and obtaining informed acknowledgement (Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A)).

Prior to undertaking research or instructional activities for which approval of the use of a non-restricted firearm (including any associated components and ammunition) will be requested, the following must occur:

- The PI or Field Instructor will complete a risk assessment for the overall field research project, including non-firearm controls (see below regarding supplemental controls) and a specific firearms risk assessment to identify and evaluate potential risks and establish appropriate controls.
- The firearms risk assessment must be completed and submitted with the Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A).
- The firearms risk assessment should include the following elements:
    - Reason for use of firearms (*e.g.,* wilderness protection or remote site requirements).
    - Names and contact information of Responsible Users and other Team Members.
    - Permits required for the activity (if applicable).
    - Hazards associated with the storage, use, possession, transportation, loss, theft, accidental discharge of the firearms and mitigation measures (*e.g.,* training, access, inspections, *etc.*).
    - Selection of firearms and ammunition appropriate to the work activity (*e.g.,* low calibre rifles for sample collections).
    - Supplemental control measures that could reduce the frequency of firearm use (*e.g.,* other forms of non-lethal weapon or wildlife deterrents including proper bear avoidance practices, such as food/waste handling, campus site layouts, bear spray, hiring bear guards, signal flares, noisemakers, *etc.*).
    - Emergency procedures (*e.g.*, emergency contact information, access to emergency medical care, means of communication in remote areas, specialized wilderness first aid training for remote locations, first aid, *etc.*).
    - Communication of risks and procedures to all applicable team members.

For field/off-campus research, additional resources include:

- Procedure on the Framework on Off-Campus Safety
- Guidelines on Safety in Field Research
- Off Campus Safety Guidelines
- Off-Campus Safety webpage and Off-Campus Safety Planning Record (Risk Assessment)

Other resources related to bears:

- Prospectors & Developers Association of Canada PDAC's Framework for Responsible Exploration, section 10.3.9.5 Bear Deterrents)
- CAGC Bear Hazard Response Guideline
- Energy Safety Canada
- Bearsmart.

Standard operating procedures (SOPs)

All Team Members must be trained or instructed on the SOPs. Drills should be conducted as appropriate. SOPs must be reviewed annually or when there is a material change.

Examples of details that should be documented in field or activity-specific SOPs include, but are not limited to:

- Firearm type(s), make(s) and model(s) and procedures for use
- Ammunition types (e.g., lethal, non-lethal), storage and inventory procedures
- Inspections and maintenance, where applicable
- Roles and responsibilities
- Transportation and storage of firearms
- How to report hazards, safety concerns, including incident reporting and investigation
- Where applicable, include day and night situations
- Emergency drills and procedures.

Where applicable, for wildlife protection (*e.g.,* bears and cougars), procedures should include how and when to use other types of deterrents, how to interact with wildlife and contact information for the local wildlife agency.

As outlined below, all field research project personnel must be trained on SOPs as appropriate, and compliance with SOPs must be actively monitored and enforced.

Training / Competency

All Responsible Users must have a PAL and, as such, are required to take a Canadian Firearms Safety Course (CFSC) from a Certified Firearms Instructor. In some circumstances, such as participating in sanctioned activities with the Canadian Armed Forces, RCMP, OPP, *etc.*, firearm competencies and requirements will be as per the site authority (*e.g.*, CF base, training facilities/areas, *etc*).

Other training (as applicable):

- Training on the requirements of this procedure and associated site-specific SOPs

  Training and instruction should take place prior to the start of the activity where possible. In some cases, training may involve orientation of the site and therefore should take place as soon as possible upon arrival.

- Wildlife safety training

  Where applicable or required at the site, personnel should receive a wildlife safety course from a wildlife official or competent person as well as training, instruction, and information appropriate to the situation where and when available. Refresher training should be conducted annually.

- Field-based deterrent and firearms training

  Personnel must understand how and when to use, and be able to competently handle, specific types of deterrents. If firearms are present in camp, regular firearms training and target practice should be conducted for individuals authorized to use them.

- Wilderness First Aid

  Where applicable or required at the site, key personnel must be trained to provide first aid in wilderness and remote environments. Due to the remoteness of the location and distance from medical care, specialized skills, equipment, and training are required in the event of injuries (firearms or other hazards).

PIs and Field Instructors are responsible for ensuring that Responsible Users are properly trained and competent, and similarly, that supervisors (e.g., Team Leaders) are responsible for ensuring that individuals they oversee are properly trained and competent.

Records of training and competency evaluations (e.g., practical tests) must be kept on file and available upon request by the University and external agencies.

Transport and Storage

Firearms and ammunition may not be brought onto or stored in University of Toronto premises unless identified and approved in the Non-Restricted Firearm for Research/Teaching Approval Form (Appendix A). Privately owned firearms are not permitted to be stored or brought to campus. Exceptional circumstances may be assessed on a case-by-case basis. Details are to be provided in Appendix A for review.

In some situations, as part of the departure/return for research, the Responsible User may come briefly onto University premises (*e.g.,* to pick up supplies or other research/instructional equipment, *etc.*). Where possible, Responsible Users should drop off their privately owned firearms at home or at a designated storage location, prior to coming on University premises.

For storage and transport, firearms must be unloaded, inoperable (secure lock device or bolt removed) and stored in a locked container that is difficult to break into. Ammunition must be stored separately in a locked container or in the same locked container as firearms.

At the field site, when not in use, firearms must be secured (including in a vehicle). Depending on the need for accessibility of the firearm, a trigger lock may be required. Where appropriate, store the firearm and ammunition separately if it does not impede usage as required for safety purposes.

In an unattended vehicle, non-restricted firearms must be in the trunk or a similar lockable compartment. If a vehicle does not have a trunk or lockable compartment, put firearms and firearm containers out of sight inside the vehicle and lock the vehicle.

In a remote wilderness area, if a firearm cannot be locked inside a vehicle, it must be unloaded and placed out of sight when not in use. A secure locking device must be attached to the firearms unless they are needed for wilderness protection.

Supervision

As noted in the Guidelines on Safety in Field Research, all field research participants bear some degree of responsibility for their health and safety. However, the primary responsibility lies with PIs (Academic Supervisors) or Field Instructors who are in charge of field research/instructional activity and team leaders directly supervising field research.

Due diligence can be demonstrated by having records and documents that indicate:

- Provision of training and instruction
- Provision of procedures such as SOPs
- Conducting safety meetings, inspections and incident or accident investigations
- Monitoring of work conditions and practices to verify compliance and competence
- Keeping records of progressive discipline, where applicable.
- Where applicable (e.g., privately owned firearms), records of maintenance, inspections, etc.

These elements should be considered as part of the field research planning process, and in the development of project health and safety plans and SOPs.

Non-compliance

Failure to comply with this guideline may be grounds for discipline, up to and including termination of employment, or other corrective measures as may be appropriate in the circumstances.

Incident reporting and investigation

Faculty and staff have an obligation to report firearms incidents about which they have knowledge. External members of the University community may also use this guideline to bring issues to the awareness of the University. The confidentiality of any disclosure will be appropriately protected as applicable and where appropriate. All faculty, students, and staff involved in a possible subsequent investigation maintain the rights, privileges and protections afforded to them through the applicable University procedures and collective agreements in effect at the time.

An online incident eForm is to be submitted when:

- a firearm is discharged causing bodily injury or death to a person, or near miss, or property damage;
- a firearm has been stolen or is missing; or
- any other occurrence or observation that one would reasonably assume should be brought to the attention of the University.

Additional reporting requirements may apply at the local site.

Appendix A:

Non-Restricted Firearm for Research/Teaching Approval Form (fillable PDF). https://ehs.utoronto.ca/wp-content/uploads/2023/07/Appendix-A_University-of-Toronto-Firearms-in-Research-Guidelines.pdf

A completed copy of the form must be submitted to EHS (ehs.office@utoronto.ca).