



MANITOBA ASSOCIATION
OF WOMEN'S SHELTERS



Red Flag Laws & Firearm Safety

Understanding Emergency
Prohibition Orders (EPOS) & Firearm
Access Limitations in Manitoba

Funded by Public Safety Canada

www.maws.mb.ca



Red Flag Laws in Canada

- Introduced through amendments to the Criminal Code in 2023–2024.
- **Allow individuals or authorities to request Emergency Prohibition Orders (EPOs) to temporarily remove firearms from someone posing a safety risk.**
- Complementary to existing protection orders and peace bonds.
- **Designed to prevent Gender-Based Violence, suicides, and family harm.**



Key Concepts:
'Red Flag' vs.
'Yellow Flag'

Red Flag 

Court-ordered removal of firearms from individuals posing imminent risk.

Yellow Flag 

Temporary suspension or review of a firearm license by Chief Firearms Officer (CFO).

Red Flags can be requested by victims, family members, police, or shelter advocates (with victim consent).

Emergency Prohibition Orders

- Issued by a **provincial court judge** upon sworn evidence that an individual poses a risk of violence.
- Allows immediate seizure of firearms, ammunition, and licenses.
- Valid for up to 30 days (temporary), extendable by court.
- Confidential process; victim identity protected in application.



Who can apply for a Red Flag Order?

- Any person who believes an individual poses a danger to themselves or others.
- Shelter workers may assist survivors in completing affidavits or applications.
- Applications can be made ex parte (without notifying the respondent initially) for safety reasons.
- Legal support and police guidance are recommended before filing.

Grounds for Application

Threats or history of domestic violence or stalking.

Recent separation, escalating behaviour, or substance misuse.

Access to or possession of firearms.

Statements of self-harm or harm to others.

Police or community reports indicating risk.



Application Process in Manitoba



Contact

Local police or the RCMP detachment if imminent danger exists.



Prepare

Affidavit outlining risk indicators and firearm details.



File

With the Provincial Court of Manitoba (often with police or Crown support).



Review

Judge will review evidence; they may issue EPO immediately.



Execute

Firearms officer or the police execute an order and seize firearms.

Role of Shelter & Crisis Workers

- Support clients in safety planning and risk documentation.
- Connect survivors to legal aid or victim services for EPO applications.
- **Maintain confidentiality throughout process.**
- Educate clients on rights and non-retaliation protections.
- **Follow up with police** on firearm removal status.



Role of Police & Court Collaboration

- Manitoba Justice coordinates firearm seizure logistics.
- Winnipeg Police Service and RCMP detachment have designated Red Flag leads.
- **Shelter workers can request welfare checks or firearm safety assessments.**
- **Courts may order extended prohibition after hearing evidence.**

Duration & Enforcement of Orders

- Temporary orders are **valid up to 30 days**.
- Longer-term orders **can extend up to 5 years**, subject to judicial review.
- **Breach of EPO = criminal offence** (failure to surrender firearm or comply).
- **Firearms are stored securely by law enforcement** during prohibition.





Confidentiality & Victim Safety

- Victim's identity sealed in court records under Red Flag provisions.
- Respondent not informed of applicant's role if risk of retaliation.
- **Shelters should advise survivors to maintain low visibility and digital safety.**
- **Manitoba Victim Services offers secure communication lines for updates.**

Legal Supports & Resources

- **Legal Aid Manitoba**

Family Violence Unit (supports EPO filings).



Legal Aid Manitoba
Aide juridique Manitoba

- **Victim Services Manitoba**

(204) 945-6851 or 1-866-484-2846.



- **RCMP and WPS Victim Services**

Firearm seizure follow-up.



**Royal Canadian
Mounted Police**

- **Public Safety Canada Resource**

publicsafety.gc.ca/frrms/rd-flg-lws-en



Intersection with Protection Orders

- Red Flag = firearm-specific; Protection Orders = broader no-contact limits.
- Survivors may **hold both orders simultaneously**.
- Shelters should **check court status** to ensure consistency between orders.
- Judges may **integrate firearm removal into existing** protection orders.

Training & Awareness for Shelter Staff

Topics covered include, but not limited to

- **Annual refresher** on firearm-related risk indicators.
- **Role-playing** EPO application process.
- **Trauma-informed response** to firearm-related disclosures.
- **Coordination with police and Legal Aid** on safety protocols.



Documentation Best Practices

- ✓ **Record client disclosures verbatim** where possible.
- ✓ **Avoid assumptions**; stick to observable behaviours and threats.

- ✓ Keep digital and paper **records secure** and encrypted.
- ✓ **Share only with authorized partners** involved in EPO application.



Case Example

Manitoba Shelter Scenario

A client discloses that her ex-partner recently purchased a handgun and has made threats.

Immediate safety plan and relocation.

1

Contact local police for welfare check.

2

Assist client to file Red Flag EPO with supporting affidavit.

3

Monitor case outcome and firearm surrender status.

4



Barriers to Access

- **Fear** of retaliation or escalation.
- **Limited awareness** among survivors or staff.
- **Court process** complexity.
- **Geographic barriers** in rural/northern Manitoba.
- **Need for culturally safe** and multilingual supports.

Promising Practices in Manitoba (MB)

- Winnipeg Family Violence Court coordination on Red Flag awareness.
- **Police training modules for gender-based violence firearm risk.**
- Shelter partnerships with Crown prosecutors for expedited filings.
- **Inclusion of firearm risk screening in intake assessments.**



Key Takeaways

Red Flag laws add a crucial **prevention tool** for Gender-Based Violence (GBV) cases.

Shelter staff play an essential **frontline role in identifying firearm risk.**

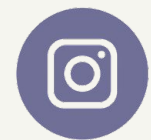
Legal supports exist; **staff should not file alone.**

Prioritize safety, confidentiality, and survivor consent in every step.

Thank YOU!



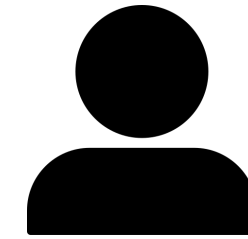
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