

BY COURIER

23 August 2005

Honourable Tim Sale
Minister of Health
450 Broadway, 302 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Minister Sale:

Re: Legislation to Authorize Forced Testing for HIV in the Event of Occupational Exposure

We are writing to provide Manitoba Health with our submissions (and related publications) in relation to the above-mentioned matter.

It has come to our attention that your ministry is considering drafting legislation which would provide for forced testing for HIV and other blood-borne pathogens in the event of occupational exposure to blood and bodily fluids. We strongly urge you not to proceed with such legislation in light of the serious human rights concerns it raises, the flawed rationales upon which it is based, and the failure of such legislation to offer real health and safety protection for workers exposed to blood-borne pathogens in the course of their work.

We urge you to take into account a range of considered opinions and positions in assessing the wisdom of introducing forced testing legislation. We trust that you will not take any action without first consulting with the full range of individuals and groups with an interest in such legislation. In particular, we urge you to consult with HIV/AIDS, human rights and civil liberties organizations.

We look forward to receiving your written reply to our submission once you have had an opportunity to review same.

Sincerely,

[Original signed by]

Glenn Betteridge, LLB, BCL
Senior Policy Analyst

Encl. Submissions; Legal Network publications (3)

cc. Manitoba AIDS Cooperative; Kali Shiva AIDS Services; Nine Circles Community Health Centre; Manitoba Public Interest Law Centre; Manitoba Aboriginal AIDS Task Force; Manitoba Association for Rights and Liberties