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LAWSUIT FILED AGAINST GOVERNMENT OF CANADA FOR FAILING TO PROTECT THE HEALTH OF FEDERAL PRISONERS *Former prisoner needlessly infected with hepatitis C while behind bars*

September 25, 2012 — The Canadian HIV/AIDS Legal Network, Prisoners with HIV/AIDS Support Action Network (PASAN), CATIE, the Canadian Aboriginal AIDS Network (CAAN) and Steven Simons, a former federal prisoner, launched a lawsuit against the Government of Canada over its failure to protect the health of people in prison through its ongoing refusal to implement clean needle and syringe programs to prevent the spread of HIV and hepatitis C virus (HCV) in federal institutions.

Steven Simons was incarcerated in Warkworth Institution from 1998 to 2010, where he was infected with hepatitis C when a fellow prisoner used his drug injection equipment.

“When I was in prison, I would see people passing one homemade needle around and sharpening it with matchbooks. The needle would be dirty and held together with hot glue. I watched people shove a dull needle to try to penetrate their skin, creating craters, abscesses and disfigurements,” says Simons. Simons is intent on ensuring others don’t continue to suffer for no reason. He adds, “I wanted to be involved in this case to save lives and prevent the spread of hepatitis and HIV.”

In Canada, people in prison — a disproportionate number of whom are Aboriginal and suffer from drug dependence — face rates of HIV and HCV infection that are at least 10 and 30 times higher, respectively, than in the overall population. These figures are even higher for women in prison. People who inject drugs behind bars are more likely to share and reuse injection equipment than people in the community because they are denied access to sterile injecting equipment while in prison, significantly increasing their risk of contracting HIV and HCV. This risk will only be exacerbated by the recent passage of Bill C-10, the so-called *Safe Streets and Communities Act*, an “omnibus” crime bill that will further increase Canada’s prison population as more and more people are incarcerated for non-violent drug offences.

Currently, no Canadian prison permits the distribution of sterile injection equipment to prisoners, despite overwhelming evidence of the health protection benefits of such programs from other countries where they have been operating for years.

“People do not surrender their human rights when they enter prison, including their right to access health services equivalent to those outside prisons. Society should not

sentence people to a higher risk of infection with HIV or hepatitis,” said Sandra Ka Hon Chu, Senior Policy Analyst with the Canadian HIV/AIDS Legal Network. “The federal government has the evidence showing that such programs providing access to sterile injection equipment are urgently needed in Canadian prisons and that they are successful elsewhere. The failure to act on this evidence has resulted in avoidable HIV and HCV infections that are personally devastating and also very costly to the public purse. Prison health is public health.”

Further resources and updates can be found at www.PrisonHealthNow.ca.

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About the Canadian HIV/AIDS Legal Network

The Canadian HIV/AIDS Legal Network (www.aidslaw.ca) promotes the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally, through research and analysis, advocacy and litigation, public education and community mobilization. The Legal Network is Canada’s leading advocacy organization working on the legal and human rights issues raised by HIV/AIDS.

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