

TIME TO ACT ON HARM REDUCTION PROMISES

Open Letter to the Liberal Party of Canada

March 2018

Drug policy is at a critical juncture in Canada, and we need our elected representatives to put even greater emphasis on public health objectives and outcomes, respecting human rights for all. Welcome steps have been taken on this front following the 2015 election, including restoring harm reduction as a key pillar of Canada's drug strategy, and moving to legalize and regulate cannabis. But in 2016, nearly 3,000 Canadians died from opioid-related causes; in 2017, that number grew and will continue to rise without a significant change in course.

Recognizing the need for a shift in the approach to drug policy, a number of leading health and human rights organizations in Canada and around the world have endorsed the decriminalization of the possession of drugs for personal consumption. This includes the Canadian Public Health Association, the Canadian Drug Policy Coalition, and the Canadian HIV/AIDS Legal Network, to name only a few. Canada needs to fundamentally alter its approach to drug policy, in keeping with the Global Commission on Drug Policy's 2016 report, *Advancing Drug Policy: A New Approach to Decriminalization*.¹

There is ample evidence that the current, punitive policy approach to drugs has a negative impact on public health. People who inject or have injected currently illegal drugs accounted for 11 percent of new HIV infections in Canada in 2014; in Saskatchewan, new HIV infections are concentrated mainly in people who use or have used injection drugs (76.1% of people living with HIV in the province).² Punitive policies take a disproportionate toll on Indigenous people: 45% of new HIV infections among Indigenous people are attributed to injection drug use — more than four times the estimate for the Canadian population as a whole.³ Already marginalized groups face even more widespread discrimination as a result of harsh drug laws and as such are alienated from accessing vital health, harm reduction and social services. Additionally, women who are federally incarcerated are twice as likely as men to be serving a sentence for a drug-related offence, and Indigenous and Black women are more likely than white women to be in prison for that reason.⁴

Removing criminal penalties for the possession of drugs for personal consumption is not a new concept. In fact, some countries have had decriminalization policies in place since the 1970s; others never criminalized simple drug possession to begin with. Over the last 15 years, numerous countries have increasingly moved, to varying degrees, to implement decriminalization.⁵ In 2001, Portugal undertook two broad measures to combat drug-related harms: the government expanded treatment and harm reduction services and eliminated criminal penalties for low-level possession and consumption of all drugs. This new, evidence-based approach to drug policy has been a clear success — reducing problematic drug use, overdose deaths, and HIV infections associated with drug injection, as well as reducing costs to the criminal justice system — and provides important lessons for other countries.

During the 2015 federal election, the Liberal Party of Canada [responded to a questionnaire](#) sent to each of the major federal parties by the Canadian HIV/AIDS Legal Network on harm reduction services (such as supervised consumption services and prison-based needle and syringe programs) and on drug policy more generally. The Liberal Party declared its support for the following:

A Liberal government’s priority will be evidence-based policies that reduce harm and protect public safety. We were leaders on protecting public health and safety on this issue, and will continue to focus on policies for the public good. Our party believes that safe injection sites are an integral party of a broader, evidence-based national drug policy that promotes public health and decreases crime.

The Liberal Party of Canada knows that a responsible government must approach changes to our criminal justice system seriously, including the implementation of harm reduction programs, and that any changes must rely on evidence to demonstrate that they are necessary to ensure Canadians’ safety. [emphasis added]

Despite the stated commitment to and prioritization of “evidence-based policies that reduce harm and protect public safety,” the Liberal Party of Canada has not, to date, gone far enough. Indeed, the opioid overdose crisis that is currently ravaging many communities within our country, again disproportionately affecting Indigenous people,⁶ is proof that further action is urgently needed.

We are therefore pleased to see that the Liberal Party will have before it, at the upcoming Liberal National Convention in April, a policy resolution on “Addressing the Opioid Crisis Through a Public Health Approach (#2752).” That resolution calls on the Government of Canada to address problematic drug use as a health (and not criminal justice) issue by expanding harm reduction and treatment services and removing the criminal sanction for low-level drug possession.

These are important steps, but we suggest the need to go even further. It is time to fundamentally alter the way Canada views drugs and the people who use them. As the Global Commission on Drug Policy states, “People who use drugs have to rely on the criminal market—whose interest is in making them dependent and turning the highest profit—and risk repressive measures. This combination of criminal offer and criminalization is particularly cruel and degrading for people who became addicted to drugs and those who use them to self-medicate physical or mental sufferings.”⁷

In 2015, the Liberal Party of Canada campaigned on bringing “real change” to how Canada is governed. This included a commitment to evidence-based policy and “a more compassionate Canada.”⁸ This must include compassion and respect for people who use drugs, recognizing that the most appropriate way to address the ongoing opioid overdose crisis and drug use in general is to treat it as a public health concern, not an issue for the criminal justice system. The federal Justice Minister has been tasked by the Prime Minister with a wide-ranging review of criminal justice policy in Canada. Now is the time to act to ensure these commitments are reflected in our drug policy.

As human rights, legal, health and social justice organizations, **we call on members of the Liberal Party of Canada to protect the human rights and dignity of people who use drugs and adopt the policy resolution to decriminalize the low-level possession of drugs and take a public health approach to problematic drug use in Canada.**

Signatures:

Canadian HIV/AIDS Legal Network
Association of Ontario Health Centres
BC Centre for Disease Control
Canadian Aboriginal AIDS Network
Canadian Association of Nurses in HIV/AIDS Care
Canadian Association of People Who Use Drugs
Canadian Drug Policy Coalition
Canadian Harm Reduction Network
Canadian Students for Sensible Drug Policy
Families for Addiction Recovery
Harm Reduction Nurses Association
International Centre for Science in Drug Policy
Metro Vancouver Aboriginal Executive Council
Moms Stop the Harm
moms united and mandated to saving Drug Users
National Pardon Centre
Ontario HIV & Substance Use Training Program
Pivot Legal Society
Thunderbird Partnership Foundation
Urban Public Health Network

Endnotes

¹Global Commission on Drug Policy, *Advancing Drug Policy Reform: A New Approach to Decriminalization*, 2016. Available at: www.globalcommissionondrugs.org/wp-content/uploads/2016/11/GCDP-Report-2016-ENGLISH.pdf.

²L. Challacombe, *The epidemiology of HIV in Canada*, CATIE, 2017. Available at: www.catie.ca/en/fact-sheets/epidemiology/epidemiology-hiv-canada.

³Public Health Agency of Canada, *Summary: Estimates of HIV Incidence, Prevalence and Proportion Undiagnosed in Canada*, 2014.

⁴The Correctional Investigator of Canada, *Annual Report 2014–2015 of the Office of the Correctional Investigator*, 2015.

⁵N. Eastwood et al., *A quiet revolution: Drug decriminalization across the globe*, Release, March 2016 (updated from 2012). Available at: www.release.org.uk/sites/default/files/pdf/publications/A%20Quiet%20Revolution%20-%20Decriminalisation%20Across%20the%20Globe.pdf.

⁶First Nations Health Authority, *Overdose Data and First Nations in BC: Preliminary Data*, 2017. Available at: www.fnha.ca/newsContent/Documents/FNHA_OverdoseDataAndFirstNationsInBC_PreliminaryFindings_FinalWeb.pdf.

⁷Global Commission on Drug Policy, *Advancing Drug Policy Reform: A New Approach to Decriminalization*, 2016, p. 5. Available at: www.globalcommissionondrugs.org/wp-content/uploads/2016/11/GCDP-Report-2016-ENGLISH.pdf.

⁸Available via www.liberal.ca/realchange.