

NDP Response: HIV Legal Network

1. Question: Will your party commit to collaborating with HIV organizations in Canada to restore the diverted and lapsed resources needed to address the gaps in Canada's HIV response and adequately fund the federal action plan on HIV?

A New Democratic government will work in partnership with HIV organizations across Canada to ensure the federal action plan on HIV is fully resourced. We are committed to the global goal of ending the epidemic of HIV/AIDS by 2030.

New Democrats have led the fight in Parliament against the Liberal government's cuts to community-based HIV organizations. We will end the erosion of federal support for Canada's HIV response. In June 2019, NDP Health Critic Don Davies' motion calling for an increase in federal HIV funding to \$100 million annually was unanimously adopted by the House of Commons Standing Committee on Health. This recommendation was put forward again by the NDP in the last session of Parliament and re-adopted by the Committee in March 2021. It's time for the federal government to follow through.

2. Question: Will your party adopt the following necessary steps to address the overdose crisis?

- **Fully decriminalize activities related to simple drug possession, removing criminal sanctions and all other penalties (administrative or otherwise) for personal drug use and for splitting and sharing drugs.**
- **In meaningful consultation with people who use drugs, implement various options for ensuring a safe supply of controlled substances to those who are otherwise at risk of potentially fatal overdose or other serious injury from a toxic illegal drug market**

Decades of failed drug policy have caused incalculable harm to communities across Canada. In the last five years alone, we have lost over 20,000 loved ones to overdoses. Tragically, this staggering death toll has grown dramatically throughout the COVID-19 pandemic.

Criminalization, a toxic illicit supply and a lack of timely access to harm reduction, treatment and recovery services are driving this ongoing catastrophe. It's time for a new approach.

NDP Response: HIV Legal Network

A New Democratic government will introduce legislation to decriminalize substance use in Canada and expunge criminal records for possession. We believe that the trauma and stigma caused by the criminalization of people who use drugs cannot be meaningfully addressed with half-measures.

We will work with the provinces and territories to extend low-barrier access to a safe supply of regulated substances to every region of the country. This is essential to save lives. We will also put in place a national strategy to ensure that harm reduction, treatment, and recovery services are available to all those who seek access. We will back up this plan with new and significant investments.

- 3. Question: Given the overwhelming evidence regarding the effectiveness of prison-based needle and syringe programs, will your party: a) support their continued implementation in Canada's federal prisons; b) promote transparency about the status of PNEP operations; and c) commit to consulting with prisoners, researchers, and community organizations with expertise in prison health to fix fundamental problems with the current program so that prisoners who need this health service can gain effective access?**

New Democrats believe it's time to take a fully health-based approach to substance use in Canada. Needle exchange programs have proven to be a safe and effective way to prevent infectious disease transmission. We support the implementation of this important harm reduction initiative across all federal prisons. We are troubled by the federal government's lack of transparency on the program to date – particularly with respect to its suspension at the beginning of the COVID-19 pandemic.

- 4. Question: Does your party commit to implementing the recommendations of the Standing Committee to: a) reform the Criminal Code in consultation with the HIV sector (including removing HIV non-disclosure from the reach of sexual assault laws); and b) engage with provincial counterparts to develop improved, and consistent, prosecutorial policy across the country?**

New Democrats agree that legal reform is urgently needed to end unjust prosecutions related to HIV non-disclosure. We believe that communicable diseases are most effectively addressed through public health measures, not criminalization. We will take action to decriminalize HIV non-disclosure as an essential first step in the fight to eradicate HIV/AIDS. And we will work with the provinces and territories develop consistent policy with respect to the limited circumstances where prosecution is appropriate, such as cases of intentional and malicious transmission.

5. Question: Will your party support the repeal of all sex work-specific criminal laws, including the Protection of Communities and Exploited Persons Act, and consult with sex workers to develop a holistic vision of law reform that will improve their health and safety?

New Democrats support a harm reduction and human rights-based approach that empowers sex workers and protects their health and safety. We will fulfill the required legislative review of the Protection of Communities and Exploited Persons Act. It's profoundly disappointing that this analysis has not been completed to date. The federal government's failure to act is putting people's lives at risk. Sex workers have been operating in dangerously unsafe conditions since this legislation was adopted and we must take immediate steps to help them stay safe.