

A crisis of injection drug use, HIV/AIDS, hepatitis C, and overdoses
New report calls for trials of safe injection sites



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OTTAWA – Canada is in the midst of a public health crisis concerning HIV/AIDS, hepatitis C, and injection drug use. The response to this crisis has been far from concerted and effective. In a new report released today, *Establishing Safe Injection Facilities in Canada: Legal and Ethical Issues*, the Canadian HIV/AIDS Legal Network concludes that Canada has a legal and moral obligation to allow for and fund trials of safe injection facilities as part of an overall strategy to more effectively respond to harms related to drug use.

“We cannot continue to close our eyes to the staggering amount of avoidable disease and death resulting not just from injection drug use but also from governments’ failure to put a comprehensive prevention and treatment strategy in place,” says Ralf Jürgens, Executive Director of the Canadian HIV/AIDS Legal Network.

The Legal Network’s report describes the extent and severity of Canada’s injection drug use problem: in 1999, 34 percent of the estimated 4,190 new HIV infections were among injection drug users. Over 60 percent of the approximately 4,000 yearly new hepatitis C infections are related to injection drug use. The number of deaths from drug overdose is equally alarming. In British Columbia alone, more than 2,000 illicit drug overdose deaths have occurred since 1992, and overdoses have been the leading cause of death among people aged 30 to 49 in the province for five years in a row.

“Safe injection facilities offer drug users a place to inject their drugs using clean equipment and with considerably less stress with the available care of medically trained personnel, helping to prevent the transmission of blood-borne diseases such as HIV/AIDS and hepatitis C, and offering referrals to social, health and addiction treatment services,” explains Benedikt Fischer, Assistant Professor at the Department of Public Health Sciences and Centre of Criminology at the University of Toronto. “Such facilities are successfully in operation in several countries in Europe and in Australia. The available evidence suggests that including safe injection facilities as one component of a broader public health-oriented policy response to injection drug use has the potential of producing significant benefits for both drug users and the general community,” Fischer adds.

The report highlights that safe injection facilities are not to be confused with unsanctioned “shooting galleries” where illicit drugs are bought, sold and consumed, often in unsafe and unhygienic conditions. Staff working at a safe injection facility would not provide drugs to users, nor would they help to administer drugs. Instead, the facilities would help users to avoid negative health consequences associated with injection drug use, and provide a safer alternative to other locations in the community where users might normally go to inject drugs.

“Clearly, safe injection facilities are not the only answer to the complex problems associated with drug use,” says Jürgens. “But it is unacceptable that preventable harms such as HIV infection, hepatitis C infection, and overdosing continue at alarming rates. In the face of a significant health crisis affecting

both people who use drugs and the wider community, Canada cannot sit by, refusing to implement this reasonable harm reduction measure demonstrated to have been effective in other countries. Our analysis of legal and ethical issues related to the establishment of safe injection facilities shows that, at the very least, Canada must establish trial facilities and evaluate them. Logic, compassion, and basic decency require us to act.”

The Legal Network’s report, the product of a 12-month study, includes six recommendations for immediate government action: (1) that the federal government update Canada’s Drug Strategy to explicitly support trials of safe injection facilities; (2) that the federal government create a legal/regulatory framework under the *Controlled Drugs and Substances Act* (CDSA) to govern safe injection facilities so as to eliminate the risk of criminal or civil liability for operating such facilities; (3) that this framework allow for broad access to safe injection facilities by all drug users who need them, outline the activities and services permitted on the premises, and establish administrative requirements to ensure the facilities’ safe and effective operations; (4) that in the interim, until such a framework is in place, the federal Minister of Health grant ministerial exemptions from the application of provisions of the CDSA so that safe injection facilities can operate on a trial basis; (5) that Health Canada fund the implementation of a multi-site scientific research trial of safe injection facilities; and (6) that federal, provincial/territorial, and municipal officials collaborate to ensure that trials of safe injection facilities may occur as quickly as possible.

“We desperately need safe injection facilities as one way to prevent some of the most serious consequences of injection drug use, and we have been asking for these facilities for many years,” says Ann Livingston, Project Coordinator for the Vancouver Area Network of Drug Users (VANDU). “Especially now that we have evidence that they work in other countries, and that law and ethics are on our side, we are asking those who can make a difference to do the right thing. We cannot afford to wait any longer.”

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The report on *Establishing Safe Injection Facilities in Canada: Legal and Ethical Issues* and accompanying materials will be available at www.aidslaw.ca from 10:30 am, 11 April 2002. In addition to releasing its report at a press conference in Ottawa, the Legal Network is simultaneously holding a press conference in Vancouver in collaboration with Vancouver-based organizations to emphasize the need for action.

About the Canadian HIV/AIDS Legal Network

The Canadian HIV/AIDS Legal Network is a national organization engaged in education, legal and ethical analysis, and policy development, with over 250 organizational and individual members across Canada. In 1999, the Network released *HIV/AIDS and Injection Drug Use: Legal and Ethical Issues*, a report with 66 recommendations about what Canada needed to do to address the crisis of HIV/AIDS among injection drug users. In August 2001, Health Canada issued an official response to the Network’s report (available at www.aidslaw.ca/Maincontent/issues/druglaws.htm). The report released today further explores ways to address issues related to injection drug use and HIV/AIDS and hepatitis C. The Legal Network’s work has received national and international recognition. Among other things, the United Nations Joint Programme on HIV/AIDS included our activities in its collection of “best practices.” Information about our activities and copies of our publications are available at www.aidslaw.ca.