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## **BILL C-2 FLOUTS SUPREME COURT, CONDEMNS PEOPLE WHO USE DRUGS TO NEEDLESS HARM**

**TORONTO, November 3, 2014** — Now before committee in the House of Commons, Bill C-2 would further perpetuate harms against some of those in our communities who are most marginalized — people who use drugs. Last week, with little fanfare and even less attention to scientific evidence or the universal right to health, a parliamentary committee heard testimonies about supervised drug consumption services that were largely entrenched in unfounded fear and misinformation.

Later today is the last opportunity for the Standing Committee on Public Safety and National Security to hear from some witnesses who can bring evidence, reason and compassion to the deliberations — including a former user of Insite, a legal expert and the former drug policy coordinator for the City of Vancouver. Just two days after International Drug Users' Day (November 1), Parliamentarians have an opportunity to inject balance and reason into this process, to place health over ideology, and to respect the letter and the spirit of what the country's highest court has already decided.

Supervised consumption services, such as Vancouver's Insite, are health services. Their effectiveness is backed by longstanding experience and well-established scientific evidence. As the Supreme Court of Canada recognized in 2011: "Insite saves lives." The Court ruled that the decision of the health minister of the day to deny Insite an exemption to operate safely violated the *Charter*, which guarantees an individual's right to life, liberty and security of the person. It also declared that, in future, when there is evidence showing the likely benefit of such a health service, and little or no evidence of any harms, an exemption should generally be granted. Bill C-2 is the government's ill-conceived response.

"This bill is a complete perversion of the Supreme Court's ruling," says Richard Elliott, executive director of the Canadian HIV/AIDS Legal Network, one of the interveners in the 2011 case. "As written, Bill C-2 would do nothing to protect against the arbitrariness that the Court condemned. In fact, it would make it exceedingly difficult for any new supervised consumption services to open."

Instead of smoothing the way for fair decisions, based in evidence and merit, for other supervised consumption services, Bill C-2 would introduce an unnecessary series of

obstacles and a biased process replete with opportunities for misinformation and stigma to block needed health services.

“Even when all conditions are met there is no guarantee that the minister of health will examine an application or grant an exemption for a proposed service,” says Donald MacPherson, director of the Canadian Drug Policy Coalition (<http://drugpolicy.ca/>). “Bill C-2 is not about ‘respecting communities,’ it is about preventing access to life-saving and much-needed health care services that have been proven to benefit people who use drugs and the community writ large.”

If they are to do their jobs properly, committee members must do their homework. This includes recognizing that none of the public safety fears related to supervised consumption services has materialized; in fact, supervised consumption services improve public order. Such health services have been operating successfully, saving lives and protecting health in over 90 sites worldwide, some for more than two decades. Instead of creating unjustified barriers, Parliamentarians must envision policy and take action that protects the health and respects the human rights of all Canadians.

Read *An Injection of Reason: Critical Analysis of Bill C-2 (Q&A)* at [www.aidslaw.ca/drugpolicy](http://www.aidslaw.ca/drugpolicy).

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