

February 20, 2019

The Honourable Ginette Petitpas Taylor
Minister of Health
Health Canada
Brooke Claxton Building
70 Colombine Driveway
Ottawa, Ontario K1A 0K9



The Honourable David Lametti
Minister of Justice and Attorney General of Canada
Department of Justice
284 Wellington Street
Ottawa, ON K1A 0H8

Dear Ministers:

The Canadian HIV/AIDS Legal Network is pleased to share with you *Overdue for a Change: Scaling Up Supervised Consumption Services in Canada*, our in-depth report on a research project that was undertaken in 2018 to explore the current state of supervised consumption services (SCS) in Canada, to monitor legal and policy changes affecting SCS, and to identify facilitators and barriers faced by current and future SCS operators. You may recall that we sent you a preview summary report in December 2018.

The recommendations in this report have been endorsed by more than 75 health and human rights organizations Canada-wide, many of which are on the frontlines of the opioid overdose crisis that is currently raging in our country.

Our research confirms that while remarkable progress has been made in recent years to scale up SCS, the exceptional legal regime requiring SCS providers to obtain a federal exemption to protect staff and clients from criminal prosecution continues to limit Canada's ability to respond to the current overdose crisis and makes SCS unnecessarily vulnerable to changes in the political context.

Specifically, this report **calls on Canada to normalize SCS by taking the following actions:**

- **The federal government should decriminalize activities related to personal drug use.**
- **In the interim, the federal government should grant a class exemption protecting clients and staff from prosecution** for drug possession or for activities (such as drug

sharing or assisted injection) that may amount to “trafficking” when accessing or providing SCS that meet minimum required conditions.

- If the federal government insists on maintaining a case-by-case SCS exemption process, it **should further streamline the current application requirements and process**, including by creating additional pathways to allow for expedited exemptions to be issued by provincial/territorial or local health authorities, or the federal minister simply on the basis of a request from such authorities.
- Other concrete measures, including **increased funding, should also be taken by all levels of government** to support community organizations and health care providers to establish a wide variety of services adapted to the needs of people who use drugs. Moreover, **provincial, territorial and municipal authorities should not impose conditions for SCS implementation that are not required for other health services or limit SCS by the enactment of bylaws.**

The federal government must take leadership and work with provinces for greater access to life-saving, health-promoting SCS across the country.

We would be pleased to discuss the report findings and recommendations with you.

Sincerely,

Canadian HIV/AIDS Legal Network
Action Canada for Sexual Health and Rights
AIDS Coalition of Nova Scotia
AIDS Committee of Cambridge, Kitchener, Waterloo and Area
AIDS Committee of North Bay & Area
AIDS Committee of Toronto (ACT)
AIDS Committee of Windsor
AIDS Saskatoon
Alberta Community Council on HIV (ACCH)
Alberta Addicts Who Educate and Advocate Responsibly (AAWEAR)
Association des intervenants en dépendance du Québec (AIDQ)
Association Québécoise pour la Promotion de la Santé des personnes Utilisatrices de Drogues (AQPSUD)
Atlantic Interdisciplinary Research Network (AIRN)
BaySafe Harm Reduction
Bloom Clinic
Boyle Street Community Services
Brain Injury Services of Northern Ontario (BISNO)
Breakaway Addiction Services
Butterfly - Asian and Migrant Sex Workers Support Network
CACTUS Montréal

Canadian AIDS Society
Canadian Drug Policy Coalition
Canadian Nurses Association
Canadian Public Health Association
Canadian Students for Sensible Drug Policy, Ryerson Chapter
Canadian Treatment Action Council (CTAC)
CATIE
Centre on Drug Policy Evaluation
Coalition des organismes communautaires québécois de lutte contre le sida (COCQ-SIDA)
Community Legal Assistance Sarnia
COUNTERfit Harm Reduction Program
Criminal Lawyers' Association
Direction régionale de santé publique de Montréal
Dopamine
Dr. Peter AIDS Foundation
Drug Awareness Committee of Thunder Bay
Elevate NWO
Families for Addiction Recovery (FAR)
GMSH
Guelph Community Health Centre
Hamilton Community Legal Clinic
Harm Reduction Nurses Association
Health Providers Against Poverty
HIV & AIDS Legal Clinic Ontario (HALCO)
HIV Edmonton
HIV North Society
HIV/AIDS Regional Services (HARS)HIV/AIDS Resources and Community Health
HOPE
L'Anonyme
Legal Clinic of Guelph and Wellington County
Maggie's: Toronto Sex Workers Action Project
Mainline Needle Exchange Program
Moms Stop the Harm
mumsDU - moms united and mandated to saving the lives of drug users
Ontario AIDS Network
Overdose Prevention Ottawa
Parkdale Queen West Community Health Centre
Peterborough AIDS Resource Network (PARN)
Peterborough Public Health
Pivot Legal Society
Point de repères Québec
Positive Living Niagara
Prisoners' HIV/AIDS Support Action Network (PASAN)
Regent Park Community Health Centre

Regional HIV AIDS Connection
Right Hand Tattoo, Edmonton
San Patten and Associates, Inc.
Sandy Hill Community Health Centre
Somerset West Community Health Centre
South Riverdale Community Health Centre
Street Health
Streetworks
Table des organismes communautaires Montréalais de lutte contre le sida (TOMS)
The POUNDS Project
Thunder Bay Counselling
Thunder Bay Drug Strategy
Thunderbird Partnership Foundation
Toronto Overdose Prevention Society
Women and HIV/AIDS Initiative
Women's Wellness Within
YWCA Canada