

Decriminalization of Opioids

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OVERVIEW

While CDSA states criminalization of opioids is to ensure maintenance of a just society and to encourage rehabilitation and treatment, it fails to achieve its stated objective. These policies are not effective in mitigating the prevalence and adverse events associated with problematic substance use, and instead disproportionately harm populations made vulnerable by historical and systemic inequities. **Moreover, this act does not encourage the rehabilitation and treatment of offenders due to a lack of healthcare access and the significant obstacles in returning to daily life that come with imprisonment and a criminal record.**

Since 2019, there have been bills within the federal level (Green, NDP, and Liberal parties) proposing decriminalization and/or amending the CDSA. At the provincial level, BC became the first and only province to receive an exemption from Health Canada under subsection 56(1) of CDSA such that adults are no longer subject to criminal charges for the personal possession of certain illegal drugs. Police boards, municipal governments, mental health institutions, public health officials, and related organizations see the situation similarly and recognize decriminalization as an evidence-based approach to a public health crisis.

Decriminalization has almost unilaterally focused on the legalization of all or most substances, and not just opioids. Almost all petitions recognize that decriminalization is only one aspect of the problem and that increased funding for harm reduction, safe supply projects and other complementary medical supports are needed for people who use substances.

OUR ASKS

Reflecting on current evidence, decriminalization of opioids in Canada through a collaborative federal and provincial plan is an effective method to reduce opioid related death and harm.

The CFMS and its stakeholders call upon the Canadian federal government to:

- 1** Decriminalize simple possession under the Controlled Drugs and Substances Act by: a) repealing Sections 4 and 4.1 which state possession of Schedule I/II drugs are indictable and/or summary offences; b) ministerial exemption; and c) increased threshold for possession at federal or provincial levels.
- 2** Expunge previous criminal records for simple possession as it leads to negative prospects in future employment and housing.
- 3** Develop a national strategy on substance use with input from key stakeholders, especially those from racialized and marginalized communities. This should include increased funding for safe supply projects, ensuring universal and low barrier access to treatment and harm-reduction service as well as implementation of evidence-based prevention programs.



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