

Prohibition must be abolished: Addressing the dual crises of drug poisoning and homelessness

Presented by: Nicole Luongo & Beeta Senedjani,
Canadian Drug Policy Coalition

Outline

- Background & Context
- The construction of the "criminal-addict" case study
- Overview of rights-based policy solutions
- Calls to Action

- Canada has ratified seven United Nations (UN) human rights treaties
- Canada acceded to the **International Covenant on Economic, Social, and Cultural Rights** (ICECSR, 1967) on May 19, 1976
- ICECSR, 1967 entered into force on Aug. 19, 1976
- Canada assented to the **National Housing Strategy** on June 21, 2019

BACKGROUND

- *Thesis: Drug prohibition prevents Canada from meeting its obligations under international law, and ICESCR specifically, and domestic law, to provide an adequate standard of living for all people without discrimination*



Prohibition is inherently discriminatory

A (very brief) history of drug prohibition in Canada

- 1864 **Dunkin Act** and 1878 **Scott Act**
- 1876 **Indian Act**
 - 1884 amendment to the Indian Act
- 1908 **Opium Act**
 - 1911 **Opium and Drug Act**
- 1961 **U.N. Convention on Narcotic Drugs**
- 1996 **Controlled Drugs and Substances Act (CDSA)**

Prohibition has led to an increasingly toxic unregulated drug supply

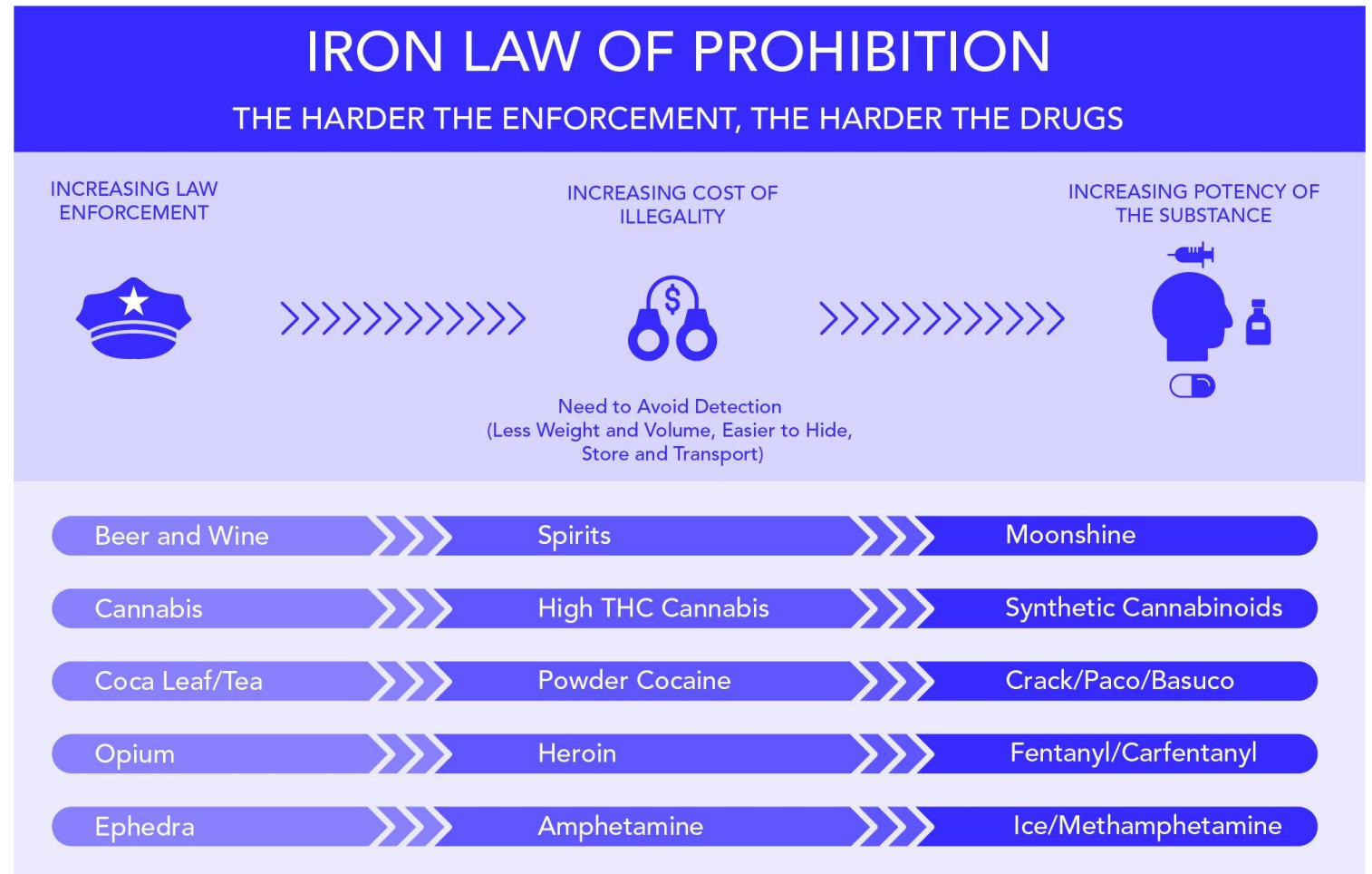
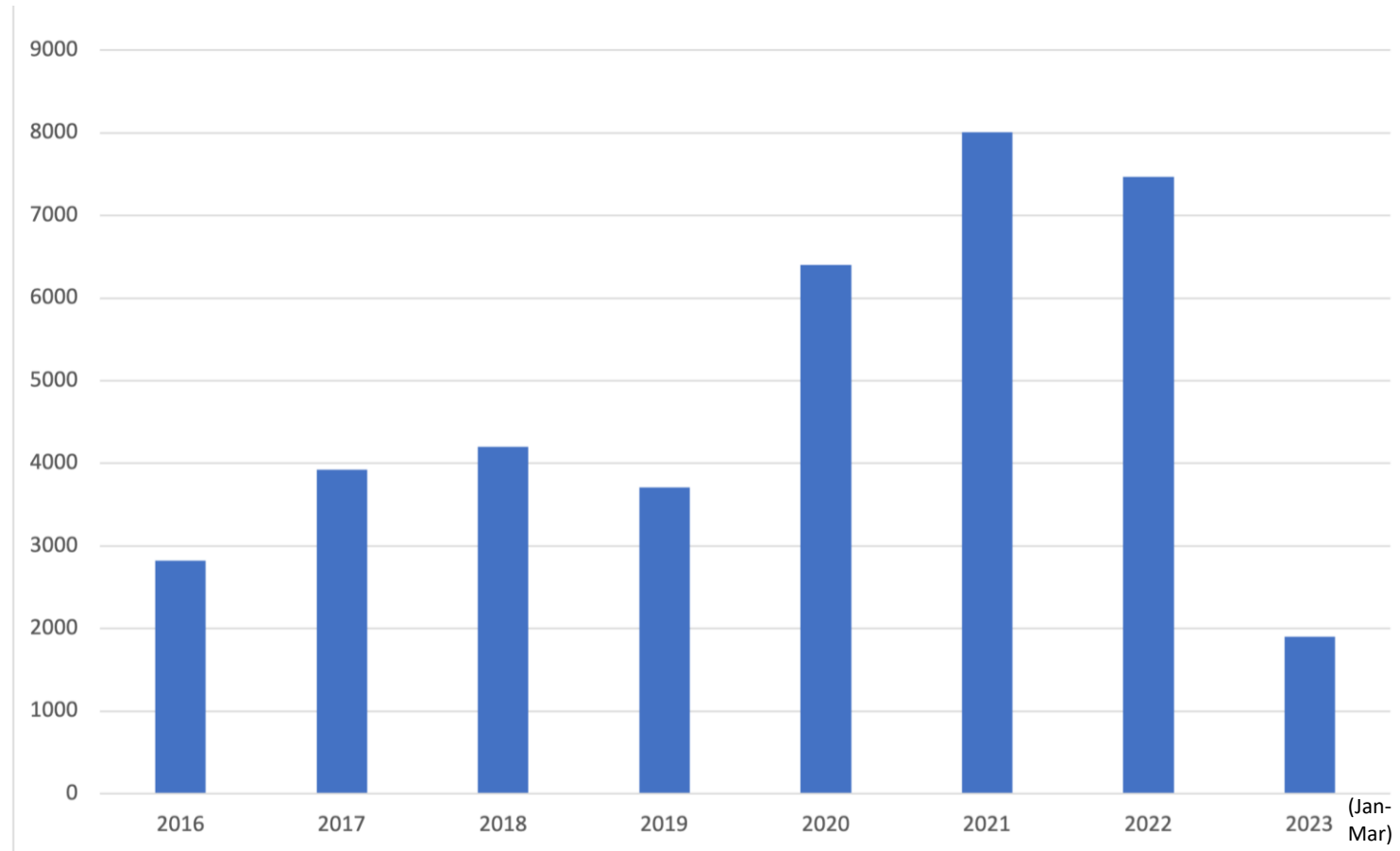


Image from Filter Mag Infographic "The Iron Law of Prohibition"
<https://filtermag.org/infographic-the-iron-law-of-prohibition/>

Impacts of toxic unregulated drug supply

Number of total apparent opioid toxicity deaths in Canada



Data from April 2022 to March 2023 were not available for Manitoba.

Opioid- and Stimulant-related Harms in Canada. Public Health Agency of Canada

<https://health-infobase.canada.ca/substance-related-harms/opioids-stimulants/>

Drug use and housing instability

- Evictions and other life stressors such as experiencing homelessness can drive drug use for some people
- Drug use can be protective for people who are unsheltered
- Drug use as a life sustaining activity – manage pain and illness

Drug prohibition legitimizes housing discrimination against PWUD

- Safer Communities and Neighbourhoods legislation
- Evictions on the basis of drug use
- Mandated abstinence policies impacting access to social services, shelter and employment

Drug prohibition and public space regulations target unhoused PWUD

- Anti-public drug use legislation and policing practices
 - B.C. Bill 34
 - Edmonton, AB & Peterborough, ON police announce zero tolerance policies
- Displacement increases the chance of fatal overdose
- Displacement and isolation impact the delivery of outreach and emergency overdose response

**Case Study: The construction
of the 'criminal addict' in
Nanaimo**

Context:

- April 14, 2016: B.C. Provincial Health Officer declares province-wide public health emergency
- Dec. 09, 2016: B.C. Health Minister signs a ministerial order making the provincial operation of temporary overdose prevention sites
- Jan. 31, 2023: B.C. implements a three-year drug decriminalization pilot

Stigmatizing assumptions about drug use(rs) continue to interfere with policy reform

In Nanaimo, leaders routinely conflate poverty and homelessness with drug use and criminality

10 Sept 13, 2023. Jordan Davidson. “City of Nanaimo looking at options for reducing public drug use.” Nanaimo News Bulletin.

URL: <https://nanaimonewsnow.com/2023/09/13/city-of-nanaimo-looking-at-options-for-reducing-public-drug-use/>

10 Sept. 23, 2023. Chris Bush. “City of Nanaimo taking a wait-and-see stance on drug use in public spaces.” Nanaimo News Bulletin.

URL: <https://www.nanaimobulletin.com/local-news/city-of-nanaimo-taking-wait-and-see-stance-on-drug-use-in-public-spaces-3769527>

Which assumptions are embedded in these quotes?

Efforts to support drug users to build community and access resources, and to bring drug use indoors are thwarted by the City

“Residents around the site suggest NANDU and its clients are responsible for a spike in crime, property damage, open drug use and social disorder.

‘Most people haven’t been speaking up in opposition to the drug user liberation movement simply because it, rightly, had never occurred to them that they would need to,’ Collen Middleton, Nanaimo Area Public Safety Association, told councillors. ‘It is self evident why no-one would want to live to a [sic] site like NANDU because it is obvious what the consequences would be.’

- Jan. 17, 2023. Alex Rawnsley. “Drug consumption site officially deemed a nuisance by Nanaimo Council.” Nanaimo News Bulletin. URL: <https://nanaimonewsnow.com/2023/01/17/drug-consumption-site-officially-deemed-a-nuisance-by-nanaimo-council/>

Drug consumption site officially deemed a nuisance by Nanaimo Council

Site ran out of funding and was closed March 1, 2023

- Feb. 6, 2023. Jordan Davidson. “Contentious Nanaimo harm reduction service closes, NANDU faces unclear future.” Nanaimo News Bulletin. URL: <https://nanaimonewsnow.com/2023/02/06/contentious-nanaimo-harm-reduction-service-closes-nandu-faces-unclear-future/>

Site coordinator Ann Livingston: *“People simply have nowhere to go. A lot of what is a social deterrent to health is networking, and people who use drugs who know a lot of other drug users have a broader social network. There’s some scientific (health) data that people who are isolated are more likely to die than people who have more social networks.”*

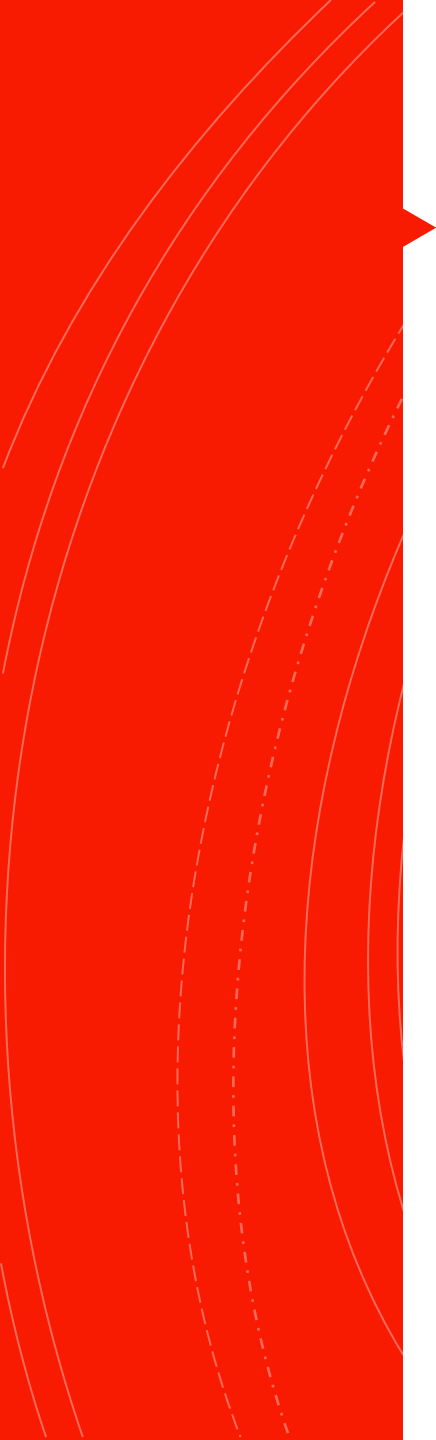
- May, 2023. CitySpace Consulting on behalf of the City of Nanaimo. Housing Needs Report. URL: <https://www.nanaimo.ca/docs/social-culture-environment/housing-needs-report-may-2023.pdf>
- Feb. 28, 2023. Alex Rawnsley. "We're gaining no ground:' Nanaimo council investigating homeless housing facility." Nanaimo News Bulletin. URL: <https://nanaimonewsnow.com/2023/02/28/were-gaining-no-ground-nanaimo-council-investigating-homeless-housing-facility/>

"Under the proposal, a hypothetical facility on City-owned land would house 100 of the 'easiest to house' residents in Nanaimo, according to Hemmens, with no active addiction or substance use challenges.

'A lot of those folks are hiding in bushes, a lot of those folks are not facing active addiction. A lot of those folks are trying their best to avoid detection and they include seniors, families, they include youth and single women.'

Mayor Leonard Krog remained fixed in his position [that] the issue of homelessness, combined with mental health and addictions, is not the City's to address, despite dealing with the consequences. He said 100 beds for the easiest to house would not solve Nanaimo's main problems, which primarily involve people Hemmens' proposal would not cater to."

Ongoing tensions have occurred against a backdrop of an affordability crisis and increasing rates of poverty and homelessness



It has become widely accepted by many in Nanaimo that homeless people are “criminal addicts”

(Perceived) drug use precludes people from being afforded basic presumptions of innocence or worthiness of human rights...

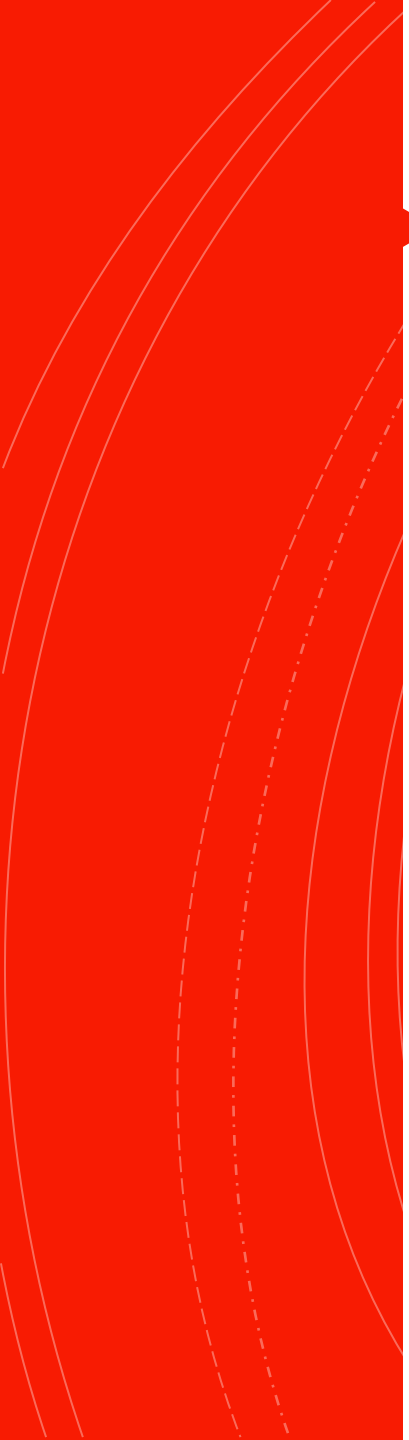
NEWS

Danielle Smith's Chief-of-Staff: Governments Should Not Listen to 'Addicts' About Drug Treatment Policies Because They're 'High'

Marshall Smith said consulting drug users "makes about as much sense as engaging a stakeholder of drunk drivers to write new traffic laws"

...But policies that treat all people who use drugs as "sick" can function very similarly

- May 25, 2023. Dean Bennett. "UCP promises to allow mandatory drug treatment, open addiction and mental health beds." The Canadian Press. URL: <https://www.cbc.ca/news/canada/calgary/alberta-politics-election-ucp-drugs-addiction-1.6844295>
- May 16, 2023. Rumneek Johal. "Danielle Smith's Chief-of-Staff: Governments Should Not Listen to 'Addicts' About Drug Treatment Policies Because They're 'High'." Press Progress. URL: <https://pressprogress.ca/danielle-smiths-chief-of-staff-governments-should-not-listen-to-addicts-about-drug-treatment-policies-because-theyre-high/>

- 
- Addiction treatment is not protected under the Residential Tenancy Acts (RTA)
 - Addiction treatment centres routinely discharge/evict people who resume use
 - Treatment comes with no assurances of housing supports
 - Living conditions in many treatment centres are sub-standard and dangerous
 - Systematic abuses occur in addiction treatment
 - A lack of regulations for addiction treatment parallels a lack of regulations in the drug supply
 - Coerced treatment fuels cycles of evictions, homelessness, institutionalization, and trauma

Policies to support those
at the intersection of
poverty, housing
insecurity and
criminalized drug use

- **Rights-based policy = grounded in autonomy and self determination**

Policies to support those
at the intersection of
poverty, housing
insecurity and
criminalized drug use

- **Decriminalization**
 - **Reduce:**
 - displacement from public space
 - bans and exclusionary policies
 - barriers to employment
 - **Change social norms and conceptions around drug use**
 - ***Decriminalization Done Right* policy platform**

Policies to support those
at the intersection of
poverty, housing
insecurity and
criminalized drug use

- **Safe Supply**
 - Reduce likelihood of drug poisoning
 - Stabilizing factor in people's lives
 - Reduce need to generate income through criminalized means
 - *Imagine Safe Supply* research project

Policies to support those
at the intersection of
poverty, housing
insecurity and
criminalized drug use

- **Supervised Consumption Sites**
 - Provision of emergency overdose response
 - Additional social supports and community facilitates social inclusion
 - Spaces of refuge from criminalization

CALLS TO ACTION

- Join CDPC mailing list
- Review and endorse the civil society Decriminalization Done Right policy platform
- If you are in a union, work with us to develop a motion to uphold safety, dignity, human rights of people who use drugs

CALLS TO ACTION

- Vocal and active public support for rights-based drug policy reform
 - Decriminalization
 - Safe Supply
 - Supervised Consumption Sites
- Education campaigns, position statements
- Developing aligned policies in your organizations

Contact

- Nicole Luongo, Systems Change Coordinator, Canadian Drug Policy Coalition
nicole_luongo@sfu.ca
- Beeta Senedjani, Dialogues Program Coordinator, Canadian Drug Policy Coalition
- beeta_senedjani@sfu.ca