



Ministry of
Mental Health
and Addictions

Study Session

Decriminalization: Key Considerations for Local Governments

September 12th, 2022



For Today

1. Decriminalization Overview

- Context and Definition
- BC's Framework
- Implementation Considerations

2. Panel Discussion

- Ally Butler, Executive Director, Ministry of Mental Health and Addictions
- Chris Van Veen, Senior Director, Ministry of Mental Health and Addictions
- Chief Constable Mike Serr, Abbotsford Police Department
- Mary Clare Zak, Managing Director of Social Policy, City of Vancouver
- Brad Davie, Assistant Deputy Fire Chief, City of New Westminster

3. Q&A Session

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Decriminalization Overview

Decriminalization in BC

- On May 31, 2022, Health Canada approved the Province's request to decriminalize people who use illicit substances
- Decriminalization will come into effect for a 3-year period starting **January 31, 2023**

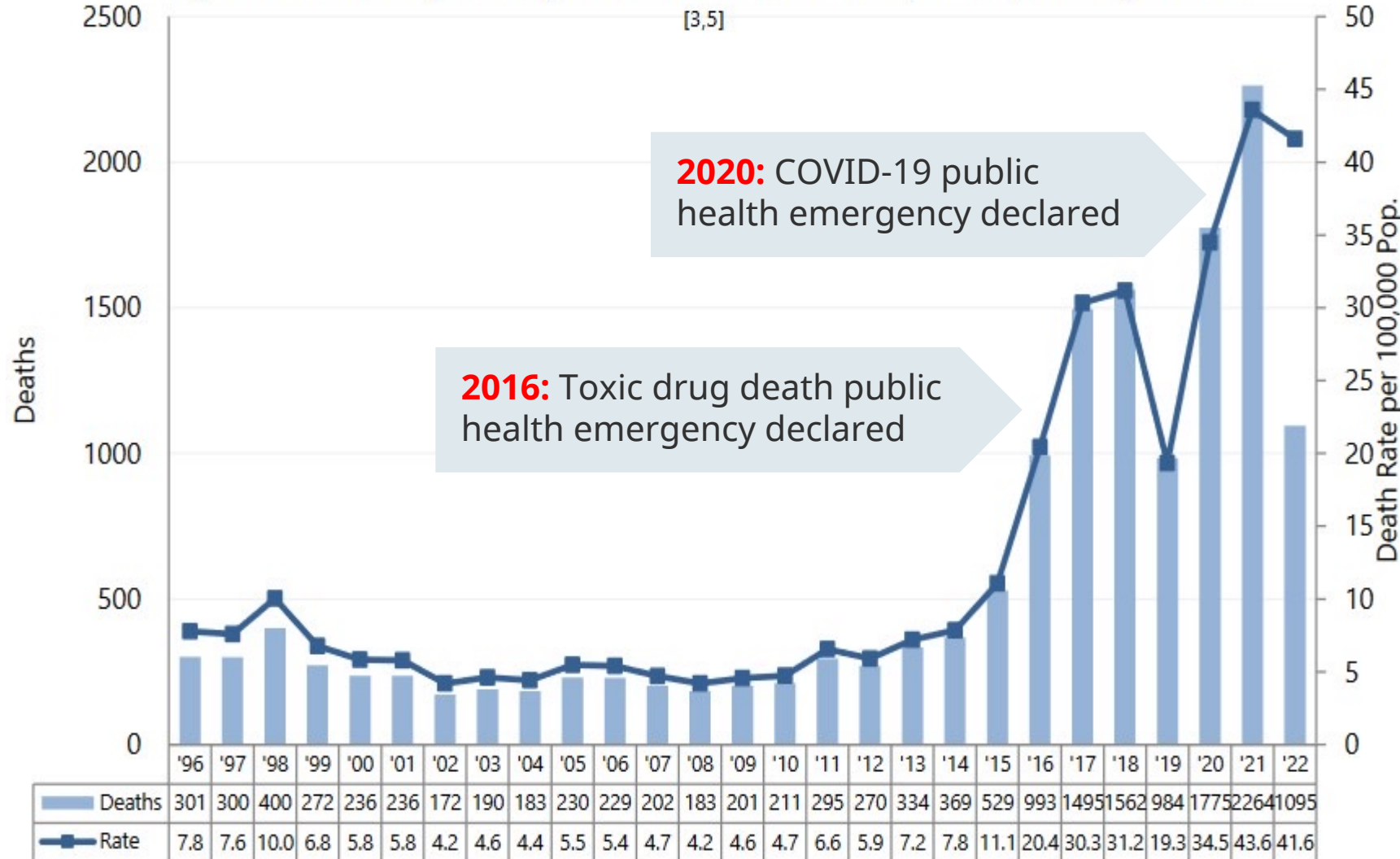


The Province's Nov. 1, 2021 submission to Health Canada: <https://news.gov.bc.ca/files/DecrimSubmission.pdf>
Approved Health Canada exemption and Letter of Requirements: <https://www.canada.ca/en/health-canada/services/health-concerns/controlled-substances-precursor-chemicals/policy-regulations/policy-documents/exemption-personal-possession-small-amounts-certain-illegal-drugs-british-columbia.html>

Dual Public Health Emergencies

Deaths due to illicit drug toxicity are higher than ever

Figure 1: Illicit Drug Toxicity Deaths and Death Rate per 100,000 Population



Six years after the PHO declared a toxic drug death public health emergency, people in BC continue to die from toxic illicit drugs, with **nearly 10,000 lives lost since the declaration of the emergency.**

The COVID-19 public health emergency has driven an increase in illicit drug poisoning deaths, **with an average of 4.9 people dying each day in BC in June 2022.**

Response to the Illicit Drug Poisoning Crisis

In order to effectively build a system of care, our initiatives span the continuum

PREVENTION	HARM REDUCTION	TREATMENT & RECOVERY	SYSTEMS OF SUPPORT	OVERDOSE RESPONSE PRIORITIES	FN SPECIFIC SUPPORTS
School Based Prevention for Youth Nurse Family Partnership	Take Home Naloxone Lifeguard app Overdose prevention and supervised consumption sites Drug checking	Medication Assisted Treatment (OAT) Bed based treatment Detox/Withdrawal Management Rapid Access Addictions Clinics Aftercare supports	Integrated child & youth teams Complex care housing Team-based Care Coordination	Inhalation OPS Decriminalization Prescribed safe supply OAT optimization Nurse prescribing	Virtual SU and Psychiatry Service FN Treatment and Healing Centres Land-based Healing

Provincial Peer Network and peer engagement

Community-based initiatives and engagement

Stigma Reduction Campaign

Decriminalization

SUPPORTIVE ENVIRONMENT

What is Decriminalization?

Decriminalization Does:

Reduce risks of:

Drug Seizures
Arrests
Criminal Charges
Convictions

For possession of small amounts of
illicit substances personal use.

Police will provide information and
voluntary referral to health care,
harm reduction and treatment
supports

Decriminalization Does NOT:

Legalize Drugs

Drugs remain illegal.
Selling Drugs (trafficking) remains
illegal.

Increase Drug Use

There is no evidence, from
decriminalization models around the
world, that decriminalization
increases drug use.

Why Decriminalization?



Shift approach to substance use as a health matter – not a criminal justice one

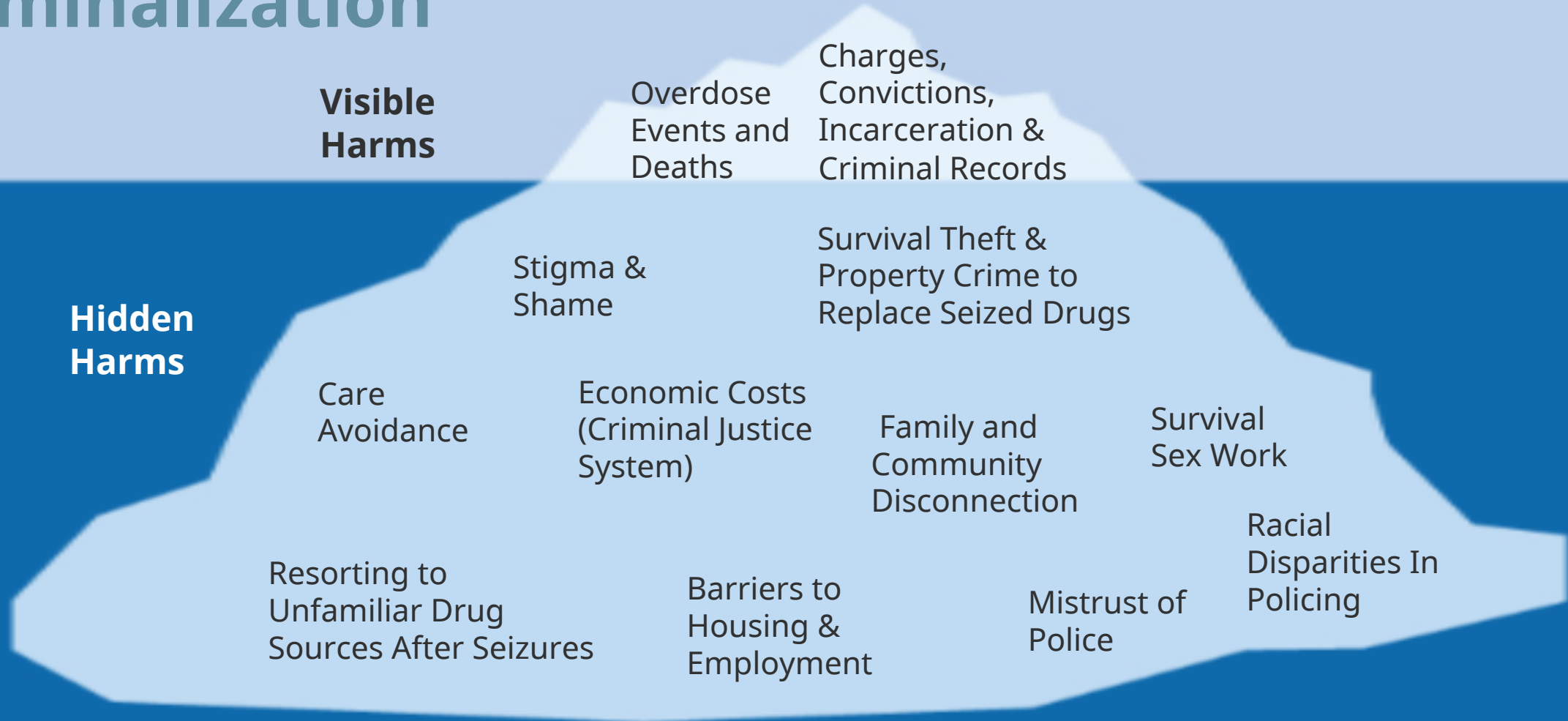


Address health and criminal justice inequities and promote pathways to care



Reduce stigma around substance use so people feel more comfortable reaching out for help

Harms of Criminalization

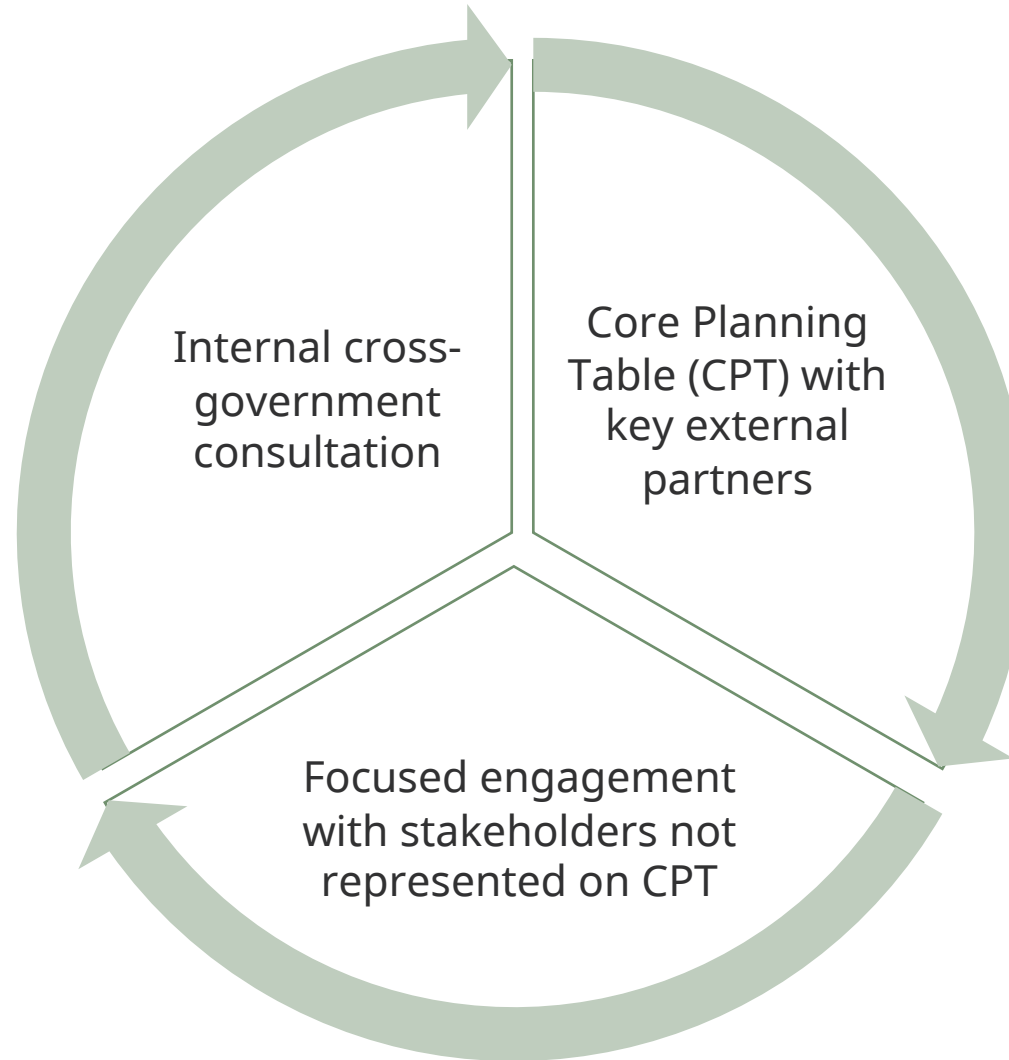


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BC's Decriminalization Framework

How Did We Get Here?

Dr. Bonnie Henry, Chief Coroner Lisa Lapointe, and BC Association of Chiefs of Police (BCACP) have all called for decriminalization



CPT Membership

Includes First Nations Justice Council, First Nations Health Authority, and the BC Association of Aboriginal Friendship Centres.

Other members include health professionals, PWLLE, law enforcement including RCMP, & local government

UBCM Town Hall:

presentation on the rationale for decriminalization, key features of BC's proposal, and considerations for local governments

Decriminalization in BC: Key Features



Applies to adults 18+



Inclusive of opioids, crack/powder cocaine, methamphetamine, and MDMA



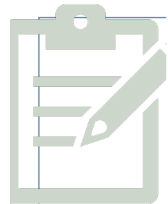
Police will provide resource cards with information on local supports and will make voluntary referrals



2.5g cumulative threshold floor, with police discretion above



Approaches to unique populations, including Indigenous Peoples and people in rural/remote areas



Robust police training, and monitoring and evaluation framework

NO arrests or seizures under the threshold

NO fines, tickets or other administrative sanctions

NO mandatory treatment or diversion

Exceptions to the Exemption

The exemption will **not** apply in the following instances:

On K-12 school premises

On premises of licensed childcare facilities

In airports

On Canadian Coast Guard vessels and helicopters

For Canadian Forces members subject to the *Code of Service Discipline*

In a motor vehicle or watercraft operated by a minor

When readily accessible to the operator of a motor vehicle or watercraft

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Implementation Considerations for Municipalities

Key Implementation Elements

Health System Readiness

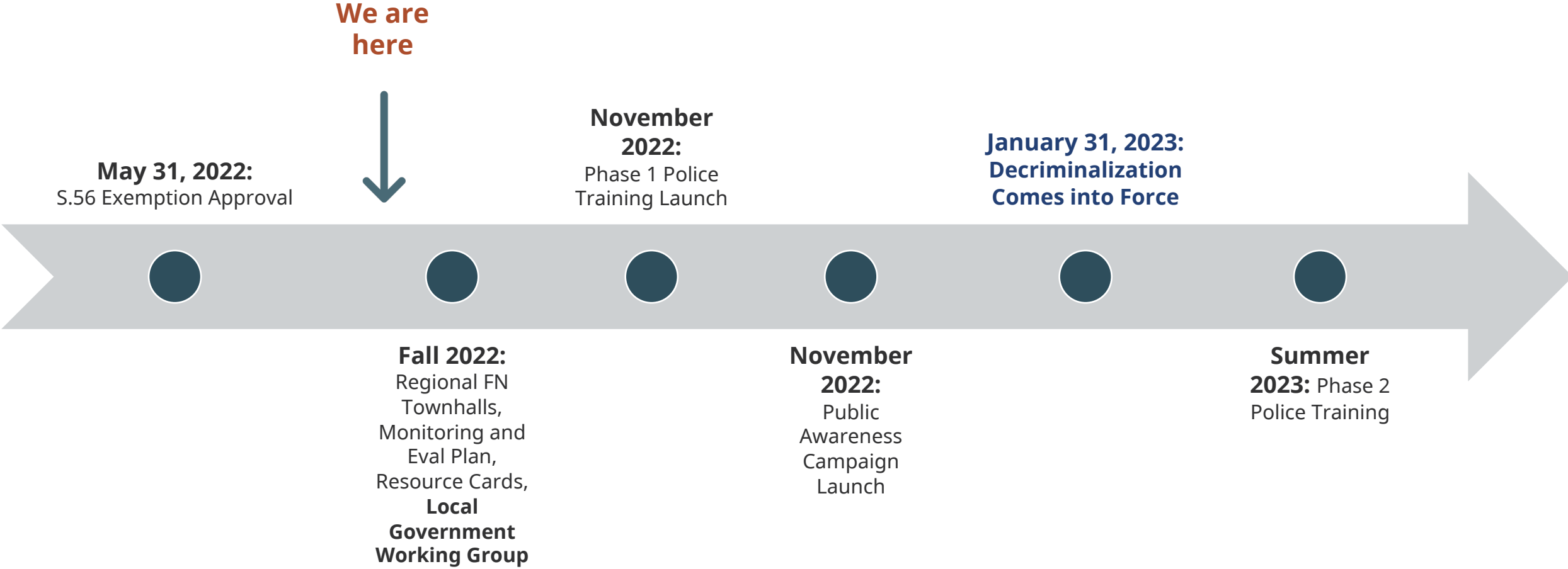
Law Enforcement Training

Engagement with Key Partners

Communications and Public Education

Monitoring and Evaluation

Implementation Path



Role of Municipalities: Examples

Promotion	Promote public awareness of decriminalization
Connections	Provide and promote health and social service referral information to people at risk through bylaw officers, outreach workers, and police departments/detachments
Collaboration	Collaborate with Regional Health Authorities to establish life-saving harm reduction and treatment services, and ensure that bylaws concerning public substance use balance the need for public health and safety for PWUD
Reduce Stigma	Reduce stigma by emphasizing that substance use is a health issue, not a criminal justice issue

Local Government Working Group

- MMHA and UBCM will co-chair a Local Government Decriminalization Working Group beginning this fall. A call for expressions of interest to join went out recently in UBCM's Compass newsletter.
- This Committee will:
 - Address questions raised by HC relating to local governments
 - Develop strategies and guidance for local governments on decriminalization
 - Develop health and social service information tools for use by bylaw officers, outreach workers, and other local government staff
 - Coordinate community-level communications activities to ensure a consistent and equitable approach across BC

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Panel Discussion

Panelists

Ally Butler, Executive Director, Substance Use and Strategic Initiatives, Ministry of Mental Health and Addictions

Chris Van Veen, Senior Director, Decriminalization, MMHA

Chief Constable Mike Serr, Abbotsford Police Department

Mary Clare Zak, Managing Director, Social Policy, City of Vancouver

Brad Davie, Assistant Deputy Fire Chief, City of New Westminster

Moderator: TBD

Panel Question

What are the opportunities and challenges of rolling out decriminalization into communities across BC?

Panel Question

How can the Province work with the police and local governments to ensure that they are ready for decriminalization?

Panel Question

What do local governments need in order to make decriminalization a success?

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Closing Remarks from the Moderator



Thank you.