



BC Centre for Disease Control
An agency of the Provincial Health Services Authority

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Jessica Richardson, Clerk
Senate Standing Committee on Legal and Constitutional Affairs
The Senate of Canada
Ottawa, Ontario K1A 0A6

Re: Letter of Support for Pivot Legal Society's submission to the Committee on Legal and Constitutional Affairs re Bill C-37: An Act to Amend the Controlled Drugs and Substances Act and to make related amendments to other Acts

Dear Ms. Richardson,

As the Executive Director of the BC Centre for Disease Control, I am writing in support of the Pivot Legal Society's submission on Bill C-37. Pivot has recommended the following:

1. The inclusion of a provision that would empower Provincial Ministers to grant temporary exemptions to emergency Supervised Consumption Services (SCSs) if, in the opinion of the Provincial Minister, such measures are necessary to respond to a localized or regional event posing a significant risk to public health;
2. A second amendment to Bill C-37 that would make the application process far more realistic and reasonable for applicants. Pivot recommends reducing the number of criteria to be addressed in a section 56.1 application for an exemption from five to one, which will streamline the new application process while still including the necessary information for Health Canada to determine whether the s. 56 criteria are met. Pivot recommends that applicants be required to submit evidence of the local conditions indicating a need for the site;
3. That the two criteria: (i) the regulatory structure in place to support the site; (ii) the resources available to support the maintenance of the site; should be set out as factors that the government "may consider" when determining whether to grant an exemption. The onus to gather evidence for those criteria would shift from the applicant to the federal government, thereby allowing the federal government to determine the necessity of those factors to the determination of the application. Further, it is Pivot's submission that the Government of Canada is well positioned to access that information if it is needed;
4. That the following two factors should not be set out in the legislation because they are not relevant to the public health objectives of SCSs: (i) the impact of the site on crime rates; (ii) expressions of community support or opposition.

As a doctor and a Public Health official, I am working at both the front lines of the overdose crisis and at the higher policy discussions. The magnitude and importance of the overdose crisis in Canada equals the height of the HIV epidemic only people are dying much quicker. The appearance of fentanyl and other powerful opiates have shone a light on the precarious situation that habitual drug users live in. In this current crisis we have sent out a strong message that in order to stay alive - people should not be injecting alone, there should be someone nearby with a naloxone kit, and that everyone deserves an opportunity to connect with social supports and treatment. This is exactly what a supervised injection site provides. It has been almost a year since the public health emergency was called in British Columbia and almost 14 years since Insite was opened and still no new sanctioned sites in the province. Clearly the process to get an exemption is unacceptable and it is my expert opinion that Bill C-37 does not go far enough in view of the crisis that we face and the limited tools that we have to respond. Despite the tragedy of this situation, I am hopeful that how we respond as a society can fundamentally change how we view and treat our fellow citizens who use drugs. I strongly encourage the Government of Canada to enact the above recommendations.

Yours truly,



Dr. Mark Tyndall

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