



**BCAAFC | BC Association of  
Aboriginal Friendship Centres**

## **Statement on Decriminalization of Illicit Drugs up to 2.5 Grams**

The pilot project for the decriminalization of illicit drugs in B.C. does not adequately address the unnecessary loss of lives due to the poisoned drug crisis.

**February 1, 2023**

The toxic illicit drug crisis impacts everyone, and disproportionately impacts Indigenous peoples and our urban communities.

While we support the urgent need for drug reform in this country, Health Canada's new exemption for the Province of B.C. under the *Controlled Drugs and Substances Act* does not go far enough to address the systemic causes of deaths related to the toxic drug crisis. The cumulative amount of illicit drugs that qualifies for decriminalization is drastically low relative to the amount required to end the criminalization of drug users, and is not substantiated by evidence as being effective in preventing substance use-related deaths in our communities.

BCAAFC was one of several member organizations of the Decriminalization Core Planning Table that contributed to the preparation of the BC Government's s. 56(1) exemption request to Health Canada. The exemption request was guided by our commitment to addressing the unnecessary loss of lives due to the poisoned drug crisis which disproportionately impacts Indigenous peoples in B.C. and across Canada.

In November of 2021, members of the Province's Core Planning Table released a [statement](#) regarding the province's application to Health Canada – with concern that the cumulative amount of 4.5 grams was far too low to end criminalization of drug users. Health Canada then lowered the cumulative amount of illicit substances approved for decriminalization to 2.5 grams.

The 2.0 gram reduction by Health Canada is informed by the interest of police, not by peer-reviewed health research.<sup>1</sup> This reduction only further perpetuates the historical and contemporary forms of colonial violence exerted on Indigenous peoples.

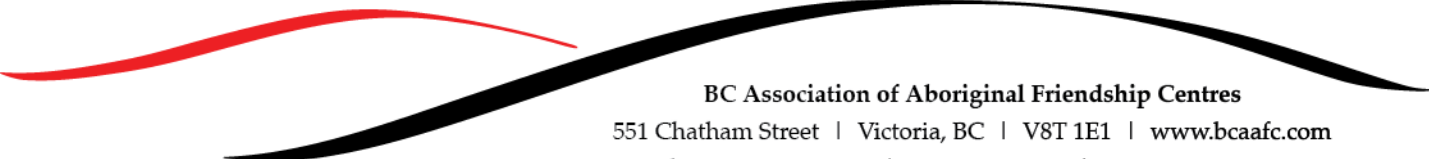
In B.C., First Nations people died at five times the rate of the general rate of BC's population. First Nation women die from the toxic illicit drug supply at a rate 8.8% higher than non-Indigenous women.<sup>2</sup>

The disproportionate number of Indigenous people ensnared by the criminal legal system also continues to impact Indigenous families and communities. Indigenous adults make up 5% of the population in Canada and

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<sup>1</sup> Akshay Kulkarni, "What you need to know about the decriminalization of possessing illicit drugs in B.C." *CBC News* (30 Jan 2023), online: <<https://www.cbc.ca/news/canada/british-columbia/what-you-need-to-know-drugs-british-columbia-1.6727814>>; BC Association of Chiefs of Police, "Drug Decriminalization: An integrated approach to improve health and safety outcomes"

<sup>2</sup> *Ibid*, at 9; Brenna Owen, "First Nations women overrepresented among B.C. toxic drug deaths: doctor" *CBC News* (1 Feb 2023), online: <<https://www.cbc.ca/news/canada/british-columbia/2022-toxic-drug-deaths-indigenous-women-overrepresented-bc-1.6732966>>.



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33% of admissions to federal custody in 2020/2021. The rate of incarceration of Indigenous women has increased; women now make up 50% of federally incarcerated women in Canada.<sup>3</sup>

Indigenous youth make up 8% of the Canadian youth population yet represented 50% of all youth admissions to custody in 2020/2021.<sup>4</sup> In B.C., Indigenous youth make up 56% of all youth held in Youth Custody Centres.<sup>5</sup>

The B.C. model for decriminalization does not meet the needs or truths of Indigenous drug users. The model for decriminalization must be informed by drug users and urban Indigenous communities in order to reduce the harms and deaths caused by the continued drug war.

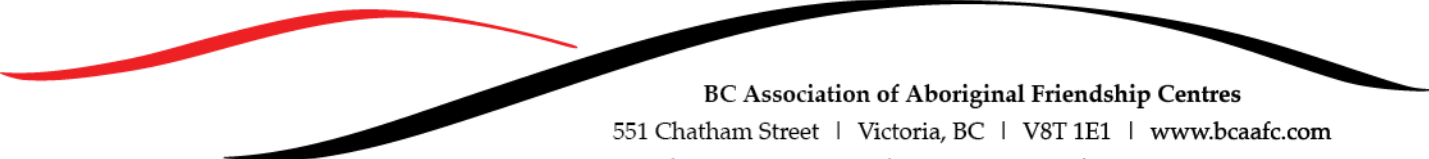
We urge the provincial and federal governments to raise the cumulative amount of illicit drugs that qualifies for decriminalization, and to centre the voices of drugs users in the development of decriminalization policies to make meaningful change.

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<sup>3</sup> Canada, Office of the Correctional Investigator, Media Release, "Proportion of Indigenous Women in Federal Custody Nears 50%: Correctional Investigator Issues Statement" (Ottawa: OCI, 17 Dec 2021), online: <<https://www.oci-bec.gc.ca/cnt/comm/press/press20211217-eng.aspx>>.

<sup>4</sup> Canada, Department of Justice, *State of the Criminal Justice System Impact of COVID-19 on the Criminal Justice System*, Cat #: J12-8E-PDF (Ottawa: DOJ, 2022), at 40, online: <[https://www.justice.gc.ca/eng/cj-jp/state-etat/2022rpt-rap2022/pdf/RSD-2022-SOCJS\\_Covid-19\\_Report-en.pdf](https://www.justice.gc.ca/eng/cj-jp/state-etat/2022rpt-rap2022/pdf/RSD-2022-SOCJS_Covid-19_Report-en.pdf)>; Statistics Canada, "Adult and youth correctional statistics, 2020/2021" *The Daily*, Cat no. 11-001-X (Ottawa: Statistics Canada, 20 Apr 2022), at 4, online: <<https://www150.statcan.gc.ca/n1/en/daily-quotidien/220420/dq220420c-eng.pdf?st=Lkxy2x7p>>.

<sup>5</sup> British Columbia, Ministry of Children and Family Development, "Community Youth Justice Annual Average" (Victoria: MCFD, Mar 2022), online: <<https://mcfcd.gov.bc.ca/reporting/services/youth-justice/case-data-and-trends>>.



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