



## NEWS RELEASE

Monday, April 28, 2008

FOR IMMEDIATE RELEASE

### **BCCLA HEADS TO COURT TO CHALLENGE CRIMINALIZATION OF SAFE INJECTION FACILITY**

The BCCLA will appear as an intervenor today at the B.C. Supreme Court in two cases involving a constitutional challenge to federal drug control legislation that could criminalize the operation of the supervised injection facility, Insite, in Vancouver's Downtown Eastside. The cases, called *PHS Community Services Society v. Canada (Attorney General)* and *Vancouver Area Network of Drug Users v. Canada (Attorney General)*, are scheduled for 10 days of trial.

Ryan Dalziel, counsel for the BCCLA: "Insite provides an important health service that limits the harm associated with drug addiction in the Downtown Eastside. This case is about whether the federal government has the power to impose jail time for the use or operation of that health service. That makes this case important to all Canadians, but especially to Vancouverites."

Insite is jointly operated by the Vancouver Coastal Health Authority and the Portland Hotel Society. Insite provides supervised and sanitary conditions for the use of intravenous drugs. Insite has successfully reduced the health risks associated with addiction to such drugs. Research has found that the operation of Insite has prevented overdose deaths, reduced the suffering of addicts and lessened the spread of HIV/AIDS and Hepatitis C.

Insite operates pursuant to an exemption from the Controlled Drugs and Substances Act. The exemption was granted by the federal Minister of Health, and is due to expire at the end of June. The plaintiffs say there is no need for an extension of the exemption, because the constitution does not permit the government to criminalize the use or operation of Insite.

Grace Pastine, Litigation Director for the BCCLA: "The BCCLA has a long-standing commitment to advocating for safe and sensible drug policies. Public health mechanisms are the strongest methods for reducing the harms associated with addiction. The biggest problem with using criminal prohibitions as the primary means of controlling illegal substances is that they are largely unsuccessful, and lives are needlessly lost in the process."

Ryan Dalziel and Daniel Webster, Q.C. are counsel for the BCCLA. Both are of the firm Bull, Housser & Tupper LLP.

#### **MEDIA CONTACTS:**

Grace Pastine, BCCLA Litigation Director: 604.630.9751(w) 778.241.7183(c)