

Decriminalizing simple possession of illicit drugs in Vancouver

We're seeking to decriminalize simple possession of illicit drugs in Vancouver. We recognize that substance use and the overdose crisis is a public health issue, not a criminal justice issue.

Decriminalization is part of a comprehensive effort to responding to the overdose crisis, which has taken more than 1,500 people in Vancouver over the last five years.

Request for exemption

In May 2021, we submitted the final proposal [\[1\]](#) (3.5 MB) to Health Canada requesting an exemption from the Controlled Drugs and Substances Act (CDSA) under the provision of section 56(1).

If granted, this exemption would mean that people found in possession of controlled substances under a certain threshold amount within municipal boundaries would not be subject to criminal sanctions. Instead, people would be offered to voluntarily be connected with services, and their substances for personal use and paraphernalia would not be confiscated.

The submission complements local and provincial investments in safe supply, overdose prevention and harm reduction, treatment, outreach, housing, and Indigenous healing and wellness.

Proposed Vancouver Model

The proposed Vancouver Model is based on three main components:

- Personal use threshold
- A voluntary referral system to services
- Decision-making

We are committed to engaging with the community and our partners to explore and further define these three components.

The model was developed by the City of Vancouver, Vancouver Police Department, Vancouver Coastal Health, addictions doctors, and research scientists. Conversations with people who use drugs and representatives of groups that face disproportionate discrimination and exclusion have informed the model.

The Provincial Health Officer, Dr Bonnie Henry [\[2\]](#), and international research have indicated a compelling case for decriminalizing substance use. It is an important step to stopping unprecedented deaths by reducing stigma, increasing access to services and supports, and lessening the long-lasting impacts of criminalization on the lives of people who use drugs.

There is broad support for this work from the police, community groups, health professionals, Indigenous communities, and people who use drugs. This policy initiative is

unprecedented in Canada, and more than 65% of people living in Vancouver support the decriminalization of all illegal drugs.

There is also a comprehensive range of mental health and substance use services that will help support the changes needed, such as safe consumption sites and access to safe supply.

Simple possession of drugs in Vancouver

Show all

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Benefits of decriminalizing simple possession

Decriminalizing the simple possession of drugs may help to destigmatize drug users. This stigma often prevents people from seeking services and supports.

It may also enable people with problematic substance use to have easier access to treatment or other services if desired. Decriminalizing possession may also reduce the seizure of small amounts of drugs that often force individuals into risky behaviours to replace these drugs.

Current penalties and charges

The Controlled Drugs and Substances Act (CDSA) is a federal legislation that controls a wide range of drugs and other substances. It sets out penalties for the personal possession of drugs and for the trafficking in these substances. Penalties for simple possession can range from a fine to a lengthy jail sentence. Section 56 of the CDSA [allows the Health Minister to create an exemption on these penalties if it is deemed necessary for a medical or scientific purpose or in the interest of the public.](#)

The Vancouver Police Department (VPD) supports a move to decriminalize possession of small amounts of drugs and supports a harm reduction and public health approach to dealing with substance use.

The VPD has a policy of not attending emergency overdose calls unless specifically requested so their presence does not deter people from calling 9-1-1. The number of charges for personal possession has decreased dramatically in recent years. In 2019, the VPD recommended only 16 charges for simple possession compared to 476 in 2008.

Proposed threshold

We've proposed decriminalizing simple possession of all drugs controlled under the CDSA. For practical purposes, the proposed thresholds are for drugs commonly involved in the overdose crisis in Vancouver. This includes opioids such as heroin, cocaine, crack cocaine, amphetamines, and combinations of these drugs.

A threshold amount provides a guide to the amount of drugs a person can possess without being charged for simple possession or having their drugs or drug paraphernalia seized. This would not apply if the person was found to be trafficking drugs. Above the threshold amount, the police have the discretion to decide on whether to charge an individual.

In determining the threshold component of the model, we recognize that the drug user community has expressed some concerns and risks regarding the proposed thresholds being too low. The amounts included in the submission are based on the best available data we have and are intended to be a starting point that can evolve as more data becomes available. The thresholds developed are significantly higher than in other decriminalization models and the Vancouver model, as a whole, takes a leading approach to decriminalization that is well considered, compassionate and based on local data.

local data.

We will continue to work with our partners to review and adjust thresholds as required and as the model evolves over time.

A healthcare based approach

Criminalization of drugs, sometimes called the War on Drugs, has failed to deter substance use. People use substances for many reasons. Recognizing that problematic substance use is often related to experiences of trauma, violence, systemic racism, poverty, and other health or social factors, it is best treated as a health and social justice issue.

There is no evidence that Vancouver's extensive system of harm reduction programs attract people from outside Vancouver to Vancouver to use drugs.

The proposal for decriminalization of simple possession does not affect any other illegal activity such as driving impaired.

Timeline

April 2016

Provincial Health Officer declares a public health emergency.

November 2020

City Council unanimously passes a motion to ask the federal government to decriminalize the simple possession of illicit drugs in Vancouver by seeking an exemption from the CDSA under the provision of section 56(1).

January 2021

Health Canada agrees to begin formal discussions with the City regarding decriminalization.

March 2021

The City puts forward a preliminary submission to Health Canada seeking an exemption.

April 2021

The City provided an updated submission to Health Canada that outlines proposed threshold levels.

April and May 2021

Public engagement is conducted to discuss risks and mitigation strategies for this work.

Late May 2021

The City provides the final submission to Health Canada that outlines in detail the proposed model and the context and rationale that has shaped it, as well as letters of support for the model, and the implementation plan for if an exemption is granted.

Documents

- [Controlled Drugs and Substances Act final exemption request](#) (3.5 MB)
- [Controlled Drugs and Substances Act preliminary exemption request](#) (831 KB)
- [Summary of City of Vancouver's decriminalization proposal](#) (139 KB)
- [Vancouver proposed threshold submission](#) (1.5 MB)

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Mayors from seven cities across British Columbia call on the Government of Canada to support Vancouver's application to decriminalize simple possession

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Office of the Mayor, City of Vancouver →

Jun 11, 2021, 07:00 ET

VANCOUVER, BC, June 11, 2021 /CNW/ - The following is a statement from the mayors of Burnaby, Kamloops, Nanaimo, New Westminster, Port Coquitlam, Saanich and Victoria in support of the City of Vancouver's application to Health Canada to decriminalize simple possession:

Mayors from across British Columbia are on the front lines of a worsening overdose crisis that is claiming the lives of thousands of our neighbours. That is why we are adding our voices in support of the City of Vancouver's request to Health Canada to proceed with the "Vancouver Model" of decriminalization of simple possession.

We ask that you approve this application and allow Vancouver to explore this ground-breaking approach to move away from criminal sanctions and towards a health-focused approach to substance use. An exemption for the City of Vancouver will allow other municipalities to study the impacts of decriminalization and provide a valuable knowledge base to understand this policy as a way to counter the overdose crisis.

The City of Vancouver is not alone in dealing with the severe impacts of a worsening overdose crisis, especially now as we deal with the ongoing challenges of the COVID-19 pandemic. Since January of 2016, the overdose crisis has claimed the lives of almost 7,000 British Columbians.

with historically high toxicity levels.

Personal possession and use of drugs is not a criminal justice issue, it is a health issue. But today, due to fear and shame, too many of our neighbours continue to keep their struggles to themselves, putting them at increased risk of overdose and death.

We believe that by approving the Vancouver Model, the City of Vancouver may trial this new approach to tackling the overdose crisis – just as it did in 2003 when it was in the unique position to pilot the first safe-consumption site in Canada.

In addition to supporting Vancouver's application, we want to reaffirm that in addition to this potential new tool this crisis requires multiple overlapping strategies to provide a comprehensive response. We still need more action on access to safe supply of pharmaceutical alternatives to poison street drugs, expanded harm reduction services, improved primary and mental health supports, flexible pathways to treatment with culturally-appropriate options and stigma-free educational programming.

This is a provincial and national crisis, and while we must all work together on the complex policy responses needed for a successful long-term approach, only your government can act now to approve this one important application.

We urge you to do so.

Mayor of Burnaby Mike Hurley

Mayor of Kamloops Ken Christian

Mayor of Nanaimo Leonard Krog

Mayor of New Westminster Jonathan Côté

Mayor of Port Coquitlam Brad West

Mayor of Saanich Fred Haynes

Mayor of Victoria Lisa Helps

SOURCE Office of the Mayor, City of Vancouver