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Canada: Myth versus Reality

Real-world policy implications and impacts for “safe cities” and “justice”

Janet Butler-McPhee, HIV Legal Network

Not a Criminal:
Safe Cities and Justice for All People Living with HIV
September 25, 2023
17:45 – 18:45
Emerald Room

Canada Case Study: (Policy) Myth Versus Reality

- Canada: beacon of progressive policy?
- Must consider real-world implications
- Policy jurisdictions:
 - municipal, provincial, federal
- Policies at all levels trickle down



Case Study 1: Drug Policy

Controlled Drugs and Substances Act (CDSA)

Possession of substance

4 (1) Except as authorized under the regulations, no person shall possess a substance included in Schedule I, II or III.

Punishments range from a fine to terms of imprisonment 6 months – 7 years.

Case Study 1: Drug Policy



Case Study 1: Drug Policy

- Billions of \$\$ spent in policing, courts, and correctional costs attributed to the use of criminalized substances.
- Exemption: *Controlled Drugs and Substances Act* (s.56)
- Piecemeal approach: City of Vancouver, Province of B.C., City of Toronto
- Decriminalization in B.C.: Pilot Project
- Real-world impacts

Case Study 2: Anti-trafficking Efforts and Policing

- Conflation of sex work and trafficking compounds issue
- Anti-trafficking efforts and their impact on migrant sex workers
- Billions of \$\$ spent on anti-trafficking efforts and policing
- Policy at various levels, including municipal bylaws
- Real-world impacts



Case Study 3: HIV Criminalization

- Federal policy
- Prosecutorial guidance(s)
- State of play: HIV criminalization in Canada and law reform
- Real-world impacts at municipal level

Thank you!

Janet Butler-McPhee

jbutler@hivlegalnetwork.ca

www.hivlegalnetwork.ca

