

Decriminalization of Illicit Substances for Personal Use and Harm Reduction.

Origin: Shining Waters Regional Council

1. What is the issue? (describe in broad terms)

Within the United Church of Canada, we are called to seek out spaces in which harm may be reduced through meaningful engagement opportunities. This looks and feels differently for each of us, and in this proposal, it is in the understanding that God calls us to seek wisdom and engage more extensively with people living with an active substance-use disorder. If we consider Jeremiah 29:11, “For surely I know the plans I have for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope,” (NRSV) then we are following God’s call to be agents of care, more aware of the needs of society, and prepared to be part of the building of a hopeful welfare that reduces harmful societal realities.

The United Church of Canada must accept the responsibility of “care” for all people in society and rewrite its policy approved by the 28th General Council of 1980: “The Use and Misuse of Drugs” which stated “urge the government to use extreme caution regarding changes to legislation that might be interpreted as a relaxation of control of marijuana,” and the policy approved by the 30th General Council in 1984 that stated, “there must be a court appearance” and that “an administrative record of convictions must be kept so that second and subsequent offences can be treated more severely than the first.” In each of these instances, penalties were encouraged. Today, society has begun to recognize that substance use disorder, often connected to illicit substances, is a mental health illness, and as such, must be treated in this capacity. Harm Reduction itself is not the encouragement of illicit substance use, but rather providing a safe space where trained personnel can come to the aid of the person who uses illicit substance. Harm reduction then becomes a “philosophy of care” for all people that there are support people and resources readily available to them.

Harm reduction has called upon the Government of Canada to consider the ways in which people may access services including a national decriminalization of illicit substances for personal use. In *The Georgia Straight*, June 4th, 2018, article titled, ““Why decriminalize?”, Vancouver’s First United at a public discussion, Rev. Dr. Carmen Lansdowne stated, “there are many people for whom using drugs is decriminalized already, just by virtue of the other privileges that they hold in society. And so by making it a health issue and not an issue of criminality, we are removing a barrier that people in this community face.” The United Church of Canada must join with community and medical services across the country in calling on the Federal Government to decriminalize illicit substances for personal use.

The United Church of Canada must also call on itself to engage in harm reduction practices with intentionality and communal response. This proposal calls on the United Church of Canada to study ways in which it can be engaged in harm reduction practices – policies, potential community partnerships, and conversations at the national level.

Note: Proposals for the General Council are for issues of denominational responsibility that go beyond the bounds of a regional council.

2. Why is this issue important?

As we learned in the “Seeking to Reduce Harm” conversations that were hosted nationally through the United Church of Canada’s United in Learning, the call to be a harm reductionist church is both personal and public. Many of our members have been touched by family members or friends who have been lost due to the toxic drug crisis in Canada.

Reverend Barry Morris, who works for the Longhouse Council of Native Ministry in east Vancouver, who shared in the Vancouver Sun article “Hitting too close to home: Minister who conducts funerals for overdose victims loses own son to poisoned drugs” shared that he has worked with people who have lost family members due to overdose/toxic drug deaths, and as a parent who also lost his own son he stated that he often wonders, “the impulsivity that goes with (drug addiction), it seems it’s so strong, so enduring, so haunting and hounding, that I have to wonder, as I have many times, not just in Eli’s case, as to what possibly can intervene?” What Rev. Morris is asking himself is the same questions the church should be asking itself. How might the United Church of Canada engage in harm reduction and how might it live out the deep sense of justice that is required to engage moving forward.

For many, substance use disorder is a reality that is lived out daily. It is part of the way in which they navigate the world, but there are ways to mitigate the harm that results. The United Church of Canada, and the wider church, is called by God to seek out places and spaces in which harm maybe reduced. Such pieces include: Naloxone Training and availability for those who need this life saving intervention. Naloxone has often been dubbed “the Lazarus drug.” Naloxone is a medicine that when administered, reverses opioid overdose. It is an “opioid antagonist”. Naloxone will not influence a person if they do not have opioids in his/her system, but has been proven effective in reversing overdoses related to substances like: heroin, fentanyl, oxycodone (OxyCotin), hydrocodone (Vicodin), codeine, and morphine. While Naloxone is not the only pathway forward, it is one of the many tools within a harm reductionist’s toolbox. It is imperative that communities of faith consider the importance of training in administering Naloxone which saves lives.

Throughout the COVID-19 pandemic, opioid related deaths have been escalating at a higher rate than before. The Church has an important role to play to address this crisis in our midst. By calling on the Federal Government to act in decriminalizing illicit substances for personal use, the number of needless deaths due to opioid and drug use will be fewer and the Church will also become a true “agent of God” more aware of the needs within their own communities of faith.

3. How does this proposal help us to live into our church's commitments on equity?

Over the course of several years, General Council has made the following commitments on equity. Describe in broad terms the ways in which this proposal engages with some of these principles:

This proposal highlights the need for us to be a church that barrier-free, one that truly examines how we might be able to live into the mission of being a church that is called to "love and serve others." The DSM-IV recognized that within substance use disorder

By engaging further in our own learning, we are opposing the discriminatory practices within the legal systems of Canada, in relation to illicit substances, and ensuring that each person is treated with dignity and with agency. The differences between decriminalization and legalization of illicit substances is clear, and decriminalization, as the pathway forward suggested by this proposal, would allow for the church's commitment towards acknowledging that there is discrimination in relation to people who utilize illicit substances for personal use would create space for people who live within a societies' margins to be able to fulsomely engage with harm reduction services and practices.

The criminalization of illicit substances for personal use disproportionately affects racialized people. In 2020, the Ontario Human Rights Commission published an article titled, *Racial Disparity in Arrests and Charges* in relation to substance use and noted that Black males are 3.6 times more likely to utilize illicit substances in comparison to white males. In a similar consideration, the report also acknowledge that Black people are more likely to experience such tactics as "stop and frisk," and in turn the racialization of those who utilize illicit substances for personal use has been disproportionately affected by specific police tactics.

It is important to recognize the historic realities of Canadian drug laws. Early drug laws were written to target racialized communities, specifically Asian Canadians. To this day, racialized people are more disproportionately affected by laws related to illicit substances in Canada, for example, according to Harm Reduction TO, "Indigenous Canadians account for 24.4% of the federal prison population, and just 4.3% of the general population," Indigenous people are 500 % overrepresented in prisons across Canada.

This proposal was built out of several consolation factors. First, it was brought forward through the United Church of Canada's United in Learning events "Seeking to Reduce Harm," in which people shared about their own experiences working with/living through their own substance use disorder. It was also written in consultation with people who currently live with an active substance use disorder or are in recovery.

This proposal will allow for the church to engage more fulsomely in relating to people who live with substance use disorder as it will, allow the church to engage a framework of harm reduction that is immediate, but also examining the grace in which the church may share within the wider context of its community.

4. How might the General Council respond to the issue?

- 1) The General Council is to engage nationally with communities of faith, and its members to continue to develop a framework in which the United Church of Canada may work towards harm reduction practices and provide resources for communities of faith to engage locally in conversations relating to substance use disorder and the decriminalization of illicit substances for personal use.
- 2) That the United Church of Canada call on the Federal Government of Canada to decriminalize illicit substances for personal use.
- 3) That the General Council work with the Regional Councils across Canada, in supporting and working with, communities of faith to be trained in administering and housing Naloxone at each community of faith.
- 4) That the United Church of Canada recognize and reflect on its historical stance in relation to the use of illicit substances and the damage it created mentally, physically, emotionally, and spiritually for people, and those closest to them, in relation to living with substance use disorder.
- 5) Persons preparing for ministry in the United Church of Canada be oriented/educated towards understanding the realities of people and their families living with substance use disorder.

5. For the body transmitting this proposal to the General Council: