



Statement on Bill C-22

OTTAWA, Ontario (February 19th 2021): Yesterday, the government announced proposed amendments to the Criminal Code and the Controlled Drugs and Substances Act in Bill C-22. We welcome the attention to the harms that are caused by mandatory minimum penalties (MMPs), the criminalization of drug use - and that both have a disproportionate impact on Black and Indigenous communities, particularly women. However, CAEFS also echoes what many other organizations, communities, and individuals have said: these reforms are not enough.

The principles outlined in the Bill acknowledge that substance use should be treated as a health and social issue. It also states that criminal sanctions increase stigma and are not consistent with public health evidence. Yet, it does not end the criminalization of drug use, nor does it do away with all MMPs.

Acknowledging that both MMPs and the criminalization of drugs are harmful should have led the government to eliminate MMPs and end the criminalization of drug use, as CAEFS and many others have called for. Instead, this Bill only seeks to implement half-measures. This demonstrates a lack of commitment to real change and could leave the remaining MMPs constitutionally vulnerable. We reaffirm our support for TRC call to action 32 that calls “upon the federal government to amend the Criminal Code to allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences”.

As we do this, we must take concerted action to address the biases that exist with the justice system outside of mandatory minimum sentences. [We must divest from police, not give them more discretion. We must invest in preventative community-based supports, not restrictive conditional sentences.](#) Without these, we will not see an end to the criminalization and over-incarceration of Black and Indigenous people, particularly women and gender-diverse people.

And even then, we must go further: We must move away from a justice system that focuses solely on punishment and retribution. We must work to create communities that value the safety of all of us, without sacrificing some of us.

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