



british columbia civil liberties association

203 - 207 WEST HASTINGS STREET, VANCOUVER, B.C. V6B 1H7 - TEL. 685-4284

*A Member Of The Canadian Federation Of Civil Liberties And
Human Rights Associations.*

HONOURARY DIRECTORS

14 October 1977

David Barrett, MLA
Hon. Ron Basford, MP
Fritz Bowers
Rosemary Brown, MLA
Hon. Hugh Curtis, MLA

PRESS RELEASE

F.E. Devito
Bill Duthie
Tommy Douglas, MP
Gordon Gibson, MLA
Patricia O. Hall
Don Hamilton

Walter Hardwick
Ray Haynes
Rev. Philip Hewett
Rev. Alan Jackson
Dr. Hugh Keenleyside

Norm Levi, MLA
Alex Macdonald, MLA
Mrs. Grace MacInnis
Dr. Norman MacKenzie
Frank Maczko

Len O'Neill
Alderman Harry Rankin
Father James Roberts
Rabbi Harold Rubens
George Ryga

Rev. John Shaver
Homer Stevens
Basil Stuart-Stubbs
Dr. David Suzuki

Arthur J. Turner
Dr. G. Scott Wallace, MLA

The B.C. Civil Liberties Association yesterday presented the Minister of Health its objections to the compulsory treatment plan for heroin users which has been proposed by the provincial Alcohol and Drug Commission. It also requested assurances that the basic civil rights of those affected by the plan will be guaranteed, if it is enacted. Today we wish to make public part of the basis of our challenge to the Commission's plan as well as to disclose the Minister's response to our request.

Civil Rights: The BCCLA accepts that it is fair to punish people who harm others by committing criminal offenses. But each person should retain the right to decide when he needs medical help, what doctor to consult, and what treatment to accept. The Alcohol and Drug Commission has missed this basic issue. Its approach threatens citizens who are suspected of being heroin users with a minimum of three years of compulsory treatment and supervision if a panel judges that they are heroin users who are "in need of treatment".

This is more than an infringement on the citizen's right to choose his own medical treatment, for no one, including the Alcohol and Drug Commission, believes that heroin use as such is a disease. The Alcohol and Drug Commission's own report states that only a minority of the heroin users in B.C. are addicts in the traditional sense. Yet heroin users, whether addicted



british columbia civil liberties association

203 - 207 WEST HASTINGS STREET, VANCOUVER, B.C. V6B 1H7 - TEL. 685-4284

*A Member Of The Canadian Federation Of Civil Liberties And
Human Rights Associations.*

HONOURARY DIRECTORS

David Barrett, MLA
Hon. Ron Basford, MP
Fritz Bowers
Rosemary Brown, MLA
Hon. Hugh Curtis, MLA

F.E. Devito
Bill Duthie
Tommy Douglas, MP
Gordon Gibson, MLA
Patricia O. Hall
Don Hamilton

Walter Hardwick
Ray Haynes
Rev. Philip Hewett
Rev. Alan Jackson
Dr. Hugh Keenleyside

Norm Levi, MLA
Alex Macdonald, MLA
Mrs. Grace MacInnis
Dr. Norman MacKenzie
Frank Maczko

Len O'Neill
Alderman Harry Rankin
Father James Roberts
Rabbi Harold Rubens
George Ryga

Rev. John Shaver
Homer Stevens
Basil Stuart-Stubbs
Dr. David Suzuki

Arthur J. Turner
Dr. G. Scott Wallace, MLA

or not, could be forced into treatment and supervision for a minimum of three years.

The BCCLA requested Mr. McClelland's assurance that if the plan is enacted, only addicts would be treated compulsorily. He assured us, to the contrary, that the plan would not be so limited.

On the other hand, the Minister did assure us that people judged to be users in need of treatment would have the right to appeal to the Courts not only on questions of law, but also of fact, that no single individual would be empowered to determine who was a user in need of treatment, that physicians would not be required to report on their patients. He was also sympathetic to the suggestion that individuals should have the right to refuse particular treatment plans. On several other issues - like the right to legal representation or legal aid - the Minister was unable to give a response at present, one way or the other.

The Record of Failure of Compulsory Treatment: The Commission offers no evidence in its report that current treatment methods work. In fact, it strongly implies that they don't. Numerous research studies show that the methods which have been tried have a 80-90% failure rate in North America. Yet the Commission suggests that methods like these be made compulsory. Nor has it made public any new methods. It is absurd to suppose that methods which consistently fail on voluntary patients will succeed on "patients" against their will. On the other hand, if it has new methods, the rational approach would be to test them in pilot projects before



british columbia civil liberties association

203 - 207 WEST HASTINGS STREET, VANCOUVER, B.C. V6B 1H7 - TEL. 685-4284

*A Member Of The Canadian Federation Of Civil Liberties And
Human Rights Associations.*

HONOURARY DIRECTORS

David Barrett, MLA
Hon. Ron Basford, MP
Fritz Bowers
Rosemary Brown, MLA
Hon. Hugh Curtis, MLA

F.E. Devito
Bill Duthie
Tommy Douglas, MP
Gordon Gibson, MLA
Patricia O. Hall
Don Hamilton

Walter Hardwick
Ray Haynes
Rev. Philip Hewett
Rev. Alan Jackson
Dr. Hugh Keenleyside

Norm Levi, MLA
Alex Macdonald, MLA
Mrs. Grace MacInnis
Dr. Norman MacKenzie
Frank Maczko

Len O'Neill
Alderman Harry Rankin
Father James Roberts
Rabbi Harold Rubens
George Ryga

Rev. John Shaver
Homer Stevens
Basil Stuart-Stubbs
Dr. David Suzuki

Arthur J. Turner
Dr. G. Scott Wallace, MLA

considering their compulsory application. It seems certain to us, therefore, that the proposed scheme will not lead to a substantial reduction in the user population. We challenge the Alcohol and Drug Commission to present hard statistical evidence to show that its proposed methods have worked consistently.

Distortion of Issues by the Alcohol and Drug Commission:

How can the Commission have been led to such an ill supported proposal? One factor is understandable desperation. The B.C.C.L.A. can agree that the social costs of addiction are becoming tragic. But the Commission confuses two different problems. One is the real problem of addiction, as found in B.C.'s alcoholics and thousands of addicts to tobacco, tranquillizers, cocaine, barbiturates, amphetamines as well as heroin.

The other problem is the damage to society of drug-related crime: the costs of enforcement, the burden on the judicial system, and the drug-related costs of welfare and other public agencies. The Commission says that it is these costs which demand compulsory treatment (Report, p.33). But the major cause of this damage is the public policy of making some of these drugs illegal, thus precipitating the vicious cycle of illegal market, police action and organized crime. We could easily escalate alcohol use into the same kind of criminal problem as heroin addiction.

The most reasonable alternative, in our view, is to learn from the much more successful British approach. The Commission's attacks on the British System are unwarranted. The system has been in existence for more than 70 years. Every careful study, whether by Canadian, American or British observers has shown it to function



british columbia civil liberties association

203 - 207 WEST HASTINGS STREET, VANCOUVER, B.C. V6B 1H7 - TEL. 685-4284

*A Member Of The Canadian Federation Of Civil Liberties And
Human Rights Associations.*

HONOURARY DIRECTORS

David Barrett, MLA
Hon. Ron Basford, MP
Fritz Bowers
Rosemary Brown, MLA
Hon. Hugh Curtis, MLA

F.E. Devito
Bill Duthie
Tommy Douglas, MP
Gordon Gibson, MLA
Patricia O. Hall
Don Hamilton

Walter Hardwick
Ray Haynes
Rev. Philip Hewett
Rev. Alan Jackson
Dr. Hugh Keenleyside

Norm Levi, MLA
Alex Macdonald, MLA
Mrs. Grace MacInnis
Dr. Norman MacKenzie
Frank Maczko

Len O'Neill
Alderman Harry Rankin
Father James Roberts
Rabbi Harold Rubens
George Ryga

Rev. John Shaver
Homer Stevens
Basil Stuart-Stubbs
Dr. David Suzuki

Arthur J. Turner
Dr. G. Scott Wallace, MLA

far better than North American methods in spite of occasional fluctuations in its success rate.

Yet the Commission has preferred to cite dire statistics from a few recent newspaper reports and to refer to an unnamed informant in the British Home Office. Throughout its long and consistently successful history, its opponents in North America have always managed to scrape together enough misleading statistics to convince themselves that it is on the verge of collapse. The BCCLA challenges the Alcohol and Drug Commission to carry out and present a careful study of the British success rate as against the success rate of the methods it now proposes to make compulsory.

Finally, the Alcohol and Drug Commission has presented misleading facts and statistics to create the impression that heroin use is the major cause of crime in B.C. Their report asserts: "The heroin trade is the fifth largest industry in B.C. for it generates earnings of at least \$255 million" (p.23), "60% of all crime is drug related" (p.23,30). Examination of the assumptions and reasoning behind such figures shows that they are exaggerated and unjustified. The BCCLA challenges the Alcohol and Drug Commission to allow these assertions to be examined by independent statisticians.

Conclusion: The Commission is trying to solve an important social problem. But the method it recommends is a self-defeating mix-up and the justifications are implausible at best. Instead of adopting a version of the well-tried plan in use in Britain for two-thirds of a century, it has proposed extending our present system. It suggests expensive compulsory treatment which is not known in

advance to work for a condition which is not a disease anyway.
The hopes for success seem illusory; the punishment disguised
as treatment seems all too real.