



Fact Sheet: Bill C-15

Mandatory Minimum Sentences for Drug Offenses

What is Bill C-15?

The conservative government introduced Bill C-15 in February 2009; the Bill is to be seen as part of its Anti-Drug Strategy to combat illicit drug production and distribution through mandatory prison sentences. The government proposes that the Bill will fight gangs and to reduce drug use and drug related crime. But what the government plans is likely to have the opposite effect. It will create a more dangerous and less healthy society. ¹

Bill C15 includes:

- A minimum of six months for possession of 1 marijuana plant
- A minimum of six months for growing 5 – 100 marijuana plants (9 months if the house is rented)
- A minimum of one year in prison for dealing drugs for “organized crime” (3 or more people involved in the serious offences for material benefit) or when weapon or violence is involved
- A minimum of two year for committing the offence in or near a school, on or near school grounds, or in or near any other public place usually frequented by people under 18

What is wrong with Bill C15?

- People with substance use issues need health care not prison
- Prison is expensive (it cost \$164 per day per person in Ontario)
- Prison is violent and full of drugs; it is not a drug treatment centre
- (38% of inmates have used drugs in their institution²)
- Increases the transmission of HIV/AIDS and hepatitis C by sharing needles in prison (24% of inmates have used injection drug & 15 – 20 people will sometimes use the same needles³)
- Increasing the prison population in Canada
- The Bill is vague, including the term “any other public place usually frequented by persons under the age of 18 years.” This could be almost anywhere!!!!

This Bill that is supposed to target serious crime will affect people who just use drugs on their own, or who sell to support their own drug habit. Having mandatory minimum sentences will take away any consideration of people’s circumstances and need for help. A drug treatment court program can be a valuable alternative to prison sentences and a source of connection to supports for people with non-violent offences. But there are few operational drug treatment courts in Canada.

The government of Canada should consider why people use drugs as part of their daily life. People with substance use problems are likely being have experienced such social determinants of health as poverty, family dysfunction, an abusive childhood, lack of education, unemployment, and mental health problems. The government should address these issues and view substances use as a public health issue and not a criminal one.

For full list of the bill: http://www2.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Parl=40&Ses=2&Mode=1&Pub=Bill&Doc=C-15_1&File=27

¹ Canadian AIDS Society, Mandatory Minimum Sentences for Drug Offences: A step in the wrong direction

² Correctional Service of Canada, Research brief: Summary of findings of the 1995 CSC national inmate survey

³ Canadian HIV/AIDS Legal Network, High-risk behaviours in prisons. Info sheet 2 on HIV/AIDS & Hepatitis C in prisons, 2008

Empowerment Council - A voice for the clients of the Centre for Addiction and Mental Health

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