

## **CANADA: Ottawa Loses Appeal in Supervised Injection Site Case:**

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On Friday, British Columbia's Court of Appeal (COA) upheld a lower court ruling that allowed Vancouver's supervised injection facility, Insite, to continue operations. The Conservative government had appealed the lower court's determination that Insite is a health care facility and therefore under provincial, rather than federal, jurisdiction. In COA's decision is a clear message for Prime Minister Stephen Harper, said Dr. Julio Montaner, director of the B.C. Center for Excellence in HIV/AIDS. Harper should cease "his draconian, ideologically motivated public health policy-making" and embrace evidence-based health care, Montaner said.

Since 2003, Insite has offered a clinic in Downtown Eastside where injection drug users can shoot up their own drugs under the supervision of a nurse. Among the aims of Insite are to reduce blood-borne infections and overdoses, and to link IDUs to health services including treatment for addiction. Insite supporters had launched the preemptive court action to ensure its exemption from federal drug laws did not expire as scheduled in June 2008.

"There is tremendous interest in a number of cities around the world based on the fact that not only have we piloted this initiative, but the supervised injection site is the best studied in the world," Montaner said. Since Insite's launch, detox admissions among addicts have climbed 30 percent, he noted. Officials in Montreal, Toronto, Victoria, and San Francisco have discussed creating interventions modeled on Insite, he said.

"While the government respects the court's decision, it is disappointed with the outcome," said David Thomas, a spokesperson for Health Canada, whose government minister initiated the appeal along with the attorney general. Federal officials are reviewing the decision carefully, Thomas said, and the government can still press its appeal to the Supreme Court of Canada.

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