



Canadian Association of Chiefs of Police

Supporting police professionals through innovative and inclusive police leadership
to advance the safety and security of all Canadians.

February 19, 2021

CACP Statement: Bill C-22 – Addressing systemic discrimination, disproportionate representation, and simple possession of illicit drugs

On February 18, 2021, the federal government of Canada issued a [news release](#) announcing a comprehensive package of legislative measures to address the systemic discrimination and disproportionate representation of Indigenous peoples, Black Canadians, and marginalized communities in the criminal justice system, and to adopt a more public-health centered approach to addiction and the opioid epidemic by encouraging greater use of diversion programs. The Canadian Association of Chiefs of Police applauds these goals and the government's commitment to these societal issues.

A number of studies demonstrate a continued issue with systemic racism throughout Canada's justice system, which includes our legal system, our courts, and our police services. Conscious and unconscious bias is a challenge for all police members. When racial bias transpires during police interactions, the confidence and trust of the public in our services is shaken, and these are the cornerstones of our profession. There has been a significant shift in the focus of policing over time from law enforcement to community engagement and well-being, as well as proactive crime prevention that reflects true partnerships. We believe that Bill C-22 reflects the importance of this evolution and provides us with additional strategies to make continued progress in this regard. Today, officers are provided with extensive training that goes well beyond basic police skillsets. Training includes a wide range of cultural awareness, sensitivity, trauma-informed, and de-escalation techniques. As frontline first responders, police officers are often the gateway to many community supports. The goal should always be to make that first contact meaningful and to achieve the best possible outcome.

With respect to addressing the opioid crisis, Bill C-22 particularly emphasizes the call for officers and prosecutors to consider other measures for simple possession of illicit drugs such as diversion to health and social services, rather than laying charges or prosecuting individuals. The proposed legislative amendments align with the [CACP statement](#) issued in July 2020 advocating for alternatives to criminal sanctions for simple possession of illicit drugs and the adoption of a health-based diversionary approach to disrupt the current trend of drug overdoses impacting communities across Canada, to reduce the demand for drugs in our communities, as well as reduce the crime associated with problematic substance use.

Frontline officers will always play a critical role in any diversion model because they are often the point of first contact and the ones who will assist individuals into pathways of care. However, for diversionary tactics to be effective, the health and social services must be available to divert them to. As result, the enactment of this bill must be accompanied by significant investments at all government levels to support the creation and ongoing operations of an infrastructure of services in communities across the country. Increased community capacity and resources are necessary to support the availability and integration of health, social and enforcement programs to achieve effective diversion.

The CACP is also pleased to see that Bill C-22 recognizes the importance of police discretion and the notion that enforcement resources and strategies should continue to be targeted at organized crime groups and individuals who import, produce or distribute illegal drugs throughout our communities. This bill creates a clear distinction between possession for personal use and possession for trafficking. Canadians must remember that not all individuals who face the possibility of a charge for possession are necessarily managing problematic substance use. The fact remains, that there are also a number of individuals where criminal charges and the judicial process represent the appropriate course of action in the interest of public safety. In a number of municipalities across Canada, officers are already using their discretion and diverting individuals to the health system rather than the criminal system, where appropriate. What Bill C-22 does is mandate all police services to adopt a more discretionary approach and provides them with additional principles to be considered (e.g. Gladue report) to guide their course of action. The CACP wholeheartedly supports the goal to achieve appropriate law enforcement and to impose appropriate sentences that correspond to the seriousness of the offence, the personal circumstances of the offender, and the risk they pose to public safety.