

DID YOU KNOW THAT CANADA HAS A GOOD SAMARITAN DRUG OVERDOSE LAW?

On May 4, 2017, the Parliament of Canada passed the Good Samaritan Drug Overdose Act, which added a new section to the Controlled Drugs and Substances Act with respect to exemptions from simple possession (s.4.1).

WHAT IS GOOD SAMARITAN OVERDOSE LEGISLATION?

- The goal of such legislation is to help save lives.
- Specifically, such laws are meant to help encourage people to seek help during an overdose by providing protection from certain minor drug-related charges and/or conditions that often lead people to avoid or delay seeking help.

WHY DO WE NEED GOOD SAMARITAN OVERDOSE LEGISLATION IN CANADA?

- The growing number of overdoses and deaths caused by opioids is a national public health crisis. In 2016, there were more than 2,800 apparent opioid-related deaths in Canada. This number is expected to grow in 2017. Unfortunately, evidence shows that all too often, people are afraid to call for emergency help. Call rates to report overdoses tend to be low. According to a 2014 study performed in Ontario, the most common barriers to calling 911 during an overdose event were fear of arrest, and being on parole.

WHAT IS COVERED UNDER CANADA'S GOOD SAMARITAN DRUG OVERDOSE LAW?

- The law exempts any person who seeks emergency help during an overdose, as well as those that are at the scene upon arrival of assistance, from:
 - charges for possession of a controlled substance under section 4(1) of the Controlled Drugs and Substances Act
 - breach of conditions regarding simple possession of controlled substances in:
 - pre-trial release
 - probation orders
 - conditional sentences
 - parole
- This exemption applies where the evidence in support of that offence was obtained or discovered as a result of that person having sought help or having remained at the scene.



WHO IS COVERED BY THIS LAW?

- the person experiencing an overdose;
- the person who seeks emergency help; and
- anyone else who is at the scene of the overdose when help arrives.

ARE THERE ANY CHARGES NOT EXEMPTED BY THE GOOD SAMARITAN DRUG OVERDOSE ACT?

- The law does not provide exemptions for more serious offences such as possession for the purposes of trafficking, drug production, drug trafficking or outstanding warrants.