



Senate

Sénat

CANADA

# **CANNABIS :**

# ***OUR POSITION FOR A***

# ***CANADIAN PUBLIC POLICY***

## **REPORT OF THE SENATE SPECIAL COMMITTEE ON ILLEGAL DRUGS**

### **VOLUME IV : APPENDICES**

**CHAIRMAN**

**DEPUTY CHAIRMAN**

**PIERRE CLAUDE NOLIN**

**COLIN KENNY**

**SEPTEMBER 2002**

# APPENDIX I

## MEMBERS AND STAFF OF THE SENATE SPECIAL COMMITTEE ON ILLEGAL DRUGS

### 1. MEMBERS OF THE SENATE SPECIAL COMMITTEE ON ILLEGAL DRUGS

Honourable Pierre Claude Nolin  
(Chair)

Honourable Colin Kenny  
(Deputy Chair)

Honourable Tommy Banks

Honourable Eileen Rossiter

Honourable Shirley Maheu

Honourable John Lynch-Staunton \*

Honourable Sharon Carstairs, P.C.\* \*\*

Honourable Noël A. Kinsella \*

Honourable Fernand Robichaud \*

### 2. OTHER SENATORS WHO PARTICIPATED IN THE PROCEEDINGS OF THE COMMITTEE

Honourable Michel Biron

Honourable Laurier LaPierre

Honourable Pat Carney, P.C.

Honourable Jean Lapointe

Honourable Thelma Chalifoux

Honourable Edward M. Lawson

Honourable Ione Christensen

Honourable Loma Milne

Honourable Ethel M. Cochrane

Honourable Yves Morin

Honourable Pierre De Bané, P.C., Q.C.

Honourable Lucie Pépin \*\*\*

Honourable Consiglio Di Nino

Honourable Marie-P. Poulin

Honourable Joyce Fairbairn, P.C.

Honourable Marcel Prud'homme, P.C.

Honourable Sheila Finestone, P.C.

Honourable Gerry St. Germain, P.C.

Honourable J. Michael Forrestall

Honourable Peter A. Stollery

Honourable Jerahmiel S. Grafstein, Q.C.

Honourable Terry Stratton

Honourable Mobina S.B. Jaffer

Honourable John Wiebe

Honourable Lois M. Wilson

\* *Ex Officio* Members

\*\* The Honourable Sharon Carstairs was a member of the Committee from April 2000 to October 2000

\*\*\* The Honourable Lucie Pépin was a member of the Committee from April 2000 to October 2000

### **3. STAFF OF THE SENATE SPECIAL COMMITTEE ON ILLEGAL DRUGS**

#### **3.1 CLERKS**

<b>Daniel Charbonneau</b> <i>(Acting Clerk of the Committee)</i>	<b>Blair Armitage</b> <i>(Clerk)</i>	<b>Adam Thompson</b> <i>(Acting Clerk of the Committee)</i>
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#### **3.2 RESEARCH**

	<b>Daniel Sansfaçon</b> <i>(Director of Research)</i>	
<b>Gérald Lafrenière</b> <i>(Analyst – Library of Parliament)</i>		<b>Chantal Collin</b> <i>(Analyst – Library of Parliament)</i>
<b>Lyne Casavant</b> <i>(Library of Parliament)</i>		<b>Diane Leduc</b> <i>(Library of Parliament)</i>
<b>Benjamin Dolin</b> <i>(Library of Parliament)</i>		<b>Martine Leroux</b> <i>(Office of Senator Shirley Mahau)</i>
<b>Nancy Miller Chenier</b> <i>(Library of Parliament)</i>		<b>Robin MacKay</b> <i>(Library of Parliament)</i>
<b>François Dubois</b> <i>(Office of Senator Pierre Claude Nolin)</i>		<b>Jeffrey Myers</b> <i>(Senate Special Committee on Illegal Drugs)</i>
<b>Mollie Dunsmuir</b> <i>(Library of Parliament)</i>		<b>Sonya Norris</b> <i>(Library of Parliament)</i>
<b>Daniel Dupras</b> <i>(Library of Parliament)</i>		<b>Emmanuel Préville</b> <i>(Library of Parliament)</i>
<b>David Goetz</b> <i>(Library of Parliament)</i>		<b>Jay Sinha</b> <i>(Library of Parliament)</i>
<b>Anthony Jackson</b> <i>(Library of Parliament)</i>		<b>Leah Spicer</b> <i>(Library of Parliament)</i>
<b>Rebecca Jesseman</b> <i>(Senate Special Committee on Illegal Drugs)</i>		<b>Barbara B. Wheelock</b> <i>(Office of Senator Eileen Rossiter)</i>

### 3.3 ADMINISTRATION

**Lise Bouchard**  
*(Committees and Private  
Legislation Directorate of the Senate)*

**Nicole Bouchard**  
*(Office of Senator Pierre Claude Nolin)*

**Martine de Launière**  
*(Special Committee on Illegal Drugs)*

**Krista Durrell**  
*(Committees and Private  
Legislation Directorate of the Senate)*

**Keli Hogan**  
*(Committees and Private  
Legislation Directorate of the Senate)*

**Mireille Khouri**  
*(Committees and Private  
Legislation Directorate of the Senate)*

**Nathalie Lemay-Paquette**  
*(Committees and Private  
Legislation Directorate of the Senate)*

**Brigitte Martineau**  
*(Committees and Private  
Legislation Directorate of the Senate)*

**Liliane Poiré**  
*(Office of Senator Pierre Claude Nolin)*

### 3.4 COMMUNICATIONS

**Diane Boucher and her team**  
*(Communications Directorate of the Senate)*

**Jean-Guy Desgagné**  
*(Special Advisor – Senate Special  
Committee on Illegal Drugs)*

**David Newman**  
*(Newman Communications)*

### 3.5 REPORTERS, TRANSLATORS AND INTERPRETERS

**Official Reporters of the Senate**  
*(Debates and Publications Directorate of the Senate)*

**Translators**  
*(Translation Bureau)*

**Interpreters**  
*(Translation Bureau)*

**Thérèse Alier**  
*(Private Text Editor)*

## APPENDIX II

### LIST OF WITNESSES

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Cathy Airth</b>	<b>Health Canada</b> Acting Director, Office of Canada's Drug Strategy, Health Environments and Consumer Safety Branch (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Bruce Alexander</b>	<b>Simon Fraser University</b> Professor, Department of Psychology (Victoria, British Columbia)	<b>April 23, 2001</b> <b>Ottawa, Ontario</b>
<b>Lindsay Armitage</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Lyell Armitage</b>	<b>Regina Health District</b> Former Director, Alcohol and Drug Services (Regina, Saskatchewan)	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Guy Ati Dion</b>	<b>University of Montreal</b> (Montreal, Quebec)	<b>October 29, 2001</b> <b>Ottawa, Ontario</b>
<b>George Bailey</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Linda Barnes</b>	<b>City of Richmond</b> City Councillor (Richmond, British Columbia)	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Pat Baumet</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>David Beall</b>	<b>Inter-American Drug Abuse Control Commission</b> Executive Secretary (Washington (D.C.), United States of America)	<b>March 18, 2002</b> <b>Ottawa, Ontario</b>
<b>Line Beauchesne</b>	<b>University of Ottawa</b> Professor, Department of Criminology (Ottawa, Ontario)	<b>October 16, 2000</b> <b>Ottawa, Ontario</b>
<b>Denise Beaudoin</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Patricia Bégin</b>	<b>National Crime Prevention Centre</b> Director, Research and Evaluation (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Mohamed Ben Amar</b>	<b>University of Montreal</b> Professor, Pharmacology and Toxicology (Montreal, Quebec)	<b>June 11, 2001</b> <b>Ottawa, Ontario</b>
<b>Chris Bennett</b>	<b>As an individual</b>	<b>November 7, 2001 and May 14, 2002</b> <b>Vancouver and Richmond, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Marie-Andrée Bertrand</b>	<b>University of Montreal</b> Professor Emeritus of Criminology <b>Town Hall Panelist (Montreal)</b>	<b>April 23, 2001 and May 30, 2002</b> <b>Ottawa, Ontario</b> <b>Montreal, Quebec</b>
<b>Beverly Best</b>	<b>Village of Salisbury</b> City Councillor (Salisbury, New Brunswick)	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Hilary Black</b>	<b>B.C. Compassion Club Society</b> Founder and Director (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Bill Blanchard</b>	<b>Royal Canadian Mounted Police</b> Sergeant (Regina, Saskatchewan) <b>Town Hall Panelist</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Guillaume Blouin-Beaudoin</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal Quebec</b>
<b>Ron Bocking</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Tim Boekhout Van Solinge</b>	<b>Utrecht University</b> Lecturer and Researcher in Criminology (Utrecht, Netherlands)	<b>November 19, 2001</b> <b>Ottawa, Ontario</b>
<b>Renee Boje</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Vancouver, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Stephen Bolton</b>	<b>Department of Foreign affairs and International Trade</b>  International Drug Officer, International Crime Division  (Ottawa, Ontario)	<b>March 18, 2002</b>  <b>Ottawa, Ontario</b>
<b>Yvan Bombardier</b>	<b>CACTUS</b>  Intervener  (Montreal, Quebec)	<b>May 30, 2002 and May 31<sup>st</sup>, 2002</b>  <b>Montreal, Quebec</b>
<b>Pierre-Charles Boudrias</b>	<b>Dollard-Cormier Centre</b>  (Montreal, Quebec)	<b>May 31, 2002</b>  <b>Montreal, Quebec</b>
<b>David Bourgeois</b>	<b>As an individual</b>	<b>May 14, 2002</b>  <b>Richmond, British Columbia</b>
<b>Michael J. Boyd</b>	<b>Canadian Association of Chiefs of Police</b>  Chair of the Drug Abuse Committee and Deputy Chief of the Toronto Police Service  (Ottawa, Ontario)	<b>March 11, 2002</b>  <b>Ottawa, Ontario</b>
<b>Neil Boyd</b>	<b>Simon Fraser University</b>  Professor, Department of Criminology  (Victoria, British Columbia)	<b>October 16, 2000</b>  <b>Ottawa, Ontario</b>
<b>Al Breau</b>	<b>Village of Salisbury</b>  Member of the Salisbury Municipal Drug Strategy  (Salisbury, Nouveau-Brunswick)  <b>Town Hall Panelist</b>	<b>June 5, 2002</b>  <b>Moncton, New Brunswick</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Serge Brochu</b>	<b>University of Montreal</b> Professor and Director of the International Center for Comparative Criminology (Montreal, Quebec)	<b>December 10, 2001</b> <b>Ottawa, Ontario</b>
<b>Nick Brusatore</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Perry Bulwer</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Fred Burford</b>	<b>As an individual</b>	<b>September 10</b> <b>Toronto, Ontario</b>
<b>Michele Burque</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Tracy Butler</b>	<b>Salvation Army Harbour Light Addiction and            Rehabilitation Treatment Centre, HCC St.            John's</b> Program Director (St. John's, Newfoundland and Labrador)	<b>June 4, 2002</b> <b>St-John's, Newfoundland and            Labrador</b>
<b>Bill Campbell</b>	<b>Canadian Society on Addiction Medicine</b> President (Ottawa, Ontario)	<b>March 11, 2002</b> <b>Ottawa, Ontario</b>
<b>Chris Carnell</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Nicolas Carrier</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>James Anthony Cavalier</b>	<b>As an individual</b>	<b>September 10</b> <b>Toronto, Ontario</b>
<b>Walter Cavaliere</b>	<b>Toronto Harm Reduction Task Force</b> (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Jean-Pierre Chiasson</b>	<b>Clinique du Nouveau Départ Inc.</b> Medical Director (Montreal, Quebec)	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Ward Clapham</b>	<b>Town Hall Panelist</b> <b>Royal Canadian Mounted Police</b> Superintendent (Richmond, British Columbia)	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Chantal Cloutier-Vautour</b>	<b>Addiction Services, Health Region</b> Addiction Councillor (Moncton, New Brunswick)	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Pierre Cloutier</b>	<b>As an individual</b>	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Peter Cohen</b>	<b>University of Amsterdam</b> Professor (Amsterdam, Netherlands)	<b>May 28, 2001</b> <b>Ottawa, Ontario</b>
<b>Émile Colas</b>	<b>As an individual</b> <b>Town Hall Panelist</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Mark Connolly</b>	<b>Canada Customs and Revenue Agency</b> Director General, Contraband and Intelligence Services Directorate, Customs Branch (Ottawa, Ontario)	<b>October 29, 2001</b> <b>Ottawa, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>John W. Conroy</b>	<b>As an individual</b>  Barrister and Solicitor in ( <i>R. v. Malmo-Levine and R. v. Caine</i> )	<b>March 11, 2002</b>  <b>Ottawa, Ontario</b>
<b>Randy Cormier</b>	<b>Brentwood Recovery Home</b>  Counsellor/Group Leader  (Windsor, Ontario)	<b>June 7, 2002</b>  <b>Windsor, Ontario</b>
<b>Terry Cormier</b>	<b>Department of Foreign affairs and International Trade</b>  Director, International Crime Division  (Ottawa, Ontario)	<b>March 18, 2002</b>  <b>Ottawa, Ontario</b>
<b>Jean-Michel Coste</b>	<b>French Monitoring Centre for Drugs and Drug Addictions</b>  Director  (Paris, France)	<b>October 1<sup>st</sup>, 2001</b>  <b>Ottawa, Ontario</b>
<b>Roland Côté</b>	<b>As an individual</b>	<b>May 30, 2002</b>  <b>Montreal, Quebec</b>
<b>Richard Cowan</b>	<b>As an individual</b>	<b>November 7, 2001</b>  <b>Vancouver, British Columbia</b>
<b>Michael Crichton</b>	<b>Canada Customs and Revenue Agency</b>  Chief, Intelligence and Operations Division, Contraband and Intelligence Services Directorate, Customs Branch  (Ottawa, Ontario)	<b>October 29, 2001</b>  <b>Ottawa, Ontario</b>
<b>Jean de Lavaltrie</b>	<b>As an individual</b>	<b>May 30, 2002</b>  <b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>France Desjardins</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Chuck Doucette</b>	<b>Royal Canadian Mounted Police</b> (Vancouver, British Columbia) <b>Town Hall Panelist</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Wally Dowhayko</b>	<b>Royal Canadian Mounted Police</b> Sergeant, Windsor Drug Section (Windsor, Ontario)	<b>June 7, 2002</b> <b>Windsor, Ontario</b>
<b>Caroline Doyer</b>	<b>Club Compassion de Montréal</b> President (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Toby Druce</b>	<b>Seaton House</b> Program Supervisor (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Françoise Dubois-Arber</b>	<b>Swiss Federal Commission for Drug Issues; University Institute for Social and Preventative Medicine</b> Member (Bern, Switzerland)	<b>February 4, 2002</b> <b>Ottawa, Ontario</b>
<b>Georges Dulex</b>	<b>Canton of Zurich, Criminal Police Department</b> Head (Zurich, Switzerland)	<b>February 4, 2002</b> <b>Ottawa, Ontario</b>
<b>Johnny Dupuis</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Martin Earl</b>	<b>As an individual</b>	<b>June 6, 2002</b>  <b>Windsor, Ontario</b>
<b>Bill Elliot</b>	<b>Canada Customs and Revenue Agency</b>  Director, Windsor-St. Clair District  (Windsor, Ontario)	<b>June 7, 2002</b>  <b>Windsor, Ontario</b>
<b>Marc Emery</b>	<b>B.C. Marijuana Party</b>  (Vancouver, British Columbia)  <b>Town Hall Panelist</b>	<b>May 14, 2002</b>  <b>Richmond, British Columbia</b>
<b>Ron Enns</b>	<b>As an individual</b>	<b>June 6, 2002</b>  <b>Windsor, Ontario</b>
<b>Patricia Erickson</b>	<b>Centre for Addiction and Mental Health</b>  Researcher  (Toronto, Ontario)	<b>May 14, 2001</b>  <b>Ottawa, Ontario</b>
<b>Julian Fantino</b>	<b>Toronto Police Service</b>  Chief  (Toronto, Ontario)	<b>September 10, 2001</b>  <b>Toronto, Ontario</b>
<b>Pat Fiacco</b>	<b>City of Regina</b>  Mayor  (Regina, Saskatchewan)	<b>May 13, 2002</b>  <b>Regina, Saskatchewan</b>
<b>Ross Findlater</b>	<b>Regina Health District</b>  Deputy Medical Health Officer, Alcohol and Drug Services  (Regina, Saskatchewan)	<b>May 13, 2002</b>  <b>Regina, Saskatchewan</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Benedikt Fischer</b>	<b>University of Toronto</b> Professor, Department of Public Health Sciences (Toronto, Ontario)	<b>September 17, 2001</b> <b>Ottawa, Ontario</b>
<b>Jerry Fitzgerald</b>	<b>Alcohol and Drug Services, Regina Health District</b> Manager (Regina, Saskatchewan)	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Donald Fitzsimmons</b>	<b>Alcohol and Drug Services, Regina Health District</b> Youth and Family Coordinator (Regina, Saskatchewan)	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Mark Fortier</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Michel Frenette</b>	<b>Royal Canadian Mounted Police</b> Drug Awareness Services Coordinator (Fredericton, New Brunswick) <b>Town Hall Panelist</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Thomas Fulgosi</b>	<b>Seaton House</b> Shift Leader (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Nick Gallant</b>	<b>As an individual</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Paul E. Garfinkel</b>	<b>Centre for Addiction and Mental Health</b> President and C.E.O. (Toronto, Ontario)	<b>June 7, 2002</b> <b>Windsor, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Serge Gascon</b>	<b>City of Montreal Police Service</b> Deputy Director (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Ryan Genie</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Michel Germain</b>	<b>Comité permanent de lutte à la toxicomanie</b> Director General (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Rob Gillespie</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>John P. Gordon</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Hélène Goulet</b>	<b>Health Canada</b> Director General, Tobacco Control Programme, Health Environments and Consumer Safety Branch (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Caylie Graham</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Serge Granger</b>	<b>University of Quebec in Montreal</b> Historian (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Brian Grant</b>	<b>Correctional Service Canada</b> Director, Addictions Research Centre (Montague, Prince Edouard Island)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>David Griffin</b>	<b>Canadian Police Association</b> Executive Officer (Ottawa, Ontario)	<b>May 28, 2001</b> <b>Ottawa, Ontario</b>
<b>Peter Grin</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Derril W. Gudlaugson</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>André-Bernard Guévin</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Cathleen Guthrie</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Henry Haddad</b>	<b>Canadian Medical Association</b> President (Ottawa, Ontario)	<b>March 11, 2002</b> <b>Ottawa, Ontario</b>
<b>Susan Hague</b>	<b>Canada Customs and Revenue Agency</b> Senior Program Advisor, Contraband Operations Section, Contraband and Intelligence Services Directorate, Customs Branch (Ottawa, Ontario)	<b>October 29, 2001</b> <b>Ottawa, Ontario</b>
<b>Nichola Hall</b>	<b>Grief to Action</b> Chairperson (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Ross Hall</b>	<b>Grief to Action</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Peter Hamel</b>	<b>Club Compassion de Montréal</b> Executive Director (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Tony Hammer</b>	<b>As an individual</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>Timothy Hampton</b>	<b>NORML Saskatchewan</b> President, National Organization for Reform of Marijuana Laws (NORML) (Watrous, Saskatchewan)	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Michael C. Hansen</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Andy Hathaway</b>	<b>Centre for Addiction and Mental Health</b> Researcher (Toronto, Ontario)	<b>May 14, 2001</b> <b>Ottawa, Ontario</b>
<b>Glen Hayden</b>	<b>Canadian Police Association</b> Detective, Drug Control Section, Edmonton Police Service (Ottawa, Ontario)	<b>May 28, 2001</b> <b>Ottawa, Ontario</b>
<b>Kenneth E. Hayes Jr.</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Kash Heed</b>	<b>Vancouver Police Service</b> Drugs Section (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Sean Hunt</b>	<b>As an individual</b>	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Thomas E. Hunter</b>	<b>As an individual</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Alexis Jabarit</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Edward Jackson</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Gary E. Johnson</b>	<b>State of New Mexico</b> Governor (Albuquerque, New Mexico – United States of America)	<b>November 5, 2001</b> <b>Ottawa, Ontario</b>
<b>Cal Johnston</b>	<b>Regina Police Service</b> Chief of Police (Regina, Saskatchewan)	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Hélène Jutras</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Harold Kalant</b>	<b>University of Toronto</b> Professor Emeritus (Toronto, Ontario)	<b>June 11, 2001</b> <b>Ottawa, Ontario</b>
<b>Sean Karl</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Robert Keizer</b>	<b>Ministry of Health, Welfare and Sports of the Netherlands</b>  Drug Policy Advisor  (The Hague, Netherlands)	<b>November 19, 2001</b>  <b>Ottawa, Ontario</b>
<b>Jim Kelly</b>	<b>Richmond Alcohol and Drug Action Team (RADAT)</b>  Director  (Richmond, British Columbia)	<b>May 14, 2002</b>  <b>Richmond, British Columbia</b>
<b>Perry Kendall</b>	<b>As an individual</b>  Health Officer  (Victoria, British Columbia)	<b>September 17, 2001</b>  <b>Ottawa, Ontario</b>
<b>Paul E. Kennedy</b>	<b>Solicitor General of Canada</b>  Senior Assistant Deputy Solicitor General, Policing and Security Branch  (Ottawa, Ontario)	<b>June 10, 2002</b>  <b>Ottawa, Ontario</b>
<b>Steven Kent</b>	<b>City of Mount Pearl</b>  Deputy Mayor  (Mount Pearl, Newfoundland and Labrador)	<b>June 4, 2002</b>  <b>Mount Pearl, Newfoundland and Labrador</b>
<b>Barry King</b>	<b>Canadian Association of Chiefs of Police</b>  Former Chair of the Drug Abuse Committee and Chief of the Brockville Police Service  (Ottawa, Ontario)	<b>March 11, 2002</b>  <b>Ottawa, Ontario</b>
<b>Michel Kokoreff</b>	<b>Lille University</b>  (Lille, France)	<b>October 1<sup>st</sup>, 2001</b>  <b>Ottawa, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Dirk J. Korf</b>	<b>University of Amsterdam</b> Professor (Amsterdam, Netherlands)	<b>November 19, 2001</b> <b>Ottawa, Ontario</b>
<b>Michele Kubby</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Alain Labrousse</b>	<b>Observatoire français des drogues et des toxicomanies</b> Chargé de mission (Paris, France)	<b>May 28, 2001</b> <b>Ottawa, Ontario</b>
<b>C. Gwendolyn Landolt</b>	<b>REAL Women of Canada</b> National Vice-President (Ottawa, Ontario) <b>Town Hall Panelist</b>	<b>June 6, 2002 and June 7, 2002</b> <b>Windsor, Ontario</b>
<b>Michel Landry</b>	<b>Dollard-Cormier Centre</b> Director of Professional Services and Research (Montreal, Quebec)	<b>December 10, 2001</b> <b>Ottawa, Ontario</b>
<b>Julie Langlois</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Dana Larsen</b>	<b>Cannabis Culture</b> (Vancouver, British Columbia) <b>Town Hall Panelist</b>	<b>November 7, 2001 and May 14, 2002</b> <b>Vancouver and Richmond, British Columbia</b>
<b>Pierre Lauzon</b>	<b>As an individual</b> <b>Town Hall Panelist</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Marc-André Lavoie</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>James Leslie</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Robert G. Lesser</b>	<b>Royal Canadian Mounted Police</b> Chief Superintendent (Ottawa, Ontario)	<b>October 29, 2001 and March 11, 2002</b> <b>Ottawa, Ontario</b>
	<b>Canadian Association of Chiefs of Police</b> Vice Chair of the Drug Abuse Committee (Ottawa, Ontario)	
<b>Mason Loh</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Dennis Long</b>	<b>Breakaway</b> Executive Director (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Blair T. Longley</b>	<b>As an individual</b>	<b>May 30, 2002</b> <b>Montreal, Quebec</b>
<b>Cynthia Low</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Phillippe Lucas</b>	<b>Vancouver Island Compassion Society</b> Director (Victoria, British Columbia)	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Gillian Lynch</b>	<b>Health Canada</b> Director General, Drug Strategy and Controlled Substances Programme (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Mary Lynch</b>	<b>Dalhousie University</b>  Director, Canadian Consortium for the Investigation of Cannabinoids  (Halifax, Nova Scotia)	<b>June 11, 2001</b>  <b>Ottawa, Ontario</b>
<b>Sandy MacDonald</b>	<b>As an individual</b>	<b>May 14, 2002</b>  <b>Richmond, British Columbia</b>
<b>Edward J. MacEachern</b>	<b>Royal Canadian Mounted Police</b>  Sergeant  (Fredericton, New Brunswick)	<b>June 5, 2002</b>  <b>Moncton, New Brunswick</b>
<b>David MacFarnam</b>	<b>As an individual</b>	<b>November 7, 2001</b>  <b>Vancouver, British Columbia</b>
<b>Chris MacLean</b>	<b>As an individual</b>	<b>June 5, 2002</b>  <b>Moncton, New Brunswick</b>
<b>Donald MacPherson</b>	<b>City of Vancouver</b>  Drug Policy Coordinator  (Vancouver, British Columbia)	<b>November 7, 2001</b>  <b>Vancouver, British Columbia</b>
<b>Nicole Maestracci</b>	<b>Interministerial Mission for the Fight against Drugs and Drug Addiction</b>  President  (Paris, France)	<b>October 1<sup>st</sup>, 2001</b>  <b>Ottawa, Ontario</b>
<b>Achille Maillet</b>	<b>Addiction Services, Health Region</b>  Director  (Moncton, New Brunswick)	<b>June 5, 2002</b>  <b>Moncton, New Brunswick</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>David Malmo-Levine</b>	<b>As an individual</b>	<b>November 7, 2001 and May 14, 2002</b>
		<b>Vancouver and Richmond, British Columbia</b>
<b>Colin R. Mangham</b>	<b>Prevention Source B.C.</b>	<b>September 17, 2001</b>
	Director	<b>Ottawa, Ontario</b>
	(Vancouver, British Columbia)	
<b>Bill Marra</b>	<b>Federation of Canadian Municipalities</b>	<b>March 11, 2002</b>
	Chair of the Standing Committee on Community Safety and Crime Prevention and City Councillor for the City of Windsor	<b>Ottawa, Ontario</b>
	(Ottawa, Ontario)	
<b>Richard Mathias</b>	<b>University of British Columbia</b>	<b>September 17, 2001</b>
	Professor, Health Care and Epidemiology Department	<b>Ottawa, Ontario</b>
	(Vancouver, British Colombia)	
<b>Pierre Matteau</b>	<b>As an individual</b>	<b>May 30, 2002</b>
		<b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>William B. McAllister</b>	<b>University of Virginia</b> Professor (Charlottesville, Virginia, United States of America)	<b>March 18, 2002</b> <b>Ottawa, Ontario</b>
<b>Michael McCoy</b>	Touchtone Family Association (Richmond, British Columbia) <b>Town Hall Panelist</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>John McIntyre</b>	<b>BC Civil Liberties Association</b> Member of the Board (Vancouver, British Columbia)	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>W. Joe McKeown</b>	<b>City of Regina</b> City Councillor <b>(Regina, Saskatchewan)</b> <b>Town Hall Panelist</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>William A. McKim</b>	<b>Memorial University of Newfoundland</b> Acting Head, Department of Psychology (Mount Pearl, Newfoundland and Labrador) <b>Town Hall Panelist</b>	<b>June 3, 2002</b> <b>Mount Pearl, Newfoundland and Labrador</b>
<b>Ken McLennan</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Wanda McPherson</b>	<b>Springboard</b> Diversion Coordinator (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Timothy Meehan</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Céline Mercier</b>	<b>McGill University</b> Associate Professor, Department of Psychiatry (Montreal, Quebec)	<b>December 10, 2001</b> <b>Ottawa, Ontario</b>
<b>Croft Michaelson</b>	<b>Justice Canada</b> Director and Senior General Counsel, Strategic Prosecution Policy Section (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Dann Michols</b>	<b>Health Canada</b> Assistant Deputy Minister, Healthy Environments and Consumer Safety Branch (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Mike Moldovan</b>	<b>As an individual</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>John P. Morgan</b>	<b>City of New York Medical School</b> Professor of Pharmacology (City of New York, New York, United States of America)	<b>June 11, 2001</b> <b>Windsor, Ontario</b>
<b>Tracy Mortensen</b>	<b>As an individual</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>David Mossop</b>	<b>Community Legal Assistance Society</b> (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Ethan Nadelman</b>	<b>Lindesmith Centre</b> Executive Director (City of New York, New York, United States of America)	<b>November 5, 2001</b> <b>Ottawa, Ontario</b>
<b>Janet Neves</b>	<b>Federation of Canadian Municipalities</b> Policy Analyst (Ottawa, Ontario)	<b>March 11, 2002</b> <b>Ottawa, Ontario</b>
<b>John Noddin</b>	<b>New Brunswick Home and Schools Association</b> Former President <b>Town Hall Panelist</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Kathryn Noddin</b>	<b>As an individual</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Dale Orban</b>	<b>Canadian Police Association</b> Sergeant and Detective, Regina Police Service Executive Director, Regina Police Association (Ottawa, Canada)	<b>May 28, 2001</b> <b>Ottawa, Ontario</b>
<b>Albert G. Ormiston</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Eugene Oscapella</b>	<b>Canadian Foundation for Drug Policy</b> Executive Director (Ottawa, Ontario)	<b>October 16, 2000 and October 29, 2001</b> <b>Ottawa, Ontario</b>
<b>Philip Owen</b>	<b>City of Vancouver</b> Mayor (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Melanie Stephen Patriquen</b>	<b>Marijuana Party of Canada</b> (Montreal, Quebec)	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Mike Patriquen</b>	<b>Marijuana Party of Canada</b> (Montreal, Quebec) <b>Town Hall Panelist</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Caroline Pelchat</b>	<b>Royal Canadian Mounted Police</b> Researcher, Drug Awareness Service (Ottawa, Ontario)	<b>October 29, 2001</b> <b>Ottawa, Ontario</b>
<b>Michel Pelletier</b>	<b>Royal Canadian Mounted Police</b> Sergeant and National Coordinator, Drug Awareness Service (Ottawa, Ontario)	<b>October 29, 2001</b> <b>Ottawa, Ontario</b>
<b>Michel Perron</b>	<b>Canadian Centre on Substance Abuse</b> Executive Director (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Martin Petit</b>	<b>CACTUS</b> Community Worker (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Robert Pike</b>	<b>Penitentiary Addictions Group</b> Classification Officer (St. John's, Newfoundland and Labrador)	<b>June 4, 2002</b>  <b>Mount Pearl, Newfoundland and Labrador</b>
<b>Jim Power</b>	<b>Royal Canadian Mounted Police</b> Sergeant (Clareville, Newfoundland and Labrador)	<b>June 3, 2002</b>  <b>Mount Pearl, Newfoundland and Labrador</b>
	<b>Town Hall Panelist</b>	
<b>Diane Power-Jeans</b>	<b>Janeway Community Mental Health Division, HCC St. John's</b> Social Worker (St. John's, Newfoundland and Labrador)	<b>June 4, 2002</b>  <b>Mount Pearl, Newfoundland and Labrador</b>
<b>Fred Pritchard</b>	<b>Marijuana Compassion Club of Windsor</b> Founder and Operator (Windsor, Ontario)	<b>June 6, 2002</b>  <b>Windsor, Ontario</b>
	<b>Town Hall Panelist</b>	
<b>Norman Qworden</b>	<b>As an individual</b>	<b>June 6, 2002</b>  <b>Windsor, Ontario</b>
<b>Alan Randell</b>	<b>As an individual</b>	<b>May 14, 2002</b>  <b>Richmond, British Columbia</b>
<b>Eleanor Randell</b>	<b>As an individual</b>	<b>May 14, 2002</b>  <b>Richmond, British Columbia</b>
<b>Shauna Raycraft</b>	<b>As an individual</b>	<b>May 13, 2002</b>  <b>Regina, Saskatchewan</b>

<b>NAME</b>	<b>ORGANIZATION</b>	<b>DATE AND LOCATION OF APPEARANCE</b>
<b>Jürgen Rehm</b>	<b>University of Zurich</b> Professor (Zurich, Switzerland)	<b>May 14, 2001</b> <b>Ottawa, Ontario</b>
<b>Rick Reimer</b>	<b>As an individual</b>	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>Dave Roberts</b>	<b>Windsor Police Service</b> Inspector, Investigation Services (Windsor, Ontario)	<b>June 7, 2002</b> <b>Windsor, Ontario</b>
<b>Gerald Royce</b>	<b>As an individual</b>	<b>June 3, 2002</b> <b>Mount Pearl, Newfoundland and Labrador</b>
<b>Jerome Sabourin</b>	<b>As an individual</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Greg Schweitzer</b>	<b>As an individual</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>Darlene Simpson</b>	<b>House of Sophrosyne</b> Director of Program (Windsor, Ontario)	<b>June 7, 2002</b> <b>Windsor, Ontario</b>
<b>Eric Single</b>	<b>University of Toronto</b> Professor, Department of Public Health Sciences (Toronto, Ontario)	<b>May 14, 2001</b> <b>Ottawa, Ontario</b>
<b>Leon Smith</b>	<b>As an individual</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Patrick Smith</b>	<b>Centre for Addiction and Mental Health</b> Vice-President, Clinical Programs (Toronto, Ontario)	<b>June 7, 2002</b> <b>Windsor, Ontario</b>
<b>Ted Smith</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Raf Souccar</b>	<b>Royal Canadian Mounted Police</b> Superintendent (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Rob Spring</b>	<b>As an individual</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>Randall St. Jacques</b>	<b>As an individual</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>Margaret Stanowski</b>	<b>Springboard</b> Executive Director (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Paul St-Denis</b>	<b>Justice Canada</b> Senior Counsel, Criminal Law Policy Section (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>
<b>Diane Steber Büchli</b>	<b>Swiss Federal Office of Public Health</b> Head, International Drug Affairs Unit (Bern, Switzerland)	<b>February 4, 2002</b> <b>Ottawa, Canada</b>
<b>Art Steinmann</b>	<b>Alcohol-Drug Education Service</b> Executive Director (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Marc-Boris St-Maurice</b>	<b>Marijuana Party</b>	<b>May 30, 2002 and May 31<sup>st</sup></b>
	Leader	<b>Montreal, Quebec</b>
	(Montreal, Quebec)	
	<b>Town Hall Panelist</b>	
<b>Ron Taverner</b>	<b>Toronto Police Service</b>	<b>June 7, 2002</b>
	Sergeant, Superintendent	<b>Windsor, Ontario</b>
	(Toronto, Ontario)	
<b>Rosaire Théorêt</b>	<b>As an individual</b>	<b>May 30, 2002</b>
		<b>Montreal, Quebec</b>
<b>Rick Tipple</b>	<b>As an individual</b>	<b>November 7, 2001</b>
		<b>Vancouver, British Columbia</b>
<b>Lilian To</b>	<b>As an individual</b>	<b>November 7, 2001</b>
		<b>Vancouver, British Columbia</b>
<b>Ross Toller</b>	<b>Correctional Service Canada</b>	<b>June 10, 2002</b>
	Deputy Commissioner, Prairie Region	<b>Ottawa, Ontario</b>
	(Ottawa, Ontario)	
<b>Chris Trenholm</b>	<b>As an individual</b>	<b>June 5, 2002</b>
		<b>Moncton, New Brunswick</b>
<b>John Turmel</b>	<b>As an individual</b>	<b>May 30, 2002</b>
		<b>Montreal, Quebec</b>
<b>Ray Turmel</b>	<b>As an individual</b>	<b>May 30, 2002</b>
		<b>Montreal, Quebec</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Selene Tracy Tyndale</b>	<b>Ontario Public Interest Research Group</b> Volunteer (Windsor, Ontario) <b>Town Hall Panelist</b>	<b>June 6, 2002</b> <b>Windsor, Ontario</b>
<b>Mark Tyndall</b>	<b>B.C. Centre for Excellence in HIV/AIDS</b> (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Ambros Uchtenhagen</b>	<b>Addiction Research Institute</b> Retired Professor (Zurich, Suisse)	<b>February 4, 2002</b> <b>Ottawa, Ontario</b>
<b>Steven Van Hoogstraten</b>	<b>Ministry of Justice of the Netherlands</b> Director for International Criminal Affairs and Drugs Policy (The Hague, Netherlands)	<b>November 19, 2001</b> <b>Ottawa, Ontario</b>
<b>Anne Vogel</b>	<b>Gilwest Clinic</b> Manager (Richmond, British Columbia)	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>John Walsh</b>	<b>City of Mount Pearl</b> City Councillor (Mount Pearl, Newfoundland and Labrador) <b>Town Hall Panelist</b>	<b>June 3, 2002</b> <b>Mount Pearl, Newfoundland and Labrador</b>
<b>Chuck Walter</b>	<b>Royal Canadian Mounted Police</b> Officer in Charge, Operational Systems Policy Section, National Contract Policing Branch (Ottawa, Ontario)	<b>June 10, 2002</b> <b>Ottawa, Ontario</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Thia Walter</b>	<b>As an individual</b>	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Mark A. Ware</b>	<b>McGill University</b> Assistant Professor (Montreal, Quebec)	<b>May 31, 2002</b> <b>Montreal, Quebec</b>
<b>David Weinberg</b>	<b>As an individual</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Yves Wermelinger</b>	<b>As an individual</b>	<b>June 5, 2002</b> <b>Moncton, New Brunswick</b>
<b>Anna Marie White</b>	<b>Focus on the Family</b> Policy Analyst (Vancouver, British Columbia)	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Dean Wilson</b>	<b>Vancouver Area Network of Drug Users (VANDU)</b> Executive Director (Vancouver, British Columbia)	<b>November 7, 2001</b> <b>Vancouver, British Columbia</b>
<b>Cory Wint</b>	<b>Inner Visions Recovery Society</b> (Vancouver, British Columbia) <b>Town Hall Panelist</b>	<b>May 14, 2002</b> <b>Richmond, British Columbia</b>
<b>Brad Wolbaum</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>
<b>Scott Wolbaum</b>	<b>As an individual</b>	<b>May 13, 2002</b> <b>Regina, Saskatchewan</b>

NAME	ORGANIZATION	DATE AND LOCATION OF APPEARANCE
<b>Danny Woods</b>	<b>Windsor Police Service</b> Sergeant, Drug Enforcement Branch (Windsor, Ontario)	<b>June 7, 2002</b>
<b>Alan Young</b>	<b>As an individual</b> Associate Professor, Osgoode Hall Law School (Toronto, Ontario)	<b>September 10, 2001</b> <b>Toronto, Ontario</b>
<b>Mark Zoccolillo</b>	<b>McGill University</b> Professor, Department of Psychiatry (Montreal, Quebec)	<b>October 16, 2000</b> <b>Ottawa, Canada</b>

## APPENDIX III

### RESEARCH PAPERS \*

#### A- RESEARCH PAPERS PREPARED BY THE PARLIAMENTARY RESEARCH BRANCH OF THE LIBRARY OF PARLIAMENT

AUTHORS	TITLE	DATE OF PUBLICATION
<b>Lyne Casavant, Chantal Collin</b>	<b>Illegal Drug Use and Crime : A Complex Relationship</b>	August 2001
<b>Chantal Collin</b>	<b>National Drug Policy: France</b>	August 2001
<b>Chantal Collin</b>	<b>National Drug Policy: Switzerland</b>	January 2002
<b>Benjamin Dolin</b>	<b>National Drug Policy: United States of America</b>	July 2001
<b>Benjamin Dolin</b>	<b>National Drug Policy: Netherlands</b>	August 2001
<b>Daniel Dupras</b>	<b>Canada's International Obligations Under the Leading International Conventions on the Control of Narcotics Drugs</b>	October 1998
<b>David Goetz</b>	<b>Drug Prohibition and the Constitution</b>	March 2001
<b>Anthony Jackson</b>	<b>The Costs of Drug Abuse and Drug Policy</b>	April 2002
<b>Diane Leduc, Nancy Miller Chenier, Sonya Norris</b>	<b>Inventory of Federal Research on Illegal Drugs and Related Issues</b>	October 2001

\* All the research papers quoted in this appendix were produced at the request of the Senate Special Committee on Illegal Drugs and are available at: [www.parl.gc.ca/illegal-drugs.asp](http://www.parl.gc.ca/illegal-drugs.asp)

AUTHORS	TITLE	DATE OF PUBLICATION
<b>Diane Leduc, Nancy Miller Chenier, Sonya Norris</b>	<b>Inventory of Provincial and Territorial Research on Illegal Drugs and Related Issues</b>	May 2002
<b>Gérald Lafrenière</b>	<b>Police Powers and Drug-Related Offences</b>	March 2001
<b>Gérald Lafrenière</b>	<b>National Drug Policy: United Kingdom</b>	July 2001
<b>Gérald Lafrenière</b>	<b>National Drug Policy: Sweden</b>	April 2002
<b>Gérald Lafrenière, Emmanuel Préville</b>	<b>Reported Incidents, Convictions, Incarceration and Sentencing in Relation to Illegal Drugs in Canada</b>	May 2002
<b>Gérald Lafrenière, Leah Spicer</b>	<b>Illicit Drug Trends in Canada 1980-2001: A Review and Analysis of Enforcement Data</b>	June 2002
<b>Robin MacKay</b>	<b>National Drug Policy: Australia</b>	December 2001
<b>Jay Sinha</b>	<b>The History and Development of the Leading International Drug Control Conventions</b>	February 2001
<b>Leah Spicer</b>	<b>Historical and Cultural Uses of Cannabis and the Canadian “Marijuana Clash”</b>	April 2002

## B- RESEARCH PAPERS ON GUIDING PRINCIPLES

AUTHORS	TITLE	DATE OF PUBLICATION
<b>Thomas De Koninck</b> Laval University	<b>The Role of Knowledge and Culture in Public Policy on Illegal Drugs</b>	June 2002
<b>Roderick A. Macdonald</b> McGill University	<b>The Governance of Human Agency</b>	May 2001
<b>Jean-François Malherbe</b> University of Sherbrooke	<b>The Contribution of Ethics in Defining Guiding Principles for a Public Drug Policy</b>	May 2002
<b>Alvaro P. Pires</b> University of Ottawa	<b>La politique législative et les crimes à « double face » : Éléments pour une théorie pluridimensionnelle de la loi criminelle</b>	June 2002

## C- OTHER RESEARCH PAPERS

AUTHORS	TITLE	DATE OF PUBLICATION
<b>François Dubois</b> Office of Senator Pierre Claude Nolin	<b>The Federal Parliament and the Evolution of Canadian Legislation on Illegal Drugs</b>	June 2002
<b>Léger Marketing</b> Montreal	<b>An Exploratory Study Among Canadians About the Use of Cannabis</b>	June 2002
<b>Diane Riley</b> University of Toronto	<b>Drugs and Drug Control Policy: A Brief Review and Commentary</b>	November 1998
<b>Barbara B. Wheelock</b> Office of Senator Eileen Rossiter	<b>Physiological and Psychological Effects of Cannabis: Review of the Research Findings</b>	May 2002

## APPENDIX IV

### The Evolution of Canadian Drug Legislation (1908-1996): Offences, Penalties, Police Powers and Criminal Procedure\*

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1908 –  Opium Act</b>	<b><i>Trafficking</i></b> <ul style="list-style-type: none"> <li>• <b>Importation for non-medical purposes and without the authorization of the Minister of Customs</b></li> <li>• <b><u>Manufacture, sale or possession, for the purpose of selling</u>, of raw or prepared opium</b></li> <li>• <b><u>Manufacture, sale or possession, for the purpose of selling</u>, opium prepared for the use of smokers</b></li> </ul>	<b>Indictment</b> <ul style="list-style-type: none"> <li>• <b>Imprisonment for a term not exceeding 3 years; and / or</b></li> <li>• <b>Fine of not less than \$50 and not exceeding \$1,000</b></li> </ul>	

\*This chart is taken from the study prepared by François Dubois entitled *The Federal Parliament and the Evolution of Canadian Legislation on Illegal Drugs*. The study is available online at: [www.parl.gc.ca/illegal-drugs.asp](http://www.parl.gc.ca/illegal-drugs.asp)

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1911 –  Opium and Narcotic Drug Act</b>	<p><b><i>Trafficking</i></b></p> <ul style="list-style-type: none"><li>• <b>Importation, transportation within Canada, manufacture, sale or offering for sale, <u>without lawful excuse</u>, of a drug for non-therapeutic or non-scientific purposes</b></li> <li>• <b>Exportation, <u>without lawful excuse</u>, to a country that prohibits the importing of a drug</b></li></ul> <p><b><i>Possession</i></b></p> <ul style="list-style-type: none"><li>• <b>Possession of a drug, <u>without lawful excuse</u>, for non-therapeutic or non-scientific purposes</b></li></ul>	<p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding one year; and / or</b></li><li>• <b>Fine not exceeding \$500</b></li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 6 months; and / or</b></li><li>• <b>Fine not exceeding \$500</b></li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding one year; and / or</b></li><li>• <b>Fine not exceeding \$500</b></li></ul>	<p><b><i>Police powers</i></b></p> <p><b>Search warrants</b></p> <ul style="list-style-type: none"><li>• <b>Search warrant authorizing, on reasonable grounds:</b><ul style="list-style-type: none"><li>▪ <b>the search of the following places: dwelling houses, stores, boutiques, warehouses, gardens or ships; and</b></li><li>▪ <b>the seizure of any drugs found there and of the containers in which they are found</b></li></ul></li></ul> <p><b><i>Criminal procedure</i></b></p> <p><b>Destruction of seized drugs</b></p> <ul style="list-style-type: none"><li>• <b>Order allowing the destruction of drugs and containers in which they were found after conviction of the accused</b></li><li>• <b>Order providing for the return of seized drugs if the accused is acquitted. If not claimed, they have to be destroyed within three months following the acquittal</b></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
	<ul style="list-style-type: none"><li>• <b>Possession of opium prepared for smokers or its use</b></li></ul>	<b>Summary conviction</b>	<b>Reverse onus</b>
		<ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 3 months; and / or</b></li><li>• <b>Fine not exceeding \$50</b></li></ul>	<ul style="list-style-type: none"><li>• <b>In a prosecution for trafficking or possession of drugs, the accused has to prove:</b></li></ul>
	<ul style="list-style-type: none"><li>• <b>Being found, without lawful <u>excuse</u>, in a place where opium is smoked</b></li></ul>	<b>Summary conviction</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding one month; and / or</b></li><li>• <b>Fine not exceeding \$100</b></li></ul>	<ul style="list-style-type: none"><li>▪ <b>the existence of a lawful excuse; or</b></li><li>▪ <b>that the substances were used for therapeutic or scientific purposes</b></li></ul>
	<b><i>Legal trade in narcotic drugs</i></b>		<b>Writ of <i>certiorari</i></b>
	<b>(Physicians)</b>		<b>Reward</b>
	<ul style="list-style-type: none"><li>• <b>Prescription of drugs for non-medical purposes particularly if they are not required for the treatment of illness</b></li></ul>	<b>Summary conviction</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 3 months; and / or</b></li></ul>	<ul style="list-style-type: none"><li>• <b>Possibility to use a portion of a fine paid by an offender to reward the person who filed the complaint against him</b></li></ul>
		<ul style="list-style-type: none"><li>• <b>Fine not exceeding \$200</b></li></ul>	

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**(Pharmacists)**

- **Sale of drugs for medical purposes without prescription (in writing or by telephone) by a physician**

**Summary conviction**

- **Imprisonment for a term not exceeding 3 months; and / or**
- **Fine not exceeding \$200**

- **Refusal to keep a record of drug purchases and sales, the making of medications containing such substances and the renewal of prescriptions issued by a physician**

**Summary conviction**

- **Imprisonment for a term not exceeding 3 months; and / or**
- **Fine not exceeding \$200**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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1920 –

**Amendments to Act of 1911**

***Trafficking***

- **Exportation or importation, manufacture, transportation within Canada, sale and distribution of a drug without a license, or its importation at a port not designated by federal authorities**
- **Exportation or importation, manufacture, transporting within Canada, sale and distribution of raw or prepared opium without a license**

***Possession***

- **Possession of drugs, without a license, for non-medical or non-scientific purposes**

**Summary conviction**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

**Summary conviction**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Legal Trade in narcotic drugs***

**(Businesses)**

- **Refusal to keep a record of activities, duly authorized by federal authorities, relating to the importing, exporting, manufacture, sale and distribution of drugs**

**Summary conviction**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

**(Physicians)**

- **Refusal to provide information requested by federal authorities relating to the purchase, preparation or prescription of medications containing drugs**

**Summary conviction**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

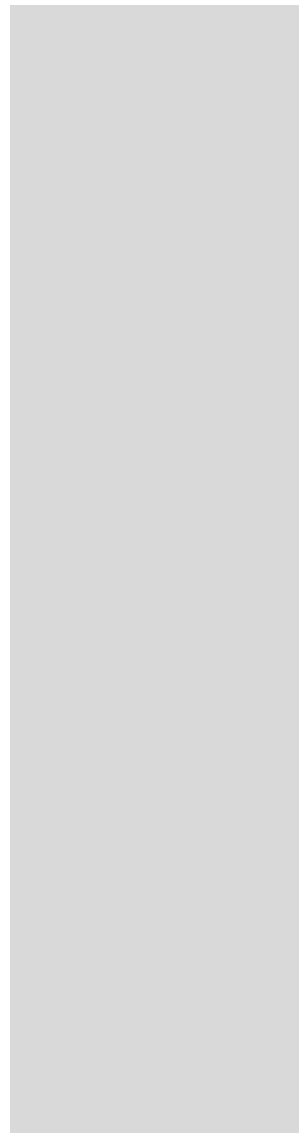
**(Pharmacists)**

- **Sale of drugs for medical purposes without a prescription written and signed by a physician**

**Summary conviction**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine of not less than \$500 and not exceeding \$1,000**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **Sale or administration of a product containing quantities of drugs exceeding the limits prescribed by the Act and without appropriate labelling to a child under 2 years of age**

**Summary conviction**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**



Act	Offences	Penalties	Police Powers – Criminal Procedure
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**Possession**

- **Possession**

**Indictment**

- **Imprisonment for a term not exceeding 7 years**

**Summary conviction**

- **Imprisonment for a term not exceeding 18 months, to which may be added an additional period of 12 months for failure to pay a fine; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

**Where a person is charged with exporting, importing, making, transporting, selling, giving or distributing raw or prepared opium without first having obtained a license issued by federal authorities, he shall prove that he held such authorization.**

**Certificate of a federal analyst**

- **Admissibility in evidence of a certificate of a federal analyst respecting one or more drugs seized by police officers**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**1922 – Amendments to Act of 1911**

**Trafficking**

- **Illegal activities as defined in the Act of 1920, with the exception of most offences involving raw or prepared opium without a license**
- **Continuation of the offence regarding the exportation of raw or prepared opium**
- **Selling, giving or distributing narcotic drugs to a minor, without a license**

**Indictment**

- **Imprisonment for a term not exceeding 7 years**

**Summary conviction**

- **Imprisonment for a term of not less than 6 months and not exceeding 18 months; and**
- **Fine of not less than \$200 and not exceeding \$1,000**

**(Deportation of immigrants upon completion of sentence)**

**Indictment**

- **Imprisonment for a term of not less than 6 months and not exceeding 7 years**

**(Whipping at court's discretion)**

**(Deportation of immigrants upon completion of sentence)**

**Police powers**

**Search warrants**

- **Authorization to conduct a search and seizure of drugs, without a warrant, in the following places: stores, boutiques, warehouses, gardens and ships**
- **Authorization to to search a dwelling house, with a warrant, , where the police officer requesting such warrant has reasonable grounds to believe that such substances will be found there**

**Criminal procedure**

**Reverse onus**

- **Repealed in the case of offences involving raw or prepared opium**
- **Added for the offence of selling, giving or distributing a drug to a minor without a license**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Possession***

- **Possession**

**Indictment**

- **Imprisonment for a term not exceeding 7 years**

**Summary conviction**

- **Imprisonment for a term of not less than 6 months and not exceeding 18 months; and**
- **Fine of not less than \$200 and not exceeding \$1,000**

**(Deportation of immigrants upon completion of sentence)**

- **Possession of pipes, lamps or any other equipment used to prepare or use opium, except where authorized by federal authorities**

**Summary conviction**

- **Imprisonment for a term not exceeding one month; and / or**
- **Fine not exceeding \$100**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Legal trade in narcotic drugs***

**(Physicians)**

- **Refusal to provide information requested by federal authorities relating to the purchase, preparation or prescription of medications containing drugs**

**Summary conviction**

- **Imprisonment for a term not exceeding 18 months; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

- **Prescription of drugs for non-medical purposes particularly if they are not required for treatment of a disease**

**Summary conviction**

- **Imprisonment for a term not exceeding 18 months; and / or**
- **Fine not exceeding \$1,000**

**(Pharmacists)**

**Sale of drugs for medical purposes without a prescription written and signed by a physician**

**Summary conviction**

- **Imprisonment for a term not exceeding 18 months; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

Act	Offences	Penalties	Police Powers – Criminal Procedure
<p><b>1923 –</b></p> <p><b>Legislative Consolidation of the Act of 1911 and other amendments</b></p>	<p><b>Trafficking</b></p> <ul style="list-style-type: none"><li>• <b>Exportation or importation, transportation within Canada, manufacture, sale, gift or distribution of drugs without a license, or its importation at a port not designated by federal authorities</b></li> <li>• <b>Selling, giving or distributing narcotic drugs to a minor, without a license</b></li></ul>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term of not less than 6 months and not exceeding 7 years; and</b></li><li>• <b>Fine of not less than \$200 and not exceeding \$1,000</b></li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>No amendment</b></li></ul> <p><b>(The court may not impose a lesser sentence than that prescribed by the Act)</b></p> <p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term of not less than 6 months and not exceeding 7 years; and</b></li><li>• <b>Fine of not less than \$200 and not exceeding \$1,000</b></li></ul> <p><b>(The court may not impose a lesser sentence than that prescribed by the Act)</b></p>	<p><b>Police powers</b></p> <p><b>Powers granted to police officers in 1911 and 1922 maintained</b></p> <p><b>Criminal procedure</b></p> <p><b>Criminal procedures adopted between 1911 and 1922 maintained, with the exception of:</b></p> <ul style="list-style-type: none"><li>• <b>Possibility to use a portion of a fine paid by an offender to reward the person who filed the complaint against him</b></li></ul> <p><b>New criminal procedures</b></p> <p><b>Right of appeal</b></p> <ul style="list-style-type: none"><li>• <b>Right of appeal from a guilty verdict and/or from a sentence in the case of a conviction <u>by way of summary conviction</u> eliminated for the following offences:</b><ul style="list-style-type: none"><li>▪ <b>trafficking in or possession of drugs without a license</b></li><li>▪ <b>selling, giving or distributing drugs to a minor without a license</b></li></ul></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
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*Possession*

- **Possession**

**Indictment**

- **Imprisonment for a term of not less than 6 months and not exceeding 7 years; and**
- **Fine of not less than \$200 and not exceeding \$1,000**

**Summary conviction**

- **No amendment**

**(The court may not impose a lesser sentence than that prescribed by the Act)**

- **Possession of pipes, lamps or any other equipment used to prepare or use opium, except where authorized by federal authorities**

**Summary conviction**

- **Imprisonment for a term not exceeding 3 months; and / or**
- **Fine not exceeding \$100**

**Reverse onus**

- **Procedure maintained for possession or trafficking without a license**
- **Added in the case of offences of exporting or importing a drug without a license**
- **Every physician charged with prescribing or administering a drug for non-therapeutic purposes is required to prove that the substance was used for medical purposes**

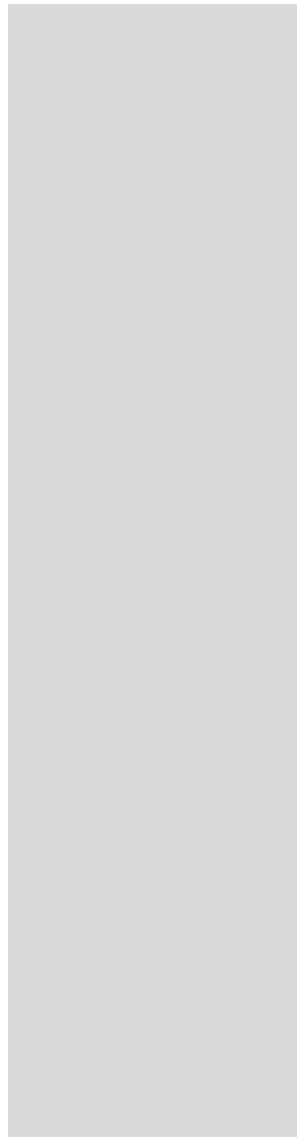
**Fingerprints and criminal record**

- **Provisions of the *Identification of Criminals Act* apply to persons convicted by way of summary conviction**

**Certificate of the federal analyst**

- **Authorization to file in evidence a certificate prepared by a provincial analyst**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **Possession of opium prepared for smokers or its use**

**Summary conviction**

- **Imprisonment for a term not exceeding 3 months; and / or**
- **Fine not exceeding \$100**

- **Being found, without lawful excuse, in a place where opium is smoked**

**Summary conviction**

- **Imprisonment for a term not exceeding 3 months; and / or**
- **Fine not exceeding \$100**

*Legal trade in narcotic drugs*

**(Businesses)**

- **Refusal to keep a record of activities, duly authorized by federal authorities, relating to the importing, exporting, manufacture, sale and distribution of narcotic drugs**

**Summary conviction**

- **No amendment**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**(Physicians)**

- **Prescription of drugs for non-medical purposes particularly if they are not required for treatment of a disease**

**Summary conviction**

- **No amendment**

**(Pharmacists)**

- **Sale of a drug for medical purposes without a prescription written and signed by a physician or the multiple renewal of such prescription**

**Summary conviction**

- **No amendment**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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1925 –

**Amendments to Act of 1923**

**Trafficking**

- **Exportation or importation, transportation within Canada, manufacture, giving, selling and distributing a drug without a license, or its importation at a port not designated by a federal authority**

**Indictment**

- **No amendment**

**Summary conviction**

- **No amendment**

**Possession**

- **Possession**

**Indictment**

- **No amendment**

**Summary conviction**

- **In addition to the other penalties provided for by the Act of 1923, the court may, at its discretion, impose a sentence of hard labour**

**Police powers**

**Searches**

- **Authorization to seize, without a warrant, a motor vehicle, boat, rowboat or any means of transportation in which a drug was found**
- **Addition of the power to search any person found on the premises of the search**

**Criminal procedure**

**Forfeiture of seized drugs**

- **Order providing for the forfeiture to the Minister of Health of a motor vehicle, boat, rowboat or any other means of transportation in which a drug was found**

**Defence arguments of physicians**

- **Elimination of the defence allowing a physician to prescribe a drug to a sick person or drug addict so that he could administer it to himself**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Legal trade in narcotic drugs***

**(Physicians)**

- Prescription of drugs for non-medical purposes, particularly if they are not required for the treatment of a disease, or which **is designed to treat a drug addict who has developed a dependency on such a substance as a result of abusing it**

**(Pharmacists)**

**Sale of a drug for medical purposes without a prescription written and signed by a physician and without authenticating the signature, or renewal of such a prescription on a number of occasions**

**Indictment**

- Imprisonment for a term of not less than 3 months and not exceeding 5 years

**Summary conviction**

- Imprisonment for a term not exceeding 18 months; and / or
- Fine of not less than \$200 and not exceeding \$1,000
- The court may, at its discretion, impose a sentence of hard labour

**Summary conviction**

- No amendment

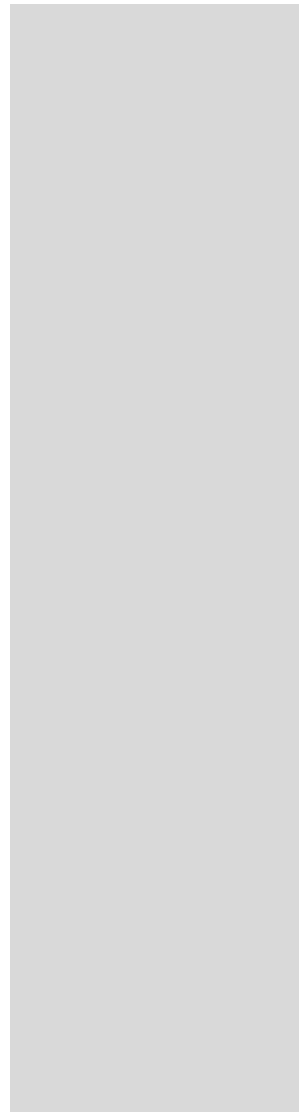
**A physician may thus no longer use the defence that a patient who administers medication to himself is administering a therapeutic treatment authorized under the *Opium and Narcotic Drug Act***

Act	Offences	Penalties	Police Powers – Criminal Procedure
<p><b>1929 –</b></p> <p><b>Legislative Consolidation of Act of 1923 and other amendments</b></p>	<p><b>Trafficking</b></p> <ul style="list-style-type: none"><li>Exporting or importing, transporting within Canada, preparing, giving, selling and distributing without a license, importation at a port not designated by federal authorities, <u>a drug or substance the owner of which falsely claims is a drug</u></li><li>Drug trafficking by mail</li></ul>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>No amendment</li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>No amendment</li></ul> <p>(In addition to the other penalties provided for by the Act of 1923, the court may, at its discretion, impose a sentence of whipping)</p> <p><b>Indictment</b></p> <ul style="list-style-type: none"><li>Imprisonment for a term of not less than 6 months and not exceeding 7 years; and</li><li>Fine of not less than \$200 and not exceeding \$1,000</li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>Imprisonment for a term of not less than 6 months and not exceeding 18 months; and / or</li><li>Fine of not less than \$200 and not exceeding \$1,000</li></ul>	<p><b>Police powers</b></p> <p><b>Writ of assistance</b></p> <ul style="list-style-type: none"><li>Possibility of obtaining a writ of assistance in the context of a police operation conducted under the <i>Opium and Narcotic Drug Act</i></li></ul> <p>This new provision made it possible to circumvent the obligation to obtain a warrant to search a dwelling house</p> <p><b>Seizure and forfeiture</b></p> <ul style="list-style-type: none"><li>Expanded powers of seizure and forfeiture previously provided in the Act with respect to pipes, lamps and any other equipment or <u>the various parts thereof</u> used to prepare or use opium</li><li>Extended powers of seizure and forfeiture previously provided for in the Act with respect to money used to purchase drugs</li><li>Authorization to resort to force, if necessary, to conduct a search. Police officers can also be assisted by other persons</li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
	<p><b><i>Possession</i></b></p> <ul style="list-style-type: none"><li>• <b>Possession of drugs (or of a substance the owner of which falsely claims is a drug), without a license, for non-therapeutic purposes</b></li> <li>• <b>Possession of pipes, lamps, any other equipment or <u>the various parts thereof</u> used to prepare or use opium, except where authorized by federal authorities</b></li>  <li>• <b>Possession of opium prepared for</b></li></ul>	<p><b>(In addition to the other penalties provided for by the Acts of 1923 and 1925, the court may, at its discretion, impose a sentence of whipping)</b></p> <p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• <b>No amendment</b></li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>No amendment</b></li></ul> <p><b>(In addition to the other penalties provided for by the Acts of 1923 and 1925, the court may, at its discretion, impose a sentence of whipping)</b></p> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 3 months; and / or</b></li><li>• <b>Fine not exceeding <u>\$50</u></b></li></ul>	<ul style="list-style-type: none"><li>• <b>Expansion of the power to seize and confiscate a motor vehicle, boat, rowboat or any other means of transportation <u>used by a trafficker convicted of an offence under the Act, regardless of whether it contained drugs</u></b></li></ul> <p><b><i>Criminal procedure</i></b></p> <p><b>Reverse onus</b></p> <ul style="list-style-type: none"><li>• <b>In any case involving trafficking in, or unlawful possession of, a drug or substance in which the owner falsely claims is a drug, Crown prosecutor is not required to establish that the accused did not have authorization duly issued by federal authorities to commit one of the offences with which he was charged</b></li> <li>• <b>If the accused alleged that he had such authorization, the burden of proof was on him</b></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
	<p><b>smokers or its use</b></p> <ul style="list-style-type: none"> <li>• <b>Obtaining drugs from two physicians</b></li> </ul>	<p><b>Summary conviction</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for a term not exceeding 3 months; and / or</b></li> <li>• <b>Fine not exceeding \$50</b></li> </ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"> <li>• <b>Fine not exceeding \$500 to which may be added a term of imprisonment not exceeding 12 months for failure to pay</b></li> </ul>	<p><b>Certificate of the federal analyst</b></p> <ul style="list-style-type: none"> <li>• <b>Amendments to the procedure for admissibility in evidence of the certificate of the federal or provincial analyst, stipulating that, henceforth, that document would constitute <i>prima facie</i> and peremptory evidence of the status of the person giving or issuing it</b></li> <li>• <b>In the circumstances, proof of the appointment of that analyst or authentication of his signature was not necessary</b></li> </ul>
	<p><b><i>Legal trade in narcotic drugs</i></b> <b>(Physicians)</b></p>		<p><b>Writ of <i>certiorari</i></b></p> <ul style="list-style-type: none"> <li>• <b>Repeal of the provision eliminating recourse to a writ of <i>certiorari</i></b></li> </ul>
	<p><b>Prescription of drugs for non-medical purposes, particularly if they are not required for the treatment of a disease, or which is designed to <u>treat a drug addict who has developed a dependency on such a substance as a result of abusing it</u></b></p>	<p><b>Summary conviction</b> <b>(No amendment)</b> <b>(The court may not impose a lesser sentence than that prescribed by the Act)</b></p>	<p><b>Right of appeal</b></p> <ul style="list-style-type: none"> <li>• <b>Expanded the prohibition against appealing from a guilty verdict and/or sentence in the case of a <u>summary conviction</u> for the following offence:</b> <ul style="list-style-type: none"> <li>▪ <b><u>possession of, or trafficking in, a substance the owner of which falsely claims is a drug</u></b></li> </ul> </li> </ul>
	<p><b>(Pharmacists)</b></p>		

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **Selling or administering a product containing quantities of drugs exceeding the limits prescribed by the Act and without appropriate labelling to a child less than 2 years of age**

**Summary conviction**

**(First offence)**

- **Fine not exceeding \$100**

**(Subsequent offences)**

- **Imprisonment for a term not exceeding 3 months; and / or**
- **Fine not exceeding \$100**

- **Refusal to keep a record of drug purchases and sales, the making of medications containing such substances and the renewal of prescriptions issued by a physician**

**Summary conviction**

- **Imprisonment for a term not exceeding 18 months; and / or**
- **Fine of not less than \$200 and not exceeding \$1,000**

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1932 –  Amendments to Act of 1929</b>	<i>No amendment</i>	<i>No amendment</i>	<i>Criminal procedure</i>  <b>Right of appeal</b> <ul style="list-style-type: none"><li>• <b>Significant expansion of the prohibition from appealing of a guilty verdict and/or a sentence in the case of a <u>summary conviction</u> for the following offences:</b><ul style="list-style-type: none"><li>▪ <b>Prescribing of a drug for non-medical purposes, particularly if they are not required for the treatment of a disease, or which is intended to treat a drug addict who has developed a dependency to such a substance as a result of abusing it (physicians);</b></li><li>▪ <b>refusal to provide information required by federal authorities relating to the purpose, preparation of prescription of medications containing drugs (physicians);</b></li><li>▪ <b>obtaining drugs from two physicians;</b></li></ul></li></ul>

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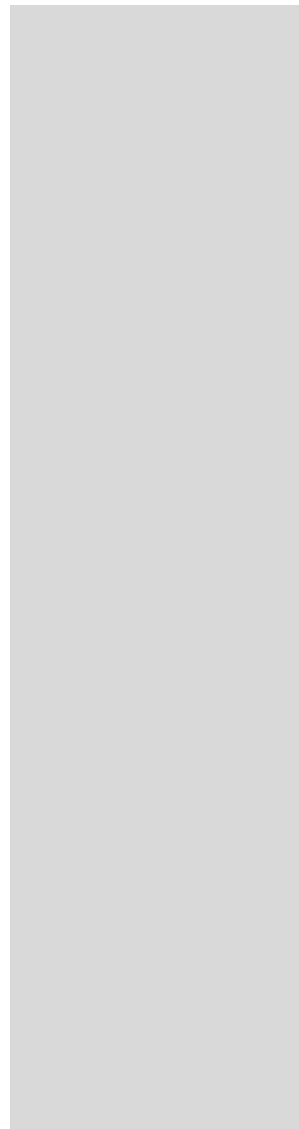
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Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1938 –  Amendments to Act of 1929</b>	<p><b><i>Trafficking</i></b></p> <ul style="list-style-type: none"><li>• Cultivation of the opium poppy or cannabis sativa without a licence</li></ul> <p><b><i>Possession</i></b></p> <p>No amendment</p> <p><b><i>Legal trade in narcotic drugs</i></b></p> <p>No amendment</p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term of not less than 6 months and not exceeding 7 years</li><li>• Fine of not less than \$200 and not exceeding \$1,000</li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term of not less than 6 months and not exceeding 18 months</li><li>• Fine of not less than \$200 and not exceeding \$1,000</li></ul> <p><b>(Deportation of immigrants – whipping)</b></p>	<p><b><i>Criminal procedure</i></b></p> <p><b>Right of appeal</b></p> <ul style="list-style-type: none"><li>▪ Repeal the prohibition against appealing from a guilty verdict and/or sentence in the case of a <u>summary conviction</u> for the following offence:<ul style="list-style-type: none"><li>▪ obtaining drugs from two physicians</li></ul></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1946 –  Amendments to Act of 1929</b>	<b><i>Trafficking</i></b> <ul style="list-style-type: none"><li>• <b>Selling, giving, <u>illegally administering</u> or distributing drugs to a minor (1921)</b></li></ul>	<b>No amendment</b>	<b><i>Criminal procedure</i></b>  <b>Reverse onus</b> <ul style="list-style-type: none"><li>• <b>Applicable to the offence of cultivation of cannabis sativa or the opium poppy without a licence</b></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1954 –  Amendments to Act of 1929</b>	<b><i>Trafficking</i></b>  <ul style="list-style-type: none"><li>• <b>Importation, exportation, manufacture, sale, administering, transportation, delivery and distribution of a drug or substance the owner of which claims is a narcotic drug</b></li> <li>• <b>Possession for the purpose of trafficking</b></li></ul>	<b><i>(Repealed sentence of forced labour)</i></b>  <b><i>(Repealed provisions respecting the deportation of immigrants . They were transferred to the Immigration Act in 1952, but still applied to drug offences)</i></b>  <b>Indictment</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 14 years</b></li><li>• <b>Whipping (at court's discretion)</b></li></ul> <b>Indictment</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 14 years</b></li><li>• <b>Whipping (at court's discretion)</b></li></ul>	<b><i>Police powers</i></b>  <b>Seizure and forfeiture</b> <ul style="list-style-type: none"><li>• <b>Amended powers of seizure and forfeiture to exclude the equipment used to prepare or smoke opium (offences repealed)</b></li></ul> <b><i>Criminal procedure</i></b>  <b>Reverse onus</b> <ul style="list-style-type: none"><li>• <b>Possession for the purpose of trafficking</b><ul style="list-style-type: none"><li>▪ <b>In every criminal prosecution involving possession for the purpose of trafficking, Crown prosecutor was required to prove that the accused had been illegally in possession of the drug. Otherwise, he was acquitted</b></li><li>▪ <b>In the contrary case, the respondent had to prove that he did not possess the substance for the purpose of trafficking. If he did so, he was convicted of possession, otherwise of trafficking</b></li></ul></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **Cultivation of the opium poppy or cannabis sativa without a license**

*(Repeal of the offence of selling, giving or administering a drug to a minor)*

*(Repeal of the offence of drug trafficking by mail)*

**Possession**

**Possession**

**No amendment**

**Indictment**

- **Imprisonment for a term of not less than 6 months and not exceeding 7 years**

**Summary conviction**

- **Imprisonment for a term of not less than 6 months and not exceeding 18 months**

**(Whipping (at court's discretion))**

*(The court may not impose a lesser sentence than the minimum prescribed by the Act)*

Act

Offences

Penalties

Police Powers – Criminal  
Procedure

*(Repeal of the offence of possessing  
opium prepared for smokers or use  
of such a substance)*

*(Repeal of the offence of being found  
in a place where opium is smoked)*

*(Repeal of the offence of possession  
of pipes, lamps or any other  
equipment and the various parts  
thereof used to prepare or use  
opium)*

*Legal trade in narcotic drugs*

- **No amendment**

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1961 –  Narcotic Control Act</b>	<b>Trafficking</b> <ul style="list-style-type: none"><li>• <b>Illegal activities defined in the Act of 1954, with the exception of the offences of importing and exporting</b></li><li>• <b>As was the case in the former acts, this offence was extended to include substances falsely presented by a trafficker as being scheduled drugs</b></li><li>• <b>Exporting and importing</b></li><li>• <b>Possession for the purpose of trafficking</b></li></ul>	<b>(Repeal of sentence of whipping)</b> <b>Indictment</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 25 years (life)</b></li></ul> <b>Indictment</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term of not less than 7 years and not exceeding 25 years (life)</b></li></ul> <b>Indictment</b> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 25 years (life)</b></li></ul>	<b>Police powers</b> <b>Writ of assistance</b> <ul style="list-style-type: none"><li>• <b>Provision maintained without amendment</b></li></ul> <b>Searches</b> <ul style="list-style-type: none"><li>• <b>Continuation of provisions authorizing searches <u>without a warrant</u> of any place and of persons found there (with the exception of a dwelling house) where police officers have reasonable grounds to believe there are drugs or equipment used to make or use them</b></li><li>• <b>Continuation of provisions authorizing the use of force, if necessary, to conduct a search, stipulating that a police officer may force entry, break in a wall or ceiling or break objects that might contain drugs</b></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
	<ul style="list-style-type: none"> <li>• <b>Cultivation the opium poppy or cannabis sativa without a licence</b></li> </ul>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for a term not exceeding 7 years</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Continuation of the procedure providing that a police officer may obtain the assistance of a person whom he designates to carry a search</b></li> </ul>
	<p><i>Possession</i></p> <p><b>Possession</b></p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for a term not exceeding 7 years</b></li> </ul>	<p><i>Criminal procedure</i></p> <p><b>Reverse onus</b></p>
	<p><i>Legal trade in narcotic drugs</i></p> <ul style="list-style-type: none"> <li>• <b>Transfer to the regulations of the statutory provisions enacted between 1911 and 1946 respecting the legal trade in drugs</b></li> <li>• <b>Regulations made by the Governor in Council respecting the legitimate activities of businesses, physicians and pharmacists involving sale, production, distribution, administration, prescription, record keeping and offences</b></li> </ul>	<p><b>Summary conviction</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for a term not exceeding 6 months; and / or</b></li> <li>• <b>Fine not exceeding \$500</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Continuation of the procedure adopted in 1954 in the case of the offence of possession for the purpose of trafficking, with a few amendments to clarify the procedure and guarantee greater compliance with the principle of the presumption of innocence</b></li> <li>• <b>Continuation of the procedure providing that an accused must prove that he acted lawfully, for therapeutic or scientific reasons <u>under a government authorization</u></b></li> </ul> <p><b>Certificate of a federal or provincial analyst</b></p> <ul style="list-style-type: none"> <li>• <b>Continuation of this provision, with the stipulation that the analyst would be appointed under the <i>Food and Drugs Act</i>.</b></li> </ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Preventive detention***

- **For offences of trafficking, possession for the purpose of trafficking, exporting or importing drugs, the court may order the accused placed in preventive detention for an indeterminate period of time, in lieu of any other sentence that might be imposed**

**(This provision was never proclaimed in force)**

***Treatment***

- **In the case of the offences regarding possession, trafficking, possession for the purpose of trafficking and importing or exporting drugs, the court, may, upon application by the Crown prosecutor, remand the accused to custody for examination to determine whether he is eligible for an addiction treatment program**
- **If such is the case, the accused shall be sentenced to custody for treatment for an indeterminate period of time in lieu of any other sentence provided for by the Act**

**Forfeiture**

- **Continuation of the forfeiture to the Minister of Health and Welfare of drugs, syringes, needles, equipment and money used to use, make or purchase such substance following an offence of possession, trafficking, possession for the purpose of trafficking or import/export (*The minister may dispose of the substances in the manner provided for by regulation*)**
- **Continuation of the procedure allowing forfeiture of any motor vehicle, aircraft, ship or other means of transportation used for the purpose of trafficking, exporting or importing drugs**

**Restitution**

- **Continuation of the system providing for an order to restore drugs or objects related to the making or use of drugs prior to their forfeiture to the Minister of Health and Welfare**

**But, certain criteria apply before a court orders restitution:**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **In the case of a first offence, preventive detention may not exceed 10 years**
- **The accused has a right of appeal, is subject to the *Parole Act* and, at any time, may be referred to preventive detention if he uses drugs during his probation period**
- **Where a province adopts a preventive detention policy and an addiction treatment program (in cases not involving an offence under the Act), the federal government may enter into an agreement with the competent provincial authorities to transfer addicts to specialized federal institutions.**

**(These provisions were never proclaimed in force)**

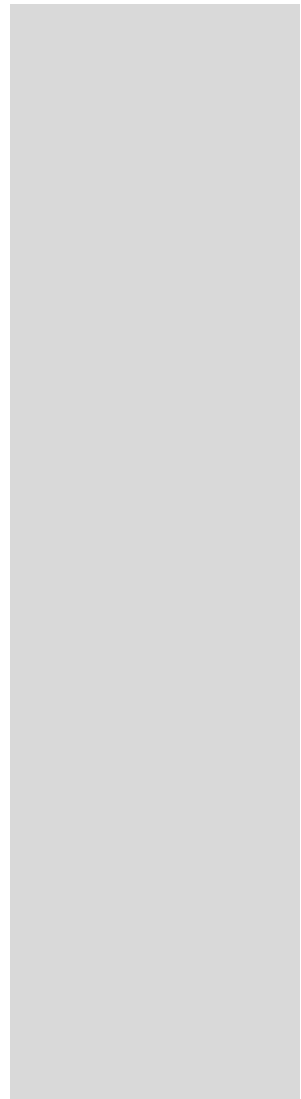
- **Application must be made to the court not later than two months after the seizure;**
- **If it is satisfied that the applicant is not involved in the offence and if it is satisfied that they will not be necessary to the prosecution of an investigation or criminal case, the court shall immediately return the drugs or objects seized,**
- **However, where the court decides otherwise, they will not be restored until the end of the trial or upon expiry of a period of four months if no prosecution is commenced against the accused**

**The applicant has a right of appeal**

**Application by third parties**

- **Creation of a system authorizing a third party (a person who have not been involved in the offence) to apply to the court for an order to restore an aircraft, motor vehicle, ship or any other means of transportation.**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**The procedures that applied for the issuing of such an order were similar to those described above for the return of seized objects.**

**The third party had a right of appeal**

**Right of appeal**

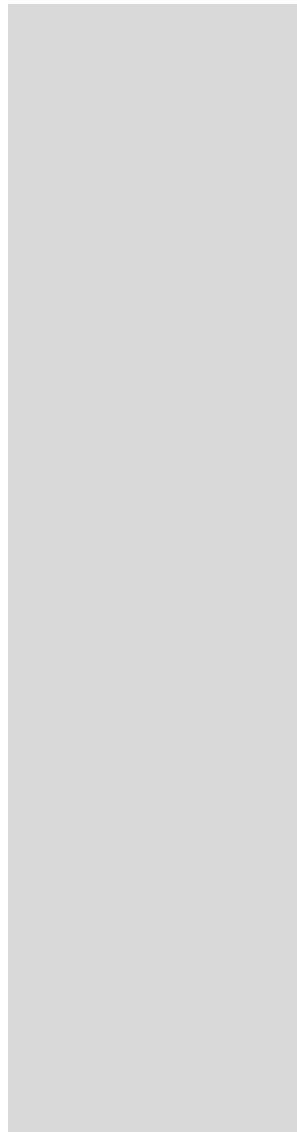
- **Repeal of the prohibition to appeal from a guilty verdict or a sentence for certain offences**

**Fingerprints and criminal record**

- **Repeal of the provision making the *Identification of Criminals Act* applicable to persons convicted by summary conviction (1923)**

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1961 – Food and Drugs Act</b>	<p><b><i>Addition of Part III to the Food and Drugs Act – Barbiturates and amphetamines</i></b> <b>(Controlled drugs – Schedule G)</b></p> <p><b><i>Trafficking</i></b></p> <ul style="list-style-type: none"><li>• <b>Manufacture, sale, transportation, exportation, importation or delivery of a controlled drug without the authorization of federal authorities</b></li></ul> <p><b><i>(Exclusion of the administration or distribution of such substances)</i></b></p> <p><b><i>Possession for the purpose of trafficking</i></b></p> <ul style="list-style-type: none"><li>• <b>Possession for the purpose of trafficking</b></li></ul>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 10 years</b></li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 18 months</b></li></ul> <p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 10 years</b></li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 18 months</b></li></ul>	<p><b><i>Police powers</i></b></p> <ul style="list-style-type: none"><li>• <b>Police powers similar to those provided for by the <i>Narcotic Control Act</i> of 1961, which, however, <u>do not apply to possession of controlled drugs</u></b></li></ul> <p><b><i>Criminal procedure</i></b></p> <ul style="list-style-type: none"><li>• <b>Criminal procedures similar to those provided for by the <i>Narcotic Control Act</i> of 1961, which, however, <u>do not apply to the possession of controlled drugs</u></b></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Possession***

- **Possession is not an offence**

***Legal trade in controlled drugs***

- **Regulations made by the Governor in Council**

**Summary conviction**

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$500**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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1969 –

**Food and Drugs Act**

*Addition of Part IV to the Food and Drugs Act – Hallucinogenics*

(Restricted drugs – Schedule J)

*Trafficking*

- Manufacture, sale, transportation, exportation, importation or delivery of a restricted drug without the authorization of federal authorities

*(Exclusion of administration or distribution of such substances)*

*Possession for the purpose of trafficking*

- Possession for the purpose of trafficking

**Indictment**

- Imprisonment for a term not exceeding 10 years

**Summary conviction**

- Imprisonment for a term not exceeding 18 months

**Indictment**

- Imprisonment for a term not exceeding 10 years

**Summary conviction**

- Imprisonment for a term not exceeding 18 months

**Police powers**

- Police powers similar to those provided for in Part III. Unlike those provided for in that part, they also apply to possession of restricted drugs

**Criminal procedure**

- Criminal procedures similar to those provided for by Part III. Unlike those provided for in that part, they also apply to possession of restricted drugs

**Certificate of the federal or provincial analyst**

- Amendment to the procedure for admissibility of the certificate of a federal or provincial analyst at trial

Under the Act of 1961, a court could admit into evidence the certificate of the analyst appointed under the *Food and Drugs Act*. That document constituted *prima facie* and peremptory evidence of the status of the person who gave or issued it.

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Possession***

- **Possession**

**Indictment**

- **Imprisonment for a term not exceeding 3 years; or**
- **Fine of \$5,000**

**Summary conviction**

***First offence***

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$1,000**

***Subsequent offences***

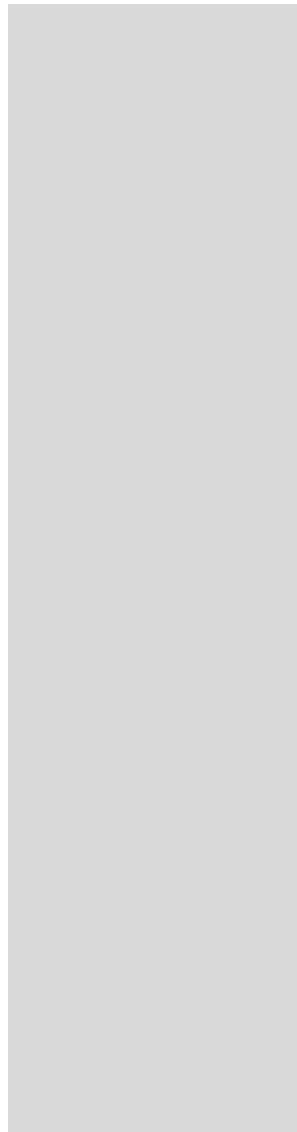
- **Imprisonment for a term not exceeding one year; and / or**
- **Fine not exceeding \$2,000**

**In the circumstances, it was neither necessary to prove the appointment of that person or to authenticate his signature.**

**In 1969, this procedure was amended to enable Crown prosecutor to prove that status orally under oath, by affidavit or by solemn declaration of the person who signed the certificate. That person did not have to appear in court**

**However, a judge could require the analyst to appear before him to be examined or cross-examined so as to better assess the information contained in the affidavit or solemn declaration**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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***Legal trade in restricted drugs***

- **Regulations made by the Governor in Council**

**Summary conviction**

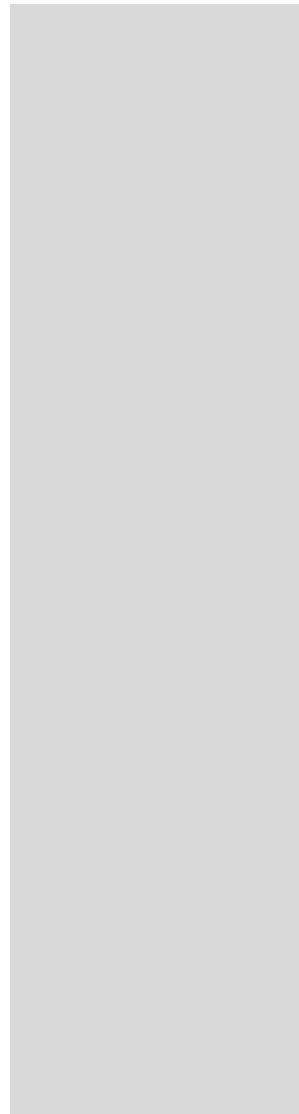
- **Imprisonment for a term not exceeding 18 months; and / or**
- **Fine of \$500**

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>1969 –  Amendments to Narcotic Control Act</b>	<b><i>Possession</i></b>	<b>Indictment</b> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 7 years</li></ul> <b>Summary conviction</b> <b><i>First offence</i></b> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 6 months; and / or</li><li>• Fine not exceeding \$1,000</li></ul> <b><i>Subsequent offences</i></b> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding one year; and / or</li><li>• Fine not exceeding \$2,000</li></ul>	<b><i>Criminal procedure</i></b> <b>Certificate of the analyst</b> <ul style="list-style-type: none"><li>• Amendments identical to those made to the <i>Food and Drugs Act</i></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>Act of 1985 – Amendments to Act of 1961</b>	<p><b>Possession</b></p> <ul style="list-style-type: none"><li>• <b>Disclosure of previous prescriptions to a physician</b></li></ul> <p><i>(This new offence was designed to prevent a person from consulting two physicians at the same time to obtain drugs. It is similar to the provision introduced in the Opium and Narcotic Drug Act in 1929 prohibiting anyone from obtaining drugs from two physicians)</i></p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 7 years</b></li></ul> <p><b>Summary conviction</b></p> <p><b>(First offence)</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding 6 months; or</b></li><li>• <b>Fine not exceeding \$1,000</b></li></ul> <p><b>(Second offence)</b></p> <ul style="list-style-type: none"><li>• <b>Imprisonment for a term not exceeding one year; or</b></li><li>• <b>Fine not exceeding \$2,000</b></li></ul>	<p><b>Police powers</b></p> <p><b>Searches</b></p> <ul style="list-style-type: none"><li>• <b>Abolition of the writ of assistance</b></li></ul> <p><b>Criminal procedure</b></p> <ul style="list-style-type: none"><li>• <b>Repeal of the reverse onus provision for the offence of possession of drugs for the purpose of trafficking</b></li></ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
<b>Act of 1988 – Amendments to Act of 1961</b>	<p><b>Trafficking</b></p> <p>Exporting and importing</p> <ul style="list-style-type: none"><li>• Possessions of property obtained through drug trafficking</li></ul> <p><i>(This new offence applies to the illegal activities of cultivating, trafficking in, exporting and importing drugs in Canada or in a foreign country where those offences are committed by Canadian citizens)</i></p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 25 years (life)</li></ul> <p><i>(In 1987, the Supreme Court of Canada ruled in R. v. Smith that it was unconstitutional to impose a sentence of imprisonment for a term of not less than 7 years)</i></p> <p>(Value of more than \$1,000)</p> <p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 10 years</li><li>• (Value of less of than \$1,000)</li></ul> <p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 2 years</li></ul>	<p><b>Police powers</b></p> <p>The <i>Criminal Code</i> provisions concerning search, seizure and detention powers relating to the offences of possession of property obtained through drug trafficking and laundering the proceeds of crime also apply to the <i>Narcotic Control Act</i></p> <p><b>Criminal procedure</b></p> <p>The <i>Criminal Code</i> provisions concerning forfeiture and restoration, third party applications and the management of property seized in relation to the offences of possession of property obtained through drug trafficking and laundering the proceeds of crime also apply to the <i>Narcotic Control Act</i></p>

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **Laundering the proceeds of crime**  
*(This new offence applies to the illegal activities of cultivating, trafficking in, exporting and importing drugs in Canada or in a foreign country where those offences are committed by Canadian citizens)*

- Summary conviction**
- **Imprisonment for a term not exceeding 6 months; and / or**
  - **Fine not exceeding \$2,000**
- Indictment**
- **Imprisonment for a term not exceeding 10 years**
- Summary conviction**
- **Imprisonment for a term not exceeding 6 months; and / or**
  - **Fine not exceeding \$2,000**

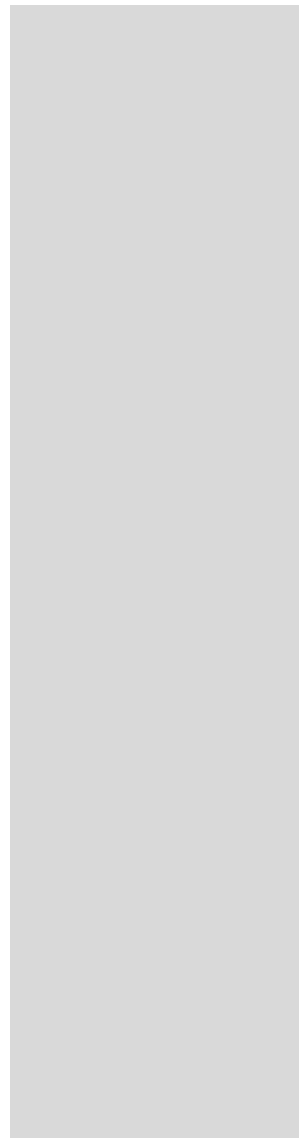
Act	Offences	Penalties	Police Powers – Criminal Procedure
<p><b>1996 –</b></p> <p><b>Controlled Drugs and Substances Act</b></p>	<p><b>Schedule I: Opiates (opium, morphine, heroin, codeine, cocaine, morphinans, etc.)</b></p> <p><b>Schedule II: Cannabis (marijuana), hashish, cannabinal, etc.</b></p> <p><b>Schedule III: Amphetamines and hallucinogenics (mescaline, LSD, DET, PCP)</b></p> <p><b>Schedule IV: Barbiturates, benzodiazepines (Seconal, Luminal, Valium and Librium) and anabolic steroids</b></p> <p><b>Schedule V: Other substances giving rise to abuse</b></p> <p><b>Schedule VI: Precursors (simili-drugs and designer drugs)</b></p> <p><b>Schedule VII: Cannabis trafficking</b></p> <ul style="list-style-type: none"> <li>• <b>Under 3 kg of cannabis (marijuana) or hashish</b></li> </ul> <p><b>Schedule VIII: Cannabis possession</b></p> <p><b>Under:</b></p> <ul style="list-style-type: none"> <li>• <b>1 gram of hashish; or</b></li> <li>• <b>30 grams of cannabis</b></li> </ul>		<p><b><i>Police powers</i></b></p> <p><b>Search and seizure</b></p> <ul style="list-style-type: none"> <li>• <b>Repeal of the right to conduct searches and seizures without a warrant</b></li> <li>• <b>Search or seizure <u>without a warrant</u> allowed in exigent circumstances</b></li> <li>• <b>Continuation of procedures for the seizure of a means of transportation, an object or a designated substance with the use of force, if necessary, or assistance of persons other than police officers</b></li> </ul> <p><b>However, following a search or seizure with or without a warrant, police officers are required to send a report to the justice of the peace and to the Minister of Health stating:</b></p> <ul style="list-style-type: none"> <li>▪ <b>the place of the search;</b></li> <li>▪ <b>the designated substance; and</b></li> <li>▪ <b>the place where that substance was stored</b></li> </ul>



Act	Offences	Penalties	Police Powers – Criminal Procedure
	<p><b>Schedule IV</b></p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 3 years</li> </ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding one year</li> </ul>	<p><i>property obtained by criminal activity and laundering of proceeds of crime.</i></p> <p><i>However, section 3 of the Narcotic Control Regulations authorizes inspectors and police officers to possess drugs for the purposes of or in relation to their duties. This provision existed in the regulations relating to the Narcotic Control Act to prevent a police officer from being charged with possession following a search)</i></p>
	<p><b>Schedule VII</b></p> <ul style="list-style-type: none"> <li>• <b>Cultivation or production</b></li> </ul>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 5 years less a day</li> </ul>	<p><i>In addition, the police enforcement regulations made under the Controlled Drugs and Substances Act provides for an exemption for peace officers from the application of sections 4, 5, 6, 7 8 and 9 of the Act. In that case, the persons concerned by that provision must at all times be active members of a police force and must be found in the performance of their duties during the investigation in question)</i></p>
	<p><b>Schedules I and II (except cannabis)</b></p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 25 years (life)</li> </ul>	<p><i>In that case, the persons concerned by that provision must at all times be active members of a police force and must be found in the performance of their duties during the investigation in question)</i></p>
	<p><b>Cannabis</b></p>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 7 years</li> </ul>	<ul style="list-style-type: none"> <li>• In December 2001, the <i>Criminal Code</i> was amended (Bill C-24) to grant police officers, on certain conditions, legal immunity when required to commit an indictable</li> </ul>

Act	Offences	Penalties	Police Powers – Criminal Procedure
	Schedule III	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 10 years</li> </ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 18 months</li> </ul>	<p><b>offence in the course of an investigation or operation to infiltrate a criminal or terrorist organization. However, they are granted no legal immunity if they commit the following offences: murder, manslaughter, bodily harm, obstructing the administration of justice and sexual assault.</b></p>
	Schedule IV	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 3 years</li> </ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding one year</li> </ul>	<p><i><b>Criminal procedure</b></i></p> <p><b>Sentencing</b></p> <ul style="list-style-type: none"> <li>• <b>Definition of guiding principles for sentencing (compliance with the Act, maintaining a just and peaceful society, social reintegration, treatment and reparation of harm caused to victims)</b></li> </ul>
	<ul style="list-style-type: none"> <li>▪ <b>Exporting and importing</b></li> </ul>	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for life (25 years)</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Definition of aggravating circumstances:</b> <ul style="list-style-type: none"> <li>▪ <b>use of a weapon;</b></li> </ul> </li> </ul>
	Schedules I and II	<p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for life (25 years)</b></li> </ul> <p><b>Indictment</b></p> <ul style="list-style-type: none"> <li>• <b>Imprisonment for a term not exceeding 10 years</b></li> </ul> <p><b>Summary conviction</b></p>	<ul style="list-style-type: none"> <li>▪ <b>resorting to violence;</b></li> <li>▪ <b>trafficking in a substance designated under Schedules I, II, III and IV with a minor or on a school ground</b></li> </ul>
Schedules III and VI			

Act	Offences	Penalties	Police Powers – Criminal Procedure
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Schedules IV or V

- **Imprisonment for a term not exceeding 18 months**

**Indictment**

- **Imprisonment for a term not exceeding 3 years**

**Summary conviction**

- **Imprisonment for a term not exceeding one year**

- **prior convictions under the Act;**
- **and use of a minor to commit an offence**

- **Any court that decides not to impose a sentence of imprisonment in cases involving aggravating circumstances must give reasons for that decision**

**Forfeiture**

- **Continuation of the provision allowing forfeiture of:**
  - **designated substances;**
  - **means of transportation and property acquired by drug trafficking (expands powers to include ordinary real property or real property modified for criminal purposes); and**
  - **proceeds of crime**
- **Continuation of the procedure regarding applications by third parties, stipulating, however, that the application must be made by Crown prosecutor. He must prove that the property is necessary to**

Act	Offences	Penalties	Police Powers – Criminal Procedure
	<ul style="list-style-type: none"> <li>• Possession of property obtained through trafficking in designated substances</li> </ul> <p><i>(This offence applies to the illegal activities of cultivating, trafficking in, exporting and importing drugs in Canada or in a foreign country where those offences are committed by Canadian citizens)</i></p> <ul style="list-style-type: none"> <li>• Laundering of the proceeds of crime</li> </ul> <p><i>(This offence applies to the illegal activities of cultivating, trafficking in, exporting and importing drugs in Canada or in a foreign country where those offences are committed by Canadian citizens and is more particularly aimed at money laundering)</i></p>	<p>(Value of more than \$1,000)</p> <p>Indictment</p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 10 years</li> </ul> <p>(Value of less than \$1,000)</p> <p>Indictment</p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 2 years</li> </ul> <p>Summary conviction</p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 6 months; and / or</li> <li>• Fine not exceeding \$2,000</li> </ul> <p>Indictment</p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 10 years</li> </ul> <p>Summary conviction</p> <ul style="list-style-type: none"> <li>• Imprisonment for a term not exceeding 6 months; and / or</li> <li>• Fine not exceeding \$2,000</li> </ul>	<p>that the property is necessary to the investigation and prosecution. Otherwise, property is automatically returned to the owner</p> <ul style="list-style-type: none"> <li>• Creation of a restraint order in respect of offence-related property, real property and proceeds of crime</li> <li>• Creation of a separate procedure for restoring or disposing of designated substances in order to clarify the provisions of the <i>Narcotic Control Act</i> in this respect</li> <li>• Possibility that property or proceeds of crime may be forfeited to the Minister of Public Works and Government Services Canada or the <u>Solicitor General of a province</u>.</li> </ul> <p>Federal inspectors</p> <ul style="list-style-type: none"> <li>• Definition of the powers of inspectors appointed by the federal government to enforce regulations governing legal trade of designated substances.</li> </ul> <p>Inspectors may:</p>

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**Possession**

- Possession

**Schedule I**

**Indictment**

- Imprisonment for a term not exceeding 7 years

**Summary conviction**

- Imprisonment for a term not exceeding 6 months; and / or
- Fine not exceeding \$1,000

**Schedule II**

**Indictment**

- Imprisonment for a term not exceeding 5 years less a day

**Summary conviction**

**(First offence)**

- Imprisonment for a term not exceeding 6 months; and / or
- Fine not exceeding \$1,000

- enter (with the consent of one of the occupants), examine and search, without a warrant any place, equipment or receptacle used to produce or store a designated substance or precursor;

- search any dwelling house, with a warrant used to produce or store a designated substance or precursor;

- take away any computer hardware used to store information on designated substances or precursors;

- seize such substances if necessary and return them in accordance with the regulations; and

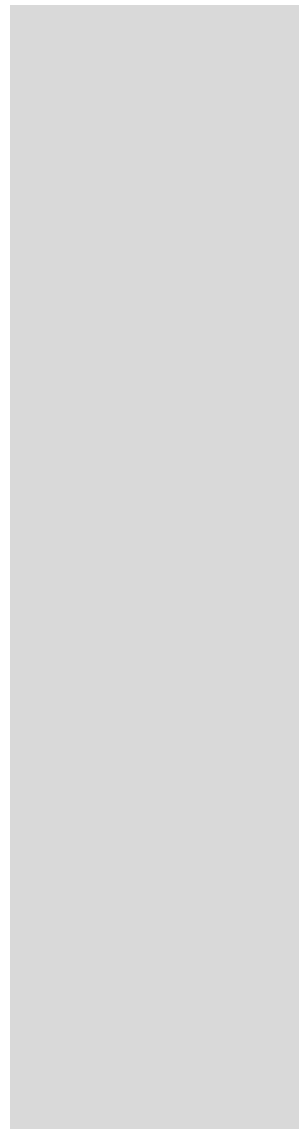
- use force or be accompanied by a police officer to execute their warrant

**Arbitration and designated regulations**

- Creation of a special procedure - the Governor in Council may designate regulations – known as “designated regulations” – the

Act	Offences	Penalties	Police Powers – Criminal Procedure
	<b>Schedule VIII</b>	<p><b>(Subsequent offences)</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding one year; and / or</li><li>• Fine not exceeding \$2,000</li></ul> <p><b>Summary conviction</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 6 months; and / or</li><li>• Fine not exceeding \$1,000</li></ul>	<p><b>contravention of which is dealt with under special administrative orders</b></p> <ul style="list-style-type: none"><li>• Creates an arbitration mechanism enabling pharmacists, physicians and businesses to dispute orders made under designated regulations by the Department of Health and following an investigation by an investigator into offences under the designated regulations</li></ul>
	<b>Schedule III</b>	<p><b>Indictment</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 3 years</li></ul> <p><b>Summary conviction</b></p> <p><b>(First offence)</b></p> <ul style="list-style-type: none"><li>• Imprisonment for a term not exceeding 6 months; and / or</li><li>• Fine not exceeding \$1,000</li></ul>	

Act	Offences	Penalties	Police Powers – Criminal Procedure
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- **Disclosure of previous prescriptions to a physician (1985)**

**Schedule I**

**(Subsequent offences)**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine not exceeding of \$2,000**

**Indictment**

- **Imprisonment for a term not exceeding 7 years**

**Summary conviction**

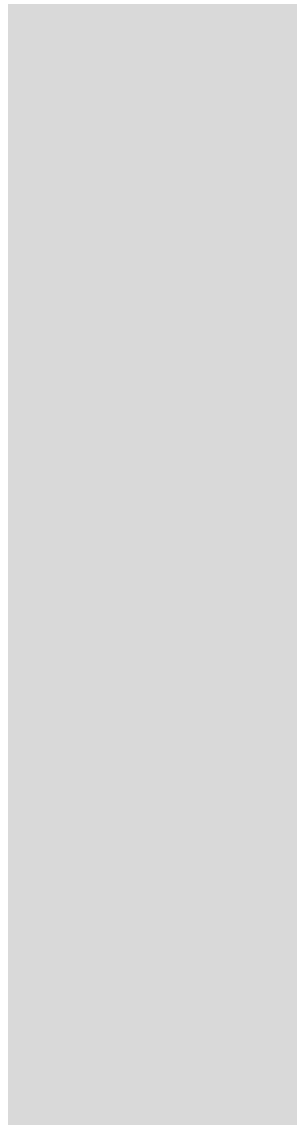
**(First offence)**

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$1,000**

**(Subsequent offences)**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine not exceeding \$2,000**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**Schedule II**

**Indictment**

- **Imprisonment for a term not exceeding 5 years less a day**

**Summary conviction**

**(First offence)**

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$1,000**

**(Subsequent offences)**

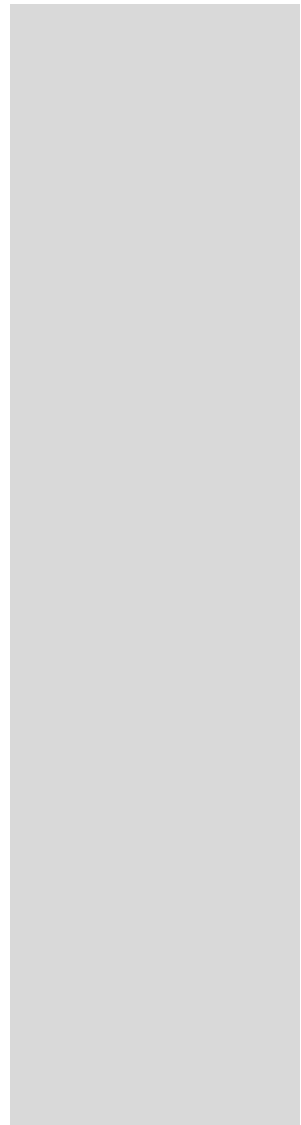
- **Imprisonment for a term not exceeding one year; and / or**
- **Fine not exceeding \$2,000**

**Schedule III**

**Indictment**

- **Imprisonment for a term not exceeding 3 years**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**Schedule IV**

**Summary conviction**

**(First offence)**

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$1,000**

**(Subsequent offences)**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine not exceeding \$2,000**

**Indictment**

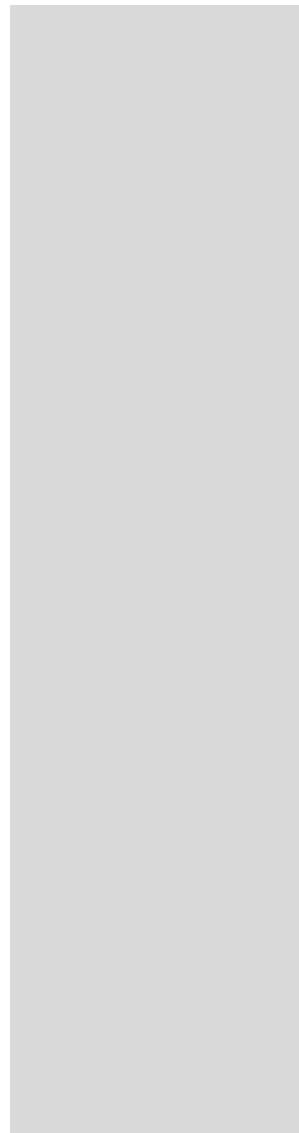
- **Imprisonment for a term not exceeding 18 months**

**Summary conviction**

**(First offence)**

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$1,000**

Act	Offences	Penalties	Police Powers – Criminal Procedure
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**(Subsequent offences)**

- **Imprisonment for a term not exceeding one year; and / or**
- **Fine not exceeding \$2,000**

***Legal trade in narcotic drugs***

- **Regulations made by the Governor in Council**

**Indictment**

- **Imprisonment for a term not exceeding 3 years; and / or**
- **Fine not exceeding \$5,000**

**Summary conviction**

- **Imprisonment for a term not exceeding 6 months; and / or**
- **Fine not exceeding \$1,000**

***Therapeutic use of cannabis***

- **Authorization to use this designated substance for therapeutic or scientific purposes**

**Under section 56 of the Act, the Minister of Health may on such terms and conditions as he may**

**set, exempt from the application of all or any part of the Act any person or class of persons or any designated substance referred to in a schedule to the Act**

**In July 2000, this procedure was ruled unconstitutional by the Ontario Court of Appeal in *R. v. Parker*. At the time, the court held that the minister's power to grant an exemption to allow the use of marijuana or other drugs for therapeutic purposes was too broad and contrary to section 7 of the *Canadian Charter of Rights and Freedoms* (liberty and security of the person, fundamental justice)**

**To correct the situation, the federal government made regulations in July 2001 allowing the therapeutic use of cannabis**

***Preventive detention (1961)***

- **Provision repealed**

***Detention for treatment (1961)***

- **Provision repealed**