



The Honourable Mike Farnworth, Minister of Public Safety and Solicitor General,
PSSG.Minister@gov.bc.ca

The Honourable Jennifer Whiteside, Minister of Mental Health and Addictions,
MMHA.Minister@gov.bc.ca

The Honourable Adrian Dix, Minister of Health,
HLTH.Minister@gov.bc.ca

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The Surrey Newton Union of Drug Users (SNUDU) writes to you today with deep concerns and recommendations regarding Bill 34. We are guided by our membership of several hundred drug users across Surrey, B.C., many of whom would be negatively affected by the proposed legislation, which bans the use of illicit substances in essentially all outdoor public spaces. We are certain this proposed legislation will lead to further toxic drug overdose deaths and entrenchment of cycles of homelessness and criminalization.

Without increasing access to housing and/or supervised indoor places to use, Bill 34 will disproportionately criminalize unhoused people and force people to use drugs and die alone, the latter of which is directly in contrast to prominent public health messaging that encourages people [to never use alone](#). The harmful effects of Bill 34 which will be especially evident in Surrey, where homelessness has [risen by a whopping 60% since 2020](#). In comparison, the [2023 Homeless Count](#) report indicates that homelessness has grown by 32% across Metro Vancouver.

Our Community, Our Concerns

There is no question that Surrey's emergency healthcare services are already [critically overburdened](#), and that improving local healthcare is a priority for residents. As previously mentioned, this legislation will push people to use drugs in isolation, consequently leading to increased [calls for ambulances](#) and emergency services, and resulting in more overdose cases that require intensive care. Although [80% of toxic drug fatalities](#) occur in private residences alone, this is in part because overdoses that occur outdoors in urban areas are responded to. The [general public](#) in Surrey will not be happy to see increased pressure on the healthcare system.

Further, our membership is concerned that this legislation will further the [harms of colonization](#), including health and social inequities. In Surrey, the [rate of homelessness is 1 in 26 among Indigenous people compared to 1 in 239 among non-Indigenous people](#). It is deeply alarming that the proposed legislation violates the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), despite disproportionately affecting Indigenous people. We stand with the Union of BC Indian Chiefs [in their call](#) to address the root causes of public drug use instead of increasing police surveillance and further marginalizing Indigenous people. It has been long established that homelessness and drug use among Indigenous people is linked to systematic



oppression through government policies, including residential schools, birth alerts, the Sixties Scoop, and the modern-day foster care system.

Despite having a population that rivals Vancouver and a geographic region that is almost three times the size of Vancouver, **there is currently only one safe inhalation site in Surrey**, with capacity for only 20 people. This service is almost an hour away by transit for the large unhoused population in the Newton neighborhood. This major gap disproportionately affects Surrey's South Asian population (e.g., almost sixty percent of the population in the Newton neighborhood is South Asian). South Asian people in the Fraser Health region experienced a 255% increase in toxic drug deaths between 2015 and 2018, compared to 138% in other demographics. Rather than opening more safe indoor places for people to use, as of Fall 2023, the Fraser Health Authority has abandoned even trying to open an overdose prevention site (OPS) in Newton. This site was previously promised and fully funded by the Province in 2020, but blocked by municipal zoning by-laws. At SNUDU, we hear about the South Asian men who use drugs outside of a specific pharmacy in Newton, with the hope that they would be attended to if they were to overdose. We encourage the Province to see people who use drugs' humanity and their desire to stay alive. Forcing people into isolation through this legislation will increase deaths.

Beyond overdose prevention sites, other healthcare and social services are also relatively limited in Surrey. For instance, in the summer of 2023, the only extreme heat refuge places offered for unhoused people in Surrey were splash parks. Under Bill 34, fear of criminalization is likely to prevent people who appear to be "drug users" or "homeless" from accessing life-saving refuge from extreme heat. Similarly, unhoused people will be unable to shelter from cold weather under building awnings, leaving them with no protection from the elements.

This legislation will further burden Surrey's already overburdened healthcare system and it will do little to reduce "public safety" concerns that are caused by visible poverty and the housing crisis - not public drug use. We understand that many municipalities have pushed for this legislation, but they have also created barriers to opening critical overdose prevention services, including here in Surrey. We implore the B.C. Government to consider how this legislation will deepen health disparities for Surrey's large Indigenous and racialized population.

Recommendations for Bill 34 and potential regulations

1. Immediately pause this legislation to work with First Nations to ensure it aligns with the United Nations Declaration on the Rights of Indigenous Peoples.
 - The BC Government made a historical move when it passed legislation deciding to harmonize its laws with UNDRIP. This commitment must not be violated when it comes to Bill 34, which will directly and disproportionately affect Indigenous Peoples.
2. At minimum, there should be strict limitations on where and when the 'ban' is in effect.
 - Legislation should include limitations on the time of day in which a 'ban' is in effect. There is not sufficient housing or shelters to support the growing homeless population in BC. Consumption in parks and other public spaces must be allowed as long as people are unhoused.



3. Systems solutions that address public drug use.
 - The mass expansion of welfare-rate housing and [overdose prevention sites](#) (OPS) will permit people to use indoors;
 - If a community has no OPS, public use legislation should not apply;
 - If a community has an OPS, this legislation cannot be used to justify punishing people who cannot access them.
4. Expiration of this legislation that coincides with expiration of the three-year decriminalization pilot project.
 - If the decriminalization pilot project expires or is revoked, this legislation must follow suit. Keeping this legislation in effect beyond decriminalization would criminalize PWUD in a way they were not prior to the pilot.

The decriminalization exemption was purported to be brought forth to decrease stigma and encourage people to access lifesaving supports. By expanding police powers to [seize drugs](#) and arrest people, this proposed legislation directly undermines the decriminalization exemption. Vancouver Police Department's Deputy Chief, Fiona Wilson, [recently stated](#) that there is no evidence that public consumption of drugs has increased as a result of decriminalization and that during her decades-long career, Wilson has witnessed people who use drugs go to "extreme lengths to not do so in front of children." However, in the first six months of decriminalization, there has been a [76% decrease in possession offenses](#) from the past four-year average during the same period. This is a major win for the Province - your efforts have led to reducing [cycles of criminalization](#) and reduced an unnecessary burden on the criminal justice system. We encourage you to continue on a forward-minded path, instead of shifting to recriminalize people through this legislation.

Although we framed many of our points specifically for the context of Surrey, we want to emphasize that we stand in solidarity with unhoused people across B.C. who are caught between the tragic toxic drug crisis and lack of affordable housing. We urge you to please not further punish people who are doing their utmost to survive these intersecting crises. Almost 13,000 people in B.C. have already died, and the numbers will only continue to rise.

Thank you for taking the time to read this letter.

Sincerely,

Surrey Newton Union of Drug Users - Steering Committee

CC: **Bruce Ralston**, MLA for Surrey-Whalley Bruce.Ralston.MLA@leg.bc.ca
Harry Bains, MLA for Surrey-Newton Harry.Bains.MLA@leg.bc.ca
Jagrup Brar, MLA for Surrey-Fleetwood Jagrup.Brar.MLA@leg.bc.ca
Jinny Sims, MLA for Surrey-Panorama Jinny.Sims.MLA@leg.bc.ca
Mike Starchuk, MLA for Surrey-Cloverdale Mike.Starchuk.MLA@leg.bc.ca
Rachna Singh, MLA for Surrey-Green Timbers Rachna.Singh.MLA@leg.bc.ca
Ravi Kahlon, MLA for Delta North Ravi.Kahlon.MLA@leg.bc.ca
Sonia Furstenau, MLA for Cowichan Valley, Leader of the BC Greens



Sonia.Furstenau.MLA@leg.bc.ca

Ally Butler, Assistant Deputy Minister, Substance Use & Strategic Initiatives,

Ally.Butler@gov.bc.ca

Christine Massey, Deputy Minister, Christine.Massey@gov.bc.ca

Chris Van Veen, Senior Director, Decriminalization Branch, Chris.VanVeen@gov.bc.ca

Darrion Campbell, Executive Director, OERC, Darrion.Campbell@gov.bc.ca

Darryl Sturtevant, Assistant Deputy Minister, Substance Use Policy,

Darryl.Sturtevant@gov.bc.ca

Francesca Wheler, Assistant Deputy Minister, SPP - Child, Youth & Mental Health

Policy, Francesca.Wheler@gov.bc.ca

Mary Shaw, Assistant Deputy Minister, Cannabis, Consumer Protection, and Corporate

Policy Ministry of Public Safety and Solicitor General, Mary.Shaw@gov.bc.ca

Mark Fassina, Executive Director, Corporate Policy and Planning Office, Ministry of

Public Safety and Solicitor General, Mark.Fassina@gov.bc.ca

Rebecca Salpeter, Senior Director, OERC, Rebecca.Salpeter@gov.bc.ca

Tamara Casanova, Director, Executive Operations, Tamara.Casanova@gov.bc.ca