

Safe & Convenient Access: Cannabis Medicine Centres



Text prepared by Paul McKeever for his
November 2, 2010 speech announcing a
Freedom Party of Ontario 2011 Election Plank
at Vapor Central (a cannabis vapor lounge)
667 Yonge Street Toronto, Ontario M4Y 1Z9 (2nd floor)

Ladies and gentlemen,

Fourteen years ago, a California ballot initiative succeeded that gave medical patients the right to cultivate and possess cannabis for medical uses. Since that time, hundreds of medical cannabis dispensaries have opened in California and in other states where marijuana has become legal for medical purposes. Patients in California can, with relative ease access the cannabis medicines they use to treat their illnesses.

Today, California votes on Proposition 19. If that ballot initiative receives majority support today, every individual in California will be free to cultivate and possess marijuana under state law. And I can tell you that, though I do not smoke marijuana, I sincerely hope that California voters support that proposition. If it passes, I fully expect it will have an immediate and positive impact on law, politics and individual freedom throughout North America.

I would like to be able to stand here today and tell you that Canada is on the same course. Sadly that is not the case.

Ten years ago, Ontario's Court of Appeal declared that Canada's law against the possession of personal amounts of cannabis was illegal because it denied the sick and the dying a recognized medicine. Ultimately, the federal government has attempted to continue cannabis prohibition by exempting the medical use of cannabis. But it has created a system that, by design, is so difficult to access that patients still find themselves having to buy cannabis from the black market. And the few patients who have access to government-cultivated cannabis report that the product is of poor quality.

One of the most unacceptable aspects of the problem has been the complete failure of Ontario's Progressive Conservative and Liberal governments, over the last ten years, to make the necessary legal and infrastructure changes necessary to ensure that Ontario's sick and dying have safe, convenient access to cannabis medicines.

All of the focus has been on law enforcement, and cracking down on the supply of cannabis. Leading the anti-cannabis crusade: Ontario's Progressive Conservatives. In 2001, the Progressive Conservative government of Ontario introduced asset forfeiture legislation, which has allowed the government to seize and sell a person's property without even laying a charge. That legislation was introduced by Jim Flaherty, who is now a federal

Conservative and who is Canada's Finance Minister. But did the Progressive Conservatives do anything to help give Ontario patients safe and convenient access to the cannabis medicines they need? No. The Progressive Conservatives singled-mindedly focused on cracking down on the supply of cannabis.

Indeed, years later, the Liberal Attorney General of Ontario crowed that the government of Ontario has seized hundreds of thousands of dollars worth of property seized in connection with cannabis-related situations, sometimes without laying a charge on the expropriated person (*Chatterjee*). But did the Liberal government do anything to help ensure Ontario's patents have safe, convenient access to the cannabis medicines they need? No. The sole focus was on seizing property so that police could have more money to buy toys to fight the supply of cannabis.

In 2006, the leader of Progressive Conservative Party of Ontario, at the time, John Tory, toured a cannabis grow op and declared that sentences for cannabis traffickers are nothing but a slap on the wrist. He wanted tougher sentences for those who supply the very cannabis used as medicine by so many Ontarians. No compassion for patients. Not a word about the appalling lack of safe, convenient access to cannabis medicines for patients. The sick and the dying got no help from the Tories. To make matters worse. It was later learned that, while in law school, Mr. Tory had written a report in which he confessed to carrying approximately 1/2 pound of cannabis with a friend, and to driving while so impaired on cannabis that - he claimed - his depth perception had him stopping 200 yards short from a stop sign. Pure Progressive Conservative hypocrisy.

In 2010, we saw the federal conservatives issue a Health Canada advisory essentially telling the public that medical cannabis dispensaries are not legitimate, and that Health Canada will help police to crack down even on the distribution of cannabis for medicinal use.

The Cannabis As Life Medicine (or CALM) medical cannabis dispensary was raided not once but twice, threatening the continued operation of a facility that serves an estimated 2500 medical users of cannabis.

And what was the response of Ontario's McGuinty government when the raids happened? Silence.

Now, if recent polling is correct, it is quite possible that Ontario's Liberals will be turfed from office in the election of 2011. But as the history I've just shared with you shows, Ontario's cannabis users could face even greater oppression if they replace the McGuinty Liberals with the Progressive Conservatives now led by Tim Hudak.

Like Mr. Tory before him, Mr. Hudak is on the record as taking the same, ignorant, harmful law-and-order approach to cannabis in Ontario. If the replacement for the McGuinty Liberals is Hudak's Progressive Conservatives, we will undoubtedly see more calls for crackdowns and stiffer penalties; we surely will see more raids on medical cannabis dispensaries. The pain and suffering of Ontario's medical patients will continue and, probably worsen.

We cannot let that happen. Ladies and gentlemen, some of you may be familiar with the name Marc Emery. Fewer of you may know that, from 1984 to 1990, Marc Emery was Freedom Party of Ontario's action director. He later earned the moniker "The Prince of Pot" for his famous campaigns against cannabis prohibition. In 2005, Mr. Emery, and two of his employees, were charged for selling cannabis seeds to Americans. One of those employees, Michelle Rainey, was one of Canada's leading campaigners for the medical use of cannabis. Sadly, she passed away two weeks ago, due to cancer. In the coming days, Marc Emery will be moved to a California prison: California, a state that got much of its cannabis seed from Marc Emery's mail order seed business. Imagine the injustice of being imprisoned for selling cannabis seeds, imprisoned in a state that has ended cannabis prohibition.

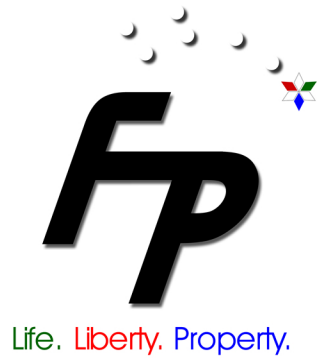
Ladies and gentlemen, 10 years have passed since the medicinal use of cannabis was made legal. There is no excuse for keeping Ontario's medical cannabis dispensaries in a state of legal limbo. We must end the injustice. We must win seats in Ontario's legislature, and change the law so that we all may be freer, and so that Ontario's medical users can have safe, convenient access to cannabis medicines.

To that end, I am here today to announce Freedom Party of Ontario's 2011 election plank on Safe, Convenient Access.

Clearly, there is a need to remedy the current situation. Therefore, if elected, a Freedom government will begin the process of creating the necessary medical infrastructure in Ontario to implement the Court of Appeal's 2000 decision in respect of the medicinal use of cannabis.

Specifically:

1. A Freedom government will introduce legislative changes to make properly operated, safe, and clean cannabis centres provincially-registered/recognized health care facilities. Police raids on such health facilities will be prohibited, except where the facility management calls upon police to deal with such matters as burglaries, theft or violent disturbance.
2. A Freedom government will introduce legislation providing that physicians who recommend the use of cannabis for medical treatment shall not for that reason be punished or denied any license, insurance, right or privilege.
3. To gradually educate the public about the legality of growing, purchasing, and using cannabis for medical purposes, and to ensure the public that the police are upholding the law in respect of cannabis, a Freedom government will require police forces to direct all calls concerning cannabis matters to officers having the particular responsibility of ensuring that patients continue to have safe and reliable access to provincially-recognized cannabis centres. All complaints concerning cannabis or cannabis centres will be forwarded to those officers, who can then explain that the police have a responsibility to defend the lives, liberty, and property of patients who use cannabis centres and of those who cultivate or produce cannabis medicines for patients. The officers will also respond to calls from patients and from cannabis centres in respect of such things as vandalism, burglaries, robberies, or other crimes affecting them.
4. A Freedom government will amend the *Civil Remedies Act, 2001* to require all proceeds from the sale of property received in relation to a cannabis offence to be paid into a Compassion Fund to subsidize the medical and legal expenses of medical cannabis patients and providers.



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