

**TEL** : 780-801-5324  
**FAX** : 587-318-1391  
**Email** : avnish@nandalaw.ca

10007 – 80 Avenue NW  
Edmonton, AB T6E 1T4  
[www.nandalaw.ca](http://www.nandalaw.ca)

**WITH PREJUDICE**

Sent via email and courier  
Our File#: 392.000001

Thursday, June 17, 2021

Minister of Health  
Office of the Minister of Health  
423 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB T5K 2B6

Attention: The Honourable Tyler Shandro, QC

**RE: Closure of Safeworks Supervised Consumption Services  
Demand for Details, Consultation, and Binding Commitments**

Our office has been retained by Mr. Darren Norman. Mr. Norman has a direct interest in ensuring that individuals who are receiving life-saving care at the Safeworks Supervised Consumption Services site at the Sheldon M. Chumir Health Centre (“**Safeworks**”) will continue to access the same standard of care if Her Majesty the Queen in Right of Alberta (“**Alberta**”) proceeds with its plan to close the site and transition services to alternative locations in central Calgary.

On behalf of Mr. Norman, I am seeking information on the specific details around Alberta’s proposal; confirmation that Alberta will delay the closure of Safeworks until it has fully consulted users of the site of their needs and concerns with transitioning services to any alternative sites; and a written, binding commitment from Alberta that plans for closure will ensure there are no gaps in service provision, and that it will not close Calgary’s only supervised consumption site until alternative supervised consumption sites are open that provide the same standard of care and scope of services that can currently be accessed at Safeworks.

### **The Standard of Care and Scope of Services Offered at Safeworks**

Safeworks serves an important role in the efforts to combat the opioid overdose epidemic, which claims the lives of approximately four Albertans each day. Safeworks is the only supervised consumption service in Calgary, a city where an unprecedented 109 people died of an opioid overdose death in the first three months of this year alone. The site is essential to saving and improving the lives of extremely vulnerable Calgarians at this critical juncture where the street-sourced opioid supply is exceedingly toxic and the associated overdose and death rates continue to climb.

Safeworks serves thousands of Calgarians each year. Safeworks provides safe, compassionate, and vital medical services to populations who might otherwise face barriers when trying to access adequate healthcare. The site operates six consumption booths 24 hours a day, seven days a week. Safeworks adheres to strict clinical care protocols and guidelines, which have been carefully established by doctors, nurses, researchers, and people with the lived experience of using drugs. All staff members are fully trained in overdose prevention and response strategies.

Safeworks has a daily staffing contingency of one charge nurse, one registered nurse or one licensed practical nurse, one paramedic, one peer support worker, and one administrative staff member. The site also has a dedicated social worker during weekday office hours and an addiction counsellor one day per week. The facilities at Safeworks include a waiting area, an injection room with six booths and post-consumption monitoring area, where patients can sit following their use. There is also a meeting space for clients to connect with external community resources, including parole officers, housing workers, and mental health specialists. Safeworks also has a bathroom with safety monitoring that is available at all hours of the day and every day of the week, a rare commodity for members of the street-involved community in Calgary.

Safeworks also operates Safeworks Connect, which is a specialized service for site users that helps them manage their health and social needs and navigate the healthcare and social supports systems. Safeworks Connect also provides harm reduction supplies such as sterile equipment for inhalation and injection, safer sex supplies, and other items reduces the transmission of sexually transmitted and blood-borne infections. Safeworks Connects is delivered by a dedicated team of outreach and peer support workers and is a vital program for people who use drugs in Calgary.

In addition to a safe place to consume drugs, Safeworks offers a range of onsite healthcare services available to people accessing the supervised consumption service. Patients access sexually transmitted and blood-borne infection testing, pregnancy testing, health monitoring (vital signs, physical assessments), wound care, counselling, vaccinations, and other services through Safeworks. The site also provides direct referrals to partner health organizations, including primary care clinics, opioid agonist treatment clinics, urgent and emergent care, housing supports, identification programs, income support, dental programs and specialized care teams – all invaluable supports for people who use drugs. Safeworks also provides referrals and support for transportation to treatment programs for substance use disorders, such as detox and residential treatment.

### **Seeking Clarity on the Closure of Safeworks and Transition to Alternative Sites**

As an individual directly impacted by Alberta's decision to close Safeworks, Mr. Norman is seeking specific information around the proposal to close Safeworks, including timelines, the locations of alternative supervised consumption sites, what standard of care and scope of services will be provided at any alternative sites, confirmation there will be no change in the standard of care and scope of services

provided at any alternative sites, and what measures will be taken to ensure that there will be no disruption in care for individuals who currently access Safeworks as part of any transition.

None of this information has been provided by Alberta. As Alberta is surely aware, individuals who access Safeworks are disproportionately likely to have experienced severe trauma and abuse in the past and to have related struggles with trust, self-worth, stability, and mental and physical health. Alberta's confirmation of plans to close the existing site has already harmed existing Safeworks users, some of whom have responded to the uncertainty, abandonment, and denigration by disengaging from its services, taken steps to prepare themselves for surviving without its support, and to consume street-sourced opioids in a manner that increases their risk of a fatal overdose.

### **Full and Comprehensive Consultation with Safeworks' Users Before Any Closure**

Mr. Norman further notes that there was no consultation with those using Safeworks' services before the announcement that the site would be closing. The patient population accessing Safeworks is the primary stakeholder that Alberta should have consulted before proceeding with the decision to close the site because the closure, and the process of handling the closure, could have significant repercussions on this vulnerable population, including the increased use of street-sourced opioids in an unsafe manner and leading to a greater likelihood of death.

The failure to consult or communicate with the users of Safeworks is a major oversight and should be remedied before Alberta proceeds with its plan. Mr. Norman requests any closure of Safeworks be delayed until Alberta undertakes a full, independent, and comprehensive consultation with the site's users to fully understand their needs and concerns with any transition of supervised consumption services to alternative sites. Only through a robust consultation can Alberta ensure that no harm will be inflicted upon the people who access Safeworks.

### **A Binding Commitment to the Same Standard of Care and Scope of Services as Safeworks**

In addition, Mr. Norman is seeking a binding commitment from Alberta that any alternative supervised consumption service established in central Calgary will have the same standard of care, service capacity, and health and social services that are currently available at Safeworks, including, but not limited, to:

- no less than six consumption booths that are operational 24 hours a day, seven days a week;
- ensuring that any alternative supervised consumption services are located in spaces or with agencies and service providers that people who use drugs are willing to access, including the full spectrum of drug users who currently access Safeworks. This population who must remain served includes: individuals who are housed, employed and do not have relationships to area shelters;

- facilities beyond consumption rooms, comparable to the current Safeworks site, which includes a waiting area, the consumption room with six booths, a post-consumption monitoring area, and a meeting space for clients to meet with external community resources, including parole officers, housing workers, and mental health specialists;
- a washroom with safety monitoring that is accessible 24 hours a day, seven days a week;
- a daily staffing contingency of one charge nurse, one registered nurse or one licensed practical nurse, one paramedic, one peer support worker, and one administrative staff member;
- access to a social worker and an addiction counsellor at least one day per week;
- access to Safeworks Connects at any alternative safe consumption site established;
- access to the same health care services that are currently offered at Safeworks, including sexually transmitted and blood-borne infection testing, pregnancy testing, health monitoring (vital signs, physical assessments), wound care, mental health counselling, vaccinations, and other health care services;
- ensuring site users are able to access the same social support services that are currently offered at Safeworks;
- ensuring effective referral paths to other health care and social support providers, including access to primary care clinics, opioid agonist treatment clinics, urgent and emergent care, housing supports, identification programs, income support, dental programs, and specialized care teams;
- providing referrals and supporting with transportation to treatment programs for substance use disorders including detox and residential treatment; and
- any additional requirements as identified by existing users of Safeworks after Alberta engages in a full and robust consultation with them.

## **Conclusion**

Mr. Norman's requests are not only reasonable but are consistent with the legal obligations imposed on Alberta at common law and pursuant to the *Charter of Rights of Freedoms*. At this stage, Mr. Norman is hoping to engage in a good faith dialogue with Alberta to clarify outstanding matters and obtain assurances that the concerns that he and the thousands of Calgarians who access Safeworks each year will be addressed.

Mr. Norman is not interested in litigation. However, if Alberta fails to adequately respond to the issues set out in this letter, Mr. Norman will take all necessary and available actions to protect the interests of

existing users of Safeworks and drug users in Calgary, including commencing legal action to safeguard his life and the lives of others adversely affected by Alberta's unilateral decision.

Please provide a response to this letter no later than July 19, 2021. If my office does not receive an adequate response by this date, we will be taking additional measures to ensure that the concerns of Mr. Norman are fully addressed.

Yours truly,



Avnish Nanda  
Barrister & Solicitor

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cc:

- Kate Bridgett, Director of Civil Litigation, Alberta Justice (via email and registered mail)
- The Honourable Kaycee Madu, QC, Minister of Justice and Solicitor Justice (via email and registered mail)
- The Honourable Jason Luan, Associate Minister of Mental Health and Addictions (via email and registered mail)
- Dr. Verna Yiu, President and Chief Executive Officer, Alberta Health Services (via email and registered mail)