

December 18, 2024

**Re: Supporting the Legal Challenge of the Community Care and Recovery Act**

Dear Colleagues,

The Neighbourhood Group, operator of the Kensington Market Overdose Prevention Site, has brought forward a legal challenge to the Community Care and Recovery Act, which was officially adopted on December 4th after it was fast-tracked by the Provincial government. The Act will force the closure of at least five supervised consumption sites in Toronto, causing grave concern about the safety of people who use drugs, the impact on our communities and the strain that will be put on our emergency services.

The legal challenge being brought forward by The Neighbourhood Group and two safe consumption site users argues that the Community Care and Recovery Act violates the rights and freedoms of people who use drugs, including the right to protection from cruel and unusual punishment and the right to life, liberty and security of the person. It also argues that the provincial government has overstepped into federal jurisdiction by enacting the Community Care and Recovery Act.

We, at the Board of Health, have been following this legislation closely and have on several occasions stated our opposition to it. I believe it is appropriate that we continue on this path by supporting The Neighbourhood Group as they pursue a legal challenge against the Community Care and Recovery Act.

**Recommendations:**

1. That the Board of Health request the Medical Officer of Health or Acting Medical Officer of Health, as the case may be, provide evidence in support of the Superior Court Application bearing Court File No. CV-24-00732861-0000 if requested by the Applicants and as determined appropriate by the City Solicitor.

Chris Moise  
City Councillor  
Ward 13 - Toronto Centre

CM/mp