



Centre for Addiction and Mental Health  
Centre de toxicomanie et de santé mentale

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Mental Health

1001 Queen St. West  
Toronto, Ontario  
Canada M6J 1H4  
Tel: 416.535.8501

Centre de toxicomanie et  
de santé mentale  
1001, rue Queen Ouest  
Toronto, Ontario  
Canada M6J 1H4

[www.camh.net](http://www.camh.net)

## **CAMH Position:**

# **Mandatory Drug Testing and Treatment of Welfare Recipients**

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*A PAHO/WHO  
Collaborating Centre*

*Un Centre collaborateur  
OPS/OMS*

*Affiliated with the  
University of Toronto*

*Affilié à l'Université  
de Toronto*

The Centre for Addiction and Mental Health (CAMH) does not support mandatory drug testing and treatment for people on welfare. Research has shown that drug testing has limited utility in confirming substance use problems and treatment needs. Such an approach would also serve to perpetuate the stigma associated with poverty and addiction and may lead to detrimental individual and social consequences. CAMH is also concerned about the ethical and legal implications of that infringement on the human rights of its patients and clients who are on welfare.

### **Limitations of Drug Testing**

Drug testing has limited utility in determining an individual's need for treatment. Positive test results may indicate the presence of certain substances in a person's system at the time of testing, but cannot confirm the existence of an addiction or dependency. The resources required to implement drug testing could be more usefully applied toward enhancing access to motivational screening and clinical assessments within the addiction treatment system in order to appropriately identify and meet individual treatment needs.

CAMH is concerned that denying welfare benefits to individuals who do not comply with an abstinence-based treatment program would fail to take into account current knowledge about the cyclical nature of addictions management, where 70% of individuals experience at least one relapse after the first year of their progress toward recovery.

CAMH recommends that addictions treatment should be based on a system of client-centred care, in which treatment is managed in the context of a trusting client-therapist relationship which provides access to a range of treatment approaches.

### **Stigma**

Research shows that substance use is no more prevalent among people on welfare than it is among the working population, and is not a reliable indicator of an individual's ability to secure employment. 70% of people who use drugs are, in fact, employed.

CAMH believes that the threat of removal of income support from individuals for whom social assistance is a last resort unfairly targets the disadvantaged. Research from the US indicates that denying benefits to those who fail to comply with treatment may result in increased poverty, crime, homelessness and higher health care and social costs. Such an approach would also further entrench the stigma which erroneously links drug addiction with economic need, and fail to address the complex but more relevant needs of those requiring assistance.

CAMH recommends that people on welfare have access to those supports that more reliably predict who will be able to find and keep a job, including appropriate housing and childcare, social supports, and literacy and skills training.

### **Ethics and Law**

Mandatory treatment is common for those who have broken the law, or whose impaired functioning may affect public safety. CAMH believes that subjecting people on welfare to mandatory drug testing and treatment solely on the basis of their economic need has no justification and would constitute an infringement on their right to privacy and self-determination. The Ontario Human Rights Code recognizes addiction as a disability. Denial of welfare benefits on the basis of an addiction would thus contravene the Human Rights Code, a conclusion that has been upheld in a recent Court of Appeal decision.

## **Conclusion**

The Centre recommends that the government shift from its proposed direction of requiring the mandatory drug testing and treatment of people on welfare suspected of having a substance use problem, to instead providing them with the necessary supports to help them in their efforts to leave the welfare system. These supports include access to:

- Existing case workers in the welfare system trained to appropriately screen, identify and refer people with addictions and mental health problems;
- Existing case managers in the welfare system trained in motivational strategies to more effectively engage people with substance abuse problems in the assessment and treatment system; and
- Adequate housing, child care and vocational supports for those who require further assistance.

In addition, the government should direct the resources designated for mandatory drug testing and treatment toward expanding the capacity of the current treatment system. This will allow for the provision of the more appropriate and effective clinical assessments and treatment for people with substance use problems regardless of their circumstances.