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Help TheraPsil-Supported Patients and Clinicians Fight for Legal Psilocybin

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Legalize Psilocybin Therapy in Canada



Gallery (3)

\$22,405

Raised
22% of \$100k goal

70

Contributors

39

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By Therapsil



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victoria, BC, CA

Help TheraPsil-Supported Patients and Clinicians Fight for their Right to Legal Psilocybin

Contribute to TheraPsil's [Charter Challenge](#) Fundraiser 2022 to
Help Legalize Therapeutic Psilocybin in Canada

Who are we?

TheraPsil is a non-profit advocacy group. Founded in 2019, **we challenge the laws surrounding access to psilocybin therapy in Canada** to create real, lasting policy change for psychedelics medicine.

We have supported 58 Canadians, the **majority of whom are in palliative care**, access legal-psilocybin-assisted psychotherapy.

Patients such as Thomas Hartle of Saskatoon, who is battling a terminal cancer diagnosis. Thomas was the **first Canadian to receive legal psilocybin-assisted psychotherapy**. Please watch his story to see how psilocybin has changed his life:



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The First Canadian to Receive Legal Psilocybi...



What's the problem?

Patients in medical need of psilocybin and psilocybin therapy are having their section 7 charter rights violated.

Patients such as Thomas are in medical need and do not have safe, legal, equitable or timely access to medical psilocybin and psilocybin therapy. **This urgently needs to change.**

Our Solution? Raise \$100,000 to Take the Government to Court to Achieve Regulatory and Policy Change

Here's our reasoning:

1. Section 7 rights are being violated

Section 7 of Canada's Charter of Rights and Freedoms guarantees that all Canadians have the rights to "life, liberty and security of person". **By denying Canadians access to medicine, the government is infringing on patients' rights.**



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Canadian courts have ruled in two landmark cannabis cases (*R. v Parker, Ontario Court of Appeal, 2000* + *R. v. Smith, Supreme Court of Canada, 2015*) that the **absolute prohibition of cannabis by the Controlled Drugs and Substances Act (CDSA) contravenes section 7.**

These rulings compelled the federal government to amend the CDSA to allow for the medical use of cannabis. The **decision to use cannabis medically is now made between patient and doctor**, with no requirement for bureaucratic approval.

3. Psilocybin is a medicine

Psilocybin, like cannabis, represents a reasonable medical choice, and a more effective treatment for many patients suffering from anxiety, depression, PTSD, substance misuse and end-of-life distress. Such patients are entitled to compassionate care because all other medical alternatives have proved inadequate.

4. Medical decisions should be made between a doctor and patient

The current CDSA limits the liberty of patients needing psilocybin just like it did for cannabis: it forecloses a reasonable medical choice through the threat of criminal prosecution. Similarly, **by forcing a patient to choose between a legal but inadequate treatment and an illegal but more effective one, the law also infringes on security of person for the psilocybin patient.** The law must be changed to bring it into conformity with the Charter: the decision to use psilocybin medically will be made between doctor and patient; patients will no longer have to go cap-in-hand to a government bureaucrat.

Canadians are being denied psilocybin medicine because of outdated, unnecessary and unconstitutional laws which violate their Charter rights. **We are taking the government to court.** Our legal challenge will follow the steps above, which paved the way for federal medical cannabis legalization. **We will challenge the very same laws** and show that psilocybin, like cannabis, is medicine, and patients deserve safe, equitable, legal and timely access.

Our goal is to fundraise \$100,000 through Fundrazr to cover the legal costs of our Charter challenge and our communications to the Government.

OTHER WAYS TO SUPPORT OUR CAUSE

1. Follow us on social media. [Twitter](#) , [Facebook](#) , [YouTube](#) , [Instagram](#) , and [LinkedIn](#) .

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3. Sign up for our newsletter to stay up to date with upcoming fundraisers, events, and news. (Scroll to the bottom of our [home page](#) to enter your email information).

TheraPsil-Supported Healthcare Practitioners as Co-Litigants

What's the legal argument for healthcare practitioners?

In December 2020, TheraPsil helped 19 practitioners successfully receive exemptions to possess psilocybin for the purpose of their own psychedelic training, in the context of TheraPsil's psilocybin-therapy training program for healthcare professionals. **The precedent for access to psilocybin for training purposes has been set.**

Just over a year later, on Monday, January 31st, 86 healthcare practitioners enrolled in TheraPsil's psilocybin-therapy training program, who submitted section 56 exemptions for access to psilocybin were notified of an "intent to refuse" their exemptions.

Our lawyer has made submissions to Health Canada on behalf of the Health Care Professionals involved in TheraPsil's training program.

The submissions include the following legal arguments:

1. The clinical trial authorized by Health Canada in January 2022 is not a sufficient alternative to a s. 56(1) exemption for health care providers to obtain access to psilocybin
2. **More health care practitioners are needed** who have undergone psilocybin-assisted psychotherapy so that they can, in turn, provide the therapy to patients who need it
3. Evidence indicates **psilocybin-assisted psychotherapy is a safe and effective** treatment option for a variety of conditions
4. Granting exemptions for training purposes will not have a negative impact on public safety
5. **A refusal to grant these exemptions would violate s. 7 of the Charter**, as it infringes upon patients' liberty and security of person and engages health care practitioners' liberty interest

If Health Canada refuses the exemption requests after receiving these submissions, we may commence a judicial review of the decisions. Furthermore, we will file necessary mandamus applications to compel decisions for all outstanding Section 56(1) exemptions. Our belief is that Section 56 of the CDSA exists not to be ignored, but should be processed in a timely manner to serve the Canadian public. As such we will attempt to compel the government to respond to outstanding exemptions for both patients and health care professionals in a timely manner, and seek a permanent resolution to this persisting issue so that no Canadian needs to wait over 30 days for a response to their urgent medical requests.

Does going to court work?



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before the official hearing.

While it is unfortunate that this is the case, **proceeding with legal action is effective and forces the government to decide between fighting a losing battle and making decisions.**

MORE INFORMATION ON THERAPSIL + OUR MISSION

Why healthcare providers need access to psilocybin

Psilocybin-assisted psychotherapy is a drug-therapy combination, and it is **essential that the treating therapist is sufficiently prepared in order to provide safe and effective treatment.**

The patient must be expertly supported and guided by someone who is familiar with the altered states brought on by psilocybin. It has become clear that the best way for therapists to gain sufficient familiarity with such altered states is **through personal experience with the substance.** At present, **there is no other way of becoming intimately familiar with the non-ordinary states of consciousness occasioned by psilocybin than by experiencing them.**

A Bit of History on Section 56

Canada established the *Controlled Drugs and Substances Act* in 1997, which controlled substances based on their potential for abuse. **Psilocybin, like most other psychedelics, is a Schedule III drug.**

A Section 56 exemption provides some wiggle room within the CDSA, as researchers can apply to purchase, possess and use controlled substances for research purposes. Exemptions can also be granted to patients on a case-by-case basis, approved by the Minister of Health.

Similar cases were commonplace for patients applying to possess and use cannabis, which was first approved for terminally-ill patients in 1999 and acknowledged for medical use in 2001. **We wouldn't deny cannabis to a patient in need, so why should we do so for psilocybin,** a substance with a proven track record of being a safe and effective treatment option?

At TheraPsil, we believe that the decision to access a medical treatment option, such as psilocybin or psilocybin therapy, should be made between a patient and their doctor. Leaving the decision in the hands of a bureaucrat or politician, decided on a case-by case basis, as access to psilocybin currently stands, is unacceptable.

In December 2020 TheraPsil helped 19 practitioners successfully receive exemptions to possess psilocybin for the purpose of their own psychedelic training, in the context of TheraPsil's psilocybin-therapy training program for healthcare professionals. **The precedent for access to psilocybin for training purposes has been set.**



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over 2 years lobbying the government and seeking quick and equitable access to psilocybin for patients and healthcare professionals.

While we've had many successes, it has been an uphill battle and recently, access to psilocybin for both patients and healthcare professionals is actually getting more difficult. Patients and health care professionals can no longer be ignored. Access to legal psilocybin and psilocybin therapy is needed now more than ever.

Why We Exist... Our Vision

- Canadians with severe psychological distress deserve access to effective new therapies, in consultation with a physician, which can improve their quality of life/death.
- When effective therapy involves a prohibited/controlled substance, we challenge the laws that are in conflict with science and compassionate care.
- Care providers must work collaboratively with patients toward healing vs merely the suppression of psychological trauma, addiction, illness, and pain.

TheraPsil's Values

- Freedom of citizens to exercise their right to try therapies and make their own choices about their personal health and wellbeing
- Courage to fight for that right
- Compassion for patients in medical need
- Responsibility to mitigate suffering and promote the well-being of patients

**TheraPsil is not a charity and cannot issue tax receipts. So sorry! We are, however, a registered non-profit organization, and have a credible board of directors. **

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Write a comment ...



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Tan Tang contributed \$50

16 hours ago

I eat 1 to 10g daily for mental clarity and meditation and it has made me a much better person. Not to mention saved my life.

👍 Like · 💬 Comment · ➦ Share

Margaret Wente contributed \$200

18 hours ago

👍 Like · 💬 Comment · ➦ Share

Dhruv Agnihotri contributed \$10

19 hours ago

👍 Like · 💬 Comment · ➦ Share

Anonymous contributed

2 days ago

Thank you for keeping to push forward!

👍 Like · 💬 Comment · ➦ Share

Spencer Hawkswell · 2 days ago

We won't stop until the job is done! Thank you for your kind words and contribution to our fundraiser :)

👍 Like



Write a comment ...



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Anonymous contributed

2 days ago

Hope that this therapy becomes available to those that suffer from chronic depression, anxiety disorders. After 20 plus years, too many antidepressants to count; depression still controls me.

Like · Comment · Share



Spencer Hawkswell · 2 days ago

We sincerely hope so too. Thank you for your contribution and for sharing your story with us. We will continue to fight for access to psilocybin for everyone who needs it!

Like



Write a comment ...



Tammy Le contributed

3 days ago



Like · Comment · Share



Spencer Hawkswell · 2 days ago

Thank you for your support and emoji-message, Tammy!

Like



Write a comment ...



Adam Wiggins contributed \$10,000

1 week ago



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 **Spencer Hawkswell** · 2 days ago

WOW! Adam, thank you for supporting our work once again. Your contribution will make a massive difference in the lives of the patients we support at TheraPsil.

 Like



Write a comment ...

 **Marc Leduc contributed \$50**
2 weeks ago

Je veux absolument travailler pour vous !!!!
Contacté moi j'aimerais en savoir plus !

 Like ·  Comment ·  Share

 **Spencer Hawkswell** · 1 week ago

Merci beaucoup pour le donation, Marc! Si vous voulez en savoir plus sur notre travail, notre site web peut fournir des réponses. www.therapsil.ca

 Like

 **Marc Leduc** · 1 week ago

Merci de me répondre j'ai déjà complété le formulaire. Je suis déçu du fait que vous sembler accorder une importance capitale au diplômé universitaire. Je crois que l'expérience au niveau des psychédéliques est beaucoup plus valable. En espérant un appel de votre compagnie sans un bref délai.

Avec amour et compassion

Marc Leduc

 Like



Write a comment ...



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Milestone

Milestone · 2 weeks ago



Like · Comment · Share



Anonymous contributed \$1,000

3 weeks ago

I am hoping Dr. Sean O'Sullivan could please contact me. I am eager to support further research about this as a person who has suffered from chronic depression for 40 years. Thank you

Like · Comment · Share



Kristin Kirby · 3 weeks ago

My name is K Kirby kirbycpa gmail

Like



Spencer Hawkswell · 2 weeks ago

Hi Kristin, thank you so much for your contribution. I've connected via email :)



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Write a comment ...



Anonymous contributed

Feb 28

Like · Comment · Share

[View all 4 comments](#)



Cameron Schaefer · Mar 1

Spencer, I'd like to make a monthly \$20 contribution to Therapsil. Is there a way to do that automatically?

Like



Spencer Hawkswell · Mar 7

Hi Cameron. Thank you for your interest in being a monthly donor with us. There is a way! You can sign up for automatic monthly donations at this link: <https://therapsil.ca/donate/>

Like



Cameron Schaefer · Mar 7

Will do, Spencer. Thankyou.

Like



Write a comment ...



Jane Copp contributed \$1,000

Feb 23

Thank you for all you are doing! Your commitment is incredible. I will do whatever I can to facilitate this process. We are getting so close. Let's hope this recent hiccup is just



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Like Comment Share



Spencer Hawkswell · Feb 24

Thank you for your donation and for your kind words, Jane. Indeed, we are getting so close, and it's support from folks like you that are making the difference!

Like



Write a comment ...

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