



Sections

Search

Sign In



Psychedelics

Exclusive: Three Canadians with mental health conditions receive legal access to psilocybin mushrooms

Exemptions show a shift in approval criteria but "the process is still broken," advocates say

Sam Riches

Dec 13, 2021 • December 13, 2021 • 6 minute read • [Join the conversation](#)



These are the first exemptions to the Controlled Drugs and Substances Act to be granted for mental health reasons by the new Minister of Health, Jean-Yves Duclos. PHOTO BY REUTERS/BLAIR GABLE

Three Canadians struggling with mental health conditions have received exemptions to the Controlled Drugs and Substances Act from the federal Minister of Health Jean-Yves Duclos.

The Section 56 exemptions, granted last Monday, allow the individuals to legally undergo psilocybin-assisted psychotherapy. The patients had waited up to 283 days for a response.

MORE ON THIS TOPIC



Canadian healthcare workers are taking magic mushrooms for training purposes. Here's why

They were assisted in their applications by TheraPsil, a B.C.-based non-profit coalition that has been advocating for legal, compassionate access to psilocybin therapy since 2019.

The organization has now helped 47 patients secure Section 56 exemptions, with the first four exemptions occurring in August 2020. Spencer Hawskwell, the organization's CEO, called these recent exemptions "the most important news that we've had since then."

"This is a very clear indication that exemptions are now available for people who have anxiety, depression, addiction, and chronic pain," he tells *The GrowthOp*. "It opens it up to everyone."



Spencer Hawskwell, CEO of TheraPsil. PHOTO BY DOMINIC CHAN

According to TheraPsil, these exemptions show a shift in the criteria the minister is using to approve patients. Since his appointment in October, Duclos had previously only granted exemptions to patients who are in palliative care or suffering from a terminal diagnosis.

Hawskwell adds, though, while the news is positive there are at least 15 other applicants in the queue,

some of whom have been waiting well over 200 days.

“The process is still broken,” he says. “It’s ad hoc. And I’m sure Health Canada is just ceding some ground to us here slowly. But we’re going to be pressing forward. We’re going to be supporting other patients who have been waiting months and months, as well.”

Earlier this year, TheraPsil filed a mandamus application to compel the health minister to make a decision regarding one of the patient’s Section 56 exemptions. Hawkswell says Health Canada fought that application “tooth and nail” and the organization spent upwards of \$10,000 on legal fees.

Their work paid off.

“Sure enough, that patient got their exemption on Monday,” Hawkswell said. “To me, it’s a signal that Jean-Yves Duclos or Carolyn Bennett [the minister of mental health and addictions] stepped in here and said enough is enough. These are patients in need of compassion.”

In addition to securing exemptions for prospective patients, the organization also advocates for exemptions for healthcare professionals for training purposes. In December 2020, following six months of campaigning by TheraPsil, former Health Minister Patty Hajdu granted exemptions to 19 healthcare professionals, including physicians, psychologists, nurses and counsellors.

Those healthcare professionals were then able to take part in a historic psilocybin-therapy training program, but their exemptions have since expired. TheraPsil says an additional 120 healthcare professionals have applied for exemptions and are enrolled in the organization’s training program.

Dr. Neil Hanon was one of the 19 healthcare professionals to receive an exemption last year.

A clinical assistant professor in the University of British Columbia’s Department of Psychiatry, Dr. Hanon describes himself as a traditional psychiatrist, but says there “is an emerging new paradigm for psychiatry.”

“Our traditional treatments work, but not as well as we would like and not for everybody and not for every condition,” he tells *The GrowthOp*.

“What I do is I try to decrease people’s psychiatric pain. As a physician, what I want is anything that works to help people and this is one of those things, combining psychotherapy with these compounds, that can really help people. What people need to understand is that we are working at decreasing the pain in people’s lives, and this does work.”

Over the phone, Dr. Hanon mentions that he's on the way to the cemetery to visit the gravesite of his son, who died in a car crash when he was 17.

“When my son died, there was nothing that psychiatry had to offer. And so I went looking for ways that I could get help with my grief and hit the books and ended up on Stan Grof,” he says.



Dr. Neil Hanon (right) receives a Clinical Faculty Award for Excellence in Clinical Teaching from UBC in 2018. PHOTO BY UBC

Grof, now 90 years old, is one of the founders of transpersonal psychology and is known for his early studies of LSD and its effects on the psyche. In the 1970s, the Czech-born Grof predicted that “Psychedelics will be for the study of the mind what the telescope was for astronomy, and what the microscope was for biology.”

Dr. Hanon went on to attend a program that Grof was running, focused on holotropic breathwork, a practice that uses breathing exercises to access non-ordinary states of consciousness. From there, he began working with Ralph Metzner, a psychologist who was a Ph.D. student under Timothy Leary and Richard Alpert at Harvard University in the early 1960s.

Metzner, like Hanon, also lost a child and Hanon says the famed psychologist became his therapist, mentor and teacher.

Now, alongside a few other physicians, Hanon organizes annual retreats to Jamaica, where psilocybin is legal, and works with parents who have lost children.

“These hallucinogenic compounds are very, very useful in people who are having problems with concerns of a spiritual nature,” he says. He adds that end-of-life distress and grief over the loss of a child is “really about trying to make sense of what death means and what real spirituality is.”

Dr. Hanon says there was some worry that after Patty Hajdu was removed as the health minister during October’s cabinet shuffle that it may have spelled the end of the exemptions.

“Now it’s very clear, with this newest round of Section 56 exemptions, that we continue to have a minister of health that does understand the benefits,” he says.

But for patients who have been waiting months to receive a response, it’s clear that the current system isn’t working.

Jim Doswell, 67, applied for an exemption last spring but, beyond a confirmation of receipt of his application, he says he has yet to hear anything else.

Doswell, who has two types of cancer in remission and also suffers from generalized anxiety disorder, depression and posttraumatic stress disorder, says he’s “thrilled” for the people whose exemptions were approved but adds the process is an “uneven application of Canadian law.”

“What was the decision-making process that approved theirs and not mine?” he asks.

Doswell points to section 15 of the Canadian Charter of Rights and Freedoms, which ensures that every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination.

“If it’s good enough for Harry, who’s got anxiety and is recovering from cancer and has made an application, then it’s good enough for Jim,” he says. “There should be no differentiations like that under the law. That’s not what builds a civil society.”

He adds that having previously undergone psychedelic-assisted psychotherapy, the results were “miraculous” but it was not an easy experience.

“This isn’t what I would call an entertainment substance. I don’t look forward to the next time I’m

going to do it because it's a very deep and very emotionally exhausting experience," he says.

About eight weeks ago Doswell took a therapeutic psilocybin dosage under the guidance of two professionals. A lifelong alcoholic, he says his desire to drink is gone and he no longer has any measurable anxiety.

"I would like to continue this therapy legally," he says. "I think that would be really a kind thing for my government to do, is not criminalize my recovery. It works. It worked for me. It may not work for you. And it may not work for someone else, but it worked for me, and in almost a miraculous way."

Can I promote cannabis products if it's educational? | Is It Legal?



Subscribe to [*Weekend Dispensary*](#), a new weekly newsletter from *The GrowthOp*.



NATIONAL STORIES



Weekend Dispensary

Sign-up for Weekend Dispensary to get the latest cannabis news and exclusive articles delivered straight to your inbox.

Email Address

[Sign Up](#)

By clicking on the sign up button you consent to receive the above newsletter from Postmedia Network Inc. You may unsubscribe any time by clicking on the unsubscribe link at the bottom of our emails. Postmedia Network Inc. | 365 Bloor Street East, Toronto, Ontario, M4W 3L4 | 416-383-2300

TRENDING

Some fans roast Jeopardy! host Mayim Bialik over tame weed joke

RCMP arrest three, shut down B.C. cannabis distributor

Talk show host and pot lover Bill Maher worries Republicans will 'steal' cannabis legalization issue

Layoffs hit leading cannabis tech platform Dutchie

Cannabis issues take centre stage during NBA Finals

THIS WEEK IN FLYERS

COMMENTS

Postmedia is committed to maintaining a lively but civil forum for discussion and encourage all readers to share their views on our articles. Comments may take up to an hour for moderation before appearing on the site. We ask you to keep your comments relevant and respectful. We have enabled email notifications—you will now receive an email if you receive a reply to your comment, there is an update

to a comment thread you follow or if a user you follow comments. Visit our [Community Guidelines](#) for more information and details on how to adjust your [email](#) settings.

[News](#) [Reviews](#) [Life](#) [Wellness](#) [Newsletter](#)

Follow The GrowthOp



[Advertise With Us](#) [Digital Ad Registry](#) [Site Map](#) [Contact](#) [Privacy - Updated](#) [Terms of Use](#) [Copyright](#) [My Account](#)

365 Bloor Street East, Toronto, Ontario, M4W 3L4

© 2022 The GrowthOp, a division of Postmedia Network Inc. All rights reserved. Unauthorized distribution, transmission or republication strictly prohibited.