



Ontario court strikes down medical marijuana law

Last Updated: Friday, January 10, 2003 | 3:03 PM ET

[CBC News](#)

A court in Ontario ruled Thursday that medical marijuana laws are unconstitutional and it gave Ottawa six months to change them.

Ottawa allows certain people to use marijuana for medicinal purposes, but makes it illegal to buy it and the government doesn't provide the drug.

The case involved a group of people who use pot to deal with their illnesses.

Terrence Parker, who has epilepsy, represented himself in the suit he filed jointly with the rest of the group. He says before he started smoking marijuana he would have between five and 80 seizures day.

He says in the five years since he's been legally allowed to smoke pot, he's had only one seizure.

Thursday's judgment is the seventh time Parker has won in court in his 20 years of fighting Canada's marijuana laws. But he said the victory was hollow.

"Instead of playing ball with the government, just simply legalize it," said Parker.

But Leora Shemesh, one of the lawyers representing others in the suit, says she's happy with the ruling.

"If he strikes it down with no time for the government, then he's just struck down the entire marijuana law, period," said Shemesh.

The ruling gives Ottawa six months to revise the medical marijuana laws or every court in Ontario will ignore them.

"In six months, either the regulations are going to change to allow for the government to start supplying or the government's going to start supplying," said Shemesh.

The government could appeal the decision, as it has done with similar lower court rulings. Thursday night, Health Canada and the Justice Department said they would get together soon to review the judgment.



26/04/2009