

DULF: History, Institutional Connections and Scott Gilbert's Investigation

Detailed investigative report | Status: September 20, 2026

Purpose and evidentiary caution. This report distinguishes documented facts, Scott Gilbert's allegations and suspicions, and unresolved investigative hypotheses. Allegations of criminal conduct are not presented as findings unless supported by established evidence.

Executive assessment

The Drug User Liberation Front (DULF) raises a legitimate accountability question: how did an openly unlawful drug-distribution project develop alongside public-health funding, institutional support, research relationships and police awareness before its two founders were prosecuted?

The available record establishes DULF's operation and substantial institutional connections. It does not presently establish a criminal conspiracy involving Vancouver Coastal Health (VCH), PHS, researchers, pharmaceutical interests, police or municipal politicians. Scott Gilbert's investigation has identified meaningful questions, but the distinction between knowing about unlawful activity and intentionally participating in it remains crucial.

The working investigative approach is therefore to identify specific people, decisions, communications, transactions and representations rather than treating institutional proximity as proof of an agreement to commit an offence.

1. DULF's origins and development

DULF's contemporaneous application materials place its formation in May 2020, with Eris Nyx and Jeremy Kalicum as co-founders. Its early strategy was conspicuous civil disobedience: distributing tested drugs while arguing that an unpredictable illicit supply was causing preventable harm. Its first documented distribution occurred on June 23, 2020, followed by further public actions in 2021.

On August 31, 2021, DULF and the Vancouver Area Network of Drug Users (VANDU) applied for a federal exemption under section 56 of the Controlled Drugs and Substances Act. Brittany Graham, then VANDU's executive director, was an application signatory alongside the founders. The proposed model combined procurement, testing, labelling and distribution of heroin, cocaine and methamphetamine.

Institutional support was explicit. Dr. Mark Lysyshyn, VCH's deputy chief medical health officer, supported an exemption and described an existing working relationship with DULF. His letter contemplated further assistance if permission were granted. That condition matters: support for obtaining lawful authorization is different from agreeing to proceed unlawfully.

At Vancouver Council's October 2021 meeting, Jean Swanson moved, and Adriane Carr seconded, a motion supporting the application. The final resolution required supply from a legal, regulated source that did not benefit organized crime. Council also supported developing additional routes to safe supply. The municipal record therefore establishes political support for a regulated model, but not municipal authorization for darknet procurement.

On July 29, 2022, Health Canada rejected the proposed darknet-supply option. Its response warned that purchasing controlled substances online and distributing them to members would violate federal drug law. DULF nevertheless opened its regular compassion club in August 2022, purchasing illicit drugs, testing and labelling them, and selling them to a restricted membership under an at-cost model.

VCH supported premises and approximately \$200,000 in services according to public reporting. The stated purposes included drug checking, overdose prevention and related harm-reduction work. Reporting has distinguished that

funding from donations used to purchase drugs. That distinction should be tested against underlying financial records rather than accepted solely from public explanations.

Court reporting describes a recorded August 2021 discussion involving Nyx, Kalicum, Inspector Phil Heard and Staff Sergeant Jason Chan, including discussion of online procurement and future club operations. The later investigation involved Sergeant Mike Cheah and Detective Kenneth Lee. Evidence also concerned communications involving Adam Palmer and Fiona Wilson. This history makes institutional knowledge a legitimate subject of investigation, but does not establish that every officer knew the same facts at the same time.

VPD arrested Nyx and Kalicum and searched DULF on October 25, 2023. Charges were approved on May 31, 2024. On November 7, 2025, Justice Catherine Murray found each founder guilty of three counts of possession for the purpose of trafficking. The case subsequently became the subject of constitutional litigation.

2. People and organizations around DULF

DULF's research connections are documented. Thomas Kerr and Mary Clare Kennedy co-authored the quantitative evaluation with Nyx and Kalicum. Jeanette Bowles co-authored qualitative research with the founders and Kerr. Published affiliations connect this work to UBC and the BC Centre on Substance Use. Those relationships justify scrutiny of research independence, conflicts, methodology and institutional roles, but do not by themselves establish operational control or participation in illegal procurement.

There is also a documented pharmaceutical connection. Fair Price Pharma supported the proposed regulated model and contemplated supplying pharmaceutical diacetylmorphine under lawful arrangements. Dr. Martin Schechter, associated with the company, has discussed supply and regulatory barriers. This establishes a prospective lawful supplier relationship; it does not establish that the company financed, controlled or profited from DULF's illicit purchases.

Institutional names require precision. PHS Community Services Society is not Providence Health Care. Shared locations, professional relationships, harm-reduction advocacy and institutional partnerships must not be collapsed into a single relationship without evidence.

3. Scott Gilbert's connection

Scott Gilbert's connection has two components: an asserted earlier contribution to the tested-supply concept and his subsequent investigation of DULF and the institutions around it.

Gilbert reports that around 2016 he discussed a model involving independently tested drugs and a supervised storefront with someone at a Vancouver talk. His recollection of the recipient's identity is uncertain; possibilities he has considered include Kenneth Tupper, Thomas Kerr or another person in the associated research community. Gilbert believes the concept may subsequently have been transmitted and incorporated into what became DULF.

That claim presently requires documentary corroboration. Gilbert has not described witnessing a direct transfer of his proposal to Nyx or Kalicum. Earlier research identified potentially relevant 2016 correspondence associated with John McMurtry and Sarah Whidden describing a tested-supply/storefront proposal. The decisive evidence would be original messages and attachments establishing dates, recipients, content and any forwarding chain.

If authenticated, earlier material could establish Gilbert's independent development of materially similar ideas. It would not, without a transmission trail or other evidence, establish appropriation or prove that DULF resulted from his proposal.

Gilbert also has firsthand experience in Vancouver's Downtown Eastside and has worked in organizations and services operating in that environment. That background informs the questions he is asking, but personal familiarity with the neighbourhood is not evidence of DULF-specific wrongdoing.

4. Gilbert's allegations and working hypotheses

Gilbert's overarching hypothesis is that DULF may have been more institutionally directed than its public presentation as a grassroots drug-user initiative suggested. He questions whether it functioned simultaneously as a demonstration project, research platform and legal test case capable of advancing a non-prescription drug market.

He suspects that VCH, PHS, BCCSU/UBC-linked researchers or pharmaceutical interests may have supplied resources, strategic direction or institutional protection beyond what has been publicly acknowledged. He also questions whether funding, professional influence, research incentives or future commercial opportunities affected the project or interpretation of its results.

A second hypothesis concerns policing and litigation. Gilbert questions whether the eventual prosecution was genuinely adversarial at every stage, whether police witnesses or public statements understated earlier institutional knowledge, and whether constitutional litigation was anticipated as a route to legal change. These propositions must be separated: anticipating a constitutional challenge does not establish secret participation by police, prosecutors or courts.

A third line of inquiry concerns 390 Columbia Street. Gilbert has questioned the actual use of space associated with overdose-prevention services and whether premises or institutional infrastructure could later be used for another DULF-related model. Public records identifying an overdose-prevention operator and VCH relationship establish an institutional connection, not a covert drug-distribution plan.

Gilbert has also examined municipal politics, police policy, public drug-use restrictions and decriminalization. Any claim that these policies were designed to benefit DULF requires direct evidence. BC's decriminalization exemption concerned limited personal possession, not trafficking, and its chronology does not itself establish protection for DULF's sales.

5. How to test whether a criminal conspiracy existed

The investigation should not ask merely whether the organizations were connected. Many connections are already public. The operative question is: which identifiable people agreed to commit or intentionally assist which offence, during what period, and what evidence demonstrates that shared intention?

Canadian conspiracy law focuses on agreement. Aiding liability requires purposeful assistance. Shared political objectives, meetings, funding relationships, academic collaboration and knowledge of controversial conduct are relevant context but are not substitutes for proof of criminal intent.

The inquiry should create a person-by-person matrix containing role, relevant dates, demonstrable knowledge, communications received, actions taken after acquiring that knowledge, financial or institutional authority, later representations, and evidence supporting or contradicting intentional assistance.

The highest-value financial records include the complete VCH agreement and amendments, approval memoranda, invoices, payment ledgers, premises arrangements, monitoring reports and communications following Health Canada's July 2022 refusal. A forensic reconciliation should distinguish public service funding, private donations, drug purchases, sales receipts, research grants, legal funding, payroll, premises and in-kind support.

Evidence materially strengthening a conspiracy hypothesis would include disguised payments for controlled substances, knowingly false invoices, directions from outside DULF concerning suppliers or sales, secret financial interests, deliberate concealment of procurement, or records showing that contractual restrictions were knowingly fictitious. Evidence weakening it would include verified separation of funds, genuine delivery of funded services, enforced restrictions, no outside procurement role and contemporaneous efforts to obtain lawful authorization.

The police component requires a chronological reconstruction rather than generalized claims that 'VPD knew.' For each relevant officer, establish what information was personally received, what existed elsewhere in departmental records, what investigators reviewed before seeking warrants, what was represented in warrant materials, what was later said under oath and whether contradictory records existed.

Particular attention should be given to the recorded 2021 interaction and communications involving Heard, Chan, Cheah, Lee, Palmer and Wilson. A contradiction becomes materially different if evidence shows that a witness knowingly made a false statement; an institutional record existing somewhere inside VPD does not alone prove that a particular witness knew its contents.

DULF's research should be independently audited. Review recruitment, consent, exposure dates, questionnaires, missing data, coding, statistical decisions, adverse events and original drug-testing records. The review must distinguish legitimate but limited research, exaggerated interpretation, undisclosed conflicts and deliberate falsification rather than treating them as interchangeable.

For 390 Columbia, obtain exact unit boundaries, leases, occupancy arrangements, staffing schedules, service statistics, security records, invoices, permits and communications concerning intended future use. Dated observations of apparent inactivity should be compared against those records.

A credible investigation also needs an explicit falsification protocol. Each allegation should identify evidence that would strengthen it and evidence that would cause it to be rejected. Records should be classified as direct observation, authenticated document, witness account, public statement, allegation, inference, contradiction or unresolved lead. Contrary evidence should be preserved rather than explained away.

6. Current status of the investigation

A populated court-record request exists for R. v. Kalicum, Vancouver Registry file 36605, identifying Justice Murray. It seeks accessible court records, exhibits, transcripts and audio, particularly evidence concerning police and institutional knowledge and the recorded 2021 meeting. The existence of a completed request form should not be confused with a completed production; the current material does not establish that all requested records have been obtained.

The investigation has also identified VCH and provincial freedom-of-information requests relevant to DULF. The last recorded status included outstanding application-fee issues and processing deadlines for some requests. Until receipts, waiver decisions or substantive productions are verified, those requests should be described as pending or last-known-status requests rather than completed disclosures.

Gilbert's existing assessment has identified the central weakness in a broad conspiracy theory: evidence of relationships and knowledge is substantially stronger than evidence of an actual criminal agreement among outside institutions. The project therefore remains an investigation rather than a charge-ready conspiracy case.

The strongest next evidence is primary material capable of proving or disproving individual intent: original communications, contracts, payment records, court transcripts, warrant materials, research source records and authenticated historical correspondence concerning Gilbert's earlier proposal.

Gilbert's broader Evidence Deck work on Canadian and American drug seizures is a separate research stream. It may provide context for evaluating law-enforcement narratives and evidentiary practices, but seizure anomalies cannot independently prove a DULF conspiracy. Those datasets should remain analytically separate unless a specific evidentiary link is established.

Conclusion

The history of DULF presents unusual but largely documentable facts: activists publicly proposed distributing tested illicit drugs; public-health and academic actors supported aspects of the project; Health Canada refused the proposed illicit procurement route; DULF proceeded anyway; public resources supported surrounding services; police had at least some advance knowledge of the concept; the operation continued for more than a year; its founders were eventually arrested and prosecuted; and their case became a constitutional challenge to Canada's drug laws.

Those facts justify serious scrutiny. They do not yet establish that VCH, PHS, researchers, pharmaceutical companies, police, prosecutors or politicians entered a criminal agreement.

Gilbert's investigation has therefore reached an important evidentiary boundary. The remaining question is no longer simply whether institutions were connected to DULF. They were. The question is whether identifiable people crossed the line from advocacy, research, funding, tolerance or knowledge into intentional participation in an unlawful enterprise.

The most probative unresolved issue can be stated narrowly: after Health Canada expressly rejected DULF's proposed illicit-supply model, did any identifiable outside person knowingly and intentionally enable the subsequent unlawful distribution operation, conceal material facts about it, or coordinate official action concerning it?

That question can be tested. Financial records can show where money went. Communications can establish knowledge and intent. Court records can test representations about police awareness. Research source material can test published findings. Property records can test premises theories. Historical correspondence can test Gilbert's claimed earlier contribution.

Until those records are obtained and reconciled, allegations of a wider criminal conspiracy should remain explicitly identified as hypotheses under investigation rather than findings. The strongest investigation will be one capable of disproving the hypothesis as readily as proving it.

Source note. This PDF is a formatted report version of the research synthesis prepared in this conversation. Primary-source verification and complete court/FOI productions remain necessary before using unresolved allegations as established fact.