

**Legalization of Recreational Cannabis in New Brunswick:  
A Social Work Perspective**



**July 2017**

## **Introduction**

The New Brunswick Association of Social Workers (NBASW) is the regulatory body and professional association representing close to 1,900 members provincially. As a profession focused on the wellbeing of all people and that serves many vulnerable populations, the legalization of recreational cannabis in New Brunswick is an important topic to social workers.

The NBASW would like to begin by congratulating the New Brunswick Working Group on the Legalization of Cannabis for their hard work and the level of detail included in their June 2017 report. It is clear that a great deal of consultation and thoughtful discussion went into producing this document. It is apparent that the legalization of cannabis is a complex social policy issue.

In this response, the NBASW seeks to contribute a social work perspective to the discussion. As a value-based profession with a strong commitment to non-judgemental practice, the NBASW does not seek to make a moral statement on the legalization of cannabis. Instead we approach this issue from a harm-reduction standpoint, seeking to balance self-determination with protection of vulnerable populations.

## **Minimum Age**

Setting a minimum age limit for the purchase and use of cannabis is a complex task. Given the research confirming the negative impacts of cannabis use on youth's developing brains it can seem logical to establish the highest limit possible. However, recognizing that statistically youth and young adults are the most common users of cannabis, and that the application of a higher age limit is unlikely to change this fact, a modest minimum limit should be considered. The NBASW supports the Working Group's recommendation to establish the minimum age limit at 19, consistent with provincial alcohol and tobacco laws. Age 19 is recognized in New Brunswick as the age of majority, indicating that individuals 19 and older are capable of making informed decisions regarding their own health and what constitutes acceptable personal risk. If we are consistent in our commitment to respecting individuals' right to self-determination then by extension we must respect the ability of an adult to decide whether to use cannabis products. In applying a harm reduction lens, the NBASW believes that it is preferable that young adults access cannabis through a regulated source, thereby ensuring product quality and distributor safety. This recognition however comes with the continued responsibility of the provincial government and health professionals, including social workers, to educate New Brunswick citizens on the risks associated with cannabis use. The NBASW believes that accessible education about the risk of cannabis use and information about lower-risk cannabis use will be key to allowing young adults to make informed decisions about their health. Further

recommendations about how to ensure this education is accessible will be discussed later in this document.

## **Retail Method**

The NBASW was pleased to learn that the New Brunswick government plans to use a provincial Crown corporation-operated retail model that will be limited to cannabis and associated products, ensuring that alcohol and tobacco are not sold in the same location as cannabis. This is a crucial feature for any future retail models, as combined use has increased negative effects on health. A Crown corporation-operated retail model will provide the highest level of control during this time of transition, and minimize risk by ensuring products sold in stores are provided by licensed producers. As the sale of recreational cannabis is a new venture in Canada and many lessons are still to be learned, a highly standardized distribution system is prudent. This system will also allow for funds from recreational cannabis sales to be directed to public programs and services, as discussed later in this document.

As suggested by the Working Group, retail locations should avoid areas near schools, parks or recreational facilities used regularly by youth. Highly educated and trained staff in retail locations will be crucial to ensure consumers have access to a reliable source of information about the use of cannabis products and to promote lower-risk use (such as products with lower THC content) when possible. As current illicit cannabis is not labelled with ingredient information, typical consumers may not be familiar with the meaning of THC, CBD and pesticide content levels. Retail staff will be required to interpret this information and promote “label literacy” for cannabis products.

## **Marketing & Pricing of Cannabis Products**

The Cannabis Act (Bill C-45) places restrictions on the marketing, promotion and advertisement of cannabis products, much in the same way that restrictions exist for tobacco products. The NBASW commends the introduction of these restrictions to reduce the appeal of cannabis products to youth in particular, and would encourage strict restrictions on marketing tailored towards adults, even at point of sale. Any marketing or promotion permitted for cannabis products will work in direct opposition to educational campaigns attempting to inform the public about the risks of cannabis use. The NBASW supports the introduction of plain packaging for cannabis products, with ingredient information and other required information only. In addition, the NBASW supports the proposal that discount pricing on bulk purchases be prohibited, and that products that carry higher risk (more potent products with higher THC content) be more highly priced. Sale of mixed products (cannabis mixed with alcohol, or cannabis mixed with tobacco) should also be prohibited.

The NBASW recognizes that Bill C-45 does not include the regulation of edible and drinkable cannabis products (“Edibles”) and that the Government of Canada intends to address this following the implementation of C-45. The NBASW sees the potential harm reduction benefits that may exist through the regulation of Edibles and is cautiously supportive of the introduction of this category provided that it is accompanied by robust safeguards. Edibles have the potential to reduce individual harm by eliminating the need to smoke cannabis, thereby reducing the risk of lung-damage to the user and those in close proximity (second-hand smoke). At a societal level, having Edibles produced by regulated facilities will reduce the risk associated with illegal production of edibles which involves the use of potentially dangerous solvents.

Historically edibles have contained a significantly higher level of THC than other cannabis products. Combined with their easy to consume format and the potential for cannabis edibles to be mistaken for non-cannabis food or drink, it is clear why Edibles place children at particular risk. When Edibles are introduced, the NBASW recommends that the following safeguards be implemented: Edibles must not resemble familiar food or drink such as candy; Edibles must not use sweeteners or other flavouring that would make them palatable to children, Edibles must use child-resistant, resealable packages; serving sizes and THC levels in Edibles must be limited.

In addition to potential risk to children, experience in other jurisdictions have demonstrated that Edibles may pose risks to uninformed adults. Due to the delayed effect of Edibles, the potential for overconsumption and overdose increases. Any introduction of regulated Edibles will therefore need to be accompanied by a corresponding educational campaign.

### **Personal Cultivation**

The NBASW does not have any concerns with the Province’s recommendation to allow adults to grow up to four cannabis plants per household in a secure area for personal use. While it may be difficult to enforce regulations about where cannabis plants are cultivated in private homes, requirements should include lockable spaces, and securely fenced outdoor areas that are not visible to others.

The production of cannabis concentrates in private households should be prohibited as the extraction process can be unsafe due to the use of flammable solvents. Starting materials for home cultivation of cannabis must be made available through legal, regulated sources.

## **Place of Use**

Recognizing that cannabis is already part of the Smoke-Free Places Act in New Brunswick, the NBASW does not believe that any further restrictions must be placed on public consumption.

## **Impaired Driving**

The NBASW agrees with the provincial government's plan to amend the Motor Vehicle Act to impose criminal penalties for impaired driving due to cannabis, similar to those that exist for impaired driving due to alcohol. While the introduction of a roadside test for cannabis impaired driving, and the establishment of a "per se" limit for THC in blood are positive recommendations the NBASW has concerns about the feasibility of implementing these recommendations by July 2018. The NBASW's understanding is that although work is underway to create a reliable roadside testing device, this device does not currently exist. In addition, there does not appear to be consensus within the scientific community about what level of THC impairs driving performance. The NBASW urges the government not to introduce a "per se" THC limit until it can be supported by research. The use of standardized field sobriety tests (SFST) and evaluation by Drug Recognition Experts (DRE) to prove driver impairment has its own shortcomings, including the limited availability of bilingual DRE training for Canadian law enforcement and challenges with proving impairment at trial. The NBASW believes that reducing impaired driving will be a crucial component in ensuring public safety. In the short-term an investment in DRE training to ensure sufficient availability of these experts in New Brunswick is required, while simultaneously supporting research to determine if the establishment of a "per se" TCH limit is scientifically supported. This research will be important not only for those using recreational cannabis but those using cannabis for medical purposes.

## **Medical Access**

The NBASW is in favour of the Federal government's decision to maintain medical access to cannabis as a distinct system from recreational cannabis at this time. Recognizing that this system is the purview of the federal rather than provincial government, the NBASW wishes to express the importance of further research into the medical uses of cannabis and the need for cannaboid-based medications that prove to be therapeutic to be approved as prescription drugs. The approval of such medications will allow for coverage through health plans, address cost issues for medical users, allow for distribution through pharmacies, as well as provide physicians with the information needed about these drugs to guide clinical decision making.

## **Possession by youth under 19**

The NBASW applauds the federal and provincial government's commitment to preventing the introduction of youth to the criminal justice system and fully supports the recommendation that minor cannabis related offenses for those under 19 be addressed through a graduated penalty system. Not only will this reduce the strain on the Canadian criminal justice system, but will avoid the harmful stigma often attached to youth who become involved with this system. While the imposition of a fine may be appropriate in some circumstances, the NBASW strongly urges the provincial government to require that an educational component be associated with all penalties imposed on youth under 19. The NBASW firmly believes that education and access to accurate information is crucial to empowering youth to make safer choices. In addition, recognizing that drug use among youth is often in response to life circumstances, identified youth should be given access to facilitated connections to needed community programs unrelated to their drug use such as mental health, housing and healthcare services.

## **Funds from Cannabis Sales & Public Education**

While the legalization of recreational cannabis presents benefits from a harm-reduction perspective, it is not without risks. Due to the longstanding criminalization of cannabis, research into cannabis and education for both health professionals and the general public is lacking. The NBASW strongly believes that profits from the sale of recreational cannabis must be reinvested for research and educational purposes, as well as to fund existing social programs.

Existing research establishes that the regular and heavy use of cannabis, particularly among youth carries the risk of negative physical and mental health impacts. Educational programs informing youth of these impacts, as well as the risks of cannabis-impaired driving should be introduced at a young age through the public school system. Recognizing that youth are among the most likely to use of cannabis products, educational programs should not adopt an abstinence only approach but should provide education about lower-risk use.

Educational campaigns for adults must also be developed and implemented widely prior to the introduction of recreational cannabis in 2018. Educational programs must take a broad approach, and avoid over-reliance on print materials, as this information is not accessible to those with low levels of literacy. Information should be provided in visual and audio formats as well as written content. Education should include information about the personal and societal risks associated with cannabis use, how to interpret ingredient information found on cannabis products, and guidelines for lower-risk cannabis use. While targeted promotion to high risk groups may be appropriate, the

NBASW cautions that education must not be limited to high risk groups but be broadly available to the public. While cannabis use may hold particular risks for individuals with a family history of mental illness, many individuals are not aware of a family history of mental illness prior to their first experience with cannabis.

Additional training for professionals who serve recreational cannabis users may be necessary as well, including guidance on how to educate youth and adults on cannabis use, and how to address cannabis induced psychosis. Informational materials for use by parents, teachers and health care providers should be developed and made available before sales begin in 2018.

In addition to educational programs, funds from cannabis sales should be invested into existing social programs. Responsive programs, such as Mental Health and Addictions must be available with adequate staffing to respond to New Brunswickers' needs quickly and effectively. Preventative programs that promote positive mental health and resiliency from childhood through adulthood should be expanded. Perhaps most importantly, programs that ensure that the basic needs of citizens are met should be invested in, as research demonstrates that issues such as poverty contribute to the risk of substance use, while strong social supports and connections serve as protective factors.

Social workers, along with other health professionals can be valuable partners in these education efforts and the delivery of the social programs described above.

### **Monitoring of Impacts**

The NBASW is conscious that the first few years of implementing new legislation are bound to bring new learnings and issues for consideration. It is therefore crucial that reliable data is collected and analyzed to determine the impacts of the legalization of recreational cannabis and to determine where additional safeguards or education may be necessary. Areas for ongoing monitoring will include: number of motor vehicle accidents involving cannabis impaired driving, number of individuals seeking support for cannabis use or addiction, number of visits to emergency rooms or physician's offices related to cannabis overdose and cannabis-induced psychosis.

## **Addendum**

During the NBASW's presentation to The Select Committee on Cannabis on July 28, 2017 the NBASW was asked for recommendations regarding the age at which education about cannabis should be introduced. The NBASW committed to providing a written response to this question.

The NBASW supports the introduction of educational programs at a young age through the public school system. The 2015 Canadian Tobacco, Alcohol and Drugs Survey found that Canadian youth are more likely to consume cannabis than their adult counterparts, with 21% of respondents aged 15–19 having used cannabis within the past year. Given that more than a fifth of Canadian youth have already used cannabis by age 15, the NBASW would recommend that Education regarding cannabis be introduced by middle-school to ensure youth have access to accurate information prior to their first encounter with cannabis. The NBASW would like to reiterate the importance that these education programs not adopt an abstinence only approach but should provide education about lower-risk use as well.

While the NBASW recommends middle-school as the appropriate time for introduction of cannabis-specific education, preventative programs that focus on positive mental health and resiliency should be implemented beginning in elementary school. These qualities may serve as protective factors and empower youth to choose not to use cannabis in the future.