



## Presentation to the Standing Senate on Social Affairs, Science and Technology

### **C-45 – The Cannabis Act**

Remarks by: Deputy Chief Mike Serr (Co-Chair of the CACP Drug  
Advisory Committee)

## **Canadian Association of Chiefs of Police**

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- Distinguished members of this Committee, by way of introduction, I am Deputy Chief Mike Serr of the Abbotsford Police Department and Chair of the CACP Drug Advisory Committee. We are pleased to be given the opportunity to meet with you today to discuss Bill C-45.
- The mandate of the CACP is “safety & security for all Canadians through innovative police leadership”. This mandate is accomplished through the activities and special projects of some 20 CACP committees and through active liaison with various levels of government. Ensuring the safety of our citizens and our communities is central to the mission of our membership and their police services.
- In terms of Bills C-45 / C-46, our role from the beginning has been to share our expertise with the government to help mitigate the impact of this legislation on public safety. Extensive discussions within the CACP membership and various Committees formed the basis of our advice.
- We participated in a number of government held consultations and provided a submission to the Federal Task Force.
- We produced two discussion papers entitled “CACP Recommendations of the Task Force on Cannabis Legalization and Regulation” on February 8, 2017, and “Government Introduces Legislation to Legalize Cannabis” on April 28, 2017. We have appeared, and provided written submissions, to House of Commons and Senate committees on both C-45 and C-46. This is our 5<sup>th</sup> Committee appearance on the issue of the legalization of cannabis.
- While police leadership across Canada have identified a number of major themes which impact policing resulting from legalization, we continue to strongly advocate against in-home production and in-home possession aspects of the legislation.

### **In-Home Production:**

- With regards to In-Home Production, our members are of the view that:
  - Realistically, we do not have the capacity to enforce, nor determine what is licit or illicit
  - It will provide for additional opportunities for illegal possession, distribution and over-production of cannabis
  - We fear that it will pose a further risk to youth due to increased exposure and accessibility
  - The cultivation capacity of 4 plants is being greatly under-appreciated. There are many variables however, typically each plant can produce approximately 1 to 3 ounces of cannabis, 4 times yearly. This amounts to a potential cultivation of 48 ounces per home per year assuming that legal limits are adhered to.

### **In-Home Possession:**

- Moreover, unlike the 30 gram possession of cannabis outside a dwelling, Bill C-45 remains silent on the quantity of cannabis permissible indoors. At this time, possession in a dwelling is virtually unlimited thereby making it difficult to determine whether the cannabis is derived from a lawful or unlawful source or whether the amount of possession is in fact, for the purposes of distribution. Given these issues, we recommend that a limitation on indoor possession be imposed.

- The Government of Canada, when this legislation was introduced, was very purposeful in stating that the goal was to ‘legalize, strictly regulate and restrict access’ to cannabis in Canada.” When it comes to personal cultivation and in-home possession, it appears that this goal has been overlooked. Certain provinces have indicated that they will apply further restrictions in this area. Other stakeholders, with expertise in the health and real-estate sectors for example, have also indicated concerns.
- The CACP is recommending that the Government of Canada adhere to one of the strongest messages which came out of the Colorado experience with legalization, that being to take a slow, incremental approach and to continuously review and assess as time goes on. Let us catch our wind when legalization becomes a reality and agree to review in-home cultivation at a later date.

## **Conclusion**

- In conclusion, our recommendations are not intended to dispute the government’s intention of restricting, regulating and legalizing cannabis use in Canada. Instead, we raise these issues because we have concerns about the impact of this Act and, as previously stated, we all have a responsibility to mitigate the impact on public safety which is our primary goal from a policing perspective.
- The CACP supports many of the overall goals of the Act, while recognizing that other stakeholders are better equipped to provide specialized knowledge in their areas of expertise. We also support efforts to deter and reduce criminal activity by imposing serious criminal penalties for those breaking the law, especially those who import or export cannabis, or provide cannabis to our youth.
- Sincere thanks are extended to all members of this Committee for allowing the Canadian Association of Chiefs of Police the opportunity to

offer comments and suggestions on Bill C-45. We look forward to answering your questions. Thank you.