



Presentation to the Senate Standing Committee on Legal and Constitutional Affairs

C-45 – the Cannabis Act

Remarks by: Directeur Mario Harel (President, CACP) and Deputy
Chief Mike Serr (Co-Chair of the CACP Drug Advisory Committee)

Canadian Association of Chiefs of Police

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300 Terry Fox Drive, Suite 100/ 300, promenade Terry Fox, suite 100, Ottawa, Ontario K2K 0E3
Tel: (613) 595-1101 • Fax/Télécopieur: (613) 383-0372 • E-mail/Courriel: cacp@cacp.ca

- Distinguished members of this Committee, by way of introduction, I am Directeur Mario Harel, President of the Canadian Association of Chiefs of Police and Chief of Gatineau Police. I am joined by Deputy Chief Mike Serr of the Abbotsford Police Service 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.
- Bill C-45 is a comprehensive Bill and we will address our key themes from a high level in our opening statement. In addition to our appearance today, we have provided you with a detailed written brief outlining our concerns from a law enforcement perspective for your consideration.
- 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. Themes from both discussion papers have been included in our written brief.

- Police leadership across Canada have identified 6 major themes which impact policing: These are:
 - In-home production
 - In-home possession
 - Organized crime and pricing
 - Youth possession
 - Seizure of plants and compensation
 - Edibles

In-Home Production

- The CACP continues to strongly advocate against in-home production. We predict that personal cultivation is largely unenforceable and will provide for additional opportunities for the illegal possession, distribution and over production of cannabis. We also fear that in home production will pose a further risk to youth due to increased exposure and accessibility.

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 trafficking. Given these issues, we recommend that a limitation on indoor possession be imposed.

Organized Crime and Pricing

- We continue to stress that the Bill consider the impact that legalization will have on organized crime. As such, we request that adequate pricing be addressed and recommend that costs remain as low or lower than cannabis sold on the “black market”, in order to discourage price undercutting and illicit sales.
- We also ask the Federal Government to enact strict security clearance requirements that would safeguard against criminal organizations becoming licensed growers as has been observed in the medical marijuana regime. The CACP remains concerned with the inclusion of organized criminals as licensed growers/distributors in the new cannabis regime since organized crime has infiltrated the medical marijuana industry and remains an ongoing issue.

Youth Possession

- The CACP continues to support and advocate for strong and sustained messaging and education campaigns for youth to raise awareness with regard to the dangers of youth consumption and distribution. We stress the need for clear packaging and labeling that details penalties to ensure awareness of the ramifications of trafficking to youth along with the dangers associated with youth usage. Examples of Colorado and Washington have demonstrated that legalization may encourage increased marijuana consumption amongst youth. Therefore, public education and strong messaging on the effects of marijuana use and stringent packaging and labeling are critical to dissuade youth consumption.

Seizure of Plants and Compensation

- The CACP has significant concerns regarding the return of property provisions which appear to require police to maintain and return seized cannabis plants. Police services across Canada do not have the facilities or resources to accomplish this. Accordingly, we ask that the proposed legislation address these concerns by relieving police services of any responsibilities associated with the deterioration of seized cannabis plants and from having to provide compensation to the owner.

Edibles

- Lastly, it is our understanding that edibles are anticipated to become legal in 2019. The CACP recognizes the dangers associated with edible consumption that create a further risk to public safety. As such, we advocate for strong messaging campaigns and education about the potential impact of edible consumption to help mitigate against public safety and risk.

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 areas of public health and social service sectors. 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.