



# Marijuana for Non-Therapeutic Purposes: Policy Considerations

As the most widely used illicit drug in Canada, marijuana places a substantial burden on health, social and law enforcement systems across the country. Through evidence-informed advice and activities, the Canadian Centre on Substance Abuse (CCSA) is committed to reducing and preventing the harms associated with marijuana. CCSA welcomes ongoing dialogue about effective health, social and legislative approaches to achieve this goal.

## Considerations

Based on current evidence, the dialogue about marijuana should be informed by the following considerations:

- Marijuana is not a benign substance.
- According to the 2012 Canadian Alcohol and Drug Use Monitoring Survey, 8.4% of Canadians 25 years of age and older and 20.3% of Canadians aged 15–24 reported marijuana use in the previous year. The rate of use among youth has been declining since 2008, but remains about 2.5 times higher than the rate of use for adults.
- Youth are at an elevated risk of experiencing harms associated with marijuana use. Frequent use of marijuana and early initiation of marijuana use are associated with an increased risk of experiencing a psychotic episode or schizophrenia, impaired cognitive function, physical health impacts such as respiratory conditions and reduced academic achievement. There is also growing evidence that chronic, heavy marijuana use alters structural aspects of the brain.
- Marijuana impairs attention, coordination and motor control, increasing the risk of motor vehicle accidents. Marijuana-impaired driving is a particular concern for youth as they are most likely to use marijuana and already at a greater risk of motor vehicle accidents. This risk is influenced by public perceptions that driving after marijuana use is safe (particularly compared to alcohol-impaired driving) and that there is no way for police to test for marijuana impairment.
- According to the Canadian Community Health Survey, 1.3% of Canadians aged 15 and older met the criteria for marijuana abuse or dependence in 2012. This is almost double the proportion of those with other illicit drug abuse or dependence (0.7%).
- Marijuana use during pregnancy is associated with subtle adverse effects on the child's cognitive functioning, behaviour, substance use and mental health.



- For persons with certain health conditions and symptoms, marijuana used for medical purposes might provide relief where conventional therapies have not been effective.<sup>1</sup>
- Various decriminalization strategies such as civil law ticketing schemes and diversion have been implemented internationally. Unfortunately, the quality and extent of research evaluating the effect of these strategies has been limited.
- The ease of issuing a ticket or imposing other civil sanctions compared with laying a criminal charge can lead to an increase in enforcement activity, known as “net widening.” Net widening can have an increased impact on the criminal justice system because of such contingencies as, for example, non-payment of fines.
- A criminal record has significant social consequences. It reduces volunteer opportunities, which can be important for younger adults looking to do mandatory community service hours in high school, to gain field placements in post-secondary education or to build contacts and experience for later employment. A criminal record reduces employment opportunities in enforcement, social services and professional fields. It can also limit housing options and make insurance more difficult or expensive to obtain.
- For penalties to have an impact on behaviour, they must be proportionate and they must be consistently applied. Canada’s current marijuana possession laws are not enforced consistently across jurisdictions.

## Recommendations

CCSA does not promote the use of marijuana. CCSA encourages a national, evidence-informed, multi-sectoral dialogue to develop policy options that will reduce the negative impacts of marijuana use on criminal justice, social and healthcare systems in Canada. Based on the principles of applying available evidence, reducing harms and promoting equitable application of the law, CCSA makes the following recommendations toward shaping policy options.

### Reducing the criminal justice impact

- CCSA recognizes that criminalization is a disproportionate response to the possession of marijuana for personal use and that criminal charges are not being consistently applied across jurisdictions. CCSA therefore supports a decriminalization approach that removes criminal sanctions and puts in place a civil law ticketing scheme for marijuana possession.
- CCSA recommends the development of a multi-faceted strategy to address marijuana-impaired driving that includes enforcement and research resources to support detection and prosecution.

### Reducing the health impact

- CCSA promotes a collaborative health approach to marijuana use that prioritizes investment in a continuum of evidence-informed prevention and treatment services to prevent and respond to problematic use.

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<sup>1</sup> The *Marijuana for Medical Purposes Regulations* replaced the *Medical Marijuana Access Regulations* on April 1, 2014, as the governing legislation for medicinal marijuana use in Canada. CCSA supports the call for investment in research and clinical trials on medical marijuana, but is not in a position to provide expert comment or advice on medical practice.



- CCSA recommends that any change to marijuana legislation be based on evidence from international experience with decriminalization and legalization approaches, as well as lessons learned from alcohol and tobacco regulation.
- CCSA emphasizes clearly communicating the risks and harms associated with marijuana use, particularly for youth. Ongoing research is also important to better understand the short- and longer-term health impacts of both non-therapeutic and medical marijuana use.

### Reducing the social impact

- CCSA recognizes that a criminal record has significant financial and health impacts, including limiting travel and employment. CCSA supports policy options that remove the burden of a criminal record for the possession of marijuana for personal use.
- CCSA recommends targeted messaging to ensure that Canadians understand the social and legal implications of marijuana possession under any change to the current legislation.

### Conclusion

Changes to marijuana policy should be made based on the principles of applying available evidence, promoting public health, reducing harms and promoting equitable application of the law. Based on the evidence available, decriminalization provides an opportunity to reduce health and social harms related to enforcement without significantly increasing rates of marijuana use. This option also provides the opportunity to further investigate and learn from alternative models, such as the legalization approaches being implemented internationally. Any change to marijuana legislation should be accompanied by rigorous evaluation to monitor and respond appropriately to potential effects such as changes in use, enforcement activities, health impacts, and economic costs and benefits.

By enhancing the quality and effectiveness of drug-prevention initiatives in Canada and working in partnership with members of the health, social, legal, justice and law enforcement communities, we can address and alleviate the harms associated with marijuana use.

To learn more, please refer to CCSA's Canadian Drug Summary on [Cannabis](#), Policy Brief on [Legislative Options for the Regulation of Non-Therapeutic Marijuana Use](#) and [Clearing the Smoke on Cannabis](#) series.

