

# Evidence Brief

## Community responses to cannabis legalization in Canada: A qualitative study

### What you need to know

- We interviewed Black, Indigenous (including First Nations, Inuit and Métis), and people of colour (BIPOC) participants about their views on cannabis, including therapeutic, spiritual and/or recreational uses within distinct cultural contexts.
- Participants raised concerns about systemic over-policing of BIPOC communities and equity measures to reduce harm from criminalization.
- Increased BIPOC representation in cannabis-related research and the legal cannabis industry are needed.

### What's the problem?

Cannabis sale and possession were originally criminalized in Canada in 1923. Studies show that drug laws have historically and continue to unfairly disadvantage BIPOC communities. On October 17, 2018, the Government of Canada legalized cannabis production, distribution, sale and use for non-medical purposes. The provincial/territorial governments are responsible for developing and implementing additional cannabis legislation and policy. As a result, there are 13 distinct cannabis regulatory systems across Canada. There is an ongoing need to examine perspectives on legalization across jurisdictions. It is vitally important to explore how responsive cannabis policy and regulatory systems are to the challenges and opportunities facing BIPOC communities. Engaging members of BIPOC communities in studies on cannabis legalization is critical as these communities have often been underrepresented in drug policy research. BIPOC experiences and

perspectives are key to developing just and effective policy.

### What did we do?

Between September 2018 and July 2019, we engaged with 37 members of BIPOC communities in focus groups and interviews in the four provinces with the highest populations: Québec, Ontario, Alberta and British Columbia (BC). To be eligible for the study, participants had to be at least 18 years of age and identify as a member of a BIPOC community/communities. Eligible participants also advocated for people or populations directly affected by cannabis legalization and/or were involved in issues related to substance use in some other capacity. To help with study recruitment, we approached managers of community agencies that specifically work with BIPOC communities in the cities of Montréal, Toronto, Edmonton and Vancouver. Twenty-eight individuals participated in in-person focus groups

and nine in one-to-one telephone interviews (those who preferred this format and/or could not attend a scheduled focus group in their city).

We asked participants about their knowledge and opinions regarding: potential public health risks and benefits created by legalization; how their jurisdiction has responded to legalization and new regulations; and what resources are needed to address major changes associated with legalization. Our research team decided not to ask participants for demographic identifiers such as age, gender and race/ethnicity. During focus groups and interviews, some participants self-identified as belonging to communities such as, but not limited to, Afro Caribbean, African, Indigenous, Latino, South Asian and Southeast Asian.

Interviews were audio-recorded and transcribed verbatim, and we analyzed key themes from the data. This study was approved by the Research Ethics Boards at the Centre for Addiction and Mental Health and University of Toronto.

## What did we find?

### Views on cannabis

Participants expressed a range of views on cannabis, including therapeutic (e.g., pain management), spiritual and casual or recreational (e.g., social and culinary) uses, and multiple types of formulations (e.g., teas, topical applications) within distinct cultural contexts. Some participants noted that cannabis is regarded as a medicine that has been used for centuries in certain cultures. In these contexts, participants described an often healthy and moderate relationship with cannabis with lower rates of problematic use.

*Sometimes you're going out partying. Sometimes you're using [cannabis] because you have cramps. Sometimes you're using it topically. Sometimes I'm making tea. Sometimes I'm putting it in rum and I'm giving it to you because that's what you need in terms of your pain. (Focus group, Ontario, Mar/2019)*

*[Cannabis is] used as medicine and there's a village elder who knows how to mix it with certain roots*

*and leaves and stuff [...] and no one is addicted to it and it's used for food, for cooking as an herb. (Focus group, Alberta, Oct/2018)*

Many participants expressed an appreciation and respect for cannabis and its cultivation. Within some cultures, cannabis is honoured from the time it is cultivated to when it is used. In light of these views, participants expressed concerns with large-scale commercial cannabis production that prioritizes profits and sometimes maximizes tetrahydrocannabinol (THC, the main psychoactive constituent of cannabis) levels over cultivation that is considered natural and respectful of the plant. These participants were also concerned about the use of pesticides in commercial operations.

*I resist using the 'cannabis' term because I feel like it's like a new generic term for something that's old. And really just noticing that a lot of—I do identify as an African woman, as a Black woman, as a woman of Rastafari. And I noticed that there is a direct removal of that culture that's been connected to the plant. (Focus group, Ontario, Mar/2019)*

Many participants described important knowledge sharing that occurs in communities regarding safely sourcing, preparing and consuming cannabis. Many also discussed the need for comprehensive education on safer cultivation and consumption for both cannabis producers and consumers. Commercial producers and individuals without lived or living experience of cannabis use were perceived as lacking an understanding of cannabis that is essential for safer and responsible cultivation and consumption. Participants agreed that governments and licensed producers of cannabis need to do more to educate themselves and transfer that knowledge to consumers, especially new consumers.

*I believe that the biggest risk right now that I experience and that I see is the lack of education around the use of cannabis, which stems from a lack of understanding about cannabis [...] right now what we have is a lot of people coming to cannabis because now it is legalized. And yet, the regulations around the licensed producers, those people who are actually, you know, the access point for cannabis, not really being, first of all, not really understanding fully about cannabis use in itself. (Interview, BC,*

May/2019)

Participants noted that cannabis has the potential to be misused. They highlighted the importance of self-discipline and awareness when consuming cannabis, such as awareness of medical conditions or personal tolerance of THC. Accessible information for consumers was seen as a priority for community members who may face additional barriers to receiving cannabis-related resources and supports, such as language or technology.

*[W]e are dealing with parents, they cannot even read English. They cannot access the Internet because they don't know how to use computers. We cannot say to them, you know, 'Go and read. Just Google it and read it.' Because they cannot [...] And their children, they cannot even explain because, as I said, they've been five, six, ten, 15 years in refugee camps. They didn't have formal education. [...] So we need an adequate, you know, and well-researched information for our people, to prepare them for [legalization]. (Focus group, Alberta, Oct/2018)*

### Perceived risks of legalization

Participants agreed that cannabis affects people differently and that related harms and benefits depend on many factors unique to the individual and their environmental circumstances. Some participants believed that legalization would help divert people away from the unregulated market. Others believed that issues with legalization implementation—such as supply, pricing and minimum age restrictions—would permit the unregulated market to continue to thrive.

*Why would you go buy marijuana at a store when you already know the local drug dealer and you can get a better deal, and you can buy it in bulk, and it can be delivered right to you, and there's no ID check? [...] I don't think a lot of people is going to buy into this, 'Hey guys, let's wait 'til we're 19 and let's go to the store.' [...] they're already doing it. And the only thing this is doing is exciting, encouraging, allowing for the drug dealers and that business to flourish. (Focus group, Alberta, Oct/2018)*

Many expressed concerns that BIPOC families and communities dealing with ongoing impacts of systemic racism and discrimination will be further negatively impacted by legalization. For many,

these concerns related directly to the police (see section below on over-policing communities). Participants also raised concerns about broader social stigma and stigma from family members (e.g., related to the financial impacts of substance use or addiction) experienced by BIPOC community members who use cannabis.

Participants discussed potential negative impacts of the illegal market on BIPOC youth. Some noted that BIPOC youth are particularly vulnerable to recruitment into the unregulated market as consumers as well as participants in criminal activity. This is due to longstanding issues related to systemic racism in their communities, such as poverty and lack of legal economic opportunities.

*Yeah, publicly, for the Indigenous community and our population, we are, unfortunately, the underclass, living in poverty. And our youth are the ones who are targeted for recruitment [...] I was just going to say, our youth are the ones who feed the alternative economy. We're the ones who are being recruited and involved in gangs. So that's where we have the greatest worry. (Focus group, Alberta, Oct/2018)*

Participants also acknowledged potential health and safety risks associated with cannabis use, including harm to brain development, dependency or addiction, worsening of mental illness and drug-impaired driving. Many expressed concerns with the lack of empirical knowledge regarding the long-term impacts of cannabis use. Some had misgivings about current and published research, noting that BIPOC communities have often not been engaged.

*I agree that there's been a lot of crap science that has come out [...] we don't really have a clear framework for sound research that really does consider all of the possible impacts [cannabis will] have on a variety of types of people. (Focus group, Ontario, Mar/2019)*

Many participants expressed concerns about young people due to the health and social risks associated with cannabis use. Nevertheless, they also stressed the importance of providing youth with quality educational information about cannabis and safe spaces for asking questions as



well as for consuming cannabis.

*I started consuming when I was like, I don't know, 12? Thirteen? And I'm excited that my daughter's of age where she can choose her spaces. But I was frightened when this was coming in because I was like 'What is going to happen?' You know? Where is she going to obtain things? (Focus group, Ontario, Mar/2019)*

Several participants discussed how youth using cannabis can create or increase familial strain and disapproval, especially in some cultures. Family and community involvement and conversations with youth were seen as important ways to reduce the harm of youth interacting with illegal markets.

Importantly, participants also expressed concern that the government did not adequately consult BIPOC communities during the planning and implementation of legalization. In relation to Indigenous communities in particular, some mentioned Indigenous sovereignty and jurisdiction, and the right to self-determine cannabis regulations. These participants questioned whether federal and provincial governments had respected these important features of Indigenous governance.

### **Perceived benefits of legalization**

Despite the concerns with increased stigma noted above, participants also generally felt that a major benefit of legalization was a reduction in the stigma associated with cannabis within society, including within their local communities and the medical community. This reduction in stigma would hopefully lead to more education and easier conversations about cannabis, including at school, at home and in other social or community settings.

*Well, the ethnic communities and the difference in the way that many of them view cannabis and people using it [...] legalization, I would imagine, is a good thing for the most part. It takes a little while, but [people will] get more and more comfortable with people within their community using [cannabis] for sure. (Focus group, BC, Apr/2019)*

Participants described some negative experiences they or others have had in discussions of cannabis use with healthcare providers. Some hoped

that mandated clinical training on the therapeutic uses of cannabis will be implemented along with legalization. Participants also hoped that reducing stigma will improve patient-provider communication about cannabis use as well as other health and wellness concerns related to cannabis (e.g., mental health, addiction). Some felt that legalization would encourage more individuals to explore cannabis as a viable treatment option with their care providers.

*I've noticed there's been a lot of cannabis shaming within the medical industry. You got some doctors are, yay, for it. And there's some of them that will shame you, beyond belief, for using it and not taking your pills [...] I think that [legalization] would increase transparency between doctor and patients [...] Also anyone who's seeing a psychiatrist, who might be experiencing mental health issues that could be triggered by marijuana, would feel more comfortable, sharing that they consume marijuana, like now that it's legal. Before they might be scared of, like, the psychiatrist potentially breaking the confidentiality [...] legalization would be like a positive thing, 'cause there's less stigma around cannabis use. (Focus group, Québec, Nov/2018)*

In addition, despite noted concerns with research on cannabis to date, many participants saw legalization as an opportunity to conduct more and better research on cannabis use and the impacts of legalization.

*If considered as a step toward full drug legalization and/or decriminalization, cannabis legalization opens the door to research and exploration of the benefits associated with recreational/medicinal drug use. (Interview, BC, Jul/2019)*

Participants discussed the need for BIPOC communities to be involved in more research. In particular, they stressed the need for involvement in research that explores the relationships between trauma, racial discrimination, mental health, cannabis and other substance use, community impacts and other outcomes. They also emphasized that BIPOC communities have rich knowledge and distinct, practical perspectives that will greatly contribute to the growing body of evidence on the impacts of cannabis legalization.

### **Over-policing of communities**

Participants spoke about the historic and enduring effects of systemic racism, including punitive drug laws and over-policing of BIPOC communities. Participants believed that legalization should reduce cannabis-related conflict with the law. However, they also raised concerns that systemic over-policing will continue to lead to high rates of arrests and charges related to new offenses among BIPOC communities, such as cannabis-impaired driving, possession of illicit cannabis and selling to youth under the legal age.

*[P]eople of colour historically have been disproportionately impacted for cannabis-related offences, as far as it relates to charges and arrests. The stats are very clear that people of colour have been unfairly affected. (Interview, BC, May/2019)*

*[W]ith legalization, there's still a lot of laws and regulations around cannabis use. And so, with racial biases, with policing, I don't know if that legalization will reduce the number of arrests and, in fact, it can increase it. (Interview, Ontario, Oct/2018)*

Further, participants described experiences of racial profiling by police and the negative physical, psychological and spiritual effects of these encounters. Some explained that even though cannabis possession has been legalized, they still feel vulnerable to police profiling. They think they would face unnecessary and unfair scrutiny if found in possession. This concern was often raised in connection with police enforcement of drug-impaired driving laws. Several participants expressed concerns regarding zero-tolerance measures in some jurisdictions given the lack of reliable technology to assess driver impairment and the historic tendency of police to unfairly pull over BIPOC drivers.

*And that's actually one of the reasons why I literally stopped driving a few years ago, before even legalization. I'm just tired of the racial profiling. I'm tired of the explaining. I'm tired of the actual energy that I feel on my body, when they get behind me. [...] Like, I feel like I just was aged five years. You know? I'm looking in the back. I'm worried. 'What are they going to look for? I mean, do I have my ganja? Where is it? I don't know where it is.' Like, now, my mind's just goes all over the place. And I'm, to be honest, energetically, more frightened of police, and what they're going to do to people. (Focus group,*

*Ontario, Mar/2019)*

Some participants (especially in Toronto) discussed strained relationships between police and their communities due to raids of community-based cannabis events. These participants also described biased, stigmatized media representation of what they regarded as positive community-based cannabis cultures. Again, many hoped that legalization would help remove the stigma associated with cannabis and shift public attitudes toward cannabis culture and use.

*Every single one of these events I've gone to, I felt so comfortable in each and every one. I haven't seen anything that would warrant police coming and throwing people on the ground, and they're put in cuffs, behind their back, and making people cry, and experience trauma and then distrust for a force that we should try to trust, right? There was an edibles market [...] and [a television news crew] came in [...] what I was feeling was community; it was an appropriate space. They were making sure people were over the age of 19 to come in. They were cooking infused pineapple, vegetable rice, with stewed chicken, right? Everyone was fine. If someone got a little too overboard, there was a lot of support. It was a very nice, sunny, barbecue-esque day. But [the news crew] comes in and they're filming it, like, 'Catch that pothead over there.' (Focus group, Ontario, Sep/2018)*

Some participants discussed measures to address the harm faced by BIPOC populations due to criminalization. Pardons or erasing criminal records were seen as essential to reduce the harms of historic and ongoing criminalization. Investments of cannabis tax revenue back into communities were also mentioned as strategies that could also help reduce these harms.

### **Economic opportunities**

Issues related to systemic racism emerged during discussions regarding the legal cannabis market. Participants shared that BIPOC communities face multiple barriers to inclusion in the legal cannabis economy as both producers and consumers. Participants mentioned the complex relationships between inclusion, social outcomes and cycles of poverty, and the importance of equal participation

and representation in the market.

*We don't really own any cannabis companies, even the up-and-coming companies. We don't own any. On the negative side, we're the ones that are overly prosecuted. That's kind of one of the main reasons why, you know, it's being legalized, but we're still shying away from it. If you go to these markets, go to many of the stores, you know, you notice that there's not much of us [...] there's everybody else but Black people. (Focus group, Ontario, Sep/2018)*

Participants also discussed the importance of including and representing BIPOC communities in the legal cannabis market. In this way, key historical and religious and spiritual perspectives (e.g., Rastafari, Indigenous) and uses of the plant are represented, honoured and upheld.

To increase industry representation, a few proposed that BIPOC individuals could receive priority licences to participate in the legal cannabis economy. Participants also expressed a need for accessible information on overcoming barriers and navigating the legal cannabis landscape. However, some noted that opportunities for reconciliation are not being fully pursued or meaningfully put into place, and that more needs to be done to address a long history of injustices.

*But I think for local community, just like knowing how to get licences, what's the process; how to operate in a legal market; how to get pardons once the amnesty the motion, is passed [...] a brochure, informational toolkit that helps them navigate the system in a way they feel like they're not threatened. As in, there's sometimes some fear that I hear from entrepreneurs who, let's say, were convicted in the past. [...] There's a fear that they'll get criminalized again because of prior convictions and connections. (Interview, Ontario, Oct/2018)*

## What are the limitations of this research?

The transferability of this study's findings is limited. We engaged with individuals living and/or working in major cities in Québec, Ontario, Alberta and BC. While participants identified as members of multiple BIPOC communities, we did not system-

atically collect demographic details and we cannot generalize participant perspectives to their wider communities nor to other BIPOC groups. To ensure important nuances about the impact of cannabis legalization and that BIPOC voices are heard, future research needs to include participants from a wider variety of BIPOC groups as well as people living in smaller or rural communities.

## What are the conclusions?

Study participants discussed varied views of cannabis, including therapeutic, spiritual and/or recreational use within unique cultural contexts. Many expressed a respect for cannabis cultivation and voiced concerns with commercial production. Participants agreed that greater education is needed for producers and consumers to ensure safe and responsible cultivation and use. Participants felt that reducing the stigma associated with cannabis is a major benefit of legalization. However, some expressed concerns that the unregulated cannabis market will thrive and BIPOC groups dealing with ongoing impacts of systemic racism may be further negatively impacted by legalization. Community involvement and communication with BIPOC youth were seen as important ways to reduce harm among youth. Participants further raised concerns that systemic over-policing relating to cannabis will continue to disadvantage BIPOC communities. They discussed important measures to reduce harm from criminalization and increase BIPOC representation in the legal cannabis market. Participants highlighted the need for ongoing and meaningful research collaborations with BIPOC communities that have rich knowledge and practical perspectives on cannabis.

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