



LEADERSHIP, ADVOCACY AND SERVICE FOR MANITOBA'S PUBLIC SCHOOL BOARDS

March 16, 2017

Honourable Heather Stefanson
Minister of Justice
Room 104 Legislative Building
450 Broadway
Winnipeg, MB R3C 0V8

Dear Minister Stefanson:

Representing Manitoba's 38 public school boards, the Manitoba School Boards Association provides advocacy, supports and services to each board in fulfilment of their mandate.

The forthcoming amendments that have been proposed to the Federal *Controlled Drugs and Substances Act*, which would result in the decriminalisation of cannabis (marijuana) across Canada, lend themselves to sober second thought on the part of all school boards in our province.

While the intention behind these amendments are compelling, in terms of ensuring that persons convicted of cannabis related offences are not unfairly prohibited from employment, labour market or other economic pursuits, we are of the perspective that addressing this objective can be better met through means other than by ending the general prohibition on cannabis. It would be our recommendation that consideration be extended by the Federal, Provincial and Territorial Governments to a more progressive decriminalisation framework that would see the distribution and sale of cannabis retained as offences under the *Criminal Code of Canada*, without extending contravention to include possession and/or use of cannabis.

Nevertheless, as the Federal Government appears poised to introduce such amendments into the law, our association would advocate that an array of Federal, Provincial and Municipal controls should be enacted, concerning the promotion, distribution, sale, and availability of cannabis, especially among minors.

In all its forms, cannabis remains a substance that poses considerable danger, risk and harm to youth in particular. While it is our view that the continuing distribution and dispensation of medical marijuana takes place according to sufficient controls already in place within Manitoba, our comments shall therefore focus on the future possibility that this drug be legally made available for recreational purposes within this province. Should this occur, we would advocate that the Province of Manitoba ensure that the same youth-focused controls are placed on the promotion, distribution and sale of cannabis, as are currently placed on tobacco and liquor. Such measures would ensure that the Government of Manitoba remains a partner to us in providing for the safe education of our youth across this province.

From our perspective, it would be very desirable for the Province to control the distribution and sale of cannabis through a Crown structure similar to, or through an amended mandate for the Manitoba Liquor and Gaming Authority. We believe that this step would ensure that sufficient controls remain in place to guarantee that all storefront or potential mail order activities foreseen under the legalisation framework in Manitoba, be subject to strict enforcement and protections. We understand however, that the current framework envisions private sale of cannabis. This is because, across the many jurisdictions where decriminalisation has already taken place, these have established a licensing regime for private, as opposed to the equivalent of Crown control and sale of cannabis. However, in Manitoba, we believe that the dangers, risks and potential harms of cannabis would well warrant a centralized strategy that would provide for a single point of distribution and a single point of sale.

Whether the promotion, distribution and sale of marijuana is to take place according to public or private means, we would advocate that future controls include, without limitation: a regulated licensing or permit framework that would limit distribution and sale only to authorized vendors; a regular inspection schedule of all licensed vendors or permit-holders, to promote enforcement and ensure compliance; the mandatory verification of customer identification with the intent of establishing age of the customer, prior to each sale by mail order or storefront; obligatory posting of signage, to raise awareness of the offence of procuring or selling cannabis to minors at the entry and exit-ways of all establishments that distribute or sell cannabis; a universal prohibition against the advertising or public promotion of cannabis or cannabis use, subject to rights and freedoms guaranteed under the Charter of Rights and Freedoms; legal or regulatory requirement for physical blackout of all shop or storefronts; and establishment by the Province of cannabis prohibited zones in partnership with municipal authorities, in designated areas where minors are known to frequent, such as parks, playgrounds, recreation and community centres, libraries, etc. We would apply the above controls to paraphernalia associated with use of cannabis, in equal measure. Consideration for limitation of the establishment of shop or storefronts within a reasonable radius of school properties would also be a strong feature of provincial controls.

Along with the above measures, the Manitoba School Boards Association is especially supportive of the establishment of anti-cannabis advertising and public awareness efforts or programmes, as committed to by Government during the last Throne Speech. From the perspective of our members, such a strategy is of utmost necessity given the potential for more widespread availability of this drug into society and the impacts that such availability might have on our youth. In this respect, we would recommend that a general public education and awareness campaign be sufficiently resourced to target a youth audience; that Manitoba Justice work with policing authorities across our province to ensure that community outreach programs focused on drug use prevention place greater accent on cannabis; that Manitoba Education and Training amend the provincial health studies curriculum to place greater emphasis on the risks and dangers of marijuana use and consumption, and that the Province request that their Federal counterparts, through Health Canada, include mandatory adhesive and/or non-removable advertisement concerning the risks of cannabis use, on all related products that may be made available for sale in Manitoba.

On the part of all public school boards, we would like to conclude by confirming our formal commitment to protecting all persons engaged within the public school system in Manitoba, through the establishment and/or enhancement of existing policy frameworks prohibiting distribution, sale, possession and/or use of all current and future substances that may be designated as controlled substances on school properties for recreational purposes, including cannabis. In scope and application, we would like to assure the Province of Manitoba that such policies shall, in particular, circumscribe the continuing prohibition of cannabis on or within all divisional properties and assets, for all students (whether minors or age of majority), staff, volunteers, and/or members of the community who frequent or make use of our properties.

To assist in these efforts, our association shall also establish a comprehensive policy template that may be used by all school boards to ensure the continuance of a universal recreational cannabis prohibition throughout the public education system in Manitoba. We shall also highlight any legal or regulatory amendments that may be effected by the Federal or Provincial Government in this regard, with communication to our members of the impacts and outcomes of such amendments. In closing, we would like to confirm our commitment to continuing to work with the Manitoba Government on this important question into the future. We would ask that you not hesitate to contact us further, should you wish to receive additional perspectives from school boards concerning this critical issue.

Sincerely,



Ken Cameron
President

Cc. Honourable Ian Wishart, Minister of Education and Training