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Evaluation of the British Columbia Exemption to Allow for Personal Possession of Small Amounts of Illegal Drugs Semi-annual Meeting

WHAT WE HEARD REPORT

Meeting Date: November 23, 2023
Location: Virtual Meeting



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Table of Contents

- INTRODUCTION..... 3**
- EVALUATION GOALS 3**
- PROGRESS SUMMARY 3**
 - Impact of Decriminalization on People Who Use Drugs 4
 - Police and the Criminal Justice System 5
 - General Public 6
 - Health Services System..... 6
 - Economic Impacts 6
 - Knowledge Triangulation 6
- CONCLUSION AND NEXT STEPS..... 6**
- FOR MORE INFORMATION 7**

Introduction

This funding opportunity was designed to enable an independent evaluation of the British Columbia (B.C.) exemption from subsection 56 (1) of Canada's Controlled Drugs and Substances Act, which came into effect on January 31, 2023. Background information on the funding opportunity and the Canadian Research Initiative in Substance Misuse (CRISM) Ontario Node team leading this five-year policy evaluation project can be found on CIHR's website [here](#) and the CRISM Ontario website [here](#).

CIHR-Institute of Neurosciences, Mental Health and Addiction (INMHA) is committed to knowledge mobilization and has generated this report to summarize the study's progress to date, as presented by the research team at an update meeting on November 23, 2023.

The next update is expected in spring/summer 2024.

Evaluation Goals

1. Generate evidence on the public health and economic impact of decriminalization through engaging stakeholder groups, including people who use drugs (PWUD), the general population, police forces, and the criminal justice system;
2. Foster cross-disciplinary collaboration with decision makers and knowledge users to address pressing evidence needs and inform drug policy;
3. Consider the local context and other factors, such as biological and social determinants (e.g., sex, gender, age, housing status and income, etc.) and sub-populations (e.g., rural/urban, etc.) ;
4. Identify considerations for further evaluation activities, including insights and generalizable knowledge regarding implementation processes, barriers, and facilitators; and
5. Advance evidence-based practices through knowledge dissemination activities.

Progress Summary

Since the research team's *first update*, the project has focused on establishing partnerships with relevant knowledge users and researchers. Based on these collaborations, data-sharing agreements have been submitted to access specific data required for analyses. Working groups for each sub-study have been assembled, comprising experts, including people with lived and living experience (PWLLE) who have contributed to study design, proposal development, and will be integral in the implementation. Legal and administrative agreements with a range of partners, including the BC Centre for Disease Control (BCCDC), Statistics Canada, the Canadian Institute for Health Information (CIHI), and researchers from Simon Fraser University (SFU), have been initiated. Research ethics applications have been submitted for all upcoming sub-projects at relevant host institutions. This research project is comprised of several interrelated quantitative and qualitative sub-studies that have been designed to evaluate key areas of research. More information on the study design can be found [here](#).

Progress updates and results (where available) for each of the sub-studies are summarized below.

IMPACT OF DECRIMINALIZATION ON PEOPLE WHO USE DRUGS

This sub-study is using quantitative analyses and qualitative interviews to examine health impacts and experiences with decriminalization among people who use drugs (PWUD).

Qualitative Sub-Study

PWUD perceptions on decriminalization prior to the policy coming into effect

Between June and October 2022, 45 PWUD from across B.C. were interviewed regarding their perceptions on decriminalization. The results of this study were published in the journal *Substance Abuse Treatment, Prevention and Policy* in June 2023¹. A research snapshot summarizing the study can be found online [here](#).

Key findings can be summarized under two main themes:

Implications of threshold on substance use behaviours and purchasing patterns:

- PWUD indicated that the 2.5g threshold is too low and is unreflective of their substance use patterns. Although some people indicated that the policy wouldn't impact their purchasing patterns because they are unable to purchase large amounts at a time, others suggested it may force them to seek out substances more frequently, which could increase their risk of harms.
- PWUD felt the 2.5g threshold should be non-cumulative or substance specific. Individuals purchase and consume different amounts for different substances, so the threshold may not be relevant for all substances.
- Buying in bulk may be more economical, particularly for PWUD residing in remote communities. It is common practice to purchase in bulk and split or share among peers.

Implications of threshold on police enforcement, use of discretion, and jurisdictional discrepancies

- PWUD have a long history of negative experiences with police. There are concerns about disparities in police enforcement, including geographical discrepancies with rural/remote communities and marginalized communities at greater risk of arrest.
- PWUD are worried that their trusted suppliers may be targeted or arrested, disrupting their drug supply and increasing their risk by forcing them to obtain substances from unfamiliar sources.

Summary

- Differences in PWUD purchasing and consumption patterns and frequency of use need to be considered as part of this policy, particularly in relation to the threshold, and its evaluation. In some cases, PWUD purchase in bulk to reduce costs and ensure a safe/available supply. The police play an important role in enforcing the policy and determining possession or trafficking.
- It is important to monitor the impacts of the 2.5g threshold to determine if it is undermining the goals of the policy.

PWUD perceptions on decriminalization after the policy came into effect

Interviews with PWUD began in October 2023 and are ongoing, with 55 completed at the time of this update. The goal of this part of the study is to gain an in-depth understanding of PWUD experiences with decriminalization. Four total assessments are planned over five years, with new cohorts of PWUD recruited from across the province and with attempts for equal representation from each of the five provincial health authorities.

¹ Ali, F., Russell, C., Greer, A. *et al.* "2.5 g, I could do that before noon": a qualitative study on people who use drugs' perspectives on the impacts of British Columbia's decriminalization of illegal drugs threshold limit. *Subst Abuse Treat Prev Policy* **18**, 32 (2023). <https://doi.org/10.1186/s13011-023-00547-w>

Preliminary themes that have emerged to date:

- Most PWUD are aware of the policy but many of the specifics around threshold amount and substances that are included are unknown. Some PWUD are unaware of the policy altogether.
- PWUD are less concerned about being arrested and feel more comfortable carrying substances they need.
- The threshold of 2.5g is too low and is unreflective of PWUD substance use and purchasing patterns.
- PWUD report that police have not distributed resource cards, nor any verbal information, about health and treatment services in the community.

Quantitative Sub-Study

Quantitative data will be analyzed from a variety of sources (i.e., Statistics Canada, the BC Centres for Disease Control (BCCDC), and the Canadian Institutes for Health Information (CIHI.)) from 2013 to 2027 to examine the impacts of decriminalization on the health of PWUD pre- and post-policy implementation. Indicators will include opioid agonist treatment (OAT) prescriptions, overdose prevention services utilization, hospitalizations due to illicit drug overdoses, paramedic-attended illicit drug overdoses, overdose deaths, and load per capita of drugs in wastewater. Data analysis is expected to begin in mid-2024.

Summary of quantitative results to date:

- Both paramedic-attended opioid poisonings and illegal drug-related poisoning deaths in BC have been increasing prior to decriminalization.

POLICE AND THE CRIMINAL JUSTICE SYSTEM

This sub-study will use quantitative analyses and qualitative interviews to examine criminal justice impacts and experiences with decriminalization among the police and criminal justice system.

Qualitative Sub-Study

Qualitative interviews with police will be conducted over five years with new cohorts of police recruited from across the province to gain an in-depth understanding of police experiences with decriminalization. Data collection began in November 2023, but results are not yet available.

Quantitative Sub-Study

Quantitative data will be analyzed from Statistics Canada (i.e., the Uniform Crime Reporting Survey (UCRS) and the Integrated Criminal Court Survey (ICCS)) from 2013 to 2027 to examine the impacts of decriminalization on police and criminal justice system-related indicators pre- and post-policy implementation. Indicators will include police-reported illegal drug-related offenses and illegal drug-related criminal charges. Data analysis is expected to begin in mid-2024.

Summary of quantitative results to date:

- Police-reported incidents involving possession of illegal drugs in BC have been decreasing for most substances prior to decriminalization, though methamphetamine has been increasing more recently.

GENERAL PUBLIC

This sub-study will evaluate the impact of decriminalization policy on the public through public opinion surveys distributed to a representative sample of adults in B.C. Surveys are expected to begin in January 2024.

HEALTH SERVICES SYSTEM

This sub-study will examine the impacts of decriminalization on harm reduction and opioid agonist therapy (OAT) services by collecting province-wide survey data on harm reduction and OAT service operations (e.g., service utilization, clientele socio-demographics, referral pathways, funding, etc.). Surveys will be completed by service representatives. In-depth follow-up interviews will also be conducted with a subset of participants. It is expected that the survey will launch in January 2024.

ECONOMIC IMPACTS

This sub-study will evaluate the economic impact of decriminalization. This includes estimating the economic burden of drug use in B.C., and the cost and impacts of interventions. Comparing the costs pre- and post-decriminalization will allow the researchers to calculate the return on investment for the decriminalization policy. Although final results won't be available until the end of the five-year study, the researchers hope to provide some information throughout the study to inform potential cost-saving decision making.

KNOWLEDGE TRIANGULATION

This sub-study will comprise two projects:

- Analyses focusing on the impact of public consumption legislation (i.e., Bill C34, “*Restricting Public Consumption of Illegal Substances Act*”) as well as jurisdictional bylaws (related to public consumption as well as other drug-adjacent bylaws) will be undertaken to understand the potential impact of these on the policy’s implementation including any differences between communities. An initial search of existing bylaws and a manuscript draft has begun.
- Focus groups of key stakeholders to elicit feedback on data gathered from each of the sub-studies, consisting of individuals from each of the main stakeholder groups: PWUD, public, police, criminal justice representatives, and harm reduction and OAT providers. These focus groups will not commence until approximately year four of the study.

Conclusion and Next Steps

This research has the potential to inform policy discussions, revisions, or recommendations related to the decriminalization of illicit drugs in B.C. and other jurisdictions considering implementing decriminalization legislation.

The team will continue to progress on the six sub-studies highlighted in this update, conducting interviews, surveys, collecting data and analyzing and submitting results for publication when available.

The next update is expected in spring/summer 2024.

For More Information

For more about this project visit [CIHR's website](#) or the [CRISM Ontario website](#).

More information on CIHR's Research in Substance Use initiative can be found [here](#) or by email: rsu-rst@cihr-irsc.gc.ca

More information on the CIHR Institute of Neurosciences, Mental Health and Addiction can be found [here](#) or by email: INMHA-INSMT@cihr-irsc.gc.ca

Also available on the Web in PDF and HTML formats

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