

Finding their Way Through the Weeds: How Festivals Navigated Legalized Cannabis

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Chapter Summary

Tourism businesses operate within a broad social-political context and are subject to the laws and regulations within their jurisdictions. When laws change, tourism businesses must react in order to remain relevant and comply with the changing social and political environment. Governments globally have been re-examining the legal status of drug consumption (Stevens & Hughes, 2019). In Canada, a move away from prohibition to careful regulation of Cannabis has been evolving for decades (Hathaway & Erickson, 2003). Since the October 2018 legalization of cannabis in Canada, the tourism industry has been navigating changes to the drug consumption landscape. Although the Cannabis Act is a federal legal framework, each province and territory is responsible for setting regulations related to how cannabis can be sold. Provinces and territories maintain the flexibility to add restrictions around possession limits, minimum age, location of use, and personal cultivation (Government of Canada, 2019). This requires that tourism and related business ensure they understand the unique implications within the regions they operate.

The concept of cannabis tourism has been evolving from early links to “tramping, drifting, and backpacking” (Belhassen, Santos, & Uriely, 2007), to intentional travel to a destination, with the intention of procuring and consuming cannabis legally (Gould, Donnelly, & Innacchione, 2019; Keul & Eisenhauer, 2019). With the emergence of legalization, the definition of the cannabis tourist has become multidimensional, evolving to include those who choose to purchase and consume cannabis, but not as the primary purpose of their travels (Taylor, 2019). This broad definition suggests that environment may impact the tourist’s choice to consume cannabis, which is relevant to diverse segments of the tourism industry including festivals and events. As staple attractions for tourism, festivals and events occupy a unique position where, despite legalization of recreational cannabis, most would not consider themselves as part of the cannabis tourism industry. However, the evolution of the definition of cannabis tourism is relevant for helping festivals frame policies within and across the differing provincial and territorial regulatory contexts.

With the recent change in public policy, the purpose of this multi-case study is to better understand the implications of cannabis legalization for festivals, including how changes in legislation are affecting policy development and implementation related to cannabis use by attendees, volunteers, and staff. By exploring the approach taken by multiple festival organizations, the diverse issues that need to be considered by organizers are highlighted. While the cases are festivals, the considerations are relevant to diverse tourism attraction that must consider how legal changes affect their policies and operations.

Learning Objectives:

1. Discover the intersection of federal legislation, provincial regulation, and festival policy-making with regards to cannabis legalization.
2. Summarize barriers to effective policy change at the festival level and formulate a way for organizers to overcome these barriers.
3. Consider the impact of social norms on festival policy-making.
4. Analyze how a harm reduction approach and the risk environment can guide policy in festival and tourism attraction contexts.

The Issue, Opportunity or Trend

Governments globally have been re-examining legislation of drug consumption, most specifically as it relates to the historically predominant views of cannabis as a dangerous narcotic (Abalo, 2019; Stevens & Hughes, 2019). In Canada, a move away from prohibition to careful regulation of cannabis has been evolving for decades (Hathaway & Erickson, 2003). The recently implemented Cannabis Act is a federal legal framework, where each province and territory is responsible for setting regulations related to how cannabis can be sold, with flexibility to add restrictions around possession limits, minimum age, location of use, and personal cultivation (Government of Canada, 2019). This has created a diverse landscape for developing, testing, and applying policies that both maximize the opportunities to embrace change, but minimize potential public health harms in the emerging environment.

Since the October 2018 legalization of cannabis in Canada, festivals and events have had to consider the implications of changing laws, social norms and the experiences offered. Cannabis reform provides a unique opportunity to examine strategies to integrate recent policy and legal changes into tourism settings. Prior to these changes there were key concepts used to inform the issue of drug use in communities. These concepts provide insight into considerations relevant to the tourism and festival context. First, how cannabis consumption is normalized will be discussed, next public health approaches to cannabis consumption will be described. Finally, the important role of the risk environment will be presented.

Normalization

Within the newly legal cannabis landscape in Canada, the stigma surrounding cannabis use appears to be diminishing. Normalization, the process by which drug use becomes less stigmatized and more accepted as normative behaviour in the general population over time (Sznitman & Taubman, 2016), has likely contributed to the relatively simple transition to legalized cannabis in Canada. The concept of normalization views drug use as an unavoidable, widespread social activity that continues to exist despite broad attempts to eradicate it (Hathaway & Erickson, 2003). The degree to which normalization has occurred in a society is an important consideration when developing and applying policies. In their examination of potential harms resulting from cannabis legalization in Canada, Windle et. al (2018) suggest that social normalization and increased use of cannabis had already occurred prior to legalization, which strongly influenced policy and planning and the federal, provincial, and local levels.

Normalization does not mean that society is accepting of all drug use, in all locations, and all associated outcomes. In their systematic review of drug use normalization, Sznitman and Taubman (2016) identified several overarching themes within normalization research. One such theme, assimilative normalization, found that conscious decisions around time, place, and amount consumed was key to the acceptability of drug use. While these boundaries depended on social norms, generally, drug use was seen as acceptable if it did not interfere with mainstream responsibilities. Similarly, in a survey of recreational drug use in clubs, most people felt that those who used drugs did not ‘cause problems’ or ‘annoy other patrons’, but they did perceive addiction or ‘chaotic’ use as unacceptable, despite general acceptance of recreational drug use (Duff, 2005). In a study of stigma and risk associated with cannabis use, Hathaway (2004) found high tolerance of cannabis use in moderation, noting that context of use was key, suggesting that the circumstances of use are more important than the use itself. This increased social accommodation of recreational drug use and greater tolerance by non-users are key elements of normalization theory. The concept of normalization is pertinent for many festivals or events as they review the implications of newly implemented policies and how they will evolve, especially for those where cannabis use has long been accepted, such as music or some cultural events.

Harm Reduction

Public health has embraced harm reduction strategies to reduce the negative implications of drug use. Harm reduction is embedded in a social justice framework and seeks to “ensure that people who use drugs and those with a history of drug use routinely have a real voice in the creation of programs and policies designed to serve them” (National Harm Reduction Coalition, 2020, principle 5). These policies acknowledge that individuals will use drugs for various reasons, and aim to minimize both the negative social and physical implications of drug use or other behaviours. (Hathaway & Erickson, 2003; Mathre, 2002). Canada’s public health approach to cannabis legalization has intentionally aimed to minimize both health and social harms (Crepault, 2018).

These strategies have been used in public health for decades to reduce the negative implications of drug use, but there is no consensus in the literature as to their applicability to low risk drug use, such as cannabis, and general festival environment (Hyshka et al., 2019; Mema et al., 2018; Ruane, 2015; Vitos, 2017). Though harm reduction strategies have been employed in some leisure contexts such at concerts, raves and festivals (Dance Safe, 2019), there is little research that examines the appropriateness of harm reduction frameworks for policy-making related to drug use during tourism and leisure, particularly in a festival environment.

Harms related to cannabis consumption generally fall into the broader public health umbrella, which could benefit from a harm reduction approach similar to that used for alcohol. Although regulated differently than alcohol, there are many lessons that can be learned from festivals’ alcohol use policies. Using alcohol as a proxy for cannabis, we understand that excess consumption may cause a person to make decisions that they might otherwise not, thus increasing their chance of harm (Alwyn & John, 2012). However, understanding excess consumption of cannabis is complicated by the lack of standard dose, unlike alcohol, where a standard drink can be defined as 12 oz. beer, 4 oz. wine, 1.5 oz. liquor (Parnes, Bravo, Conner, & Pearson, 2018). Despite their different effects, patterns of consumption, and prevalence of use, there is value in examining alcohol-related harms when developing cannabis use policies (Mader, Smith, Smith, & Christensen, 2020).

As both cannabis and alcohol consumption are legal in Canada, from both a policy making and a public health perspective, it is important to help minimize the harms of both. In Canada, alcohol use is a known cause of mortality and morbidity, resulting in close to 15,000 deaths per year and more hospitalizations than for heart attacks (Centre for Addiction and Mental Health (CAMH), 2019). Despite this, Canadians drink approximately 50% more than the global average (Shield et al., 2013) with 78% of Canadian adults reporting consumption in the past year (Health Canada, 2019). When looking at alcohol in the festival setting, Toomey et al. (2006) found that attempts to implement policy changes to minimize harms at festivals were difficult because of social norms and low perception of risk. This suggests that as social acceptability of cannabis increases, it will become more difficult to implement policies to reduce potential harms and that early stages of legalization may be particularly important for healthy public policy implementation.

Beyond alcohol, much of the festival and substance use literature focuses on the use of illegal drugs and their increased potential for harms (Dance Safe, 2019; McCrae et al., 2019; Mema et al., 2018; Ruane, 2015) with cannabis rarely featured in harm reduction discussions, likely due to the relatively low physical health risk posed by cannabis use when compared with other drugs studied. A number of festivals in different countries have adapted public health strategies to reduce the negative implications of recreational drug use and to protect festival attendees from such harms as tainted drugs, bad trips, overdose or other physical impacts. Ruane's (2015) balanced critique of harm reduction at festivals, highlighted different levels of support for this type of approach depending upon current local/national drug policies, stigma surrounding drug use/users, the medical model approach, and punitive drug policies, all potentially creating barriers for harm reduction. A harm reduction perspective was studied at a Canadian music festival to better understand options for drug checking. Attendees were provided with a suite of services that included opportunities to test the content of their drugs without fear of legal repercussions (McCrae et al., 2019; Mema et al., 2018). While the focus of these studies is broader than cannabis, many identify a lack of education of those responsible for implementing policies as a potential barrier to effective harm reduction.

As the prohibition on cannabis has lifted, conversations around harm reduction have ensued. Harm reduction strategies related to drug and alcohol consumption have been employed in some leisure and tourism contexts such as concerts, raves and festivals (Dance Safe, 2019); however, little research exists that examines the appropriateness of harm reduction frameworks for understanding drug use during leisure. Cannabis reform provides a unique opportunity to explore how harm reduction strategies can be integrated into leisure settings.

Risk Environment

The scope of much of the harm reduction discourse remains focused on individual choice and behaviour, which has many limitations and ignores the environment of use. Zinberg's (1984) work on drug, set, and setting, highlights the impact that the social setting has on the behaviour and decision-making around drug use. In this sense, it is impossible to ignore the festival environment when looking at festival cannabis policies. Festivals offer rich social and physical environments away from our everyday contexts (Van Winkle & Bueddefeld, 2016). The unique time and space of festivals enable an escape from daily pressures and the communal context of festivals are key aspects of the experience (Rodriguez-Campo et al., 2020, Van Winkle & Bueddefeld, 2016). Drugs and alcohol are common at many festivals and events, impacting both attendees, in terms of health and safety, and the event itself, including its overall success (Dance Safe, 2019). Understanding social spaces and situations, where various factors intersect, plays a role in the potential for increased or mitigating the risk of harms.

The concept of the risk environment as outlined by Rhodes (2002) looks at both the type of environment and the level of environmental influence. They suggest that the four types of intersecting environments within risk reduction research are physical, social, economic, and policy. Each of these are influenced at different levels of the risk environment, the micro and the macro. As it applies to the examination of festivals' and events' adaptations to the legalization of cannabis, the macro environment could be identified as the changes in the regulatory environment, over which festivals have no control i.e. federal and provincial laws. The micro level could therefore consider the space where festival decision-makers have some level of control over the physical, social, economic and policy environment. Using this as a framework could help to maintain scope, and focus responsibility policies away from solely an individual responsibility to one that is shared with the institutions that could have a role in harm production (Rhodes, 2009). By shifting the focus from the individuals within a specific environment (attendees), to the environment itself (the festival or community), festivals would be better positioned to maximize risk reduction, through both situational and structural interventions.

The Innovation

Case Context

A multiple festival case study examined the shift in cannabis legalization within the Canadian Province of Manitoba, Canada. Cannabis was legalized in Canada in 2018 for recreational use. While federally legalized, the specific regulations around cannabis consumption and distribution was left to each province to determine. The Province of Manitoba is geographically located in the centre of Canada and is known for its flat landscape, numerous lakes and rivers, long cold winters and short hot summers. Approximately three quarters of the population live in the capital city of Winnipeg, but there is a vibrant summer festival season across the Province. Provincial cannabis regulations are more restrictive than in many other Canadian provinces. A robust distribution system, and restrictive consumption rules (including limiting use to private property only) were implemented at the time of legalization in the Country.

Stakeholders Involved

While the Canadian government legalized cannabis and each province determined the specific distribution and consumption regulations, communities had to address issues related to safe and appropriate cannabis use. As past research had demonstrated that attendees regularly consumed cannabis at some festivals prior to legalization, it seemed likely that that use would continue or increase with legalization despite public consumption being restricted. As such, festivals needed to consider cannabis use at their events. Given the increasing legalization of cannabis globally, festival organizers world-wide benefit from understanding how to regard cannabis use at festivals. Furthermore, better understanding normalization, harm reduction and the risk environment benefits festival attraction organizers who must continually review policies related to substance use.

To inform our understanding of the issues, a multi-case study of Manitoba Festivals was undertaken. The purpose of the research was to develop a fulsome understanding of the issues faced by festivals in addressing cannabis use at their sites. To understand festival organizers' perceptions and experiences, interviews were undertaken to encourage discussion of the festival organization's planning processes, their concerns, and their experiences. Festival organizers were approached by phone or email to solicit participants. Those who consented then participated in two in-depth phone interviews to share their personal opinions, experiences

and approaches to this shift in social policy. These in-depth, semi-structured telephone interviews were used to collect qualitative data. The first interview occurred prior to their event, and helped ascertain their planning and preparedness for potential change in consumption patterns, and the second interview after their event examined their experiences and identify any planning or policy gaps.

In total, six senior festival organizers representing six festivals were interviewed for this study and five of the interviewees participated in a follow up interview. The participants included people who worked as a senior festival organizer either as full-time paid staff (3), a paid contractor (1), or volunteer (2).

Interviews were transcribed and sent back to participants to review. Once transcripts were approved, researchers used an inductive approach to complete a thematic analysis of the data. Three broad themes reflect the approach used to dealing with Cannabis legalization: 1) policy change and development, 2) guiding principles and 3) reviewing policies in practice.

Figure 1. Summary of festivals included in case study

Urban	Cultural festival with multiple locations	400,000*
Urban	Music and cultural festival with one primary location and various activities	100,000*
Urban	Street festival with one primary location and various activities	40-60,000*
Rural	Festival with one primary location and various activities	50,000
Rural	Outdoor music festival with multiple stages	75,000
Urban	Music festival with variety of venues (interview focus on free outdoor stage)	5000

* Denotes number of visits rather than unique visitors

Approach Used and the Impact

The ultimate driver of policy changes for festivals was the legalization of cannabis in Canada. Since October 2018, cannabis use has been broadly regulated by the Cannabis Act, a legal framework that controls the production, distribution, sale, and possession of cannabis (Department of Justice, 2019). Within this overarching federal legislation, provinces and territories are responsible for regulating the distribution and sale of cannabis and have flexibility to add restrictions, such as legal age and locations for public consumption.

For the first time, many festivals and events across Canada had to contemplate the impact of legal cannabis on their employees, volunteers, and attendees. Differing provincial and territorial controls likely contributed to varied patterns of use across the country and increased the complexity of effective policy development

within this novel regulatory environment. Given that the Province of Manitoba has some of the more restrictive legislation, this provided a fairly rigid foundation for policy development by festival organizers. Most of the festivals interviewed acknowledge that due to the regulations prohibiting public consumption in Manitoba the festivals now had a responsibility to inform attendees, staff and volunteers that cannabis use was not allowed on site despite its legal status. However, existing social norms related to cannabis use at various festivals also appear to have influenced development and implementation of policies. For example, festivals that have historically had a more permissive culture of recreational drug use were more likely to incorporate implicit understandings of cannabis use to inform policies beyond the legal framework. This reflects the process of normalization that had been underway for decades. One festival organizer noted “...it was normalized 20 years ago, you know, now the world's caught up with it.”

Policy Development

Apprehension was evident for some festival administrators as they initiated discussions and planned to update policies. Several noted that they engaged law enforcement and lawyers at the outset, but all festivals noted the underlying importance of meeting the needs of festival attendees through respectful relationships across the spectrum.

“I mean people are quiet about it and they behave... you know... decently so we don't make a big deal about it.”

– Senior administrator of a rural festival

For the most part, festival cannabis policies appear to have been guided by the legislation and held up well when put into practice by the festivals. Pre-festival interviews revealed that legal and regulatory issues dominated policy discussion and policy-making by festival administrators. Several festivals noted that they had not felt the need to develop specific cannabis policies because of the strict laws, while others felt that the laws made policy-making very simple.

“I think that it's great that there is a provincial law that says, you can't do X, Y, Z because for us that just covers a lot of things right?”

And in a follow-up interview, one senior festival administrator noted that the laws restricting public consumption made it easier to keep the festival space safe.

“What I think would have changed things is if it was legal, and we had to worry about establishing spaces for it... that had to be monitored, and then you have to be concerned about the people who are monitoring this space, and the fact that they'll be around the smoke all the time... that was going to be much more of an issue for us. That's what I was nervous about.”

The most commonly discussed policy area to have been impacted was related to intoxication. Most festival administrators noted that they had broadened their intoxication policies for staff and volunteers to include cannabis.

“I mean we have an impairment policy so it's not specific to cannabis, but includes cannabis and that's basically you cannot be drunk or high while you're doing your job.”

Some festivals required volunteers to sign a code of conduct agreeing that they will not be under the influence of any drugs or alcohol, while others were more focused on the individual's ability to perform their tasks. Regardless of the level of policy development and implementation, in follow-up interviews, all interviewees stated that they had no cannabis-related issues at their 2019 event.

"It just wasn't a thing. It wasn't a problem. You weren't seeing an increase in issues like we didn't have any disciplinary issues at the festival this year... Despite having a policy in place and being ready for it."

Guiding Principles

Embracing a harm reduction approach appeared to guide all festivals' planning. Even if it was not explicitly stated in each interview, administrators seemed to understand that individuals may choose to use a variety of substances for many different reasons. Their goal was to ensure that any possible negative consequences were minimized.

"I'm not more worried about the actual public than I am with them drinking too much, right?"
– Volunteer administrator of an urban festival

When delving more deeply into underlying guiding principles, specifically focussed on attendee experience, most participants appeared to have an implicit understanding of the impacts of drug and alcohol use broadly and had strategies in place to minimize harms.

"I think it would always be a matter of just protecting people on the other side, you know. And making sure that people are safe should they consume and then come (to the festival)."

Many of the festival organizers recognized the importance of relationships and education, key elements of a harm reduction approach.

"You know, we, we have all the usual safety protocols, whether it's cannabis or alcohol or otherwise.... we did actually have a volunteer group handing out information about a range of drugs, including cannabis. So we were happy to have them provide that information at our event."

One festival created a safe space for people feeling overwhelmed by their festival experience, whether due to intoxication, mental health distress, or other situation.

"Sometimes people are just freaked out, right and they just want to get somewhere where they feel they're feeling safe again, and that is the purpose."

To varying degrees, all participants agreed that drugs and alcohol played a role in their attendees' festival experience. Their key concerns revolved around maximizing the safety of their attendees while they take part in the festival events.

Reviewing policies in practice

At the end of the day, policies were in place as a precaution in the face of the unknown. When festivals put policies into practice and dealt with the human side of the equation, all administrators noted that there was no change to their practice.

"This has been a whole lot of hullabaloo over not much impact. Right? The whole the legalization of marijuana has just been so unimportant in the grand scheme of things."
– Senior administrator of an urban festival

During initial interviews, much of the conversation around cannabis centred around minimizing risk for the festivals, including fines, and concern about grey areas in the legislation.

“...until the act and the provincial legislation is clarified, nobody wants to take the risk.”

There was also some discussion of the risks being taken by individuals who choose to use cannabis in public despite the laws prohibiting this.

“...it was against the law before, it's against the law now. So people- anything people do it's really doing it at their own risk.”

However, in follow-up interviews, all festivals noted that they had not encountered any issues with cannabis, suggesting a high degree of normalization

“I think that people who would partake would partake prior to it being legal and people who are partaking now that it's legal are likely the same people... I think that's all it's done is just remove fear from people.”

Several administrators pointed to broader society and the general acceptance of cannabis use since legalization.

“After marijuana became legal, I didn't notice any change in society. I don't know about you, but I didn't. There was “It's legal”. And that was it.”

Implications & Lessons learned

Festivals provide a unique space for residents and visitors to gather together in a social environment. To date, there is little in the way of literature on legalized recreational cannabis particularly as it pertains to festival policy. This case study sought to better understand the implications of cannabis legalization for festivals in Manitoba, Canada and explore the policy drivers, guiding principles used, and implications of policy change. Since legalization in Canada, festivals and the tourism industry across the country have been navigating the substance consumption landscape with very little support in terms of guiding principles or frameworks. Inter-provincial sharing of best practices is also difficult, as each province has managed legalization differently with variation in such areas as distribution, advertising, and public consumption. Further, this landscape continues to evolve with cannabis edibles gradually entering the market in October 2019.

The newly legal context for cannabis in Canada, offers insights into ways that festival organizers are navigating cannabis laws, as well as how they are ensuring the health and safety of their patrons, staff, and volunteers. Although cannabis is not the central theme for most festivals and events in Canada, this does raise the question of whether legalization created barriers for policy-makers. In this emerging regulatory environment, for the most part, festival administrators appear to be relying on legal status to inform policy and used common principles to minimize harms to their staff, volunteers, and patrons. A number of interviewees identified that there were some “grey areas” in the provincial regulations, but were erring on the side of caution, which may also contribute to the predominant reliance on legal rather than health principles.

Despite the heterogeneity between provinces, and between Canada and other countries contemplating legalizing cannabis, what has emerged from this study is a practical approach to the unknown. In Manitoba, with some of the most restrictive laws, festivals initially approached policy development and implementation with caution and perhaps some trepidation. It was evident that discussions and planning were important to clarify each festival's position in relation to the regulatory changes. However, meeting the needs of both festival attendees and regulators was much less onerous than though at the outset.

While none of the festival administrators named harm reduction as a factor in their cannabis policy-making, many highlighted the desire to ensure that patrons were safe and several included an element of education in their policies. This was increasingly evident in post-festival interviews, where the study participants appeared more willing to discuss elements of policy implementation that included very little in terms of enforcement, and focused much more on relationships. This was also likely influenced by underlying shifts in social norms that brought about legalization in the first place. This was particularly evident in festivals that had experience with cannabis or other recreational drug use by patrons, as their tacit understanding of harms and risks would influence any changes in policy.

Regardless of their policies and their preparation for cannabis legalization, in follow-up interviews, festivals did not identify any issues related to cannabis consumption among staff, volunteers or attendees. The overall positive experiences reported by festivals suggests that the roll-out of cannabis legalization has reduced stigma, which continues to build normalization. Examining how festivals adapt, evolve, and implement policies provides insight into broader changes in the tourism industry across Canada.

Discussion Questions

1. How do you think the Canadian laws and regulations in place in different Provinces could impact the planning and policy process at festivals?
 - a. See <https://www.justice.gc.ca/eng/cj-jp/cannabis/> for more detailed information about Canadian Cannabis laws
 - b. See <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/laws-regulations/provinces-territories.html> for more detailed information about Provincial Cannabis regulations
2. What role should leisure service organizations have in legislation that impacts their events?
3. What are some key relationships that festivals rely on to ensure the safety of their event?
4. How does cannabis policy differ from that of other legal substances such as alcohol or cigarettes in leisure settings?
 - a. See <https://www.cpha.ca/public-health-approach-legalization-regulation-and-restriction-access-cannabis>
 - b. See <https://www.cpha.ca/harm-reduction-health-promotion-and-cannabis-screening-tools>
5. What are some similarities/differences in festival policies for illegal substances? Why?
 - a. See <https://www.canada.ca/en/health-canada/services/substance-use/canadian-drugs-substances-strategy.html>
6. Why do changes in legislation have the potential to impact festivals and events differently from impacts on individuals or other tourism organizations?
7. How can the experience of festival organizations be used to inform other tourism and hospitality businesses?
 - a. Consider normalization, harm reduction and the risk environment

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