

Submission

No 2

INQUIRY INTO LAW REFORM ISSUES REGARDING SYNTHETIC DRUGS

Name: Mr Evert Rauwendaal

Date Received: 3/04/2012

Submission re: the Inquiry into law reform issues regarding synthetic drugs

April 3, 2012

To the Committee Manager

The Inquiry is correct to note the community concern regarding the emergence of new and synthetic psychoactive substances. As a member of the community with experience working as a Social Worker in public hospitals, the drug & alcohol field and corrections, I direct my concern at the government's seemingly endless and futile effort to prohibit the sale of all new psychoactive substances.

I urge the committee to explore policies other than 'criminal prohibition' to discourage and regulate the use of psychoactive substances and new synthetic variants of natural ones. This could include, but not be limited to, high taxes, minimum pricing, advertising restrictions, minimum legal age limits, plain packaging and graphic pack warnings.

The committee should consider the benefits of establishing a regulatory authority which has the power to review, approve and/or recall psychoactive substances which are sold for human consumption. If it is possible to approve new therapeutic drugs and review the safety of old ones then it is possible to do the same with substances designed for non-therapeutic use. There is more than one substance fit for human consumption. The law must reflect this. It should not restrict people to a choice between alcohol or tobacco for which there are well-known dangers. Generally speaking, chemicals sold for non-therapeutic use with a poor safety profile (such as alcohol) should be abandoned in favour of safer ones. We must accept that this may mean the approval of new, sometimes synthetic, psychoactive substances. This information should then be shared with the public. Distributors should be licensed and retailers informed of their legal responsibilities of sale.

On a personal note, I find it morally reprehensible that people who elect to use chemicals other than alcohol, nicotine and caffeine in a peaceful, responsible manner face criminal sanctions in addition to bearing the health risks of using these substances. You cannot claim to protect people from substance use whilst simultaneously using the law to ruin their lives and job prospects with a drug conviction.

Simply put, people should not be punished by law for what they put into their own body. Whether it's unhealthy food, excessive amounts of liquor, smoke or some other novel psychoactive substance (synthetic or otherwise), unhealthy lifestyle choices should always be discouraged but never criminalised unless there is a direct risk to others.

Yours Sincerely,

Evert Rauwendaal