

Submission
No 30

**INQUIRY INTO ROAD TRANSPORT AMENDMENT
(MEDICINAL CANNABIS-EXEMPTIONS FROM
OFFENCES) BILL 2021**

Name: Name suppressed

Date Received: 14 April 2022

Partially
Confidential

To whom it may concern,

I am a 46 year old male who developed PTSD as a teenager from attending a boarding school who started self medicating by using Cannabis to help calm me down and live a normal life.

In my late 20's I injured my thoracic spine at work which unknown to me at the time I had also damaged my L5/S1 and a few years later I bulged my lower back and now I am missing my L5/S1 disc and I have sciatica and issues with my hips and lower back. When I bulged my disc my Dr put me on opioid medication which was very helpful to begin with yet as my injury became chronic it offered little relief and it's side effects were becoming too much to handle, from the constant constipation, the heaviness of the drug on the brain and on occasions I would pass out from the medication aka overdose and I found that sooo frightening that I stopped using them and at the time I thought I was sick yet I went through withdrawal which was in it owns right a living hell and an experience I wish I never had to go through and Cannabis made it possible as I had started smoking a lot more for pain management prior to stopping using opioid medication as I realised that it was working far better without the serious and life threatening side effects of the current medication I was prescribed.

Since the introduction of RDT I have had quite a few interactions with police and I am currently in the process of suing the state of NSW for false imprisonment as a result of a RDT where I tested positive for Cannabis in my system with the state making a formal settlement offer of \$20,000 plus legal costs which I am declining.

My first experience was in 2010 when I went to use an Internet cafe to email photos of my son who was born 3 days earlier and went through a set up, I passed the alcohol test and was informed I would be swabbed, I passed the initial test yet was told to get out of my car and to go to the bus for a secondary test which I also passed and was free to drive away, a few months later I received a notice to attend court for Cannabis in my system while driving, I lost my licence for 6 months while having a 6 month old baby whose mother didn't have a drivers licence and we lived in a semi rural location with no easy access to proper supermarkets or a Dr if required.

I found that to not only be unfair but also extreme and a form of tyranny.

In 2014 I was pulled over by an highway patrol and I tested positive to THC while driving, I had a walking stick and said I have no choice and that I am too scared to drive on opioid pain relief as I was fearful of becoming drowsy or unconscious and he let me drive away as he understood that I was not under the influence and I was trying to be safe while managing my pain.

In 2016 I tested positive to THC in my system while driving, I then failed the secondary test and told I couldn't drive for 24 hours, I was moving at the time and my local post office collected my mail for me which I checked/collected at least 3 times per week.

Police claim they had no option other than to put out a warrant for my arrest, by chance I happened to cross paths with the officer who requested the warrant who told me they had

paperwork for me and if I didn't collect it they would get a warrant which he had already obtained.

I spent 21 hours in custody and was subjected to being strip searched and placed in remand for 17 hours for a non jail able offence which has given me CPTSD as a result of being held captive after being informed by a legal aid lawyer is the phone that they had no legal right to detain me!

So far I have declined any settlement offers by the state as I can test positive 100 times to Cannabis in my system while driving and never face a minute in remand or jail.

When it went to court I asked for a section 10 and the judge gave me a section 10 which found me guilty yet not sentence allowing me to keep my drivers licence.

In 2018 I tested positive again at a set up and appeared in front of magistrate David Helpburn who was very understanding to my predicament as this time I provided medical documentation from my treating GP and psychologist, David offered me to enter MERIT (Magistrates Early Referral Into Treatment) as a way to keep my licence yet for me to be eligible I had to admit to being a drug addict and have that on my medical records when I am not one so I returned to court and explained that I couldn't do it as I am not a drug addict and I couldn't lower myself to that level for my drivers licence.

David adjourned the hearing so I could receive specialist testing for Motor neurone disease on the Gold Coast while he prepared sentencing. I lost my licence for 3 months.

I remember reading the sentencing where David wrote " as a judge when you have three options when your ruling on laws you don't agree with, stay silent, speak up or resign. David Helpburn retired and now speaks up and I suspect will be submitting an extensive letter on the issue from a lawyers perspective. Last year I listened to David speak where he said since retiring he has been swabbed 7 times!

In 2020 I tested positive again right at the start of Covid and I was sentenced in May 2021 to 6 months loss of licence,

In 2020 I acquired my hemp licence which allows me to grow low thc Cannabis for industrial goods, while growing the crop I made a conscious decision to only drive when I hadn't consumed any Cannabis that day and I tested positive twice with the second time after harvesting my plants which when tested contained 0.1%THC.

My licence was cancelled for 12 months and in that time we had 2 major flooding events that basically destroyed my crop and I couldn't get to the farm as I couldn't drive which has cost me a lot of money which I had hoped would help me to get ahead in life and get off the disability pension.

I consider myself to be very well informed on the subject of Cannabis and like many other medications both herbal and synthetic they have side effects until you become used to the medication and with Cannabis it is safe to drive with research in America supporting this along with the reality that the RDT has had no impact on the road toll compared to when

seatbelts were introduced or reducing the speed limit to 50km/h in built up areas and 40km/h around school zones which all showed a reduction on the road toll.

I believe in testing for drugs like ice, coke or any other drugs that impair driving, I also believe that by targeting Cannabis you increase the chance of someone on ice not being tested and being involved in a fatal accident.

I believe that Cannabis should be removed from the whole driving under the influence as research has repeatedly proven that it does not impair users ability to operate a vehicle unlike alcohol.

I please ask that you provide protection to all Cannabis users as I qualify for medical cannabis yet I can not afford the prescription let alone the product as I am on the disability pension.

I am also very concerned about motor accidents as even if not under the influence or impaired if it's in your system you have no protection even if not at fault.

Thomas Jefferson is credited with saying something along the lines of

“If we allow our governments to decide what foods we eat and what medicines we take then soon we will be in such a sorry state like those who live in constant tyranny”

Thomas Jefferson, Cannabis farmer, a forefather and 4th president of the United States of America.

The original definition of a terrorist was a government who uses tyranny or a reign of terror against its own people, I believe from my experiences that the laws around Cannabis are a form of tyranny and when I see police especially while driving I become terrified and have had to pull over because I have had panic attacks.