

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

Name: Name suppressed
Date Received: 19 April 2022

Partially
Confidential

To whom it may concern,

I am a medical doctor with experience working in psychiatric practice. The current testing regime for Cannabis in the oral fluids places an unfair and unnecessary restriction on the lives of people prescribed medical Cannabis. It is a form of medical apartheid that forces people who would benefit from medical Cannabis to continue on other less effective or less suitable treatments if they wish to continue to participate in society without fear of loss of license and significant fines.

For those who are prescribed medical Cannabis, it sets up an unhealthy and unreasonable fear of and contempt for the police. These otherwise law abiding citizens are treated like dangerous criminals. They risk their license and with it their opportunity to participate in and contribute to society in order to take the medical treatment prescribed to them under the guidance of a qualified professional while continuing to work and live.

Those who lose their license as a result of a charge in the context of the use of medical Cannabis are forcibly excluded from society and suffer great personal costs as a result.

Yet in the case of all other prescribed medications that could potentially affect the capacity to safely operate a motor vehicle, it is up to the discretion of the treating practitioner to determine if and under what conditions the patient is considered safe to continue to drive. This includes anyone on a wide range of medications from pain relieving medicines, sleeping and anxiety medications, antidepressants and antipsychotics and many blood pressure and cardiac medications among many other commonly prescribed substances which are known to potentially impair the ability to drive safely.

To add further ignorance and insult to the current situation, the charge people face does not even imply impairment to drive safely. The NSW Police have publicly stated that the purpose of the drug driving laws surrounding the RDT program is not related to the detection of impairment. It is a stigmatising approach to force people who use a select few substances of misuse to choose between participating in society and continuing to use those substances.

While this may be viewed by the Police as a fair approach to handling people who use those certain substances illicitly, it cannot be seen as reasonable when applied to those who are prescribed medical Cannabis by their practitioner and have been counselled around how to manage their medication in a way that does not impair them on the road, including what times of day they can or cannot drive in relation to doses of the prescribed medication. That is precisely the approach applied to patients on the other medications mentioned that are well known to potentially impair driving capabilities.

Those who are suspected to be impaired while driving a motor vehicle can still be dealt with appropriately by police, just as anyone who is impaired for a reason related to drugs not tested for under the RDT scheme or anyone who is considered to be impaired for any other reason, medical or otherwise, can still be taken off the road by police and dealt with under applicable laws.

Please put and end to the unfair criminalisation of medical Cannabis patients who are trying to contribute to and participate in society, for which driving is a prerequisite in most of the country, particularly in rural areas. The current approach is unfair, unreasonable and unfit to continue.