

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

Organisation: Levin Health Ltd.

Date Received: 29 April 2022

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The Hon. Chris Rath, MLC
Chair, The Law and Justice Committee
Parliament of New South Wales

Email: law@parliament.nsw.gov.au

Dear Mr Rath

NSW Legislative Council's Standing Committee on Law and Justice inquiry into the Road Transport Amendment (Medicinal Cannabis-Exemptions from Offences) Bill 2021

Levin Health is an Australian medicinal cannabis company focused in particular in tackling the management of chronic pain. <https://www.levinhealth.com.au/>

We refer to the Road Transport Amendment (Medicinal Cannabis-Exemptions from Offences) Bill 2021 (**Bill**) and provide our full support to the proposed reform that will protect medicinal cannabis patients.

We note the submission of the Medical Cannabis Industry Association, of which we are a member, and fully support that submission. Further, we note the submission's reference to a recent research paper in the International Journal of Drug Policy, including its observation that patients prescribed medicinal cannabis are facing discriminatory treatment compared with those taking other potentially impairing medical prescriptions.

"There is little evidence to justify this differential treatment of medicinal cannabis patients, compared with those taking other potentially impairing medications. The relatively low risk profile of medicinal cannabis, harms associated with the current regulatory approach, and successful implementation of alternative policies in comparable countries suggest that a review of the regulatory framework for prescribed medicinal cannabis and driving in Australia is warranted. More broadly, our analysis suggests that in jurisdictions utilising doctor supervised, medical-only access models, where medicinal cannabis is captured in broader medicines safety frameworks, patient exemptions from road safety THC 'zero tolerance' presence (but not impairment) offences, as well as those based on per se limits, should be considered."

We also note the advocacy and work of patient advocates such as Lucy Haslem, the Chair of the Australian Medicinal Cannabis Association. And as Lucy has observed regarding current drug driving laws:

"1. Change driving laws: the challenge and imbalance of cannabis restrictions when compared to those set for opioids, benzodiazepine and other narcotics continues to be our no.1 focus. For patients to be unable to drive with even a trace of legally prescribed

"1. Change driving laws: the challenge and imbalance of cannabis restrictions when compared to those set for opioids, benzodiazepine and other narcotics continues to be our no.1 focus. For patients to be unable to drive with even a trace of legally prescribed THC in their blood, even if it improves their cognition, is extremely unfair. Our General Manager, Gail Wiseman, and I are both ambassadors for the Drive Change movement that is spearheaded by one of our own ambassadors, David Heilpern. David is an ex-magistrate who left the bench because he could no longer support the unfairness of the current driving laws."
(<https://ausmca.org/message-from-the-chair>)

Finally, as you would be aware, the Drive Change Campaign has a wealth of information that would be invaluable to the Committee: <https://www.drivechangemc.org.au/>

Medicinal Cannabis in Australia

Since Australia introduced a national regime to manage the prescription of medicinal cannabis, not only has an important new medical sector and associated research been established, but clearly there is ongoing and increasing demand for medicinal cannabis being prescribed under medical supervision to tens of thousands of Australians who now benefit from this treatment.

Data from the Therapeutic Goods Administration (TGA) shows [prescriptions for medicinal cannabis doubled from 2020 to 2021](https://www.abc.net.au/news/health/2022-03-12/medicinal-cannabis-prescriptions-grow-as-access-becomes-easier/100901244), with more than 122,000 prescriptions written last year alone. This is a significant jump from just a few years ago. In 2018, roughly 2,500 prescriptions were written for the entire year. (<https://www.abc.net.au/news/health/2022-03-12/medicinal-cannabis-prescriptions-grow-as-access-becomes-easier/100901244>).

Medicinal Cannabis is used to treat a wide range of conditions from chronic pain, endometriosis, fibromyalgia, sleep disorders, through to PTSD, depression and anxiety. Chronic pain can also have major cascading impacts on other health issues and quality of life. In Australia alone, there are over three million chronic pain patients with a cost of \$12.2B to the economy.

Unfortunately, we are aware that many patients also avoid seeking medicinal cannabis because of fears around the consequences of drug driving testing.

As a result, we strongly recommend that the NSW Parliament support the proposed amendment to

- end differential treatment of medical patients who are using prescribed medicinal cannabis
- ensure evidenced based public policy applies, rather than fear - especially noting international best practice
- lower the barriers to patients suffering major medical conditions to obtain suitable and less long run detrimental treatment - such as medicinal cannabis in contrast to highly powerful opioids - given under medical supervision

Levin Health Clinical Trials

Levin Health engages in an evidence-based agenda for its work in medicinal cannabis.

We are undertaking, in collaboration with La Trobe University's Sport and Exercise Medicine Research Centre (Melbourne, Australia), the world's first, randomised, double blind, placebo controlled clinical trial. Our trial will investigate the use of Levin Health's licensed patented formula as an effective use of medicinal cannabis in treating people with chronic pain



specifically following musculoskeletal injury with world-renowned sports medicine expert Professor Peter Brukner as Principal Investigator.

As Professor Brukner observes: "Chronic musculoskeletal pain impacts millions of Australians every year, creating a huge burden on the individual and society. People with chronic musculoskeletal pain also can experience other symptoms such as anxiety and/or depression and gastrointestinal issues."

The global chronic pain landscape represents a \$77.8B (USD) industry and in Australia alone, there are over three million chronic pain patients with a cost of \$12.2B AUD to the economy. (<https://www.levinhealth.com.au/levin-health-receives-ethics-approval-for-phase-2a-clinical-trial-for-chronic-pain/>)

Levin Health Medical Advisory Board

Levin Health has established a medical advisory board of eminent medical specialists to assist it with its research.

Its members include, amongst others:

- **Associate Professor Bruce Mitchell:** currently Chair of Monash Clinical Research and the Sports Medicine Australia Research Foundation and is on the Board of the Pain Research Foundation
- **Dr James Stewart:** recently awarded Australian Doctor of the Year and People's Choice Award at the 2021 Australian Cannabis Industry Awards
- **Dr Harry Unglik:** GP and former AFL Medical Director

Levin Health Board of Directors & Sports Advisory Board

Many athletes and former athletes can suffer debilitating chronic pain following their careers. Like the general population this pain can affect all aspects of their lives and quality of life. Their personal stories represent their own journey and reflect the experiences of tens of thousands of other Australians.

Our board of directors includes **Jenn Morris**, OAM Olympian and dual gold medallist in Field Hockey. Jenn is currently a non-executive director on three ASX listed boards: Fortescue Metals Group, Sandfire Resources and Lontown Resources. Jenn uses medicinal cannabis (CBD Oil, only without THC) for the treatment of her chronic pain but cannot get optimal relief because of the THC drug driving prohibition.

Our sports advisory board currently includes:

- **Lauren Jackson:** former international basketball player who is currently returning to her beloved sport with the support of the use of medicinal cannabis and currently applying for a Therapeutic Use Exemption for its use
- **Damien Oliver:** international jockey
- **Alistair Clarkson:** AFL Coach and distinguished player, who uses medicinal cannabis for the treatment of his chronic pain
- **Damien Hardwick:** AFL Coach and former distinguished player, who uses medicinal cannabis for the treatment of his chronic pain

Jenn Morris would welcome the opportunity to provide testimony to the committee with its inquiry, whether through direct testimony or otherwise.

We consider that a key aspect of this debate is having a well-informed community and Parliament that can consider all issues on an evidence-based approach.



Conclusion

For all of the above reasons, Levin Health strongly endorses the purposes of the proposed amendment and trusts that it will be adopted. We believe such a sensible reform will reflect best international practice, lower the stigma and concerns for many Australians suffering conditions medicinal cannabis can play a helpful role in tackling and set NSW as a leader in quality public health policy and harm minimisation reform.

Your sincerely

LEVIN HEALTH LIMITED 

Mark Brayshaw
Managing Director



Dr James Stewart
Medical Advisory Board

