

**Submission
No 69**

**INQUIRY INTO IMPACT OF THE REGULATORY
FRAMEWORK FOR CANNABIS IN NEW SOUTH WALES**

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Date Received: 10 May 2024

In brief, I've been involved in the hemp industry since the mid-1990s when I operated Decision Earth, which was for a while Australia's largest hemp wholesaling company. In the early 2000s, as a postdoctoral fellow at Southern Cross University, I successfully applied for a research license to grow hemp as a mop crop (crops that mop up water and nutrients from sewage effluent). As I was deemed to be a "cannabis expert", I have been a professional witness in around 10 cannabis cases before the Courts. I was a regular speaker at the local Mardi Grass about hemp, cannabis, and prohibition and indeed it was the early Mardi Grass celebrations and the HEMP Embassy that helped me understand the flaws in prohibition laws which exacerbate rather than mitigate the harm caused by drugs. In addition, I have worked with Aboriginal Communities for around 20 years, and with Correctional Centres for the last 7 years (Ecoteam manages water supply and wastewater systems at Aboriginal Villages and regional Correctional Centres, amongst other things). Through this work I have witnessed firsthand the adverse impacts that prohibition laws can cause, particularly to vulnerable people and Communities. As a taxpayer, parent, sensible drug user and Community member, I feel very strongly about our tax dollars being used to harm individuals for exercising their choice to use a drug that is deemed to be illegal (especially vulnerable and young people) and to support a massive and unregulated black market.

There is no doubt that drugs including Cannabis have great potential to cause harm to individuals and society. However, after having worked in the (legal) cannabis industry since last the mid 1990's (academic research, cultivation, cultivar development, professional witness, trading and education), I have formed the opinion that prohibition of Cannabis does not mitigate harm, rather it exacerbates the harm caused by drugs.

Prohibition creates a black market, which is untaxed, and funds are often used for nefarious purposes rather than being diverted back to harm minimisation controls such as drug addiction services and industry regulation. The black market has little or no regulation, so users may be exposed to toxic chemicals (such as chemical sprays) and have no objective way to determine the concentration or ingredients of a drug. The black market does not impose age restrictions for drug use, and I argue that it would be easier for children to obtain cannabis through the black market than through an alternative, legal model (e.g. alcohol laws). Yet children are the most susceptible to harm caused by Cannabis.

Individuals who use cannabis risk significant legal ramifications, even if an individual does not cause harm to society and otherwise provides a positive contribution to society. This can impact their ability to work and be productive and can cause great psychological harm and economic stress. These impacts are most severe to disadvantaged groups such as Aboriginal people, low income earners, and people with mental health problems. Prohibition is very expensive to maintain requiring significant police and legal resources.

Cannabis and other drugs can cause impairment and cause people to drive unsafely. I strongly support laws against driving while impaired by any drug, lack of sleep or any other reason because such people put themselves and others at risk of harm. However, it is a well known fact that roadside tests for cannabis can return a positive result for people who used cannabis during the past days and even weeks, and are not impaired. Yet people who have tested positive for Cannabis during roadside testing, and who otherwise have not inflicted any harm or risk of harm, inevitably suffer very harsh penalties which cause them great harm and reduces their productivity. This is in stark contrast with alcohol driving laws which set well-researched limits on blood alcohol.

I recognise that some people maintain a sense of moral indignation against people who choose to use Cannabis - despite the fact that Cannabis has been used by humans for millennia - and feel that cannabis users should be punished for contravening their own moral convictions; However an increasing amount of people no longer feel this way, and indeed there is a strong parallel between cannabis prohibition laws and recently abolished laws prohibiting same-sex relationships. Cannabis prohibition law are simply not just and are no longer justifiable. Changing Cannabis laws can greatly reduce Cannabis-related harm to individuals and society and will make better use of our scarce police and legal resources. It is time for our leaders to consider harm minimisation to be their driving aim rather than perpetuating and justifying their own moral convictions.

Legalisation of Cannabis in a highly regulated environment will greatly reduce the risk of harm to people in NSW, divert funds away from the black market, and will provide tax funds to support the small minority of Cannabis users who are experiencing harm caused by drug use.