

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

**Organisation:** Medical Cannabis Users Association of Australia (MCUA)

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# mcua

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## **Inquiry into the impact of the regulatory framework for cannabis in New South Wales May 2024**

My name is Gail Hester and I am the founding member of the Medical Cannabis Users Assoc Inc (MCUA) – a grass roots organisation that has assisted patients with advice and education for the past decade. We are not for profit and we have no vested interest in the commercial side of cannabis. The main Facebook group has close to 20 000 Aussie members. I also have a Facebook group just for medially prescribed patients to compare notes and stories.

I started MCUA in 2014 so people who were using illicit cannabis for medical conditions would have a place to go to discuss all kinds of issues INCLUDING legal issues around RDT, Cultivation and Possession of cannabis and would be able to work together to lobby for change to the drug laws so people could have **access to cannabis for medicinal purposes**. Instead we were given an unworkable system and a new export industry because the only advocates the govt listened to, had no idea of the enormity of the scale of people who were using cannabis therapeutically as opposed to medically. There is a BIG difference!

Over the years I have heard many harrowing stories about how patients have suffered at the hands of police – being intimidated in their own homes, being strip searched and being taken into custody and hand cuffed – some in front of their kids and driven off in a cop car- leaving the child(ren) traumatised and afraid of the police.

Little has changed for many people since access was given to those who can afford it under this discriminatory system. It leaves financially vulnerable people at risk of prosecution while their “brothers” get off because they have been able to pay for “protection” . Claims have been made that “Cannabis is legal” – which it isn't. Cannabis is available on prescription from a doctor and rubber stamped by a govt bureaucrat. THAT is NOT legalisation.

Prices of cannabis are still ridiculously high despite the bleating of the corporate sector that they will come down as more people are prescribed. Over one million people have been prescribed but still prices are out of the reach of **too many people** and the concession discounts amount to a couple measly dollars (10%) on a \$150 bottle of oil or \$200 tub of imported, unregulated, weed that may or may not have been sprayed with toxic pesticides or herbicides and irradiated to kill mould. We just don't know how safe these products are for the sick, but they seem to be satisfying the people who use prescription cannabis for social use.

I see across the board in the patient groups I started and others I belong to, that many people share **what to say to get the rubber stamp** from the TGA and the **clinic doctors, most of who have had no prior clinical experience or training in cannabis therapeutics or prescribing**. The only job training they get is how to apply for cannabis under SAS or are paid to become authorised prescribers.

People who want to grow their own medicine using organic safe methods grown in the sun instead of under lights, using natural methods to kill pests and diseases, would not contemplate using chemicals that can and do create problems for them, such as hyperemesis and psychosis. There are volumes of information on the internet to tell you how to do this naturally.

MOST of the safe highly regulated crops grown here commercially are exported and the MAJORITY of medicine used by OUR patients is imported and untested by the TGA. WHAT AN ABSOLUTE FARCE THIS IS !

Patients who can, would be much SAFER using a home grown product! And if they are unable to grow themselves should be allowed to have a friend relative or carer grow for their needs.

Eight LONG YEARS since quasi legalisation and chaos reins in still reins in workplace and driving laws. Lives are being destroyed by “criminal actions” that MOST REASONABLE MINDED Australians would NOT consider to be criminal actions. Who are they hurting ? Who is a victim of these cannabis crimes? Patients that's who!!! Patients suffer enough but if they are financially disadvantaged, indigenous, young or vulnerable they are targets of police actions. People who have had one positive RDT are being repeatedly charged - even tho there is no impairment. I know one medical patient, a woman who has been lick tested 7 times in 2 yrs and has fines totalling around \$8000 racked up to pay off on DSP.

**There are too many horror stories to tell ... but here are a few**

I had my medical cannabis cut off this week because I overlooked the previous bill. of \$85. Dr wont see me as a patient. Went to make appointment they said Dr wont see you.. its all about the money..I've had to find new doctor. Appointment cost \$250..even though I'm already approved..i don't have the money...no cannabis...ever heard of a Dr cutting a patient off? I've seen him for 15 months...overlooked 1 appointment payment....

A single mother I know in SA had her son taken off her by family services when she was “dobbed in” by a community member with a set against her. This mother had been to hell and back. She lost her husband and was left to struggle - got into the grip of grog and went down hill very quickly, Her cannabis prescription got her off booze and into a better head space. When investigated, it was found that the person who dobbed her in, had lied and that this single mum was not a bad mother. Not only did they give her her son back, but her daughter was also able to come back home to live as well. The stress of this would have been the end for some people.

Another single mum I know in Qld has lost her blue card because she took the fall for her mum who was busted for cannabis. She has studied long and hard to achieve a counselling degree so she could work with disturbed youth. This is now not an option as she lost her appeal.

Then there is the school teacher who has lost his career due to cannabis charges. He was medically prescribed and accused (but not convicted) of selling his medical pot. The police contacted the school to tell them of the charges resulting in loss of job BECAUSE he did not tell his employer he was using prescribed cannabis.

I was contacted was homeless guy for help earlier in the year. He is on prescribed cannabis and was facing his second charge for RDT. He was living in his car. He felt as if he was targeted by police. Without a license for 3 to 6 months where was he going to park his “home”?

I have been working with a lady who is in youth DV shelter trying to save to get rental accommodation before she is evicted from the shelter. She had her shifts reduced and then stopped due to workplace discrimination because she was using a prescribed cannabis vape in the smokers area to treat her disability while at work. She was instructed to get certification that she could do the job and “take direction from management”... which she had been doing for weeks before they knew.

My nephew at 21 diagnosed with a massive brain tumour. Had surgically removed apart from a small part that was attached to main artery as it could have caused him to stroke. They said come back in 6 weeks for Chemo. We hit him hard with (home made) Full Extract Cannabis Oil. It stopped the growth and no need for chemo. We kept him on a small maintenance dose for 2 years with no growth at all. He got done growing his medicine and **stopped taking it out of fear** of further prosecution. Within 6 months it grew back to double the size and needed surgical removal once more. He was given chemo and radiation. We got him back on the oil and no further growth. He got done again growing his medicine and this time was locked up. I got him out on bail after 2 months and he has just gone for another MRI and it has already started growing back.

**He was MORE AFRAID of the LAW around cannabis than he was of the CANCER!**

**Let that sink in.**

There are way too many of these kinds of stories of needless suffering by vulnerable people. **Hardship and social harm is being caused by these laws is of mammoth proportions.** It is time to change the medical system. Patients need to be given a “card / license” to grow their own with the number of plants required to treat themselves based on a formula – much like they did in Canada.

<https://health.canada.ca/en/health-canada/services/drug-health-products/buying-using-drug-health-products-safely/cannabis-medical-purposes/accessing-cannabis-medical-purposes/production-cannabis-medical-purposes/calculator.html>

Not only do these patients suffer from their medical conditions but also from the fear they carry every day knowing that they could be tested randomly and lose their license and independence, not because they were “impaired” but because the law says “zero tolerance”.

**One would argue that this SHOULD be the case with alcohol** which is by far a bigger problem on the roads than unimpaired medical users showing a hint of cannabis in their saliva. **This RDT law, which gives users NO DEFENCE AVAILABLE is in breach of our human rights** – even murders get one or two defences available to them! Recently, the NZ police refused to implement

a similar method of roadside drug testing, based on the scientifically proven **fact** that the 'tech doesn't exist in the world' as the current tests can throw false positives. Perhaps Australian police should take a leaf from the Kiwi book and refuse to participate in this revenue raising, quota system in place in NSW until a much better method of testing is available OR they should be made to do a sobriety test if they get a positive test AND if the sobriety test is passed there is NO charge.

<https://www.newshub.co.nz/home/politics/2023/03/saliva-roadside-drug-testing-scrapped-because-tech-doesn-t-exist-in-the-world.html>

Thank you for the opportunity to speak on behalf of so many who are suffering. I can only hope this Inquiry will lead somewhere as to date, all recommendations from federal and state Inquiries have been ignored or dismissed. Its PAST time the govt started listening to the people who know cannabis, and who use cannabis every single day for a better quality of life.

Yours Sincerely  
Gail Hester  
MCUA of Australia Inc