

**Submission  
No 238**

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

**Name:** Mr Peter Hajenko

**Date Received:** 12 May 2024

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I write to ask that the Committee recommend changing the current law that makes Driving with Presence of THC (cannabis) a criminal offence.

The law does not address the issue of impairment, only Presence of THC.

I have been prescribed Cannabis Oil by my doctor as an alternative to using opioids as medication for chronic back pain after unsuccessful surgery.

However I have tested myself after taking the prescribed dosage, and THC is detected four days after my last dose, even though there is no sign of any impairment which would make safe driving an issue, but would lead to me penalised as the law currently stands, in the event of testing positive at a roadside drug test.

This makes me very reluctant to use this superior medication, as I need to drive, living in a regional area.

What I ask is that the law should be changed so that, in the absence of any clear impairment, having a legal medical prescription is a defence before the court.