

**Submission
No 116**

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

Organisation: Cannabis Policy Project

Date Received: 17 May 2024



CANNABIS POLICY PROJECT (AUSTRALIA) >

Compiled by John Reeves of the CPP Cannabis Policy Project long time activist cannabis campaigner and MC patient.

Impact of the regulatory framework for cannabis in New South Wales

This inquiry was established on 20 March 2024 to inquire into and report on the impact of the regulatory framework for cannabis in New South Wales.

Compiled by John Reeves of the CPP Cannabis Policy Project long time activist cannabis campaigner and MC patient.

Intro

Firstly I'd like to say thanks to Jeremy Buckingham MLC for getting this inquiry up and let's hope for some actual progress this time.

The main outcome we intend to achieve is to stop arresting people for Cannabis related activities. In order to achieve this various regulatory changes will be needed but they come with a simple premise, to significantly reduce Cannabis related crime in NSW.

My CPP submission will focus on both the negative impacts of the current cannabis regulatory system and optional pathways to sensibly convert the criminal into the commercial.

However, cutting to the chase the only real option towards achieving this is a moratorium on all legal actions against recreational Cannabis users for personal growth and use. This can be followed by a series of trials to sort out the most practical pathways and gain the confidence of the government and the people in changing the laws for the better.

So unless the NSW Government agrees to actually do something responsible this inquiry will probably just make some positive recommendations that will be largely ignored by the ALP who

for some reason we cannot fathom prefers to criminalize and oppress the population rather than legalize and tax us.

A word of warning! The committee will be subjected to an endless array of anti cannabis propaganda from various sources including professional Academics, the AMA the Police NDARC and more. Little of this will be factual or useful in getting a positive outcome and I urge the Inquiry to be objective in its assessments and ask any 'experts' who advise on continuing prohibition of they have actually used cannabis at all? Or have any real time experience in it's use at all beyond protecting their vested interests.

Remember we are talking about a very profitable plant that is essentially harmless. Most of the harms related to Cannabis are caused directly by prohibition itself.

I sincerely hope that we can begin to end the oppression, stigma Cannaphobia and corruption that reaches all aspects of society from human rights to financial honesty to health issues substance abuse and healing.

An ideal outcome would be to set up an ongoing parliamentary working group to develop policy in the positive, conduct trials and assess the transition with a functional knowledge base and academic support.

In all honesty political folks, please don't waste our time. ;)

Rationale

Negative impacts of the current system, being arrested.

After many decades of personal medicinal cannabis use I was overjoyed to receive a legal script in 2021. It was a huge relief to finally be legal without the stress of persecution or arrest.

However recently in NSW I was arrested and charged with having THC in my system whilst driving and set to appear in court in Lismore in September. This was a deeply disturbing experience as I have a fully legal script and use the medicine daily. The arresting officer noted I wasn't impaired at all.

Now what can possibly be gained by arresting a 62 year old disabled pensioner? This seems deeply unjust, not in the public interest and is especially disappointing knowing the NSW Parliament has recently rejected a proposal to allow yr legal prescription to act as a defense if tested driving with prescribed THC in yr system. If you think that this is a fair use of police and court resources then please go and yourself!!!

It's unnecessary, unfair, draconian, traumatizing, cruel, ignorant and culturally embarrassing.

I have lodged a formal complaint with the NSW Ombudsman and will include it as support documentation. I hope this will lead to change in these laws.

Needless to say there are thousands of Cannabis related arrests in NSW every year. Even if yr legal U can still be arrested and it's simply way past time to end this open persecution of the cannabis consuming population which official figures showcase around 11.6%.

Whilst the legal medical delivery has been largely successful the recreational back market will need extensive planning to succeed in sustainability reducing crime.

It simply need the will from politicians brave enough to act in the interests of the population not party politics or criminal gangs.

Can we expect any actual change this time?

I certainly hope so but unless politicians from all parties commit to solving the problems and harms created by prohibition the harms will only increase and new generations of Australians will be dragged through the quagmire of criminalisation unabated.

Reasons given by governments to reject the recent Bill?

They don't want to increase usage

Reality - the fact cannabis use is illegal hasn't stopped anyone using it. It's been widely used for decades. It's just less stressful if it's legal.

They don't want to send a positive message about its use.

Reality- people will make their own minds up regardless of government policy .. it's probably better if they can do it legally. It's obvious Canna is a legitimate recreational choice that's far less harmful than legal drugs such as Alcohol and Tobacco.

They want to limit drug Induced psychosis

Reality: Recorded instance of this are way less than 1% of overall users, most recent studies suggest only people with a family history or other pre-existing reason are effected. Better quality control and CBD strains will help. Maybe accurate figures in AU might help as in how many recorded incidences? Most of the people I speak to who don't use Canna because it sets them off have a recent history of using drugs such as LSD MDMA Methamphetamine etc..often at high doses..

They prefer to fund Billions in Black Market income.

Reality - The current policy funds both organised and less organised crime. From serious crime gangs to mums and dads local growers. By sticking to current policy all parties are simply creating crime, it's costly, time consuming and dangerous to many.

AU was settled as a penal colony and needs to criminalise people as part of its national identity?

Reality - A lot of people would not admit to this but once armed men enter yr property or steal yr cannabis it's pretty obvious, and for someone in AUSTRALIA to have less personal rights than someone in the US or hiThailand or Canada or Spain etc is not sitting well with a significant % of yr constituents.

The myth it's a dangerous drug rather than the safe fairly harmless drug it actually is.

Reality - It's not poisonous or toxic at all. Cannabis can be used safely it just needs to be legal with good quality assurance practices and sensible usage habits. Any problems generally come from poor quality or over use.

We are not trying to legalise Cannabis now but increase support for legalising Cannabis recreationally. If support increases enough then it will be easier to achieve but ALL the politicians still opposing legal cannabis will need to very clear about why and what they are willing to do about it to do nothing is simply an admittance they are willing to create crime.

A Harms analysis looks like this

The core harms engaged by prohibition are.

Economic Harms - extensive costs to police, courts jail's and health issues. Up to and over \$500m Extensive black market income generated somewhere between \$1-3b and depending on gesimate.

Social harms - Millions of people criminalised who are often breaking no other laws. Millions of cannabis users drawn into criminal associations of various kinds. Generations of paranoid cannabis users always looking over their shoulders. No legal option to very harmful drugs such as Alcohol Nicotine Prescription pills etc which are all proven killers. Cannabis is low toxicity and is not accurately represented on the poisons list.

Health Harms- A endless stream of low quality non quality assured ungraded unlabelled untested Cannabis is being consumed daily in AU. Much of it is grown using artificial lighting and other chemical additives such a as Plant Growth Regulators Hormones C02 enhancers pesticides etc. Dependence on poor quality unbalanced cannabis without clear ideas of THC or CBD levels combined with poor consumption patterns and habits is probably the greatest health harm attributed to prohibition.

Legal harms- many hours of court time, legal costs, judiciary resource's personal costs on every levels is consumed by cannabis prohibition over several decades on every level whilst cannabis use has only grown. There was over 70,000 arrests seizures or cautions last year, over 1800 serious cultivation charges and several hundred jail sentences for criminalised plant production.

Increased serious crime- there have been several cannabis related murders in reason years generally when someone steals a dealers stock or money and they face retribution of a violent nature. Much of organised crime on AU has grown and profited from prohibition and this continues to grow on small medium and U industrial scales as police raids and arrests have little overall impact.

It is vital that a decision can be made to ' do something ' about Cannabis before any formal structure can be developed. This one is a bit like putting the cart before the horse in proposing a fixed structure without trial of development so I urge the Inquiry to do the right thing and agree to move forward with Cannabis legalisation and recommend that Government set up an ongoing working party to deal with the issue and fund independent project's to both educate and activate administration towards reducing and eliminating cannabis crime. In this case the law creates crime and many nations have found ways to decriminalise, legalise and regulate we just need the first step and that's relieving the restrictions at federal level to encourage the states to follow.

So what's holding us back?

An adherence to the 61 Treaty and NCIB authority that most legal countries have now rejected.

Recent Example



LEGALIZED NON-MEDICAL USE OF CANNABIS LEADS TO HIGHER CONSUMPTION, MORE HEALTH CONCERNS AND DOES NOT REDUCE CRIMINAL ACTIVITY

Legalizing cannabis seems to result in higher consumption especially among young people and a lower perception of the risk involved and does not reduce criminal activity, according to the INCB annual report.

Evidence from jurisdictions where cannabis has been legalized for recreational use show a higher consumption of cannabis and an increase in adverse health effects, psychotic disorders and a negative impact on road safety.

About 4 per cent of the global population, roughly 209 million people, use cannabis (figures from 2020) making it the world's most widely used illicit drug. Cannabis cultivation has shown an upward trend over the past decade, and the number of people who use it has risen by 23 per cent. Cannabis use varies widely by region and is highest in North America, Oceania and West Africa.

Questions on the classification of cannabis

Some Governments are unsure if cannabis and cannabis-related substances should still be classified as harmful and whether the controls laid out in the drug control conventions are still relevant regarding cannabis use. These Governments are looking for alternative solutions including the legalization of non-medical use of cannabis.

Legalization approaches vary greatly among countries

The variety of different legislative models from country to country makes it difficult to evaluate the impact of the changes in cannabis legalization on society. Evidence is still limited, and data submitted is often too recent to draw meaningful conclusions.

The trend to formally legalize cannabis for non-medical supply and use first began in the Americas and is now taking hold in Europe and other regions. While the number of countries where cannabis is legal is still small, more Governments are considering taking this path. For example, in June 2022, the Government of Luxembourg released a draft law that would allow adults to grow up to four cannabis plants at home for recreational purposes. In October 2022, the German Government outlined a law that would regulate the controlled distribution of cannabis to adults for recreational use in licensed shops. In Italy, on the other hand, a proposal for a referendum to legalize personal cultivation of cannabis and other psychoactive plants was rejected by the Constitutional Court in February 2022.

Cannabis legalization results in higher consumption

Estimated data show that the most important effect of cannabis legalization is the likelihood of increased use, particularly among younger people. Data collected in the United States has shown that adolescents and young adults consume significantly more cannabis in states where cannabis has been



legalized compared to states where recreational use is illegal. For ages 12 and older, the numbers rose from 16.5 per cent to 24.5 per cent in those states.

Which is largely untrue, mostly fearmongering the INCB simply seeks to bolster it's decaying agenda of prohibition. I hope the committee can have a good honest independent look at the usage data coming from legal countries.

NSW as a sovereign state can make it's own laws for the benefit not detriment of its people there's nothing holding this back beyond old laws and misinformation and treaty agreement that was last signed 3 years before Dr Mechuloum identified THC and the Endocannabinoid system in our bodies.

Options

In short the idea is to fund some development trials to assess the feasibility of various legalization models. This needs academic support but in general would be very cost effective in terms of potential income.

The ALP specifically has been reluctant to support moving forward with significant law reform and a series of trials would help to inform and give confidence towards the end goals of full legal regulation.

Why Cannabis Trials?

Running a few trial projects to flesh out how legalization might work, test a few models and work through the issues and opposition to regulatory reform.

There are various aspects of cannabis trials that can be tested in a fairly straightforward professional manner without extensive costs to ascertain the effectiveness of each aspect of cannabis legalisation.

The cost benefit is very high as in initial funding of 5-10m.. will save tenfold in costs and full scale legal system earn into the billions.

Functional realtime trials?

Due to the complexities of understanding what will happen if various aspects of the cannabis laws were changed it will make it a lot easier for 'official' people to understand and support it if various trials on those specific aspects are conducted in a professional manner.

The trial needs to be academically supported that means good plans analysis and reported results from suitably qualified professionals such as lawyers social workers business academics and medical workers.

There's many ways to do trials on facets of cannabis function but an initial small trial in a single town a single issue trial would give good results.

1 Personal use trial

Purpose

To relieve pressure on Police and cannabis users for personal use. This should significantly reduce Police time taken on small-time cannabis use allowing more time to be spent policing other more serious drug and domestic issues. (Numbers coming back from the ACT show a 90% reduction) There would also be a flow on reduction in court time and costs.

Any amounts of Cannabis beyond personal use would be prosecuted as they currently are and any selling would still be prosecuted.

An individual city such as Rockingham or Bunbury etc. This would need the approval of the police minister and local Governance. A detailed plan would need to drawn up training police on

- How to assess cannabis consumers for personal use
- How to assess whether selling is occurring via a search for bags, cash storage etc
- It would be similar to the current caution system but the persons keep their cannabis.
- Police could also outline responsible use procedures such as
 - secure storage
 - Only over 18 usage
 - General safety of use
 - No sales evident

Process

Police are instructed not to arrest or seize cannabis for personal use under a kilo or up to 10 plants or whatever is agreed. Motivational parameters can be varied to trial different means with an eye on being relaxed enough not to increase police activity with new rules.

The trial would run for a period of a year and a formal assessment taken on the amount of police time saved, the amount of costs saved and the amount of judicial process time and costs saved. This means those costs need to be accurately assessed before the trial begins.

What happens after the trial?

If deemed successful the moratorium could become law and a more permanent licencing system could be implemented to allow surety for cannabis consumers and police.

What would the costs of the trial be?

Mainly administration costs plus academic costs for management and assessments.

What problems could result from such a trial?

The main problem that's encountered when decriminalizing cannabis use and growing is people can easily be tempted to sell for tax free income.

Whilst someone selling a few bags to their mates on weekends is not a priority problem anyone setting up an ongoing commercial business is a problem that would increase police attention.

Whilst current penalties are in place to prosecute this the only real way of solving the issue is to conduct a trial of legal cannabis sales. This would begin to take the market away from illegal sellers and ensure a forward pathway towards eliminating all Cannabis related crimes.

The most straightforward way of approaching legal sales at present is to channel production cannabis of the appropriate strains from current medical products, both balanced CBD strains and high THC strains are suitable for recreational consumption and existing pharmacies could easily be engaged in secure sales. A green room license could be available for pubs or other public venues supplied wholesale nationwide by industrial production to supply and allow consumption.

Setting up a dual train of supply with small scale local dispensaries servicing specific local areas supplied by small scale local growers permits would begin to eliminate small scale black market growers.

All of these facets could be trialed and assessed should the government develop and interest in tackling Cannabis crime in a serious way.

This means parliament needs to agree to fund a working group to define and work through these issues professionally engaging the various stakeholders and providing accessible KO feedback to gain public confidence in managing the change to a unified legal cannabis system.

I hope LC can continue to develop this strategy and begin to gain the confidence of parliament to get the numbers to actually change legislation in the near future.

Support Notes Oversees trials

<https://cannabiswealth.co.uk/2023-spotlight-switzerland-establishes-europes-most-advanced-legal-adult-use-cannabis-trial/>

2 large scale professional products

Process to trial legal sales through existing sources of quality assured product. This will in turn decrease illegal demand and allow users to purchase from existing pharmacies.

Why?

If people are self growing without selling them the only real way to disincentive illegal sales is to have quality assured cannabis for sale at reasonable prices so that public demand can be met and self growers are not targeted by those seeking cannabis.

Fortunately AU has a well developed Pharmaceutical Cannabis industry and suitable product can be channelled into the recreational market as needed. In fact it's sitting on pallets at the factories and current pharmacies can legally handle sales. It's just a matter of paper work really.

Several AU MC producers have expressed interest in recreational production it's less complex than Pharmaceutical grade but the product is essentially the same. It just needs the paperwork in place which can be a part of the trial.

Both the balanced CBD THC lower strength and high THC flowers would be suitable for recreational cannabis use. Many of the strains used in MC production were popular recreational varieties. Costs would need to be kept as low as possible so imported products should be avoided. There's good AU based products available and these could be contracted to supply a trial.

Structure of the trial

Quality Assured Cannabis flower from existing AU MC companies. (A production increase might be needed)

Purchase via existing pharmacies.

Recommended use via vaporiser. (Smoking can be harmful)

The trial would occur in one city or council area. Participants would register and be limited to numbers to of 500 or so. They would sign a responsible use agreement outlining security and usage issues and would provide feedback on their experience.

Depending on scale there's would be an immediate reduction in black market sales that could easily be upscaled depending on supply once the core issues are established.

This kind of supply trial is fairly straightforward to conduct as it used existing means. It would need to be professionally monitored with appropriate reportage.

This would provide a feasible way forward for Governments serious about reducing Cannabis crime, reducing black market income and increasing economic benefits.

What happens after the trial?

What is learnt can be implemented and production quotas established.
Developments can be engaged such as

Broader product range
Edibles
Survey of user functions
Development of regulatory procedures
and more

Summing up

This is a fairly straightforward way of getting legal Cannabis that uses existing supply channels and can be trialed and scaled to need. The industrial nature of production can be upscaled to meet full demand and begin to eliminate the large scale criminal production that supplies much of the black market.

3 localised small business

In order to begin to eliminate the localised growing and small business that supplies illegal cannabis demand in every town and city it will be necessary to develop localised small business that would allow both product sales and buying of local products for sales.. A walk in business that both grows and sells and buys most of its stock from local growers with small business licences up to 100 plants.

If this is not implemented then people will simply keep growing and selling illegally.

How is this different from the industrial scale production of Trial 2..?

They are entirely different pathways meeting different market needs. The industrial supplies pharmacies the small business supplies a local area only and offers boutique services strains clones seeds specialistmix etc

There would be 1 in every town if needed to develop a cannabis community. They could be capped at 500 users. A key facility is purchasing quality assured supply from local growers giving a basic income to communities and removing incentive for illegal sales.

A trial would need to take into consideration

Local council bylaws and permits

Growing

Storage

Quality control

Market need

Home delivery

Off street location

Legal consumption areas

Basically it's converting yr local dope dealers to legal herbal grade growth and sales.

It is intended these businesses are fairly relaxed lower scale operations and both service and receive within the local area.

It's probably the most complex to implement as it needs new local government regulations and licensing of growers but it's meant to be a viable alternative that together with Industrial

production meets the projected needs of the cannabis consumers community and has a good chance of effectively reducing illegal selling.

These types of trials service different facets of need and it worth trialing fully to gauge the economic benefits and effectiveness in reducing crime.

Alternative structure..

A solutions based approach that establishes function based on need and builds to meet that need is much more likely to succeed than trying to fill in a top down bureaucracy in a restricted manner. The key word is realistic. And making sure it works before expanding. It will be impossible to set up and judge any model without functional trials and very difficult to convince Governments Police Health Dept and Judiciary to have confidence in legal cannabis without development al trials on all levels.

AU has robust Alcohol legislation in place and much of it can be adapted to suit Cannabis consumption and sales. There's no need to reinvent the wheel here and the same structures can be readily adapted.

https://en.wikipedia.org/wiki/Alcohol_laws_of_Australia

This model should be explored as it will be a lot easier and acceptable to government to use existing models rather than building new ones. The current ones simply need Cannabis added and a new dept made not a whole new corporate agency. It then becomes an alcohol and Cannabis Dept in terms of maintenance.

Each state has it's variants and elements such as it being illegal under 18 , several types of licence being available on different levels and production allowed on a personal, small bizness and industrial scale can all be lifted from current alcohol legislation.

A staged process will be needed to begin the process of legal conversion based on need step by step..

1- Moratorium on personal use and personal grow laws for specific amounts. This is a cessation of active laws for personal use and personal cultivation for personal use on private property.

2- Personal grow licence for limited amounts enabling current small-time local growers to operate legally. To be sold to local dispensarys under QA guidelines. This could have a few volume levels and specific products.

3- Small business licence for Cannabis grow operation and localised dispensarys ..up to 100 plants

4- Dispensary licence.. selling buying growing up to 1000 plants

5- Industrial production licence..large cannabis factory..10000 plants at a time 100 tonne limit..

Use cancelled.This would be enough pressure n them to stick to the agreement and if not monetary penalties could be applied. There are no criminal offences anymore for personal use it growing and it is intended these issues will be maintained by the new Cannabis inspectors from the CLB which will in turn be funded in part by licence fees.

The personal grow licence will also protect the rights of people to use and grow the same as a car licence allows you to drive. Your grow rights cannot be easily removed provided you stick to the rules agreed to.

1- Moratorium on personal use and personal grow laws for specific amounts. The amount is arbitrary if it's personal use..but 1kg for a years supply would realistic. Personal carrying maybe 50g No selling.

What would this do?

Immediate relief for over half a million NSW Citizens.

Immediate relief for police with a significant reduction in time spent in personal Cannabis issues, this would amount to thousands of hrs and many millions in costs.

Immediate reduction in court time and costs across NSW

Creates a new situation where the need to manage cannabis use arises and new strategies are need to control the situation in a balanced way allowing both personal freedoms and enough rules and regulations to ensure safe and secure consumption practices.

2- Personal grow licence for limited amounts enabling current small-time local growers to operate legally.

What would this do?

It would give a specific structure to both allow personal grow rights and enough regulation to control quality illegal sales and security.

The PG licence would probably be low cost \$50-100, require a signed responsible use agreement that outlines no selling secure storage an agreed plant limit (set by need and based on kilo volume not amount of plants) safe use ventilation vaporiser etc.

If the terms of the RUA are breached then the person's licence can be suspended or cancelled.This would be enough pressure n them to stick to the agreement and if not monetary penalties could be applied. There are no criminal offences anymore for personal use it growing

and it is intended these issues will be maintained by the new Cannabis inspectors from the CLB which will in turn be funded in part by licence fees.

The personal grow licence will also protect the rights of people to use and grow the same as a car licence allows you to drive. Yr grow rights cannot be easily removed provided you stick to the rules agreed to.

3- Small business licence for Cannabis grow operation and localised dispensarys ..up to 100 plants

What would this do?

This will directly replace the many thousands of small growers who produce less than 100 plants often 5-10 and make under 100k per year.

It will allow individuals to get a licence for up to 100 plants.. with appropriate kilo allowances and earn a reasonable income.

It would allow a solid supply of cannabis at the local level for local dispensarys. It would provide a serious boost to small scale employment opportunities in most local areas from suburbs to small towns.

4- Dispensary licence.. selling buying growing up to 1000 plants and various cannabis based products seeds seedlings

What would this do?

Offer localised sales in a geographically restricted area, suburb, town, Council etc . Consumers would register as customers as needed. The dispensary would buy from local growers and suppliers and generate a community around quality assured Cannabis use.

Have limited numbers meaning a popular area would have several dispensarys to meet needs.

It is intended there would be many thousands of these businesses across AU generating jobs and successfully replacing illegal sales on the small to medium scale.

5- Industrial production licence..large cannabis factory..10000 plants at a time 100 tonne limit..

Basically to meet volume and provide a wholesale pathway for Green Room sales. These would be the same of similar to current Cannabis factories supplying the medical industry.

They do not supply directly to the public.

Infiltration by large international corporate Cannabis companies would be banned and only AU based independent companies would be licenced and several already established have shown interest in supplying the recreational market.

The combination of small local boutique cannabis business with selected industrial production should ensure quality supply on all levels, keep prices low enough to encourage legal use and maximise employment opportunities.

These stages are balanced to eliminate specific factions of currently illegal Cannabis activity. Personal growing, small local cultivation and sales and large scale production for the commercial market. If these balances are not met well then currently illegal activities will continue.

Green Room licence.

A green room licence can be applied to any place licenced to consume Cannabis. This can include Cafe's Pubs Social Clubs Public venues Private functions Health facilities or anywhere else people may need to consume. There will be a quality assurance guarantee, appropriate ventilation, budtenders, legal sales, vaporisers and other services as needed.

This would work in a similar way to current alcohol licencing and bevas open as possible.

Other alternative details.

Only over 18 consumption.

No consumption in public.

Only private places or licence green rooms.

All these facets need to be trialed before they could be trusted.

The stigma and misinformation

One of the key points the ALP and current state premier's don't want to legalise is the perception cannabis is harmful, causes mental health issues, leads to harder drugs use, will increase use etc.

There's plenty of good science proving cannabis doesn't cause psychosis and can be safely used. It needs good CBD levels antipsychotic and clear labelling.

There's huge issues with black market cannabis regarding quality control and unbalanced cannabis with too low CBD levels, pesticide, PGRs etc that can only be addressed by quality assured legal access.

Addressing the stigma towards weed, dope ganja etc can only be progressed with a honest approach. Many other nations have achieved this on various levels and in AU we need the right strategies to gain broader support. The issues need a well developed plan of law reform that works in real-time.

Summary

It should be fairly obvious to anyone that Cannabis prohibition has failed at huge cost to society but no sitting politicians seem to have the guts to stand up and transition to a legal system. It's ok I understand. You will be ridiculed by yr peers and become the butt of stoner jokes and bullying but that won't last. It becomes obvious that it's the right thing to do to actually take control of the situation.

There's a few left of field ideas worth considering..

Have a legal cannabis sales industry ran by the Dpi and Police with proceeds going to fund Police resources and community projects such as homelessness, addiction treatment and domestic violence programs.

Full scale amnesty for all Cannabis offences and implementation of legal structures.

Basic decriminalization leaving only civil economic penalties.

Instruct the DPP to reduce cannabis prosecutions to save court time.

Allow a state referendum to decide the issue at the next election

Contract Lambert's at UNSW to formulate safe transition procedures and basic quality assurance processes academic reports and whatever else is need to transition.

STOP ARRESTING PEOPLE FOR GARDENING!

STOP ARRESTING LEGAL PATIENTS FOR DRIVING!

STOP PUMPING BILLIONS INTO CRIME GANGS!

Just grow up and deal with the issue.

Kind regards

John Reeves

A lifelong Cannabis user.



Additional notes

Ombudsman complaint
John Reeves

The situation

On Saturday 27/4/2024 I was pulled over for a roadside breath test in Lismore NSW. I tested positive to Cannabis and was arrested and taken back to the station for a more comprehensive mouth swab test and paper work. I was formerly charged and booked to appear in court in Lismore on 15/9/24.

The reason I have THC in my system is that I am a legal TGA approved medical cannabis patient treating several chronic pain conditions and need to keep consistent and balanced levels to treat my medical conditions.

I have received the DSP (Disability Support Pension) since 2009 and have been a long term Medical Cannabis user and have legal scripts from TGA Authorised prescriber Dr Fieldhouse and Health Dept approved to consume 3 grams a day of balanced flower CBD/THC mix and up to 26% THC along with CB100 CBD oil. This gives me options on how to use the medicine in a way that has minimal affects on driving and other functions basically I don't get too stoned.

Other states such as Tasmania are sensible enough have legislation in places that allows yr legal prescription to act as a defence if tested driving.

It's fairly simple really

' 6A. Driving with prescribed illicit drug in blood

(1) Subject to subsection (2) , a person who drives a motor vehicle while a prescribed illicit drug is present in his or her blood is guilty of an offence.

Penalty: Fine not exceeding 2 penalty units.

(2) A person does not commit an offence against subsection (1) if the prescribed illicit drug was obtained and administered in accordance with the Poisons Act 1971'

There have been attempts in NSW on recent years to have it amended but parliament hasn't supported it. There's a fair bit of lobby action on the issue but as yet sick people are still being arrested despite showing no traces of physical impairment.

The solution

A simple adjustment to the DMA (Drugs Misuse Act) is all it would take to solve this problem and give legal MC patients the same basic rights as other prescription patients.

My complaint is to the NSW Parliament in still pursuing a policy that discriminates against disabled people using legal plant based medicine by arresting them. My complaint is also in relation to police discretionary powers in terms of deciding if a patient is actually impaired while driving with testable THC levels in their system which can linger for weeks after consuming.

Police need a straightforward way of confirming a person tested has a legal script. My prime concern is prosecution. Impairment is relative and if I didn't feel like driving I wouldn't.

There's recent studies from UNSW on cannabis and driving suggests that THC can cause impairment but doesn't always and CBD doesn't.

<https://www.sydney.edu.au/lambert/our-research/driving.html>

I can confirm that many other legal medications are far more impairing to driving than cannabis and Drs script acts as a defence if tested driving such as opiates or pseudoephedrine etc

I hope this complaint can be taken seriously by the Ombudsman's office, the Parliament and that people who are sick or disabled using safe legal TGA approved plant medicine can have some assurance they will not be arrested for going about their legal hibusiness.

The core point of my complaint is that I was arrested with a legal medical drug in my system. The script 'should' act as a legal defense.

Kind regards
John Reeves

2/5/24

Notes

Arresting officer
Sample no 117492
270424 testing number

Additional notes

While the original approval expires in 2024 it has been confirmed as renewed by Dr and the scripts help with Amcal in Prahran.

Additional research

Policy Discussion Document

Compiled by
John Reeves CPP (Cannabis Policy Project)

This was requested by Michael Balderstone Pres LCP for Jeremy Buckingham MLC

Counteracting Cannabis Psychosis excuse issues among politicians

The issue of Cannabis causing psychosis is an old one. It was used during the cannabis propoganda wars of the 1930s known as Reefer Madness and is cited in much of the epidemiological data. However out here in Cannabis land where millions consume daily you don't see it much if at all. People who I ask and do report a negative psychological reaction have usually been effected by other psychoactive drugs such as LSD MDMA Aphetamines etc..

The generally accepted modern unified view is that people with a pre existing psychotic condition may be susceptible. This is supported by solid science and now it's possible to gauge the results in legal states there's no real increase in relation to increased cannabis use.

So why do politicians in AU refuse to look at legalising Cannabis on the grounds it causes Cannabis induced psychosis?

Well it's complex.. currently their medical advisers are advising them that way. In NSW it's hard to know exactly who that is but it centers around the Chief Psychiatrist and the AMA.

There's has also been diagnostic criteria active for at least 10 years.

There's many patients in AU on record diagnosed with Cannabis induced psychosis and Cannabis use disorder.

No one knows how many and it would be useful to get some accurate number's.

Jeremy list of things to do..

Find out the government advisers who are giving this information to the Premier so they can be talked to directly. Proff Wayne Hall ? Dr Murray Wright..

Commission official report from Lambert's on a review of the Cannabis and psychosis issue's.

Make a FIO request under parliamentary privelidge for the core numbers in NSW of

- 1- People diagnosed with Cannabis Induced Psychosis
- 2- people diagnosed and on DSP
- 3- people diagnosed with CUD Cannabis use disorder

Whst do we need to do to go counter this misinformation?

Build arguments .

This means context.

Generally reliable a minor % probably under 1% of overall cannabis users report psychotic reactions. There might be various reasons for this, first time users, overuse, preexisting condition etc but it's usually alleviated by administration of CBD or cessation of THC consumption. CBD has an antipsychotic component and balanced cannabis is unlikely to set people off

Discussion points

The studies citing 0.5% of cannabis users may report psychotic symptoms means 99.5 of cannabis users don't.

Overall incidence of psychosis holds steady around 1% there's been no increase in line with a higher % of Cannabis use.

Psychotic reactions are not generally seen among cannabis user's.

Build backup by our Drs.

We need some qualified psychologist Dr types to support the arguments that cannabis can be used safely and that a quality assured system with tested doses is far safer than a black market system with no quality controls.

User experiences?

Psychosis from Cannabis use is not something you see or hear of regularly among cannabis users.

Just ask them. I have used Cannabis for several decades and know thousands of cannabis consumers and any kind of debilitating psychological reactions is rare.

Polydrug use or existing conditions account for all of it.

Studies..? It's as easy to find studies for both the positive and negative but a lot them may be poorly framed or not really represent how people use cannabis but with good quality herb and sensible usage patterns their should be minimal negative effects.

Collation of Clinical reports affirming Cannabis does not cause psychosis the general understanding being that people with a pre existing condition 'can' be effected .

<https://paradigmtreatment.com/harvard-study-shows-marijuana-cause-teen-schizophrenia/>

The strongest of this is Dr Grindpoons work as Head of Harvard University Psychiatry Dept.

https://en.wikipedia.org/wiki/Marihuana_Reconsidered

Collation of epidemiologic studies around Cannabis induced psychosis

Grinspoon

Notes

This is a good example of who may be advising government on the issue... professor Wayne Hall

<https://pubmed.ncbi.nlm.nih.gov/18560513/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2424288/#:~:text=Moore%20et%20al%2023%20reported,if%20someone%20ever%20used%20cannabis.>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9448725/#:~:text=Taken%20together%2C%20acute%20self%2Dlimiting,pre%2Dexisting%20mental%20health%20vulnerabilities.>

In AU Copeland was responsible for the CUD stuff with The health Dept and psychosis warnings

<https://ndarc.med.unsw.edu.au/people/professor-jan-copeland>

Who is the chief psychiatrist in NSW?

Dr Murray Wright

Dr Murray Wright is NSW Health's Chief Psychiatrist. He has practiced as a clinician in both metropolitan and regional settings. Dr Wright provides insights into working regionally and the varied opportunities that are available in psychiatry.

<https://www.mapmycareer.health.nsw.gov.au> › ...

In psychiatry, you get to know the whole

General studies and reports

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3796266/>

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THE EFFECTS OF CANNABIS USE ON THE INCIDENCE OF PSYCHOSIS [Go to:](#)

Given this evidence, has the incidence of schizophrenia, particularly early-onset acute cases, changed during the 1970s and 1980s, when there have been very substantial increases in cannabis use among young people in Australia and North America? A study modelling trends in the incidence of psychoses in Australia did not find clear evidence of any increase in incidence following steep increases in cannabis use during the 1980s [24](#). A more recent modelling study in the UK [25](#) suggested that it may be too early to detect any effect of cannabis use on the incidence of psychoses, because rates of cannabis use only increased during the 1990s in that country. A recent British [26](#) and a Swiss study [27](#) reported suggestive evidence of an increased incidence of psychoses among males in recent birth cohorts with the highest rates of cannabis use in adolescence. This work needs to be replicated in future research.

[Feedback](#)

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psychosis in cannabis users...

The evidence obtained by the Commission appears to indicate that in the cases of alleged hemp drug insanity which find their way into asylums, there are no typical features in the premonitory symptoms and no pathognomonic symptoms in the insane condition on which to base a determination of causation... The majority of the medical witnesses who have studied the subject are clearly of opinion that there is nothing typical in the symptomatology of hemp drug mania to distinguish it from mania due to other causes. But at the same time several express an opinion that the symptoms are of shorter duration in hemp drug mania than in mania due to other causes... The careful inquiry which has been made by the Commission into all the alleged hemp drugs cases admitted in one year into asylums in British India demonstrates conclusively that the usual mode of differentiating between hemp drug mania and ordinary mania...

[Feedback](#)

Notes