

Response to the Inquiry into the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023

Recommendation	Response
Recommendation 1: That the Victorian Government: - draw on the experience of the ACT, in successfully decriminalising the cultivation and possession of small quantities of cannabis for personal use with its associated health, social and legal benefits, and - consider adopting an approach in line with that proposed by the Bill, along with any amendments recommended in this Report. Any cannabis law reform legislation should be progressed as a Government Bill, rather than a Private Member's Bill, to ensure all issues are fully considered by the normal government processes.	Do not support. The Victorian Government acknowledges the range of models that have been proposed and implemented to regulate cannabis use, including in the ACT. The Victorian Government notes the experience of the ACT in decriminalising the cultivation and possession of small quantities of cannabis for personal use, including its associated health, social and legal benefits. The Victorian Government will continue to work to reduce harm associated with cannabis through coordinated effort and evidence-based action. Additionally, the Victorian Government will continue to monitor and consider emerging evidence on cannabis use in the Victorian context, including the findings of this Inquiry.
Recommendation 2: That the Bill be amended to include a five-year statutory review clause, recognising the need for reforms to be accompanied by an appropriate monitoring and evaluation process.	Refer to the response to Recommendation 1.

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Recommendation 3: That alongside any changes to legislation regarding personal possession and cultivation of cannabis, the Victorian Government consider a scheme to expunge commensurate prior convictions.	Refer to the response to Recommendation 1.
Recommendation 4: That the Bill be amended to include an offence to prohibit the storage of harvested cannabis within reach of children, based on the ACT's legislation.	Refer to the response to Recommendation 1.
Recommendation 5: That the Bill be amended to prevent any cultivation of cannabis using hydroponic techniques or equipment. Permissible cultivation should be in soil, whether in the ground, in pots, or other enclosed spaces such as greenhouses.	Refer to the response to Recommendation 1.
Recommendation 6: That the Victorian Government investigate opportunities to improve access to plant matter testing, including through integration into its fixed site drug testing service.	Support in principle The Victorian Government supports drug checking as a way to reduce harms from illicit drug use and save lives. <i>The Drugs, Poisons and Controlled Substances Amendment (Pill Testing) Bill 2024</i> made Victoria the first jurisdiction in the country to have dedicated legislation to support mobile and fixed pill testing services. The Victorian Government will continue to monitor research and evidence to support any future changes to the current drug checking service, including the feasibility of plant matter testing technology and the demand for this type of service.

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Recommendation 7: If the Bill is passed, that the Victorian Government review the eligibility requirements of existing drug diversion programs for persons under the age of 18 to ensure that they are fit for purpose, especially for marginalised and vulnerable youth in need of treatment, including the need for requirements such as: • police consent • a limitation on the number of diversions a person can receive.	Support in principle The Victorian Government supports diversion programs as a way for low level offenders to avoid a criminal record and participate in alternative actions that promote rehabilitation and improved outcomes for the person and the community. The Victorian Government continues to consider options to improve drug diversion programs to address low-level drug use and possession in Victoria. The findings of the Inquiry will be used to inform any future changes to the current range of diversion programs.