

Inquiry into the use of Cannabis in Victoria

Miss Kimberley Lee

Organisation Name:
Your position or role:

SURVEY QUESTIONS

Drag the statements below to reorder them. In order of priority, please rank the themes you believe are most important for this Inquiry into the use of Cannabis in Victoria to consider::

Criminal activity, Young people and children, Accessing and using cannabis, Education, Social impacts, Public safety, Public health, Mental health

What best describes your interest in our Inquiry? (select all that apply) :

Individual

Are there any additional themes we should consider?

Select all that apply. Do you think there should be restrictions on the use of cannabis? :

Personal use of cannabis should be decriminalised.

(Decriminalised: there are no criminal or civil penalties instead a person is referred to a drug diversion program or other health/ treatment service), Personal use of cannabis should be legal. , Sale of cannabis should be legal and regulated. , Cultivation of cannabis for personal use should be legal.

YOUR SUBMISSION

Submission:

Do you have any additional comments or suggestions?:

FILE ATTACHMENTS

File1: [5f1f7b6961488-Inquiry into the use of Cannabis .docx](#)

File2:

File3:

Signature:

Kimberley lee

A Submission to the Inquiry into the use of Cannabis from a Social and Political Science Student

Kimberley Lee

Introduction

This submission will respond to three of the Terms of References in the Inquiry into the use of Cannabis. These are ‘prevent young people and children from accessing and using cannabis in Victoria’; ‘protect public health and public safety in relation to the use of cannabis in Victoria’; and ‘prevent criminal activity relating to the illegal cannabis trade in Victoria’. As a youth worker and a post-graduate student of politics (The University of Melbourne) and having graduated from a bachelor’s degree in social sciences (RMIT University), this is an area of interest as I can see in my personal and professional experiences of the harmful implications of our current status quo legislation.

Context of the Issues

Currently, the wider Australian law does not reflect the public consensus on cannabis use. Cannabis is the most commonly used and accessible illicit drug in the black market (Bartle 2018; Parliament of Victoria 2018; AIHW 2019; Peacock, Uporova, Karlsson et al. 2019). Despite this, under most Australian jurisdiction, cannabis use is still a criminal offence. Just a few states and territories have welcomed the move to decriminalise the possession of small amount of cannabis, these states are South Australia, the ACT and Northern Territory. This written submission will encompass the findings and discussions on the legalisation of recreational cannabis. Thus, this paper will highlight the growing support for this movement in legislation; the shift from criminalising cannabis use; how stringent regulation of the market can make cannabis use more safe; and how legalising cannabis use can immensely benefit the economy with billions of dollars in sales.

There is a momentum for the immense support of legalising and decriminalising cannabis use in the international arena. Uruguay, Canada, Catalonia, increasing number of states in the US and New Zealand are all setting this impetus for a new paradigm in drug policy. Notwithstanding, the United Nations Chief Executives Board (CEB) also endorses the support for decriminalising personal use of drugs (UNCEB 2018). This means more could be done in Australia’s part when compared with its international peers and there are credible reasons why Australia should follow suit. Within the Australian context, Bartle (2018) highlights that there is a growing support of this scheme, 73.9% of Australians in 2016 do not think cannabis use should be considered a criminal offence. Whilst 84.4% of Australians support cannabis for medicinal use (Bartle 2018). In a 2016 survey, more Australians are portrayed to be increasingly open to recreational cannabis use than in previous times (AIHW 2017). Moreover, in their research, Peacock, Uporova, Karlsson et al. (2019) have identified that the use of cannabis has been quite stable between the year 2000 and 2019. Despite the prohibition policy, the number of users have not dropped significantly nor has it increased nationwide (Shanahan, Gerard & Ritter 2014; Karlsson & Burns 2017; Peacock, Uporova,

Karlsson et al. 2019). Thus, this indicates that the market and cohort of cannabis users are prominent.

Many scholars contend that cannabis use should not be rendered as a criminal offence, whilst doing so has created various of social and mental impacts (Rosemarin & Eastwood 2012; Shanahan, Gerard & Ritter 2014; Lee cited in Parliament of Victoria 2018). The prohibition approach to drug has been proven to be obsolete, instead it has created unnecessary social impacts such as stigma and the consequences of having a criminal record (Rosemarin & Eastwood 2012; Shanahan, Gerard & Ritter 2014). Subsequently, it is costing taxpayers a tremendous amount of money to operate the status quo legislation. The national cost of executing the drug policy in 2010 was \$1.7 billion (Ritter, McLeod & Shanahan 2013). In an inquiry into drug law, the Law Reform, Road Community Safety Committee (Parliament of Victoria 2018) found that more than 60% of the drug policy expenditure went into law enforcement. Lee (cited in Parliament of Victoria 2018) asserts that this is a prohibitionist approach and is counteractive to the harm minimisation policy, wherein only two percent of funding actually goes into harm reduction initiatives. Whilst, Nicholas and Roche (2016) highlight that around 65% of drug offences are related to cannabis. According to the Australian Institute of Health and Welfare (AIHW 2019), between 2017 to 2018, 52.4% of the national illicit drug seizures were for cannabis. In New South Wales alone, it is estimated that 60 million dollars was the cost to enforce cannabis law (Shanahan, Gerard & Ritter 2014). Shanahan, Gerard and Ritter (2014) assert that decriminalising the possession of cannabis would ultimately alleviate the already arduous and inefficient work of law enforcement. Having this would redirect work of law enforcement to real crimes (Shanahan, Gerard and Ritter 2014; Lee & Bartle 2018). Furthermore, majority of Australians support harm minimisation and reduction of drug use through education rather than achieving this through law enforcement (AIHW 2017). Rosemarin, Eastwood (2012) and Lee (cited in Parliament of Victoria 2018) concur that more funding in education and harm reduction treatments are proven to be more effective.

Whilst one in ten Australians have reported to have used cannabis within the past 12 months, 35% of Australians who are 14 years of age or over, have used cannabis at least once in their life time (AIHW 2017; AIHW 2019). This indicates that millions of Australians are fuelling the current black market, which is worth in the billions (Gross 2018). It is estimated that both legal and illegal cannabis sales are worth between \$4.6billion and \$6.2 billion in Australia (New Frontier Data, cited in Gross 2018). Notably, the cost benefit of implementing this policy is tremendous (Shanahan, Gerard & Ritter 2014; Lee & Bartle 2018). Shanahan, Gerard and Ritter (2014) highlight that the current prohibition system have generated around \$295 million dollars each year through avenues such as in fines. However, the estimated revenue from cannabis legalisation is suggested to be \$727.5 million each year (Shanahan, Gerard & Ritter 2014). Across the globe, the market for legal cannabis is booming into a billion-dollar industry (Huddleston 2016; Gross 2018; Young 2018; Armstrong 2019; Evans 2019). New Frontier Data (cited in Young 2018) reported that medicinal and recreational cannabis is worth \$17 billion (in NZ dollars) in just the North America. Young (2019) and Gross (2018) assert that the cannabis industry is already thriving in international trades.

Ultimately, Australia is lagging when it comes to cannabis legalisation, there is a substantial number of cannabis users within the nation. The prohibition approach is failing to decrease and reduce harm of drug users, therefore a legalisation approach is better one as it has been shown that a decrease in adolescent use and a lowering number cannabis users are prominent in decriminalised and/or legalised systems. The revenue created in legalise system is

expected to be exponentially greater than the current one. Tax raised from this scheme could provide better drug and mental health education, whilst also deliver excellent harm reduction services. The growing consensus here is that the current law harms Australia and this proposal has beneficial outcomes.

Response to the Terms of Inquiry

Reforms must be made to our current policy framework on cannabis use which remains to be indifferent to the public consensus of Australia and the International market. Whilst the current status quo may seem innocuous, as discovered in research stated above, it seems more insidious than not. The attitude and stigma attached to cannabis users are perpetuated by previous policy makers which problematises users and the substance. We know that this current framing of cannabis does not make much sense when we look to other countries that have decriminalised cannabis use and regulating it much more cautiously than what we have here. The current legislation in Victoria burdens and slows down the wheel of justice with trivial crimes relating to cannabis that may not be deemed criminal in the first place.

Legalising cannabis use and regulating the market can achieve harm reduction and safer use (Rosemarin and Eastwood 2012; Linskey, Hindocha & Freeman 2016; Lee & Bartle 2018; Wardle 2018). Studies have shown that there has been no increase among the young users in a regulated market (Homel & Brown 2017; Lee & Bartle 2018; Melchior, Nakamura, Bolze et al. 2019). There are even implications that young users are declining in places where cannabis is legal (Homel & Brown 2017; Melchior, Nakamura, Bolze et al. 2019). In a comparative research of all countries where cannabis use is decriminalised and/or legal, Rosemarin and Eastwood (2012) concluded that overall there were no to little increase in cannabis users. Whilst, in many countries with decriminalisation systems, the rate of drug use was lower than countries with prohibition laws (Rosemarin and Eastwood 2012). This policy ‘prevents young people and children from accessing and using cannabis in Victoria’; ‘protects public health and public safety in relation to use of cannabis in Victoria’; and ‘prevent criminal activity relating to the illegal cannabis trade in Victoria’ - because the legalisation of the use of cannabis and a regulated market will undercut the black market.

In the current unregulated market, users are unaware of the potency of cannabis which could lead to excessive dosing (Linskey, Hindocha and Freeman 2016). A regulated market would have packaging guidelines which would encompass the details of THC and CBD content and warnings can immensely reduce risky behaviour (Linskey, Hindocha & Freeman 2016; Wardle 2018).

On another note, Wardle (2018) and Wilkins (2018) state that leaving the cannabis industry completely to the free market can be dangerous, a ‘free-market’ approach would lead to an increase in user’s dependency, thus a regulated market may be the best option. Furthermore, tax revenues raised can be used to better educate young people and to strategically combat the black market. Shifting the attitude of young people and disparaging them from using cannabis can be achieved through campaigning and establishing meaningful dialogues in schools (Wilkins 2018). Understanding why people use cannabis is more productive than implementing a rigid prohibition policy that is failing all of us.

Fortunately, Australia being behind on this reform means that we can look to the successes and the implications already faced by other countries with legal cannabis use. Countries like

the USA, New Zealand and Canada have paved the cornerstone of establishing a progressive policy for cannabis use. This should be the impetus for Victoria to rewrite and reframe the attitude of cannabis use in its policy making.

Recommendations:

- Firstly, to ‘prevent criminal activity relating to the illegal cannabis trade in Victoria’, the status quo legislation needs to be reformed to legalise and regulate cannabis to broader use beyond ‘medicinal’ reason. This will undercut the black market where a great number of people are currently resorting to regardless of its prohibition.
- A recommendation responding to ‘prevent young people and children from accessing and using cannabis in Victoria’ is to regulate the dispense of cannabis provided that it does become legal to the public for consumption beyond medicinal use. Victoria should put in place similar regulations as what is currently in place for alcohol and tobacco. Campaigns and caveats of cannabis use should be accessible to the public and can be just as aggressive as for the use of tobacco. Legalisation and regulation can achieve harm reduction and safer use of cannabis (Rosemarin and Eastwood 2012; Linskey, Hindocha & Freeman 2016; Lee & Bartle 2018; Wardle 2018).
- In an effort to ‘protect public health and public safety in relation to the use of cannabis in Victoria’; more programs for the education and rehabilitation of drug and alcohol abuse should be made salient and available to the public. This means establishing more centres and/or integrating such programs in schools and community centres where the public can establish a meaningful and open discussion on the use of cannabis. This is a more productive strategy to change the attitude of cannabis use and preventing substance abuse by firstly taking away the stigma of cannabis use. This is a policy that invites people to engage in discussions that will inform their decisions in which self-determination and the ability to weigh up the implications of one’s actions are the imperatives to making changes and fulfilling a liberal civic society.

Kimberley Lee



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