

To Whom It May Concern,

My name is Lachlan Hayes, and I am a chemistry graduate from RMIT University. I write this letter in reference to the Inquiry into Drug Law reform to express my perspective on this issue.

Regarding drug law reform, I am of the opinion that the heavily punitive and abstinence-focused legislation that aims to reduce drug usage is ineffective as a deterrent. This can be quite clearly seen across the globe, and an excellent example of how these policies have failed for decades is during the National Alcohol Prohibition in the United States from 1920-1933 [\[Article Here\]](#).

I would like to comment on some legislation and offer my thoughts, from an evidence based chemistry background.

Making a blanket ban on a substance that has a psychoactive effect, as [recently introduced legislation](#) does, is a massive overreach of the law, and is also so incredibly vague as to invite misinterpretation. Included in such psychoactive compounds are all forms of coffee, alcohol, cough syrup, codeine, and many other compounds that can be easily obtained at supermarkets or over the counter. When laws are this vague, they are open to abuse by law enforcement simply to secure a conviction.

While I understand there needs to be efforts made to reduce the usage of dangerous and understudied Synthetic Drugs or research chemicals, it is important to understand firstly why these drugs are being developed and used, and why the legislation that is in place actually puts people at higher risk. It is even more important to ensure legislation is specific to avoid criminalizing perfectly legal behavior.

Methylenedioxymethamphetamine (MDMA), for example, has been researched in the United States by the Multidisciplinary Association for Psychedelic Science (MAPS) based in Los Angeles to treat such psychological disorders as depression, anxiety, and post-traumatic stress disorder. It has established medical efficacy yet remains in one of the most strictly scheduled and prosecuted drugs in Australian law. While this compound is also used as a recreational drug, it is important to consider its well-established safety profile when compared to those of research chemicals that have been developed to skirt these regulations. Drugs such as 5-APB, 6-APB, 4-FA, MDPV, and many other synthetic compounds developed to mimic the effect of MDMA do not offer the same research background showing safety, and as such, it is not hard to see where problems can arise by allowing their production and sale. We must consider, however, the reason that people are still happy to take risks with unknown chemicals.

We know abstinence based legislation does not work. We know it from sexual health & reproduction education. We know it from the prohibition era of the United States. We know it from steadily increasing penalties for trafficking, but no reduction in the number of traffickers. We know it from the steadily increasing number of drug-related arrests country wide. Society needs to start looking at drug usage from two new perspectives and focus funding and efforts to minimize as much harm to users and communities as is feasible.

It is equally as important to view drug usage and drug addiction as two separate entities that need different approaches and solutions.

The first suggestion I make is one of increasing measures for Harm Minimization for drug usage. It is undeniable that people will continue to use drugs, no matter the penalty. The fact that users are not able to test the drug that they believe they will be taking suggests they are at significantly increased risk of ingesting the wrong substance or a tampered product. With drug testing facilities available, whether it be a booth at music festivals where most drug-related medical emergencies occur, recreational users are able to reduce the risk by magnitudes. Had drug testing been available, perhaps the 16 overdoses on the gold coast and death of Rye Hunt would have been avoidable. Perhaps the deaths and overdoses we see on weekly bases on news websites and television would be avoidable.

The second suggestion is one centred around treatment of addiction. We need to start looking at drugs from a model similar to [the Portugal model](#). From this article it is quite clear that decriminalization of personal quantities of drugs and diverting funding to reducing the addictive and problematic drug usage behaviours [works on many levels](#). I would like to see an increasing in funding to help those addicted get clean & conquer the addiction, rather than locking offenders up at (monstrous) taxpayer expense.

To summarize, I would like to see:

1. The drug legislation that has been recently introduced by the Andrews government in Victoria reviewed with respect to its ambiguity and its openness to misinterpretation.
2. Increased funding for treating drug addiction as a mental health issue rather than a criminal issue and incarcerating drug users.
3. More funding going into harm minimization with measures to help reduce total drug usage rather than suggest people abstain.

I thank you for your time and hope that we as a society can reduce the risk associated with drug usage and addiction to those within the community.

Kind Regards,

Lachlan Hayes.

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