

## Legislative Council

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### CONTROLLED SUBSTANCES (CONTROLLED DRUGS, PRECURSORS AND CANNABIS) AMENDMENT BILL

**The Hon. A. BRESSINGTON** (16:30): I rise to indicate that I will be supporting this legislation, and that will come as no surprise to anybody here. However, I am a little disappointed that the legislation will be difficult for police to enforce or to get a great deal of benefit in reducing cannabis from this legislation. The reason I say that is that there is an attempt to monitor the sale of certain pieces of equipment that do have a legitimate use, and this will make it very difficult for the police to determine whether or not this equipment has been bought for legitimate sales or for illicit sales.

I remind members of this council that I introduced a hydroponics bill attached to the original drug use and paraphernalia bill, and that was about two years ago, where I made the recommendation in that legislation that a licensing system should be established so that the police had, if you like, a narrowing down of places that they could do random inspections on to make sure that this equipment was being used in an appropriate manner and for what the licence indicated the equipment was being purchased for. I still stand by the thought that this would be useful to the police.

Apparently, and sadly, the Attorney-General indicated that he thought that that would be an expensive process and too cumbersome to set up a register. But sometimes the initial cost is far outweighed by the long-term benefits of introducing such measures, and I am sure that the police would be receptive to any assistance they could get to reduce the number of places they would need to inspect where hydroponic equipment is in use and also to keep a tag on the sellers of hydroponic equipment. Let us face it, this bill focuses entirely on the buyers and very little on the sellers and, as far as I am concerned, it would require targeting from both ends—sales and purchases—to get this issue under some sort of control.

We have a huge cannabis culture in this state and it has been so for many years. As Mal Hyde said in a radio interview:

*Unfortunately, cannabis is readily available. It is one of our export industries. We do send a lot of it interstate and unfortunately some years ago in a United Nations report Adelaide was regarded as the cannabis capital of the world, so greater than Australia. It goes back many years to relaxation of the laws and that unfortunately bred a culture here that you could possess and grow cannabis. In fact, there was a survey a couple of years ago which indicated that over 50 per cent of the population believed that it was legal to possess and use cannabis here. Of course, now, once it is going it is hard to get out of.*

That is from the Police Commissioner in an interview on Radio FIVEaa a few months ago, and I will clarify the date if anybody would like. He went on to say:

*It was certainly the case well before hydroponics developed that you would have syndicates—people growing up to their 10 plants which was the law at the time—so it*

*wasn't true that organised crime was not part of that, and it is not just the detection rate that has forced it indoors with hydroponics. It is a better technique. They can grow three to four crops a year, much more productive crops as well, and once it has got into the community in this way it is very hard to get it out.*

We have seen from the Police Commissioner himself that he has admitted that the relaxed laws have contributed to this problem and also that it is a huge task, now that this has taken hold, to eradicate the problem or to get on top of it. That is why I believe that this bill, although on the surface it looks good and it looks like an effort is being made, probably has not been practical enough to do the job that we would hope that it would achieve. It has long been a criticism of South Australian drug policy that a person can grow cannabis plants with no greater penalty than \$500. There is no doubt that this is being abused by criminal elements, particularly when one could grow 10 plants as before and has contributed to South Australia earning the dubious reputation of being the cannabis capital of Australia.

I would like to make a few comments in response to the comments made by the Hon. Mark Parnell. I am as guilty as anybody else in this place of being of the mindset of either for it or against it when I first came in here. Obviously, we all believe in our own mind that we hold the middle ground on drug policy and it would depend greatly, I think, on the life experiences that we have had and also on our professional experience and on being in contact with people of the community, namely parents, who have been adversely affected by their child's drug use to the point where families break down and young people either lose their mind or lose their life to these illicit drugs. So, it is a matter of perspective, and I respect that more now than when I first came in here.

When harm minimisation was adopted in this country, it should be very clear to all members that the actual workings of harm minimisation were not solidified and put into a proper policy paper until some 10 years after we had adopted the harm minimisation policy. So, governments had adopted harm minimisation without actually knowing the ins and outs of that policy and what it would mean. That is the government's fault for not being clear on the policies that it was adopting. It is no secret that over the years the harm minimisation approach has been hijacked and some people involved in the medical practices and the legal profession are also involved with groups overseas like NORML, which is a marijuana legalisation lobby group that has been going strong now for many years.

It is no secret that Dr Alex Wodak actually sat on the board of a group of people who worked for George Soros, who was one of the top drug-legalisation campaigners in the world. In fact, Mr Soros pours \$140 million a year into the drug legalisation lobby. He is also behind the medical marijuana bills moved in California, and he was involved in the writing of that particular proposal which saw people very confused about what they were voting for.

I do not believe that there is a pure agenda behind the hierarchy of the drug legalisation movement. I believe they see an opportunity, for whatever reason, for social control and also for huge amounts of money to be made. George Soros has made it very clear in a number of these statements that, if drugs were to be legalised

around the world, he would be the one who would take responsibility for growing opium poppies as well as marijuana crops for medical marijuana.

This man is a brilliant money-maker. He is the only man who has managed to make a profit from the subprime situation in America. Amongst all the other stock-market investors—and whoever else—who have suffered great losses because of subprime, George Soros has managed to make a \$4.5 billion profit. He is a clever man. He also heads up an institute called the Open Society Foundation. This is available to everybody on the internet for research. The Open Society Foundation is about breaking down our traditional social structures.

I think we should be very much aware that the argument between abstinence and harm minimisation has been polarised, but it has not been done by the abstinence side. People who have practised abstinence and delivered abstinence-based programs are so anti-harm minimisation as it is now because it is not the policy that people believed it was when it was introduced in 1984.

We also had a situation in South Australia not so long ago where a senior police officer who was resigning from the position—and I cannot quite remember what his position was in the police force—stated on radio that harm minimisation in Australia has been a social experiment that has gone drastically wrong. We cannot hear this from our law enforcement officials. We cannot hear it from other places, such as medical research, scientific research or the National Institute on Drug Abuse, which is known and recognised in the United States as 'the' organisation that puts out top grade evidence and research on substance abuse and drugs.

How can we sit here and say that all of the information is not being taken into consideration when we do not want lax drug laws in this state or in this country. It is not a matter of whether you are for or against harm minimisation. I will remind members in this place that the three prongs of harm minimisation are: to reduce supply (which means only a law enforcement component), to reduce demand (which is a treatment component) and also to reduce the harm. So, if you take those three prongs of the harm-minimisation approach literally, it would be a good policy and it would be a workable one for states and territories in this country. But, as I said, it has been hijacked by the legalisation movement, the medical marijuana movement and by the particular lobby designed specifically to put a friendly face to marijuana. I will not get into this debate now, because I know the honourable member is introducing that bill soon.

These are the sorts of things that have corrupted this policy. These are the sorts of things that are enraging ordinary members of the community of this state and of this country: that we have a drug policy that should work far better. Dr David Caldicott says that these types of decisions should not be left up to the parliament. They are medical decisions. Yet, he is more than willing to involve himself in political debates on law enforcement. He is a medical professional. Let him stick to the medicine and the science. The reason he does not do that is that there is a very narrow strip of research and evidence available that supports his arguments and the arguments of Dr Alex Wodak.

I do not know whether any members attended the Drug Free Australia conference held last year, but a completely independent overseas researcher actually contacted me at my office here and asked whether she could give a presentation at the conference about the way Dr Wodak construes research and then put out papers. He has earned himself a very dubious reputation overseas for that presentation. I am not talking about just friends of people from Drug Free Australia; I am talking about people from the Netherlands and people from those European countries who once used to support the research data put out by Dr Wodak and who have now been made aware of the serious flaws in the way he analyses and puts out information from research that is done. It is selective research and selective evidence—take a bit of the information that you want and forget about the rest. That is not true representation of good policy in this country.

The Hon. Sandra Kanck: It's peer review.

**The Hon. A. BRESSINGTON:** Well, it is peer review by his group of peers. The Hon. Sandra Kanck says that it is peer review. There are a number of professionals who are not in the circle of the harm-minimisation legalisation lobby and who disagree vehemently with his research. So there is peer review from a very select group of people. It is no secret that this debate has been polarised and has been split in two, with both sides seeing the other as extremists. However, that does not necessarily have to be the case. The Hon. Mark Parnell said that abstinence-based programs and a harm minimisation policy should be able to work in tandem—and I agree fully. At Drug Beat we do respect the three prongs of harm minimisation, we do enforce and apply it as it was originally meant to be applied. We do not go out on the street and drag people in with a hooked stick to get them into treatment. The Hon. Sandra Kanck has misrepresented me in respect of this on radio many times by saying that I do not know the difference between abuse and use. I do know the difference; I wonder whether she does.

When a person becomes a problematic drug user, we do them absolutely no favours at all by continuing to prolong their misery. Many problematic drug users will tell you that there are worse things than dying. Many drug users have said to me that there are worse things than dying. The worst thing that you could ever sentence a drug user to is to live a life of addiction. That does not mean that they were tossed out on the street and deserted by their families. It means that they have lost absolute control of their lives, they have no skills, and no way of getting any level of normality back. The way back is a very long, arduous and painful process for them.

It is a question of knowing the difference between use and abuse and to not knowing or to think that I do not know the difference between when someone is a problematic drug user and needs serious help and when someone is able to use drugs and function reasonably okay in their life. I am not interested in people who can use drugs and not be a negative impact on the rest of the community; they are not my concern because they are not causing anyone else any harm. My argument this whole time has been that cannabis is one of the most harmful drugs. We cannot state, based on the research, that it is a benign drug, that it is less harmful than the other drugs. Research shows that cannabis stays in your system for up to 42 days after one joint. How can that be?

The Hon. Mark Parnell talked about a reasonable approach to more harmful drugs such as nicotine and alcohol. Nicotine is a very harmful drug. It stays in your system for 24 hours. How can we then reconcile that we want to take a leaner approach to cannabis when it has been shown that cannabis is 10 times more carcinogenic than tobacco? The argument often put is that no-one has ever died from cannabis. Do we then say that no-one has ever died directly from cigarettes because they have never overdosed on nicotine? That is a really irrelevant and stupid argument because many people have died as an effect of cannabis use whereby they have lost their mind and they have committed suicide. This has been shown time and again in documentaries on television. We have tried to get people to understand the harm that these drugs do and make them understand that if they make the choice to use them they have to be prepared to accept that these consequences may well befall them.

The Hon. Mark Parnell also made the comment that, in all of this time of police seizures, we have not seen a reduction in its use. That is because people honestly believe (as Mal Hyde said) that they can own, possess, grow and use cannabis, and it is legal. We have a very confusing policy in this country: it is harm minimisation and it does send out mixed messages. When the Hon. Mark Parnell says that the Just Say No campaign does not work, I agree; it does not work. Teenagers require far more information in order to say no than just being told to say no, because that becomes a moralistic way of telling kids what their choices are.

I have spoken in schools about drug education for many years and I can tell you that year 11 and year 12 students, when they hear the information on the damage done to the central nervous system, which is all scientific and medical-based information—about the disruption of the production of endorphins and hormones, the potential for mental illness to occur because they used drugs at a young age, and the brain damage—and when they see the slide show of the permanent damage done to the brain through using drugs such as MDMA and others, they know then why they are saying no. I have received many hundreds of letters from youths thanking me for the information I have given because they had never before been told about the harm that these drugs can do.

Balanced education means giving kids a cost-benefit analysis, not just taking them into a room and teaching them how to identify drugs and then telling them that, if they are going to use, use safely. That is not balanced; that is not giving our kids enough information to make an informed choice. If we are talking about the freedom to choose then, for God's sake, make sure that our kids are armed with the information to allow them to make that choice.

Although I am disappointed in this particular bill, I am going to support it. However, I do believe it is lacking. I will wait 12 months and, if it is not everything that it should be, I will move amendments to try to improve, if you like, its function. However, we are starting to send a very clear message, and the Attorney-General should be congratulated for this. He is now starting to send a clear message, through the legislation that is being developed by this government, that drug use is not acceptable and that we need to look at it differently now.

I remember when I first came here and the Attorney-General said, 'You are lucky; you have come in on a wave of change.' I said, 'I was actually responsible for creating that

wave of change in South Australia and I am proud of it. By the end of my eight years it will not be a wave; it will be a bloody tsunami.' I intend to make sure that that happens.

I am glad to see that the Labor government is prepared to cooperate and have some common sense in some areas. They still have a way to go, but there is a start to changing the messages that have been sent out there from many years ago. As I said, Commissioner Mal Hyde has stated it himself: this is a mistake that we made. We have other senior officers who are now saying that harm minimisation is a social experiment that has gone very wrong. So, we are getting legitimate feedback from people at the front line.

If we do not allow our police to do their job and stop the production, manufacture and distribution of these drugs, how in God's name are we ever going to be able to fund enough treatment centres to deal with that fact? It will cost far more money in the long run, because at the end of the day harm minimisation is not a treatment program. Harm minimisation offers no treatment: it offers maintenance.

Drug users do come to the conclusion, in a very short time, that they want to stop. Harm minimisation does not offer them the tools to do that. The only ones who do not come to that conclusion are the ones whose lives have not become problematic and, as I said, I am not interested in them. I am not interested in making their lives unmanageable through law enforcement.

What I am interested in is those scumbags who are out there growing crops of cannabis at a monumental rate, creating a cottage industry in this state that is reaping them millions of tax-free dollars a year and then distributing it to our young people. Why should we not be tough on them? Why should we have any concern that we are disrupting their lives? They are criminals. Drug use is illegal. The growing, manufacture and distribution of these drugs is against the law, and I am pleased to say that the Attorney-General is now starting to develop legislation that will reflect just that.