



Honourable Yvette D'Ath MP  
Attorney-General and Minister for Justice  
Leader of the House

In reply please quote: 572305/4, 4700466

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Mr Neil Laurie  
The Clerk of Parliament  
Parliament House  
Cnr Alice and George Streets  
BRISBANE QLD 4000

Dear Mr Laurie

I write in response to e-Petition 2967-18, tabled in the Legislative Assembly on 12 February 2019, regarding the Inquiry into Drug Law Reform by the Parliament of Victoria's Law Reform, Road and Community Safety Committee (the Inquiry).

I note the petitioners' request that the House present the findings and recommendations of the Inquiry to the Queensland Parliament for discussion and review in the context of Queensland legislation and drug law reform.

The Queensland Government is aware of the Victorian and Commonwealth Governments' recent inquiries into drug law reform in addition to the review of the Australian-first pill-testing trial in the Australian Capital Territory, and will continue to monitor developments in other jurisdictions within Australia and overseas. A copy of the Victorian Inquiry into drug law reform report is publicly available at: <https://www.parliament.vic.gov.au/lrrcsc/inquiries/article/2812>.

The Queensland Government's response to dangerous drugs in our community is one of harm minimisation, comprised of three actions: harm reduction, demand reduction and supply reduction. The relevant drug legislation is continuously under review to ensure that it remains responsive to changing trends in drugs and drug culture.

The Queensland Government has a proud record of evidence-based policy in this area. After engaging with experts in an extensive review of best practice, the Palaszczuk Government reintroduced the Drug and Alcohol Court (the Court) in Queensland, resulting in the re-commencement of the Court in January 2018.

The Court provides an important response to offenders with entrenched drug use issues, and involves an integrated approach by the judiciary, law enforcement, corrections, legal and health practitioners to ensure all drug court participants receive the necessary supervision, treatment and interventions to address their drug and alcohol dependencies, and to reduce reoffending. More information on the Court and the review that was undertaken can be found on the Queensland Courts website at: [www.courts.qld.gov.au/courts/drug-court](http://www.courts.qld.gov.au/courts/drug-court).

The *Penalties and Sentences Act 1992* includes a Drug and Alcohol treatment sentencing order (treatment order) to respond to certain offenders whose criminal offending is linked to their severe drug or alcohol use. A treatment order facilitates the

rehabilitation of offenders by providing a judicially-supervised, therapeutically-oriented and integrated treatment regime to reduce the offender's severe substance use disorder, reduce the level of criminal activity associated with the disorder, and assist the offender's reintegration into the community.

While drug courts are an important part of the criminal justice system, they are only one of a number of responses to the extensive problem of illicit drug abuse-related crime.

The Queensland Government is also cognisant of growing community interest in the use of cannabis as a medicine. Medicinal cannabis products are regulated as medicines in Australia, therefore medicinal cannabis is regulated under both state legislation and the Commonwealth's *Therapeutic Goods Act 1989*.

All medicinal cannabis products in Australia must meet the standards set by the Therapeutic Goods Administration for minimum quality requirements and microbiological standards. To ensure safe prescription and dosage decisions by doctors, medicinal cannabis products need to be consistent, contaminant free and high quality.

The Palaszczuk Government has supported access to Epidiolex® (an oral solution of pure plant-derived cannabidiol) for children with intractable epilepsy through a Compassionate Access Scheme (the Scheme) administered through the Children's Health Queensland Hospital and Health Service.

Further, the *Public Health (Medicinal Cannabis) Act 2016* (the Medicinal Cannabis Act) establishes a regulatory framework under which medicinal cannabis products may be prescribed and dispensed to patients in Queensland. The Act's regulatory framework provides a formalised process for doctors to follow if they want to prescribe medicinal cannabis as part of their patient's overall treatment.

The State and Commonwealth governments have committed to completing the approval process and providing a decision within two business days (48 hours) once a fully completed application for prescriber access is made for medicinal cannabis. Recent amendments in Queensland, to the *Public Health (Medicinal Cannabis) Regulation 2017*, expanded the prescribed class of specialist medical practitioners to all specialist medical practitioners (this includes specialist general practitioners) treating an expanded class of patients.

In addition, on 13 November 2018, the Health and Other Legislation Amendment Bill 2018 (the Bill) was introduced to Parliament by the Honourable Dr Stephen Miles MP, Minister for Health and Minister for Ambulance Services. The Bill proposes to repeal the Medicinal Cannabis Act, and make consequential amendments to the *Health Act 1937*, to allow medicinal cannabis to be controlled in a similar way to other Schedule 4 or Schedule 8 drugs, under the *Health (Drugs and Poisons) Regulation 1996* (HDPR). On 14 February 2018, the Health, Communities, Disability Services and Domestic and Family Violence Committee recommended that the Bill be passed.

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The proposed amendments to the HDPR will provide for a streamlined process for medical practitioners to prescribe medicinal cannabis products. However, any use of cannabis outside of this regulatory framework and the uses authorised by the Commonwealth legislation, will remain illegal.

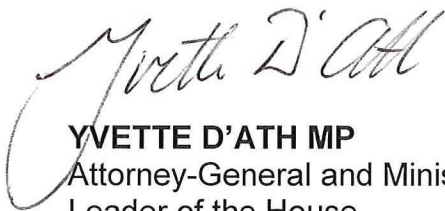
The Queensland Government is committed to further streamlining access to medicinal cannabis for patients, doctors and pharmacists balanced with the need to maintain the quality and safety of medicines provided to patients.

In September 2015, the Queensland Government released a discussion paper to engage with Queenslanders on issues associated with 'ice' and to explore options and solutions to this problem. From February to October 2017 the Government engaged with the community to seek input and insights from all Queenslanders and to better understand the impacts of 'ice', particularly in rural, remote and regional communities. In February 2018 the Government released 'Action on Ice', the Queensland Government's plan to address the use and harms caused by this drug. The plan and other relevant information can be accessed at: <https://events.premiers.qld.gov.au/ice>.

I can assure petitioners the Queensland Government will continue to monitor and review drug policy and relevant legislation to ensure it remains responsive.

I thank the petitioners for bringing their concerns to the attention of the House.

Yours sincerely



**YVETTE D'ATH MP**

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