

DR MARISA PATERSON MLA SPEECH

4 Aug 2022

Debate – Drug Decriminalisation Bill

Start

Intro

Thank you, Madame Speaker.

I want to start by thanking and commending my colleague, Mr Pettersson in your commitment to decriminalising small amounts of drugs for personal use in our community.

This is an incredibly complex area of policy and legislation – as demonstrated by the proposed Government Amendments – and is an incredibly challenging issue which has drawn many different, passionate and emotional responses from our community and stakeholders.

I congratulate you, Mr Pettersson, on not shying away from such a highly contentious matter, and for being prepared to take on the challenge and the robust debate, in exchange for the positive outcomes to be achieved.

I wanted to start my speech today by putting people fairly and squarely in the frame of this debate. In an earlier speech, I highlighted a Submission by the Uniting Church to the ACT Legislative Assembly Inquiry on this Bill that really struck me. I believe it is important to point to it again. The Uniting

Church submission explicitly talks about treating people who experience drug dependency with dignity and recognising the worth of every person and treating all with respect.

There are many reasons why people may choose to try drugs – but what we know is that drugs can be harmful, and they impact individuals in many different ways. Some drugs are highly impacting on the body and are highly addictive. There are a multitude of factors, such as individual physiology, health, mental health, past experiences of trauma and poverty that can all contribute to factors in why one person may become dependent or addicted and others may not. The problem is that drug use can cause, contribute to, exacerbate experiences of trauma, poverty, mental ill health, poor physical health. In any other context, when we talk about people who have experienced trauma, poverty, mental illness, or poor physical health – we would naturally express deep compassion. However, when these factors are associated with drug use – historically, as a community these people have been met with significant stigma. It's time to change that. People who experience drug dependency experience a significant health problem.

I am proud to be part of a Labor Government that is driving this reform, to lead Australia in how we support people in our community.

Inquiry

I was Deputy Chair on the ACT Legislative Assembly's Select Committee on the Drugs of Dependence (Personal Use) Amendment Bill 2021.

The Inquiry conducted by the Committee provided valuable insights into the perspectives of a very broad range of stakeholder groups and community members – including many with lived experience across a variety of situations associated with drug use.

I would like to again extend my most sincere thanks to everyone who took the time to participate in the Inquiry process and my condolences to those members of the ACT community who have lost loved ones to the harm caused by drugs.

The Inquiry examined the various provisions and related matters of the Bill which we are debating today. The community received evidence of significant community support for the Bill and substantial evidence from both the researchers and those that deliver the critical services, all in support of this reform. As a researcher, in a previous career – I have been in the position of gathering and assessing evidence in a multitude of subjects and contexts – but I can honestly say – the evidence base for decriminalising drugs in the ACT was solid, it was clear and it was definitive in its overwhelming support of the Bill. Sure there is detail – that is debateable – but that is why the Inquiry process was critical.

This is why I am confident to stand here today, as the Member for Murrumbidgee to provide my support for the Bill, and the proposed Government Amendments.

I welcome the Government Amendments which largely reflect the recommendations of the Assembly Committee's report following public Inquiry.

Community concern about methamphetamine is real and significant. Acknowledging this is important. I think it is fair to say that methamphetamine and heroin are considered to cause the most harm. This is why a health approach to personal drug use is most critical. The users of these drugs are the people who need the health response, who are most at-risk and need a health intervention, not a criminal one. I would like to put again the evidence is very strong for this approach – specifically for methamphetamine. There are two very significant Inquiries at the Federal level and NSW – they both focused specifically on methamphetamine use.

I would like to point to the Assembly to the Federal Parliamentary Joint Committee on Law Enforcement and their 2018 Inquiry into crystal methamphetamine (ice). This was a national inquiry, the most significant in Australia. IT was also an inquiry that brought a law enforcement lens, yet its final recommendation is that the Committee urges Australian Governments to implement its recommendations – stating that Improvements can and must be made in addressing methamphetamine use in Australia, in the committees opinion this should be done by shifting the focus on methamphetamine from a law enforcement problem to a health issue within an environment where treatment and support are readily available and without stigmatisation.

The other most substantial work on methamphetamine in Australia was the Special inquiry Commissioned in NSW, the 2020 report titled 'Report of the Special Commission of Inquiry into crystal methamphetamine and other amphetamine-type stimulants'. The findings of this significant work echo the Federal Government inquiry. I would like to read Commissioner Howards SC words summarising the inquiry:

'The current stance of our criminal law towards use and possession of drugs has failed to have any significant impact on the prevalence of illicit drug use in NSW. Criminalising use and possession encourages us to stigmatise people who use drugs as the authors of their own misfortune. It gives us tacit permission to turn a blind eye to the factors driving most problematic drug use: trauma, childhood abuse, domestic violence, unemployment, homelessness, dispossession, entrenched social disadvantage, mental illness, loneliness, despair and many other marginalising circumstances that attend the human condition. This is a profound flaw in our approach to illicit drug policy.'

The evidence is there. And now I am proud to be part of a Government that bases its policy on evidence and is brave to take the steps and to dedicate the funding that is needed to support the reform. I was very pleased to see dedicated funding for targeted treatment for methamphetamine addiction. There are just a couple of key aspects of the reform that are worth noting, I think.

Targeting the supply and manufacture of illicit drugs is a priority of ACT Policing and supporting, resourcing and funding Police to do this critical job is essential. There have been some significant charges laid for drug trafficking and organised crime lately - and I commend ACT Policing for their commitment and dedication in keeping our community safe.

I also think its important to recognise that Aboriginal people are disproportionately represented in our prison and criminal justice system. Drug and alcohol dependency forms a part of this story. That is why it is critical the ACT Government invest in Aboriginal community controlled, culturally safe facilities and programs. The ACT Government recognises this and is working with Winnunga Nimmityjah to develop a dedicated residential alcohol and other drug rehabilitation facility for Aboriginal and Torres Strait Islander people in the ACT. The Aboriginal and Torres Strait Islander community-controlled facility will promote rehabilitation and recovery in a culturally safe and inclusive environment. This is currently in the design and commissioning phase. This is a project that has huge potential and I intend to follow closely, along with other Government policy and programs to end the disproportionate, systemic disadvantage that Aboriginal and TSI people experience in our ACT community.

Madame Speaker, In ending my speech today, I cant express enough how much I believe in this reform. I believe in the hope that it offers for genuine reform. So many times with complex social problems – we say some needs to

happen – well today and over the time this Bill is debated – something significant is happening. I support this Bill and the Government amendments.

Ends