

DR MARISA PATERSON MLA SPEECH

30 November 2021

Drugs of Dependence (Personal Use) Amendment Bill

Thank you, Madame Speaker.

I would like to speak in reflection of Drugs of Dependence (Personal Use) Amendment Bill 2021 Inquiry that the Committee has just concluded.

My colleague, Mr Pettersson, tabled his Bill that was then referred to a Select Committee, of which I was Deputy Chair. The Bill proposes to decriminalise small quantities of 11 currently prohibited substances, considered drugs of dependence, for personal use.

I would like to begin by highlighting the comments provided during public hearings by the Uniting Church. Their submission really struck me because it explicitly talks about treating people who experience drug dependency with dignity, and recognising the worth of every person and treating all with respect.

To quote Reverend Simon Hansford and Ms Emma Maiden of the Uniting Church:

"The challenge for us in this issue is that so much criminality and blame and accusation is part of this issue. We want to argue that the best way of treating this is as a social and health issue and not as a criminal one. We are arguing, too, that restoration of those who are drug dependent, of caring for them and providing them with connection and community is at the heart of the church's understanding of the gospel and who they are...

We are concerned that current laws create barriers to treatment. We want to say strongly that treatment works, and the more we can connect people who need and want treatment to that treatment the better our society will be.

Taking away the criminal consequences of being caught with a small amount of drugs for personal use is actually a really big part of reducing the stigma.

When you talk to people who have been drug users, the criminal consequence is one of the barriers for them in terms of reaching out for help and assistance when they

have needed it. I do feel that very act of not having that criminal consequence is very important.

We also advocate that what we want in our society is for there to be open and honest conversation around people with drug and alcohol use. All the evidence shows that having those open and honest conversations means that we do not drive this kind of behaviour into the shadows. That is what we would like to see and why we support a decriminalised system".

Madame Speaker, I think some very important points have been raised here. It is the shadows that scare us as a community. If we bring the people who are most vulnerable, most traumatised, struggling in a cycle of addiction – bring them out of the shadows and into the light of the caring and compassionate society that we are – the very people left in the shadows that are those that are producing and supplying these drugs to our community. And that is exactly where the police can focus their attention.

Throughout public hearings between the 8th and 30th of July, the Committee heard from 51 community members and stakeholders.

We heard from parents – those who live everyday with the loss of their child, and we heard from those who were at the point of despair in how to get their children help. As a member on this committee, I can't say thank you enough for your bravery to share your story with the committee. I have very real compassion for your stories and experiences – and this is why I feel very passionate about seeing this Bill become law in the ACT.

Madame Speaker, I wish to share with the Assembly some direct quotes from Mr Ross and Mrs Mary Bingham who spoke of their experience with their son Cameron.

They said:

“When Cameron had an episode at home again, we rang the police. They spoke to both of us; they knew us well, as they had been to our house many times. They said that the only way to help him would be to get him arrested... Ross and I agreed; we went and did that... The only thing is that Cameron is a dual citizen... He has a US passport as well. We held off on getting him arrested because you do not want to have

your own kid arrested on a criminal charge. He would lose his American passport. Any opportunities for him to go and work in the States and live there would be finished. We held off on that for a bit. He is not a criminal; it just leads to criminal acts— violence, there is a lot of property damage that we have had over the years, and all sorts of things. Cameron, as a normal person, is funny and charismatic; he is a real hoot to be around... He is a really kind soul. This stuff turns them into real monsters. At the end of the day, that is what we ended up having to do”

And from another parent - Mrs Marion McConnell:

“Our son died from a heroin overdose in 1992. My personal experience, as covered in my submission, left me with a deep-rooted conviction that our prohibition drug laws were pointlessly destroying lives and families, that these laws were unjust and wrong and served no real purpose...

I do support the bill wholeheartedly because I believe criminal sanctions for personal drug use cause more harm than they do good... I really think that criminalising people who use drugs, small amounts of drugs, is just not helpful. It does not help them to discuss if they have issues”.

Mrs McConnell was unfortunately not alone in her experience of losing a child to heroin in the ACT. The inquiry really highlighted the blight of heroin on this community in the 1990s and the impacts are still felt today. These parents and friends who have lost love ones – have been advocating for decades now for their voice to be heard – if their loved one had received the help they needed, had lived in a community that showed compassion to those experiencing drug addiction – then perhaps they would be here today. These families are normal, everyday families, contributing to society like everyone else - yet they have experienced so much loss.

No one is above drug addiction. What concerns me the most, and I think was significantly highlighted by the inquiry, is the lack of voices from people with lived experience of drug use and dependence. I believe this highlights the stigma and trauma associated with drug dependency, and the ultimately disempowering nature of addiction.

Today, the conversation and fear in the community is very much about methamphetamine. I think it's worth noting that alcohol causes the most harm to our community, so let's start from that point. We don't fear alcohol like we do

methamphetamine because it is legalised, glamorised, it is part of our culture. Yet for every person that has been the brunt of alcohol induced family violence, sexual violence, random violence on the streets, every person who has been seriously injured or killed as a result of an alcohol induced accident – to those people in the community – alcohol is a very harmful drug. The billions of dollars behind this industry ensures we don't stigmatise alcohol the way we do illicit drugs.

Methamphetamine does cause harm to those that use the drug and to our community. So does heroin. However, those using methamphetamine and heroin are those that need the most help. I want to live in a community that views these people with compassion and supports them to get whatever help they may need.

And this is exactly what the results of the survey that was conducted as part of this inquiry found. Overwhelmingly, Canberrans want to see drug dependency treated as a public health issue rather than a criminal justice matter. I do understand though that there are concerns about what this Bill means, and what I can say to people that do have concerns – that I have never been involved with an Inquiry that has such a solid research evidence base. This is solid reform that has potential to reduce harm from drugs. There are decades of research evidence to back up this reform. Similar human-rights and health focused reforms are occurring worldwide, and the overwhelming evidence is that decriminalisation does not increase drug use.

Further, I would like to point to the Federal Parliamentary Joint Committee on Law Enforcement and their 2018 Inquiry into crystal methamphetamine (ice). This was a law enforcement inquiry that brought that 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.

This Inquiry gives me confidence to stand here today, as a Member of the Committee and as a Member of this Assembly, representing the community of Murrumbidgee and the broader ACT population, to stand strong in the view that this legislation should be supported and passed.

I believe that we should view people experiencing drug dependency in the ACT as experiencing a health issue, and they should be offered support services and treatment accordingly.

The benefits of decriminalisation include reduced harm, reduced stigma, reduced trauma and increased treatment and support services to help provide a path forward.

I wish to thank Mr Pettersson for bringing this legislation to the Assembly. I also want to thank and acknowledge my colleagues Mr Davis and Mr Cain for their role in the Committee's Inquiry, as well as to everyone who provided a submission and presented during public hearings.

I look forward to the ACT Government's progressive and inclusive approach on this matter.

Thank you.