



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Jeremy Hanson MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair),  
Ms Jo Clay MLA

**Inquiry into ACT Budget 2021–22**  
**ANSWER TO QUESTION TAKEN ON NOTICE**  
**28 October 2021**

Asked by Jeremy Hanson MLA on 28 October 2021: Shane Rattenbury MLA took on notice the following question(s):

[Ref: Hansard Transcript 28 October 2021 [PAGE 23-24]]

In relation to:

**THE CHAIR:** Thanks. And you might want to take my next question on notice, but I am just interested in offences for cannabis, both sort of recording sort of pre and post the legislation coming into effect that legalised certain quantities of cannabis. Are you able to provide me a view of the number of matters, criminal matters, in the courts that were dealing with cannabis prior to that legislation coming into effect, as opposed to post and similarly, the number of drug driving offences that involved cannabis pre the legislation coming into effect and post? If you do not have that to hand, I am happy that you take it on notice.

**Mr Rattenbury:** I suspect we will need to, Mr Hanson, but let me just look to the officials to see if anybody has that. I suspect not, though.

**Ms Nuttall:** Mr Hanson, sorry, we do not have that data to hand. I will take that on notice.

Shane Rattenbury MLA: The answer to the Member's question is as follows:—

Legislation Name	Section	Offence	Feb 2019 to Jan 2020	Feb 2020 to Jan 2021
Criminal Code 2002	603	Trafficking in controlled drug - cannabis	12	14
Criminal Code 2002	618	Cultivating (artificial or otherwise) cannabis plants	11	5
Drugs Of Dependence Act 1989	162	Cultivate 1 or 2 cannabis plants	2	
Drugs Of Dependence Act 1989	169	Possess drug of dependence	2~	2~
Drugs Of Dependence Act 1989	171	Possess prohibited substance	83~	9~
Drugs Of Dependence Act 1989	171AA(1)(a)	Possess 50g or less of dried cannabis	2	6*

Drugs Of Dependence Act 1989	171AA(2)(b)	Possess 150g or more of cannabis	11	
Drugs Of Dependence Act 1989	171AAA	Cultivation of more than 4 cannabis plants at premises	1	4
Drugs Of Dependence Act 1989	171AB(2)	Exposed child to smoke or vapour from cannabis smoked		1
<b>Total</b>			<b>113</b>	<b>52</b>

Notes:

~ charges with "cannabis" on the charge description.

\* all accused are juveniles.

Legislation Name	Section	Offence	Feb 2019 to Jan 2020	Feb 2020 to Jan 2021
Road Transport (Alcohol and Drugs) Act 1977	20	Drive with prescribed drug in oral fluid or blood	862	841
Road Transport (Alcohol and Drugs) Act 1977	24	Drive under influence of intoxicating liquor or a drug	10^	14^
<b>Total</b>			<b>872</b>	<b>855</b>

Notes:

These figures include driving under the influence of **all drugs**. The type of drug detected is unknown.

^ Excludes charges in relation to intoxicating liquor.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

Date:

7/11/21

By the Attorney-General, Shane Rattenbury MLA