



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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SELECT COMMITTEE ON THE DRUGS OF DEPENDENCE (PERSONAL USE)  
AMENDMENT BILL 2021

Mr Peter Cain MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair),  
Mr Johnathan Davis MLA

## Submission Cover Sheet

Inquiry into the Drugs of Dependence  
(Personal Use) Amendment Bill 2021

**Submission Number: 01**

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Hi,

Thank you for the opportunity to make a submission in relation to the Drugs of Dependence (Personal Use) Amendment Bill 2021.

I support the bill as a constructive step away from the criminalisation of drug use. Drug use should not be criminalised. People should be able to use drugs. Drugs, both legal and illegal, are used by many people in healthy and responsible ways that enhance their lives and the lives of those around them. This is a good thing. To the extent that drug use can, in some cases, cause harm, it seems readily apparent that these harms are worsened through a criminalisation approach.

However, it's a shame this bill doesn't go further and just legalise drugs. Possibly - and I'm no constitutional lawyer - the ACT can't actually do this. But it would be at least to see a bit more symbolic support for this step. I find it disappointing that the explanatory statement for this bill describes drug use as a "public health problem", a pathologisation of drug use. The reality is, of course, that plenty of people who use drugs do so responsibly and safely and do not need medical intervention.

With legalisation there is a risk that for-profit operators may start selling drugs in irresponsible ways. Certainly we see the risk of this around currently-legal drugs, which is why, for example, the advertising and sale of legal drugs is regulated. The same approach, ie, regulation of advertising and sales, could be taken with drugs that are, at present, illegal. Another model to consider would be a government monopoly on the sale of drugs. An example of this is in Sweden, where the government-run 'Systembolaget' has a virtual monopoly on the sale of alcohol: making it readily available to the population in a safer and more responsible way. Certainly, the risk of irresponsible business practices is one that can be managed.

I look forward to a more mature approach in the ACT towards drug use that recognises that most people who use drugs do so because they find it enhances their quality of life. This is something to be acknowledged and supported.

Regards,

Joel Dignam