

MEDIA RELEASE

Parliamentary Inquiry Recommends Decriminalisation of Cannabis

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The NSW Bar Association welcomes a Parliamentary committee inquiry recommendation that “the Government decriminalise personal use and possession of cannabis” and calls upon the NSW Government to act upon yet another report recommending illicit drug law reform.

The NSW Parliamentary committee inquiry into the “Impact of the regulatory framework for cannabis in New South Wales” has released its [final report](#), which includes the finding that “...it is absurd, draconian and antiquated that in New South Wales the maximum penalty for the possession of a small quantity of cannabis is two years’ imprisonment. This degree of criminalisation, which has persisted for many decades, is irrational and an affront to the community’s sense of justice...”

The President of the NSW Bar Association, Dominic Toomey SC, said that criminalisation has not been an effective deterrent in relation to the personal use and possession of drugs, especially cannabis.

“Drug addiction is best addressed as a health issue outside of the criminal justice system.”

“Criminalisation does not help, it harms. The criminalisation of the use and possession of small quantities of cannabis, and other drugs, fails to address the fact that drug use and addiction are, fundamentally, health issues. It also fails to reflect modern community attitudes. A significant majority of the community no longer considers it appropriate that possession of a small quantity of cannabis should lead to criminal sanction, and all that can flow from that.”

“Instead of compounding the problem, the NSW Government should be looking to assist vulnerable people to break their cycle of disadvantage. First Nations people are overrepresented in the criminal justice system yet often do not receive the same opportunity to benefit from drug diversion initiatives. It is hoped that updated police guidelines for the Cannabis Cautioning Scheme will lead to more equitable outcomes.”

“The failed policy of criminalisation wastes taxpayers’ money allocated to the NSW Police Force, and the wider criminal justice system, that could be better spent targeting other criminal activity and funding more drug and alcohol rehabilitation programs.”

“There is no shortage of evidence-based advice available to the NSW Government. The Parliamentary committee report regarding cannabis follows the NSW Drug Summit and the Special Commission of Inquiry into the Drug Ice. The Special Commission provided the most comprehensive range of recommendations, all of which are supported by the NSW Bar Association,” Mr Toomey said.

The NSW Bar Association made a [submission](#) to the Parliamentary inquiry and [appeared before](#) the committee to provide further evidence.

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