

CANNABIS — LEGALISATION

Motion

HON AARON STONEHOUSE (South Metropolitan) [9.30 am] — without notice: I move —

That this house recognises the economic and social benefits of the legalisation of cannabis for recreational purposes.

I would like to point out to the house a typo. In my original memo to the Clerk, it was “legalisation”, not “legislation”; however, on the notice paper it shows up as “legislation”. So just to clarify, it is the legalisation of cannabis that I move to discuss.

My intention with this motion is twofold: firstly, it gives me an opportunity to articulate my position on the legalisation of recreational cannabis. Secondly, it calls on other parties to clarify their position to the people of Western Australia.

There has been a great cultural shift in attitudes towards cannabis. As a society we have come a long way from the days of *Reefer Madness*, and many now see cannabis as a rather benign substance. Using parliamentary time to debate the legalisation of cannabis may seem novel to some members, and indeed, there are so many other topics that could be discussed. However, few topics cover so many aspects of libertarian thought at one time, including taxes, civil liberties, crime and punishment, and the economics of personal choice.

Let me be clear upfront: I have no personal interest in cannabis. I have never used cannabis, medically or recreationally, and I have no intention of ever using cannabis. It does not appeal to me. But I take a principled position on cannabis legalisation that is based on classical liberal thought. My personal philosophy is one of self-ownership and autonomy. First and foremost, we own our own bodies. Our minds, bodies and souls do not belong to government or society, but to ourselves. In my research I came across an interesting quote by former California Superior Court Judge Jim Gray, who said —

The government has as much of a right to control what I as an adult put into my body as it does what I put into my mind. It’s none of their business.

Most people would agree—at least I hope they would agree—that we have freedom of thought, freedom of speech, and freedom of expression. If we are intellectually honest and consistent, then surely those freedoms extend to our bodies. Let me make a distinction now: my advocacy of personal choice is not an endorsement of any particular activity. Rather, I take the position that simply disapproving of someone else’s choice of recreation is not sufficient cause to use the power of government to force them to adhere to my views on sobriety.

In matters such as these, I apply what is known as John Stuart Mill’s “Harm Principle”, which he articulated in *On Liberty* in the middle of the nineteenth century —

... the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant.

We have acknowledged that cannabis has a role to play in reducing chronic pain, treating muscle spasms and managing the side effects of chemotherapy, amongst other applications. With the President’s indulgence, I might digress briefly.

It has been 12 months since medical cannabis was legalised in Western Australia; however, patients are still finding it difficult to obtain a prescription. Cannabis is certainly no miracle cure-all, but our own Department of Health seems to be doing all it can to frustrate the process of obtaining prescriptions. Western Australia has somewhat duplicated the federal approval process for obtaining medical cannabis prescriptions for seemingly no reason, standing between those with chronic illness and their medication. I am sure Hon Roger Cook is a compassionate man, so I urge him to immediately review the Department of Health’s policy on medical cannabis prescriptions. I am sure he would be devastated if, at any point under his watch, a parent were to be charged with obtaining medicinal cannabis for their child through the black market.

Returning to the topic of this motion, although the benefits of medical cannabis are now recognised, the economic and social benefits of legalising cannabis are also now being observed the world over. In the Anglosphere alone, the US states of Alaska, Colorado, Oregon and Washington stand out, as do California, Maine, Massachusetts and Nevada, each of which has either legalised cannabis in recent months, or is currently in the process of doing so. Across the US, cannabis is now legal in one form or another in 29 of the 50 states. Canada is in the process of amending its legislation, and we can also add Estonia, Finland, Germany, Greece, Luxembourg, Malta, Mexico, the Netherlands, Portugal, Russia, Spain, and Switzerland to the list of countries in which personal use is permitted.

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

These jurisdictions recognise something that we have ignored: that prohibition leads to organised crime and violence. In a black market, there are no consumer protections and there is no legal recourse. In fact, Milton Friedman, arguably the greatest defender of free market capitalism of the last century, said —

... if you look at the drug war from a purely economic point of view, the role of the government is to protect the drug cartel.

Although we may not have the same problems with cartels that other countries do, the same can be observed here— that is, that prohibitionist policies create black markets and lead to organised crime. Our efforts to inhibit the drug trade increase risk and drive up prices, making drug dealing even more lucrative and drug users more desperate. If we, like those other jurisdictions, were to legalise recreational cannabis, we would see the black market, and all the violence and crime that goes with it, disappear almost overnight. Valuable police resources could be spent focusing on violent crime, and our courts, our prosecutors and our jails would be freed up to focus on more serious crime.

It costs the taxpayer about \$345 a day to keep someone in jail. In fact, a case was brought to my attention just recently of a gentleman who, for his own personal use, quite foolishly grew a cannabis plant in his backyard. It grew to a ridiculous height, as they do. Despite the Director of Public Prosecutions conceding that there was no commercial dimension to his cultivation of this plant, he was nevertheless designated a drug trafficker, and as a result is now going to lose his home for growing a pot plant in his backyard.

Hon Alannah MacTiernan: Who's that?

Hon AARON STONEHOUSE: I cannot recall his name now, but it is a case that is ongoing.

Hon Alannah MacTiernan: In Western Australia?

Hon AARON STONEHOUSE: In Western Australia—for growing a pot plant in his backyard, he will lose his home. His partner, who owns half the home, had no involvement in his horticultural activities but is also going to lose her equity in their home.

Colorado is perhaps the best case study for the economic benefits of legalising cannabis. Colorado has a population of 5.5 million, a little more than double that of Western Australia. In 2015, Colorado welcomed a record 77.7 million visitors, who spent an all-time high visitor spend of \$US19.1 billion. That is a 30 per cent increase in tourism and a 14 per cent increase in tourist spending since 2012. There have been 28 847 occupational licences issued for jobs created directly by Colorado's cannabis industry. In 2015, Colorado generated \$US135.1 million in cannabis taxes and fees, and \$US200 million in 2016. Some projections for 2017 put the figure at around \$US506 million. When recreational cannabis was legalised in Colorado, the first \$40 million in excise revenue was put directly into a capital works fund for its schools.

Keeping note of the time, I will cut my comments short because I would like to hear what other members have to say on this matter. Let me articulate the Liberal Democrats' position on legalising cannabis and other substances. We take the position that all substances should be decriminalised, the approach taken by Portugal, where petty use of a substance is no longer treated as a crime but, rather, as a health issue. Portugal's results have seen overdose deaths drop drastically, while drug usage has not increased.

Hon Donna Faragher: Did you say that all illicit drugs should be decriminalised?

Hon AARON STONEHOUSE: Yes—absolutely everything.

Hon Donna Faragher: All drugs?

Hon AARON STONEHOUSE: Absolutely everything.

Hon Donna Faragher: Oh my goodness!

Hon AARON STONEHOUSE: Portugal took this approach in 2001. Even heroin, honourable member, was decriminalised at that time. Portugal had an overdose epidemic. People were dying in droves, in tent camps outside cities, and shooting up in appalling conditions. Portugal decriminalised it and saw no increase in drug usage but a massive decrease in overdose rates. We have to ask ourselves: what are we trying to achieve through the criminalisation of drugs in the first place? Are we trying to reduce harm or are we simply trying to punish people for indulging in an activity that we disapprove of?

Hon Alannah MacTiernan: Member, did they also include methamphetamine in that?

Hon AARON STONEHOUSE: As I understand it, everything. Even the hardest substances we can imagine were decriminalised.

Hon Alannah MacTiernan: How long ago did this happen?

Hon AARON STONEHOUSE: If I am not mistaken, it was 2001.

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

Hon Alannah MacTiernan: We might have to have a parliamentary committee go and investigate!

Hon AARON STONEHOUSE: Absolutely—a research mission.

The PRESIDENT: That might be another debate.

Hon AARON STONEHOUSE: Sorry, Madam President. I will get back on point.

Aside from that, when it comes to cannabis, the Liberal Democrats' view is that any substance shown to be less harmful than alcohol should be legalised so that people can legally buy it, sell it and trade in it. For cannabis, there are industrial uses for hemp, medical uses and recreational uses et cetera. It was put to me by a prominent libertarian—I cannot remember who it was, but I am sure I heard this argument somewhere else; I apologise to whoever told me this that I cannot quote them, but I will paraphrase and give the gist of their argument—that when considering the criminality or the legalisation of a substance, if society uses harm as a metric and it sets the benchmark for harm at alcohol, it is only logical that any substance less harmful than alcohol should be legalised. That is our position. Clearly, cannabis is less harmful than alcohol.

To close, I will paint members a picture—a little thought experiment. Picture for a moment a hardworking, taxpaying, churchgoing, family-raising person who gets home from a long day at work. They put their feet up and want to unwind and maybe open an alcoholic beverage and have a drink. What is the difference between that person and someone else in exactly the same scenario getting home, putting up their feet, wanting to unwind and smoking a joint? I certainly do not approve of that, but what is the difference, really, between those two people? We throw one in jail and the other one is left free. That is my question to members.

HON SUE ELLERY (South Metropolitan — Leader of the House) [9.42 am]: I thank the honourable member for moving the motion. It is an interesting debate and probably the most interesting point that he made was the very last one. Both substances are addictive and cause health and social issues. It is a quirk of our history that we made a judgement that would allow one substance that causes addiction, health issues and social issues to be legal. It is a very interesting point. However, just because we allow one that is addictive and causes health and social issues to be legal does not mean that we should add another substance that causes the same issues. We are not in a position to support the motion. At the beginning of his speech, the member made a point—I am sorry, I was out of the chamber on urgent parliamentary business—about some of the administrative arrangements in respect of cannabis for the purposes of medical use. I am sorry that I missed them, but I will check *Hansard* and if I need to take something up with the Minister for Health, I will.

Despite the fact that it is prohibited, the government recognises that cannabis is an illicit drug that is widely used. An argument also suggests that the health and social consequences of the use of cannabis are less than the health and social consequences of the use of some other drugs; therefore, we should consider a public policy position that it should be decriminalised. But the research that shows that the use of cannabis is dangerous and addictive is increasing. There is an argument that it should be legalised for recreational use. There are schemes in some countries—the member referred to some of them—that allow recreational use under strict conditions, but the government is not contemplating that being the case in Western Australia. Recreational cannabis use has been comprehensively studied and the detrimental health effects are well documented. It causes dependence, and in young people this is especially high, with immediate and long-term effects. Particular groups are also vulnerable, including the young, pregnant women and those with some types of mental health conditions. There are risks when driving and clear links to respiratory conditions and cancer, particularly if the cannabis is smoked. The effects of the legalisation of consumption—which would be expected to increase if legalised, as would the health outcomes for people using cannabis—have not been researched as much as some other areas. However, if it was legalised, there would be significant ongoing public health costs that would need to be balanced against any purported economic or social benefits. In terms of the risks, it is rarely acutely toxic in overdose, although it can make children ill. However, it is well established that it has a number of undesirable health effects when used recreationally, and that includes loss of concentration, impaired balance, slower reflexes and loss of inhibitions. Higher doses of cannabis can cause restlessness, confusion, anxiety, hallucinations, paranoia, panic attacks and detachment from reality—although today I would not mind a bit of detachment from reality myself!

Frequent long-term use can lead to serious issues such as dependence, when the user experiences symptoms of withdrawal; psychological problems, including anxiety, depression, paranoia and psychosis in those who are vulnerable to mental health issues; learning difficulties; and decreased concentration or memory and learning abilities. A range of health issues arise as a result of how a person takes it. If a person smokes it, they add all those respiratory issues that arise if they smoke tobacco, for example. There is increasing evidence of the impact on mental health and the significant health harms that cannabis use causes, particularly to mental health and wellbeing. It can increase the risk of mental health problems in young people and those with a vulnerability to mental health problems. That risk increases with the frequency and the amount of drug use. People who use cannabis in their teens also have an additional risk. It can affect the brain, and research already demonstrates that teenagers'

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

adolescent brains are still developing. I mean this with no disrespect, but for boys in particular, evidence suggests that their brains continue to develop into late adolescence. I make no comment about adult men's brains.

Several members interjected.

Hon SUE ELLERY: I said I make no comment.

The PRESIDENT: It is the end of the year, members.

Hon SUE ELLERY: On average, there are 2 773 new treatment episodes for people in Western Australia presenting for treatment in which cannabinoids are the primary drug of concern. That is a lot, and an economic cost comes with that. It is an interesting debate, particularly about tobacco and alcohol—they are not good for us. The member raised a range of interesting issues. The government would not support even an examination of making cannabis legal for recreational purposes. It is a harmful drug with a social and economic cost and it is linked with increasing problems in mental health. For those reasons, the government will not be supporting the motion.

HON DONNA FARAGHER (East Metropolitan) [9.50 am]: I also rise to say a couple of words on the motion before us. Although the Greens, as I have found out today, clearly have a kindred spirit in Hon Aaron Stonehouse, given their support for decriminalising illicit drugs, on this occasion the member will not be getting the support of the opposition on this motion. The Liberal Party has long taken the considered view that illicit drugs need to be tackled on three fronts—health, education and law enforcement. We need all three of those, and we need appropriate and adequate resources for all three to tackle this scourge in our community. Both the Leader of the House and Hon Aaron Stonehouse have indicated that cannabis remains the most widely used illicit drug in Australia. Notwithstanding the extent of its use, the Liberal Party does not believe that decriminalising the use of cannabis is the right answer.

Members who have been in this place for as long as I have would know that I have spoken on the scourge of illicit drugs many times, dating back to when I was the shadow minister for drug abuse strategy. At that point in time we were dealing with the then government's position on cannabis, and its two-plant policy. I do not take the view, and the Liberal Party certainly does not take the view, that cannabis is somehow okay, harmless or, as the mover of the motion indicated, benign. That is just not correct. The Leader of the House has gone through a range of health and social impacts that can arise from cannabis use. I have a document from the Australian Institute of Criminology that states —

Cannabis can affect coordination, reduce attention span and cause short term memory loss. Users may lose track of their thoughts or of a conversation. Heavier doses can cause confusion, excitement or anxiety. Users may have hallucinations.

Chronic cannabis use can cause respiratory illnesses such as lung cancer and chronic bronchitis. Some heavy users lose energy and motivation and experience a deterioration in memory, concentration and ability to learn new things. Cannabis psychosis, similar to schizophrenia, can occur in vulnerable individuals.

To add to that—the Leader of the House also identified this—we all know that psychological effects can occur, particularly if the person using the drug has a predisposition towards schizophrenia. Plenty of research has shown that this can be triggered by the use of cannabis. The link between cannabis use and mental illness is, in my view and that of the opposition, undeniable, and to suggest that cannabis is benign is simply wrong.

We also know—the Leader of the House also indicated this—that regular cannabis use from a young age can lead to a host of other issues as their brains are continuing to develop. We also know that regular cannabis use, particularly from a young age, can, although not in all situations, increase the risk of the person going on to other drugs. With all that in mind, we do not believe that legalising cannabis for recreational use would be the right decision. Simply because it is the most widely used illicit drug does not mean that society should just give up. I am keen to know the position of Hon Aaron Stonehouse, and where he draws the line. Does he support the legalisation of heroin or ice? Although he might suggest that cannabis is benign, it is not. It may have more of an effect on some people than others, but the fact is that it can have a significant negative effect. Where does the member draw the line with other illicit drugs?

I appreciate that there is not a lot of time to debate this motion, but I reiterate that the Liberal Party takes a very strong view that tackling illicit drugs requires a three-pronged approach, as I said, through health, education and law enforcement. We also believe that any softening of the law on illicit drugs creates confusion and sends the wrong message to the community, particularly our children and young people, on the dangers of cannabis and other drugs.

HON CHARLES SMITH (East Metropolitan) [9.56 am]: It is great to hear an important social issue such as cannabis use being discussed in the house. It is a drug that covers social, health and economic issues—a joint approach to a single topic, if you will. It is high time that decriminalising or legalising cannabis is raised in

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

Parliament and stays in the public sphere. I will start with a few negative comments from my personal experience. In my experience, the street cannabis that we find in Perth is almost exclusively of a higher potency, more addictive and more likely to induce psychosis than the forms that were around 10 or 20 years ago. That is from my professional experience. According to scientific studies, high-potency cannabis can have significant negative effects on the brain structure. Recent scientific discoveries suggest that these effects appear in prolonged consumers, rather than short-term or recreational users. Additionally, other scientific reports suggest that long-term users participating in magnetic resonance imaging testing displayed microstructural brain abnormalities. That brain damage affects neural connections and the neurons themselves. In the long run, that brain damage may develop into psychosis, depression and anxiety, along with other cognitive deficits. It is one reason I do not like long-term high-potency cannabis use. Despite what its adherents argue, it slowly rots the brain.

Cannabis is usually seen as a soft drug that can be smoked or even made into nice cakes. However, another concern I have is that it is a lead-in drug, as we have heard already. It leads into other illicit substances, and the long-term mental health issues I have just spoken about. Cannabis itself will not kill you—it does something far worse. It makes you boring.

Hon Alannah MacTiernan: There must be a lot of use around here, then. They must be putting it in our coffee.

Hon CHARLES SMITH: The minister knows what I am talking about. If cannabis is legalised one day in Australia or elsewhere, it will turn Australia into a very boring and very smelly place. That is why marijuana or cannabis is my least favourite recreational substance. Not only does it smell horrible and is loved by the kind of irritating people who refuse to believe me when I tell them I cannot name a single Grateful Dead song, cannabis is such a stupefying drug. The point of it is to dull the socialising instincts, rather than liberate them, as great wine, brandy or cigars do.

Hon Alannah MacTiernan: So you don't like reggae? You don't accept that there is a great music genre that has arisen out of —

The PRESIDENT: Order!

Hon CHARLES SMITH: Minister, we are not discussing contemporary music.

Hon Alannah MacTiernan interjected.

The PRESIDENT: Minister, this is not a two-way debate. You will have an opportunity to have your say. Hon Charles Smith has the call.

Hon CHARLES SMITH: Perhaps the flipside, and the more sensible way is following the path that Portugal has followed, which we have heard about this morning; that is, the decriminalisation of cannabis. I know that they have gone the whole hog and decriminalised every drug known to man, but perhaps looking at cannabis itself may be a way forward. In Portugal, those found in possession of small quantities of drugs are sent an infringement notice, similar to what Western Australia Police do now. The difference is that in Portugal an offender appears before a panel of professionals, including legal, social and psychological experts, and is offered prescribed health treatments such as counselling and therapy options. Maybe this way we can weed out the problem of long-term users. This effectively shifts the consumption of drugs from a criminal issue to the pipedream of it being a health issue, with real assistance and advice that will benefit drug users. The issue is that drug use is increasing and, to be blunt, the health implications are far too alarming to ignore any longer.

Turning briefly to legalising cannabis, I am aware that recently a conference was called in Canada, which I think Hon Aaron Stonehouse mentioned, to discuss a new market for cannabis in Canada, which I believe will go live in July 2018. They say that Canada is set to create hundreds of thousands of jobs and billions of dollars in tax revenue, along with a complex regulatory environment that will place the emphasis on reducing youth access, eradicating criminal involvement in the market and encouraging safer products and safer forms of consumption. We all hear that the war on drugs is not working; it is a failure. I agree that new approaches and new ways of thinking are required, because what we are doing right now is just not working. If Canada looks like it has a good model, perhaps we can look at that and maybe we will all be safer and more prosperous for it.

HON JACQUI BOYDELL (Mining and Pastoral — Deputy Leader of the National Party) [10.01 am]: I thank the member for bringing the motion to the house today for discussion. I was not going to make a contribution today, but after listening to the debate and feeling concerned about some of the things that were put on the table by Hon Aaron Stonehouse for the house to discuss, I felt compelled to say a few things from my perspective. I do not support the motion. I support having the discussion, but I do not support the very direct nature of the motion, which states that the house recognises the economic and social benefits of the legalisation of cannabis for recreational purposes. I simply do not believe that that has been established; therefore, I do not support the motion.

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

On the other hand, I fully support the use of medicinal cannabis, which the member touched on, because it is not about economic or social benefits; it is about medical purposes. I fully support people utilising medication that assists them to live a more comfortable, peaceful existence, and I have long supported that. My main areas of concern about this issue lie in the mental health space. I fully support the comments of the Leader of the House and Hon Donna Faragher in this space. As a parent with three impressionable children, who are all adults now, I am being asked by the libertarian point of view to allow there to be a free-for-all in a society in which I am trying to raise good, community-minded, respectful contributors. I worked for Centrelink for 11 years and saw some extreme outcomes of cannabis abuse. It led to mental health illness that was, unfortunately, irreconcilable for those people, no matter what assistance was put in place for them. Their lives were never the same because of the mental health illnesses caused by substance abuse. It is a stark and ugly reality for those who work with these people and try to assist them to live their lives in the best way possible.

This motion is really just a topic of conversation. It is the overall libertarian view. Today we are discussing this motion, but yesterday when one of my colleagues and I were having a conversation with the member about this issue, we asked whether he had been to the United States and Canada and whether he had researched it in other countries that had legalised cannabis and his answer was no.

Hon Aaron Stonehouse: I said that I hadn't been; I didn't say that I hadn't researched it.

Hon JACQUI BOYDELL: The member has not personally experienced and seen the society in which —

Hon Alannah MacTiernan interjected.

Hon JACQUI BOYDELL: Member, you can stand up and give your own contribution, so calm your farm, seriously!

Hon Alannah MacTiernan interjected.

Hon JACQUI BOYDELL: It sounds as though the potato-swilling minister wants to go with the member! Hon Aaron Stonehouse should see whether a parliamentary committee might want to undertake that inquiry. It might be an interesting inquiry for a committee to undertake. Maybe he should get a petition and send it through to the committee and see whether it will take it up.

This motion is about the overarching imposition of free will. I think one of the member's last comments was: why is alcohol okay and cannabis is not? He is arguing that everybody needs to be able to make their own decisions and society just has to live with that. I do not support that. I think that what the member is advocating for is quite frightful for some people and would place young people in particular in a very vulnerable position. That is my view, and I think that is why there is a struggle with some of that conversation. The member wants to impose his libertarian views on society. He wants society to say, "That is okay; you are entitled to do that" and to have no consequences for that. That is frightening for a lot of people, and I do not think society as a whole would want to see it imposed. It is potentially damaging to the fabric of the society in which we live. We live in a very free society and we should celebrate it. I definitely do that. I do not live in fear. I am very happy and feel very lucky to live in Australia. Anything that will damage the fabric of the society in which we live and the values and morals that all Australians hold dear is concerning. I do not support the motion simply because I have never seen any economic or social benefits from the use of cannabis.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [10.08 am]: Like Hon Jacqui Boydell, I was not going to make a contribution today, but it is an interesting topic and I feel compelled to make some comments. I thank Hon Aaron Stonehouse for bringing this motion to the chamber. It is something that will inevitably incite a degree of debate. Dare I say it, but quite a passionate degree of debate exists on this issue. This is probably only the second time since Hon Aaron Stonehouse has been in this chamber that we have disagreed on something—unfortunately, they are both in the same week. I seriously disagree with the member on this issue. I am a passionate advocate against cannabis use or any illicit drug use—cannabis is an illicit drug—particularly for recreational purposes. That is the aspect that I have real difficulty with.

I am a product of the 1970s. I have said that enough times in this place. Things were a lot different back then. Back then, smoking was quite fashionable. I certainly did not do it, but it was quite fashionable to smoke. Stuart Wagstaff brought a degree of sophistication to Benson & Hedges, Paul Hogan had a Winfield and there was the Marlboro man. The reason that the Marlboro man was so important was that I was the Marlboro man! I had a magnificent palomino horse and I used to ride that horse out past the Kalgoorlie golf club and the RSL club and I would envisage myself as the Marlboro man because the Marlboro man had a palomino. As a 12 or 13-year-old boy, I thought I was pretty good. I am going somewhere with this; do not get me wrong.

Hon Dr Sally Talbot: Were you going anywhere on your palomino?

Extract from Hansard

[COUNCIL — Thursday, 7 December 2017]

p6672b-6680a

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

Hon PETER COLLIER: Was I going anywhere? There were miles to ride in Kalgoorlie. I used to chase rabbits and kangaroos. Madam President might know; I do not know whether she had a horse.

The PRESIDENT: Not in Coolgardie!

Hon PETER COLLIER: I used to ride to Coolgardie.

My point is that in those days there was such a cultural acceptance of smoking that everyone did it and the unambiguous message was that it was cool to smoke. High-profile members of the community smoked—I refer to people such as Stuart Wagstaff and Paul Hogan, who do not mean anything to today's younger generation but they did in our day—and we wanted to be like them, and that is exactly why it happened. On the other hand, as I said, cannabis was a criminal offence; it was a hanging offence—not literally. Cannabis was deemed a criminal offence—it still is—but in those days only the really naughty boys and girls got involved in cannabis. I say with my hand on my heart that I have never had an illicit drug in my life. I have never wanted to experience it and I have never had a desire to have an illicit drug, and that includes cannabis. I know that that probably makes me a prude, but, hey, I am a Tory, a conservative, and I am willing to wear that label. It does not bother me.

Having said that, we have moved on. Is it not interesting, members, that things have changed so significantly? As I said, back in the 1970s, smoking was very fashionable and cannabis was a hanging offence, but now smoking is almost a hanging offence and cannabis is fashionable. We are debating whether to make cannabis legal for recreational purposes. Cannabis is not a recreational drug, guys; it is a potential gateway to higher order illicit drug use. Make no bones about it; that is exactly what it is. I will get onto that in a moment.

Nowadays, we do all that we possibly can to stop members of our community, particularly the youth of our community, from smoking cigarettes and at last that message has got through. At last we have reached the point at which people are not smoking as much, particularly the young members of our community. As a direct result, that will have a positive impact on the health of our youth and ultimately the community as a whole. How nice it is to go to a restaurant and not have to scoff someone's secondary smoke! Things change as a result of the cultural attitudes of the day. I really deplore the fact that we are countenancing the notion of legalising recreational cannabis use. I mean no disrespect to Hon Aaron Stonehouse, but that is how I feel. Debating the issue and countenancing that notion is a very dangerous path to take.

As I have said on numerous occasions, I was a chalkie for the first quarter of a century of my working life. I loved that job, but it came hand in hand with instances of dealing with adolescent drug use. In my last 15 years, I had a pastoral role in addition to my academic role, and that meant that I had a role in nurturing, supporting, encouraging and assisting not only students, but also their families. I had to deal with this issue on numerous occasions. The impact that it had on not only the student but also their entire family was not pleasant. Parents viewed it as almost like a destruction because they were not necessarily losing power over their child but losing influence over their child. The important and unambiguous message that exists with the contemplation of legalising cannabis for recreational use is that it puts a seed in the minds of young members of our community that illicit drug use is acceptable, just as smoking was acceptable back in the 1970s. I am not for a moment—I said this a moment ago—suggesting that although cannabis may be a gateway drug to higher order illicit drug use, that all members of the community who recreate with cannabis move on to higher order drug use. Rather, I give a cast-iron guarantee that a significant proportion of people who have a dependency on higher order illicit drug use—crack, cocaine, heroin and ice—started their habit with lower order illicit drug use, including cannabis. It is a hallucinate. It is a dangerous and in many instances life-destroying illicit drug, and talking about legalising it for recreational purposes will without any shape or form send a message that it is acceptable. I will stand side by side with members of the community to continue to send the message to the young members of our community in particular who are starting to make decisions for themselves—their parents are not making them for them—that using cannabis is not wise, good, productive and healthy. It provides nothing for the individual that will enhance their livelihood. If people want to lead a long, productive and healthy life, they should not get into drug use and particularly they should not get into cannabis.

As I said, I had to counsel students et cetera on many occasions, but it was not a discussion about punitive measures. In a lot of instances, schools and education facilities, particularly in the private sector, expel students for the use of cannabis. That is fine; that is the value they hold. But the discussions that I had with students were not so much about punitive measures and of me saying that it is this way or the cane or that it is this way or it is expulsion et cetera; rather, it was about trying to give them an understanding that cannabis use is unacceptable for a host of reasons, not the least being that it was adverse to their health.

I have no problem having this debate, but I say once again, unambiguously, that we will follow a very dangerous path if we reinforce cannabis use as acceptable while at the same time hypocritically saying that smoking is not acceptable. That is what this motion seeks to do. I thank the honourable member for bringing the debate to the

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

chamber. I would like to have a more extensive debate at some stage. If the government is brave enough to bring in legislation to this effect, I would most definitely advocate against any form of relaxing measures against cannabis use in our community.

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [10.17 am]: The Minister for Education and Training, the Leader of the Government in this place, outlined the government's position on the motion, but I compliment Hon Aaron Stonehouse for bringing it forward. He represents a view that is held within the community and I think most of us understand the focus he wants to place on harm minimisation. Indeed, I would think that most members on this side believe that harm minimisation must be at the heart of our policy.

I was a little confused by some of the things that the Leader of the Opposition said. He finished by welcoming the debate but earlier on he said that it was wrong to even raise this issue because it will give comfort to people who encourage illicit drugs. He said that having the debate itself is a bad thing. He seemed to move away from that towards the end of this speech, and that is good because I do not want us to get to the stage at which we cannot have rational debates about these things because they are taboo subjects that we are not allowed to explore. That is not what this chamber should be about. One of the virtues of this chamber is that there is a greater diversity of voices at play, so these issues can be raised.

As I said, the Leader of the Government in the Legislative Council has outlined our position. However, I thought the house might be interested in a few things that are going on in the cannabis space. On a recent visit to Victoria I was able to see the massive research and cultivation facility that has been developed by the Victorian government at its agricultural research centre. It is a highly secure operation that has been developed to feed the medicinal cannabis capability. I am very pleased that our Premier, Mark McGowan, was one of the leaders in Australia in ensuring that we allow people with various medical and neurological conditions to access significant relief through the use of cannabis. That has been implemented in Western Australia. It was very interesting to see the work being done by the Victorian government at its ag research unit at La Trobe University. Different plants are being grown. It was a very healthy looking crop—I am sure the member would love to visit the facility and see these crops, which are grown for particular compounds. Some plants are growth with very high THC levels, while others have very low levels of THC and promote another active chemical compound, the name of which I cannot recall, to suit various neurological conditions. For instance, what is useful for multiple sclerosis might be different from what might be needed for muscular dystrophy. Plants with various concentrations of THC are being grown. Western Australia has not yet moved down the medical cannabis research path, although there is some interest in doing that.

Members will know that under Hon Kim Chance, the growing of hemp for industrial purposes was legalised in 2004. Not much has really happened in the intervening 15 or so years. There was a series of trials around 2009, but apparently they were not very successful. More and more people are coming through my door and expressing interest in hemp as an alternative crop. As people are looking to reintroduce cotton into the Ord, we should look again at cannabis, which does not require the same volume of water as cotton and many varieties appear to be more resistant to bugs, so this might be a viable summer crop, particularly on the Ord River. We have a problem in WA in that the quantum of THC allowed is limited to 0.35 per cent. That means that many of the better and more rigorous strains have been impossible to grow here. It has now been determined at a national level that we should be allowing concentrations of THC of up to one per cent, which would mean that a person would probably need to smoke at least a garbage bin-full of cannabis to have even the most marginal affect. A one per cent THC concentration is not considered capable of having a useful psychotropic affect. It would be useful if we could manage to make those changes in line with the recommendation of the federal body, as it would expand the range of product we could use. This very real and growing industry of hemp for clothing, oil and, indeed, building materials is something we could look into. At a federal level, hemp seed has been approved as a food use for human consumption. Again, it is a product that is considered to have some very beneficial health effects. We want to make sure that Western Australia is well prepared and is able to get in there and exploit these new opportunities that new varieties of hemp will be offering our farming community.

HON COLIN TINCKNELL (South West) [10.25 am]: I want to make a very brief contribution to this debate. I thank Hon Aaron Stonehouse for his motion and I thank other members for their contributions to it. Our position has been clearly put by Hon Charles Smith: One Nation members are definitely against the legalisation of recreational cannabis. However, we must keep our eyes open to what is going on around the world in the fight against drugs. We will follow that very closely. Experiments are going on in very democratic countries that have a problem with drugs. We will follow those. Of course, we are big supporters of medicinal marijuana and cannabis. We would like to see not only that industry grow in WA but also that whole program streamlined so that people suffering from pain can get the benefits of medicinal cannabis. I thank the honourable member. I will give him a chance to give his reply. I state that One Nation members will not support the motion.

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

HON AARON STONEHOUSE (South Metropolitan) [10.26 am] — in reply: I would also like to thank members who have contributed to this debate. It is not often that I find myself nodding in agreement with Hon Alannah MacTiernan. If she ever wants to go on a fact-finding mission to the United States to see how cannabis has been legalised in states like Colorado, I would be very happy to accompany her.

There were a lot of contributions to the debate, so I will try to unpack a couple of them. One of the biggest rebuttals, I suppose, was that if cannabis were legalised, more people would smoke it. I know that not everyone is here in the chamber, but I am wondering, if cannabis were legalised today, how many members would go out —

The PRESIDENT: We do not do hands up in the air in this chamber, member.

Hon AARON STONEHOUSE: I am sorry, Madam President. If cannabis were legalised today, I wonder how many people would go out and smoke it. I predict that it would not be many. Most people would continue with their sobriety.

Hon Simon O'Brien: We could speculate on who might.

Hon AARON STONEHOUSE: I am sure we could. The point is that most people do the right thing because they know it is the right thing to do. They remain sober because they think it is the right thing to do—they want to be in control of their mental faculties and they want to be responsible in their life. They do not abstain from smoking cannabis because it is illegal, necessarily. There really is no compelling evidence to suggest that cannabis use would skyrocket after legalisation. In fact, there is evidence of a decline in use in countries like Portugal, where decriminalisation was taken on board and drugs were treated as a medical issue rather than a legal one. Early reports out of Colorado back that up as well. One small-scale study released in June this year suggested that there had been a moderate rise in use in the months immediately following the legalisation in some US states but, interestingly, the study found no noticeable increase in the use of cannabis by teens and young adults. All this fear that kids are going to start using drugs is unfounded. In fact, being able to regulate the industry would give regulators a mechanism to stop suppliers from providing it to children. Compliance could be enforced, just as it is for tobacco and alcohol. When something exists entirely on a black market, there is no way to enforce compliance. If it is illegal to sell cannabis in the first place, the drug dealer does not care if they are selling it to a kid or an adult. Based on the empirical evidence we have seen so far, and not the fearmongering presented by some members, there has been no great increase in drug-use rates. I predict that if we legalised cannabis in Australia or WA, there would be a small uptake and then a plateau, just like in other jurisdictions. It is what people describe as the Holland effect. In Amsterdam, famously, cannabis is available, yet the locals do not smoke it at any higher rate than the rest of Europe. It is no longer cool and hip; it is legalised, so it is just normal.

As I mentioned, Colorado has already looked at underage usage. When considering the legality of any substance, we need to look at costs and benefits. Obviously, harm is involved in cannabis use, but I point out to members that in terms of harm, compared with other substances, cannabis sits around the middle. Based on most studies, it is less harmful than tobacco, alcohol, cocaine, heroin et cetera. Laws that prohibit cannabis but allow regulated alcohol and tobacco are out of step with the harm caused by those substances. Surely, if we want our laws to reflect the harm caused to society and to individuals by substances, cannabis would be legalised, and tobacco and alcohol would be more tightly controlled. I am certainly not advocating that, but that is worth taking into account.

Someone may have mentioned driving under the influence. In Colorado, rates of people driving under the influence dropped by 33.2 per cent in 2017. There was a small uptake immediately after it was legalised, but now it is dropping back down again. After the hype and excitement of legalising cannabis wears off, people go back to their old sensible selves. Colorado has not become a hive of scum and villainy overnight because it legalised cannabis. They are still the same people.

Hon Simon O'Brien: More heavily armed too!

Hon AARON STONEHOUSE: Yes.

I would like to remind the champions of the war on drugs, as Hon Charles Smith alluded to, that we lost the war on drugs. Drugs won! Drug use has not been curtailed at all by the war on drugs. How many lives have been lost? How much property has been destroyed? How many people's lives have been ruined because they were thrown in jail for engaging in a nonviolent act? They were sitting at home, smoking a joint, eating a bag of Doritos and watching cartoons—not hurting anybody else. Yet we are willing to bust in their door, smack them over the head and throw them in a cage. For what?

Hon Michael Mischin: You've been watching too much TV.

Hon AARON STONEHOUSE: For watching too much TV and cartoons—exactly. That is my final point.

Extract from *Hansard*

[COUNCIL — Thursday, 7 December 2017]

p6672b-6680a

Hon Aaron Stonehouse; Hon Sue Ellery; Hon Donna Faragher; Hon Charles Smith; Hon Jacqui Boydell; Hon Peter Collier; Hon Alannah MacTiernan; Hon Colin Tincknell

Motion lapsed, pursuant to standing orders.