



OUR PLAN TO LEGALISE IT

THE
GREENS

IT'S TIME FOR NSW TO LEGALISE CANNABIS

It's time to acknowledge that the 'war on drugs' has been a colossal failure and that the social and economic costs of cannabis prohibition far outweigh the potential effects of legalisation.

Despite decades of prohibition at least 1 in 3 people in NSW have used cannabis in their lifetime and 1 in 10 in the last 12 months.

More and more governments around the world are moving towards legalising and regulating cannabis including 21 US states, Canada, Uruguay, Malta, Thailand, South Africa and Mexico.

The Greens plan will legalise the personal possession and use of cannabis for people 18 years and over. We will create a regulated cannabis market in NSW to reduce the harms from cannabis use while also preventing the over-commercialisation of the cannabis market by large corporations.

Legalising cannabis will increase tax revenue to the government, create new jobs and inject potentially billions into the NSW economy. It will end the cannabis black market, reduce police spending on the war on drugs and redirect resources towards drug treatment and other social services.

THE GREENS WILL:

- ▲ Legalise and regulate cannabis for adults in NSW
- ▲ Reform Mobile Drug Testing to test for impairment instead of presence.
- ▲ Generate up to \$9 billion in revenue over a decade for NSW.
- ▲ Allow households to grow up to 12 cannabis plants.
- ▲ Regulate cannabis products to reduce harms with health warnings, CBD/THC content labelling and prohibitions on advertising.
- ▲ Establish a NSW Cannabis Authority to regulate the cannabis market with the aim to reduce the harms caused by cannabis and prevent the dominance of the industry by large corporations.
- ▲ Allow for cannabis social clubs of at least 5 people which can grow 12 plants per member up to 200 plants.
- ▲ Extinguish past cannabis convictions.

LEGALISE AND REGULATE CANNABIS

The Greens have a comprehensive plan to legalise and regulate recreational cannabis in order to disempower organised crime, remove criminals' revenue streams and prevent people coming into contact with illegal drug dealers wherever possible.

Over a third of Australians have consumed cannabis at least once. Cannabis, like other drugs such as alcohol, should be licenced and regulated instead of dealt with via the criminal justice system

The Greens plan will see cannabis regulated in order to minimise harms and maximise public benefit.

The Greens plan to legalise cannabis:

- ▲ Legalise the recreational use and possession of cannabis for adults
- ▲ Place licencing fees on producers and retailers.
- ▲ Allow a household to grow up to 12 cannabis plants
- ▲ Place licensing fees of between 15% and 25% on cannabis sales.
- ▲ Create the NSW Cannabis Authority to regulate the cannabis market, reduce harms and prevent corporate control of cannabis
- ▲ Ensure consumers have access to safe and regulated products by requiring cannabis products to be labelled with health warnings and information about the strain and THC/CBD contents
- ▲ Prohibit cannabis retailers from operating within 200 metres of a school or childcare centre

- ▲ Allow cannabis social clubs to grow 12 plants per member up to 200 plants

EVIDENCE BASED MOBILE DRUG TESTING

Medicinal cannabis use is booming, with over 70,000 Australians now using it legally. Legalising recreational cannabis will mean even more Australians will access cannabis.

But our drug driving laws haven't caught up. It's illegal to drive with any trace of THC in your system in NSW and mobile drug tests can pick up miniscule traces of it. This has led to thousands of people in NSW testing positive to THC during a mobile drug test well after the effects have worn off and losing their licence for drug driving even though they were never impaired.

This is causing medicinal cannabis patients to avoid driving even when they're fine to do so.

The UK, New Zealand, Norway, Germany, and Ireland all provide a medicinal defence for testing positive to THC to protect medicinal cannabis patients, if they were not impaired and were using the drug as directed.

The Greens will reform our Mobile Drug Testing regime to protect medicinal cannabis patients and move towards a measure of impairment instead of presence of a drug:

- ▲ Immediately move to legislate a legal defence for medicinal cannabis users who drive but are not impaired.

- ▲ Reform Mobile Drug Testing and invest \$10 million into researching and developing world leading technology so that NSW Police measure for impairment caused by a drug instead of testing for mere presence.

NSW CANNABIS AUTHORITY

To regulate this newly created market, the NSW Cannabis Authority would be established. It will generate revenue from the sale of licences for cannabis operators and carry out a program of monitoring and enforcement of premises of production and sale. It will conduct an ongoing review and monitoring of the regulatory scheme to ensure it is functioning optimally.

TRANSITIONING THE BLACK MARKET

Expertise, infrastructure, seeds and growing stock will all be required to kickstart the market once cannabis is legalised. Those best placed to provide these resources will be those engaged in the production of recreational cannabis within the illicit market.

For this reason the Greens will establish a 12 month 'grace period' after legalisation to allow growers to move into the legal market without fear of criminal prosecution.

ECONOMIC BENEFITS

A regulated cannabis market in NSW could play an invaluable role in the economic recovery from COVID-19. Already, the top 20 medicinal cannabis companies in

Australia have a combined value of \$1.58 billion.¹ The establishment of a regulatory framework for a recreational cannabis market would generate a new industry sector and associated small businesses and jobs.

The federal Parliamentary Budget Office has estimated that legalising cannabis with a 25% licensing fee could bring in a whopping \$28 billion in revenue over a decade. For NSW that means over \$6.5 billion in revenue and \$2.4 billion in GST².

In Canada, the legal cannabis market contributed \$8.26 billion to the country's GDP as of July 2019. The legal market for cannabis grew by an incredible 185% in the ten months following legalisation, while illegal markets decreased by 21%.³

The legalisation of cannabis in parts of the United States has contributed to a total economic growth of \$38 - \$46 billion in 2019 and \$54.6 - \$66.9 billion in 2020. It is predicted to contribute \$106.4 to \$130.2 billion by 2024.⁴

IMPROVING HEALTH OUTCOMES

A legal, regulated cannabis market would ensure that users of cannabis had access to unadulterated and regulated cannabis products that are labelled with the THC/CBD content and characteristics of the cannabis product, along with warnings

¹<https://www.businessnewsaus.com.au/articles/australia-s-top-20-cannabis-companies.html>

²<https://greens.org.au/nsw/news/media-release/more-28-billion-reasons-legalise-cannabis>

³<https://www150.statcan.gc.ca/n1/daily-quotidien/191001/dq191001a-eng.htm?HPA=1>

⁴<https://mjbizdaily.com/chart-us-cannabis-industrys-economic-impact-could-hit-130-billion-by-2024/>

about potential impacts on their physical and mental health.

A regulated cannabis market would also end the demand for dangerous 'synthetic' cannabis alternatives, which have been linked to psychosis, seizures, strokes and even death.

PROTECTING YOUNG PEOPLE AND MARGINALISED COMMUNITIES

Prohibition does not protect young people. black market cannabis dealers do not check ID or provide information about the content of their products.

Legal cannabis would restrict access for people under 18 and prevent people who do use cannabis from having to interact with the criminal black market.

The drug war is often used as a tool to stigmatise and harass people who use drugs including the poor, women, young people and First Nations people.

Between 2013 and 2017, 82% of Indigenous people found with a non-indictable quantity of cannabis were pursued through the courts, compared to 52% of non-indigenous people⁵.

The legalisation of cannabis in NSW is an important step towards ending the discrimination and harassment experienced by First Nations peoples at the hands of the criminal justice system.

⁵<https://www.theguardian.com/australia-news/2020/jun/10/nsw-police-pursue-80-of-indigenous-people-caught-with-cannabis-through-courts>

THE COST OF PROHIBITION

Each year, millions of taxpayers dollars are spent in NSW on dealing with cannabis-related 'crimes' via the criminal justice system as well as on drug law enforcement targeting cannabis specifically. This negatively impacts the people sent through the criminal justice system for personal drug use and diverts both police and court resources from tackling serious crime such as domestic and sexual violence and murder

EXPUNGING CANNABIS CRIMINAL RECORDS

It's not enough to just end the war on cannabis. Tens of thousands of peoples lives have been destroyed through the criminal justice system simply because they chose to use cannabis.

People who have been charged with use or possession and face lifelong impacts. Our plan would erase past cannabis convictions and let people rebuild their life free of the drug war.

The Greens will:

- ▲ Expunge all past convictions for personal cannabis use or possession.
- ▲ End sentences for people currently imprisoned due to a personal use of cannabis offence.
- ▲ Commute sentences for those imprisoned for multiple offences where one is related to the personal use of cannabis.

HOW THE GREENS HAVE BEEN FIGHTING FOR YOU

**In the last parliament, it was the Greens
who:**

- ▲ Introduced a bill to legalise recreational cannabis to the NSW Parliament.
- ▲ Introduced a bill to protect medicinal cannabis users from dodgy drug driving laws.

FIND ALL OUR POLICIES:

greens.org.au/nsw/policyplatform2023