

# MEDIA RELEASE

## TIME TO DISCUSS CHANGES TO DRUG LAWS

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NEW SOUTH WALES  
BAR ASSOCIATION

The Criminal Law Committee of the New South Wales Bar Association released a discussion paper in relation to drug law reform today.

The chair of the Criminal Law Committee, Stephen Odgers SC said ‘Members of the committee are concerned about the harm that can be caused by the use of illicit drugs, particularly to dependent users. However, we are also concerned about the harm that is caused by the current prohibitionist model with its heavy reliance on the criminal law to deter drug use. We have seen the scale of the black market, the huge profits to be made by drug importers and drug manufacturers, the violence committed by those determined to share in those profits. We have known addicts who have obtained drugs from the black market and then died from overdoses or contaminants. We have seen young drug users who become small-time dealers to meet their drug needs and then end up in prison for drug dealing. We have seen young people who prostitute themselves in order to pay for drugs from those drug dealers. We have also seen people commit violent crimes in order to pay for drugs from those same drug dealers.’

The committee has concluded that prohibition has been largely ineffective at preventing the availability of prohibited drugs or in decreasing levels of use. Given the harm to individuals and society that results from prohibition, the time has come to give serious consideration to alternatives.

‘As lawyers we have a responsibility to speak out if we conclude that the law needs reform. That point has been reached’, Mr Odgers said.

‘The Criminal Law Committee has concluded that the goals of drug policy should be to reduce levels of drug-related harm, treat drug addiction as a public health issue, increase the number of drug dependent users seeking treatment and implement effective demand reduction strategies. It is our preliminary view, which is subject to further research and consultation, that an effective measure that should be considered by legislators is to replace the black market for drugs with a form of legal availability under a highly regulated system’, Mr Odgers said.

The president of the Bar Association, Jane Needham SC, stated: ‘The preliminary views expressed in the discussion paper do not represent the position of the NSW Bar Council which has yet to form a view on this complex issue. However, the NSW Bar Council determined earlier this year that the release of the paper would foster an evidence-based debate on an issue of public importance which has touched the lives of many within the community.’

The New South Wales Bar Association will be hosting a conference on 29 May 2015 to debate the issues raised by the discussion paper with a range of stakeholders. In doing so, the Bar Association hopes to stimulate discussion in relation to this extremely important issue.

Copies of the discussion paper can be obtained from the Bar Association’s web site:

<http://www.nswbar.asn.au/the-bar-association/resources-and-publications>

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