

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

CANNABIS CONTROL BILL 2003

Second Reading

Resumed from an earlier stage of the sitting.

MR B.K. MASTERS (Vasse) [2.41 pm]: When talking about the Cannabis Control Bill 2003, let us blow away the smoke, let us turn the mirrors to the wall, let us cut through the bulldust that we have been listening to from the Government and the minister over the past few weeks. If this legislation is not decriminalisation of the marijuana laws in this State, what is it? If it is not a softening or a weakening of existing marijuana laws, what is it? If it is not legalising marijuana use, what is it? The best I can come up with is that it is discriminatory decriminalisation; in other words, the minister is giving to the police the discriminatory powers to say to certain offenders, "We will consider that you have not undertaken a criminal act by being in possession of up to two cannabis plants or up to 30 grams of cannabis." By de facto definition, this Government is decriminalising, softening, weakening and effectively legalising the use of marijuana in Western Australia. No matter how much smoke or mirrors or bulldust this Government puts in the way, that is effectively what this legislation will achieve.

Earlier today I spoke about the education campaign and the cannabis education session that offenders will have to go through to meet the requirements of this legislation.

The SPEAKER: Members, the level of noise coming from my right means that I cannot hear what the member for Vasse is saying. I am sure there are some pressing reasons why members have to talk, but they should do that outside the Chamber, because I will not let this debate be interrupted by people who do not want to listen.

Mr B.K. MASTERS: Mr Speaker, I seek an extension of time.

[Leave granted for the member's time to be extended.]

Mr B.K. MASTERS: This Government is allowing offenders - on a voluntary basis - who are found with up to two plants or up to 30 grams of cannabis to choose, if they want to, to either pay a small fine - a very small fine; not much more than a traffic fine - or go to a cannabis education session in order to pay their way, so to speak. However, I remind everyone that under the previous Government's arrangements, if a person were caught with a small amount of marijuana or less than two plants, he or she would have to go to an education centre. It was mandatory. There was no suggestion that a person could choose to go or not go; he or she had to go. The coalition's cautioning scheme required an individual to attend a mandatory education session and to then receive a caution. Despite claiming that the Cannabis Control Bill 2003 is aimed at diverting more cannabis users into treatment and education, Labor's legislation does not require an offender to attend a session where he or she can learn about the treatment options that are available or can be educated to understand the real consequences of cannabis use. Instead, the education sessions - the CESs - will be a voluntary alternative to the payment of the fine. Many young people who should be forced to learn about treatment options, about the consequences of what they are doing, will choose instead to take the quick, simple and intellectually lazy way out by paying their fine and not bothering to go to a cannabis education session. Making the education sessions voluntary hardly ensures that offenders will receive information about the harmful effects of cannabis use, and it really makes a mockery of this Government's claims that the scheme - namely, the voluntary cannabis education sessions - is about diversion and education.

It is important, without wanting to steal too many words from the education spokesman, who unfortunately could not be here today, that I say a few things about education. Changes to the school starting age will mean that from now on 17-year-old students will be mixing with 18-year-old students in years 11 and 12. The 17-year-olds will not have the Cannabis Control Bill 2003 applied to them, yet in the same schools 17 and 18-year-olds will be mixing. The scheme will apply to some and not to others. It is the Opposition's view that this will provide an opportunity for older students to deal drugs - in this case cannabis - to younger students. Members should put themselves in the shoes of a school student, whether a 17 or 18-year-old, in his or her last or second last year of school. The bottom line is that 17 and 18-year-old students are mixing. Think of the confusion that that will create in the minds of those young, impressionable people when they consider the message the community is getting about cannabis use from this Government. Earlier today I spoke about the fact that messages are going out to our young people that are so negative and so lacking in hope and optimism and everything else, that they are almost resulting in an epidemic of suicides by young people in the south west of Western Australia. This legislation is sending out the wrong message. We will be creating confusion in school situations, and they will develop a sense of the hypocrisy surrounding this issue.

Many overseas students attend schools in Western Australia; they come from places such as Indonesia, Singapore and Malaysia. The morals and other standards those students and their parents hold in their own

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countries are significantly different from, and in conflict with, the standards set out, espoused and encouraged by the Government through this legislation. There is a real concern that many of those mainly South East Asian parents will decide not to send their children to government schools in Western Australia - in particular government schools, but potentially any schools - because they will look at the law as reported in their media. Their media will effectively tell the story that this Government is deregulating or softening or weakening or decriminalising marijuana laws for 18-year-old students and older but not for 17-year-old students and younger. I fear that those parents will view this State as being soft on drugs and they will choose to send their students to other States of Australia for their education, or to countries other than Australia. To confirm that it is a real concern in the minds of some parents, it is well accepted that cannabis has a negative effect on school performance. In addition, there is an associated increase in the number of students who exit early from school and in job instability in early adulthood. In support of that I quote page 13 of a 53-page report, which is headed on this document "Reforming the Old and Refining the New: A Critical Overview of Australian Appro. . ." It is a Parliament of Australia document prepared by the social policy group and reads -

Effects on school performance. Similar things can be said of the observed association between heavy cannabis use during adolescence and early exit from secondary schooling and job instability in young adulthood. When this association is examined more closely, it turns out that young heavy cannabis users had poor school performance compared to their peers before they used cannabis. There have been some studies, however, that do show an association between cannabis use and the likes of unplanned parenthood, unemployment, and leaving home early. It should be recognised, nevertheless, that there may be no simple cause and effect relationship between early heavy cannabis use and these behaviours. It is also important to recognise in this context that many adolescents who merely experiment with cannabis still do well at school.

That refers to two sides of the argument. However, I believe the argument is mounting that heavy cannabis use during adolescence creates a negative effect on school-age people and on their ability to find or hold down a job. Their job record is unstable.

I refer the minister to a letter to the editor of *The West Australian*, which I am sure he has read. It is from David McMeechan, whom I do not know, who is President of the Australian Parents Movement in Wanneroo. It reads -

My understanding is that the Minister for Health, Bob Kucera, is not a doctor and therefore would not have taken the Hippocratic oath. But because he is the Minister for Health and responsible for the health of every West Australian, unlike a GP who is responsible for a few thousand, he should take a look at the Hippocratic oath, especially the part that says "do no harm".

If there is any doubt in the Minister's mind about cannabis being harmful, then he should have nothing to do with the Cannabis Control Bill. The Minister is there to serve the people of WA, not those who lobby hard to serve their own purposes. It is obvious to me that relaxing the law on cannabis will serve only to increase its use.

No one wants to see others become criminals and there is an easy way around this: Don't do it.

He means, that people should not take the drugs. It continues -

We need to promote self-control in the community and that means we start in the home. But not only in the home. Our children are our future and all are responsible for teaching them, especially those who are paid by the taxpayers' dollar. Of course, the best way to teach our children something is by example. We cannot teach them when we say "don't do as I do, do as I say". Our children are our responsibility.

Perhaps at this point it would be appropriate to take a quote from Roslyn Carter, wife of a former President of the United States: "A leader takes the people where they want to go. A great leader takes people where they don't necessarily want to go, but ought to be."

Mr R.C. Kucera: That vindicates our stance then, doesn't it.

Mr B.K. MASTERS: The minister has been conned into taking people where they do not want to go. He may have the ability to take people where they do not want to go. However, everyone on this side of the House and the majority of Western Australians know where he should be taking them.

I received an e-mail in August last year, which purports to quote a newspaper article printed in the *Daily Telegraph*, a United Kingdom newspaper, which looks authentic. It reads -

Smoking cannabis can treble the risk of developing a mental illness, a new study has found.

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In one of the biggest investigations into the long-term effects of the drug, scientists uncovered evidence proving marijuana is dangerous and can cause serious psychotic disorders in people with no history of mental illness.

Further on it states -

The research by the University of Maastricht in the Netherlands appears to confirm anecdotal evidence.

It shows that people who smoke cannabis are nearly three times more likely to develop a psychotic disorder like hallucinations, paranoia, manic depression and schizophrenia. The risk increases with the amount smoked.

The Netherlands has one of the highest rates of cannabis use in the world because of its relaxed laws. But the three-year study is the first major study to examine the long-term dangers to mental health.

Experts said last night that the findings sound a warning bell for nations considering softening laws about the drugs usage.

In other words the laws of this State.

I could go on, but I am happy to give the minister a copy of this newspaper article. I do not know David McMeechan, but his letter confirms that if the Minister for Health wishes to live up to the ideals enshrined within the Hippocratic oath - do no harm - in looking after the interests of the vast majority of Western Australians, he would do well to take a quiet moment and have another read of that letter and remember that he has a responsibility to all Western Australians. There will be blood on his hands when marijuana use increases because of this Cannabis Control Bill 2003.

Mr M.J. Birney: He is laughing.

Mr B.K. MASTERS: I am not surprised. As I said, there will be blood on his hands.

MR P.D. OMODEI (Warren-Blackwood) [2.55 pm]: I support my colleagues' views on this Bill and indicate my disappointment to the House that, although debate has continued today, the Premier has not been here for one second of the debate. This Bill and the prostitution control legislation are two of the most important Bills this Parliament will address this year, if not in the whole of the thirty-fourth Parliament. I am totally opposed to this legislation. It will increase the use of cannabis in Western Australia and all of the harmful effects that go with that.

I also question why the Minister for Health is handling this legislation. Legislation covering smoking in the workplace, in hotels and in eating places has always been the responsibility of the Minister for Health and the policing of that legislation has been carried out by the Department of Health and local government health officers. However, the Minister for Health will have no responsibility for this legislation; the police will. That calls for the observation that the control of this very important piece of legislation is in the hands of the Leader of the House and the Government of the day, yet neither the Minister for Police nor the Minister for Justice are here. I strongly believe that responsibility for this legislation rests, rightly, with the Minister for Police or the Minister for Justice, or both. Does anyone not agree with that? The policing provided for in this Bill will be done by police officers whether by cautioning them or declaring whether someone is dealing, or using or cultivating by hydroponic installations. This legislation will create a whole new agricultural industry in Perth's backyards. We will see a new industry of the production of 30-gram sachets. I can see them now being produced by the gross. People who deal in the drug will not have any more than 30 grams on them at one time. As soon as they get rid of one 30-gram sachet they will get another one to keep their business running. It will also create a whole new challenge for young people. Young people sometimes pinch watermelons and things like that. In my electorate and the member for Collie's electorate, they pinch marron. That is a stealing offence, which supposedly will be strengthened by the Government; it has been talking about doing that for many years. That has been a pastime or a bit of a sport for some of our young people. We will now have a situation in which young people and adults will undertake a whole new venture; that is, pinching other people's marijuana. They will pluck off a few leaves and get their 30 grams and off they will go. We will now also have a situation in which if a person has a gripe with his neighbour he can plant a few marijuana seeds in the back corner of his neighbour's property, and once two or more plants have grown a bit he can ring up the authorities and, bingo, he will have his neighbour out cold.

Mr M.P. Whitely: Why could someone not do that now?

Mr P.D. OMODEI: I can just imagine all the properties in the member for Roleystone's electorate, and in my electorate and in the metropolitan area, on which people will be able to undertake all sorts of mischievous activities. These are just some of the things that may happen; and I did not even have to think very hard to come up with those.

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The Government is setting up a lot of young people to fail, whether it be in their personal lives or their jobs. If the Government were serious about this matter and were to introduce compulsory urine testing for every worker in the State, perhaps it would create a safer workplace. I know of a lot of cases in heavy industry in particular in which people have been heavy users of cannabis and that has resulted in a number of serious accidents. Imagine a timber mill in my backyard - the Pemberton mill. A bloke may be using a bandsaw to cut an old-growth log - one of the ones they are still logging. A bandsaw is a lethal weapon. If there is a lack of concentration by that person for one split second, there is not only a risk to life in that workplace but also at least \$10 000 worth of damage. Members can imagine the sorts of things that can happen around the State in the mining and heavy earthmoving industries with truck drivers and so on.

I have received a copy of a letter that has been printed in the paper. The letter is from the Roman Catholic Bishop of Broome and is addressed to Dr Gallop, the Premier of Western Australia. That is why I wanted the Minister for Police and Emergency Services to be in the Chamber today, because being a devout Catholic and a person who spoke out strongly during the abortion debate, it would have been good for the minister to be here. It makes me wonder why the Minister for Health is handling this legislation yet again. Is it because the Minister for Health has some influence with his former colleagues in the Police Service? I totally endorse the comments of the bishop in that letter. He states -

A report that your Government has introduced legislation into State Parliament to decriminalize marijuana is a tragedy. I believe the legislation represents little understanding or appreciation of the damage this drug causes in our towns and remote settlements. In particular, many of our youth are affected in a manner that is destroying the social fabric of our delicate community. It is my experience that incidents of self-harming among young people can be directly tied to the abuse of this drug. In this context, plainly this bill is an irresponsible, inadequate and dangerous response to the drug crisis we presently face.

I say this with humility and I write from a position of ministerial experience and pastoral care. What I write has its origins in twenty-eight years of pastoral service in remote communities and towns of the Kimberley. I also speak from the point of view of compassion for the victims of the Drug Crisis in WA - the families and the users. Further, I speak not only for myself but also for so many of our people who are suffering because of the prevalence of this predatory drug. Many parents and a considerable number of drug users have encouraged me to take this public stance against the legislation.

I have read the bill, together with the Second Reading and the explanatory notes. I understand the approach is novel but it is apparent to me that it will have undesired consequences. Families in the Kimberley, and in the rest of Western Australia for that matter, cannot easily bear more detrimental consequences for their health, their peace and their family lives. They suffer grievously now in the knowledge that their calls for assistance from authorities have been left unheeded. Drugs continue to be freely available on our streets, in public places and in many homes. This legislation will not change any of that. In short, it is a cop out. It is not only irrelevant to solving the drug crisis, it will exacerbate the situation.

I point out the vast amount of medical evidence that condemns marijuana as a dangerous drug. It is not the harmless appetency that some people have presumed it to be. Knowing that it is harmful - physically and socially and psychologically - and to introduce legislation which trivializes and exacerbates the problem, is a careless position to take.

For the victims of drug abuse, the users and those who live with them or around them, the legislation offers the worst possible outcome. What is being proposed is an abnegation of responsibility by Government that will have a devastating impact on families and individuals across the social divide.

The Legislation promises negative outcomes none of us wish to see. The proposed laws treat the problem of marijuana abuse as something trivial, on a par with breaching traffic laws. This undoubtedly is an action that will sanction the use of marijuana in the minds of many. According to this Legislation, to be caught in possession with a small (but not insignificant) amount of marijuana, to grow up to two plants only, will mean merely an infringement notice. This means a standard fine or the forced attendance at a single lecture. Multiple infringements on the same day will effectively be treated as one offence. Not only does this law trivialize the illicit use of the drug but also it effectively normalizes the offence - like parking on the footpath in the town of Broome.

This is from the Roman Catholic Bishop of Broome. He continues -

A sure outcome of this legislation regarding marijuana is that we will get more of it. That is, the amount of marijuana presently available to users and would-be users will increase at an alarming and

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dangerous rate. The drug will be cheaper. It will be easier to get when grown so freely without considerable threat. It will raise more difficulties for the police to control drug and drug-influenced anti-social behaviour. More marijuana in the community when mixed with alcohol will mean an increase in violence. It will increase the numbers of dealers - there will be more buyers and more sellers. It will increase poverty among users notwithstanding it will be cheaper. Users will simply use more of the drug and more people will enter the market place. It will increase the number of adult users and the number of children who use it. Presently, there are children as young as ten who smoke the drug. What parent who now cannot prevent their children from pinching cigarettes will be able to protect a leaf or more on a shrub grown on the back verandah? This legislation will act as a subsidy to forthcoming social disaster.

Over the years the use of marijuana throughout towns and communities has increased dramatically and demonstrably. So have the uninformed opinions that it is harmless.

The SPEAKER: Order! I draw the member's attention to the general rule in chapter 1 page 19 of our Standing Orders, which provides that reading from documents should be limited to a few lines; documents should be paraphrased. I think the member has reached the point in his reading of the letter at which he has passed the point of limited, because he is into about the third page of the letter. I ask the member to comply with the ruling and to paraphrase the balance of the letter.

Mr P.D. OMODEI: Mr Speaker, I have actually read a page and a half of the letter. The letter is four pages long. What is contained in the letter - and I certainly abide by your ruling and would not want to canvass it -

Several members interjected.

Mr P.D. OMODEI: Mr Speaker, I beg your indulgence, but if you thought I had read three pages, does that mean I can read three pages?

The SPEAKER: No.

Mr P.D. OMODEI: I certainly abide by your ruling, Mr Speaker. I believe very strongly that this is a very important letter - probably as important a letter as any member of Parliament would ever receive in his or her career - from a bishop of a prominent church group. I seek leave to table the letter. While I acknowledge the Standing Orders, I am disappointed that you will not let me read the remainder of the letter.

The SPEAKER: Order! The letter is tabled for the balance of today's sitting.

Mr P.D. OMODEI: I move on to other important matters that require comment. I also have received correspondence from people in the hydroponics industry. This Bill will insert new section 7A into the Misuse of Drugs Act as follows -

7A. Selling or supplying a thing knowing it will be used in the hydroponic cultivation of a prohibited plant

- (1) A person who sells or supplies, or offers to sell or supply, to another, any thing that the person knows, or reasonably ought to know, -

I emphasise that point -

reasonably ought to know, will be used to cultivate a prohibited plant contrary to section 7(1)(a) or (2) by hydroponic means commits an indictable offence.

- (2) A court convicting a person of the offence under subsection (1) may, on the application of the Director of Public Prosecutions or a police prosecutor, in addition order that the person be prohibited for a period set by the court (but not exceeding 2 years) from selling or supplying, or offering for sale or supply, to another, any thing that may be used to cultivate plants by hydroponic means.

- (3) A person who contravenes an order under subsection (2) is guilty of a simple offence.

I think the fine is \$20 000. The issue I raise relates to the words "or reasonably ought to know". That is a judgment call that a police officer needs to make. I do not think that I would trust the judgment of a police officer similar to our Minister for Health, who received documents he should not have received and sat to one side while a young fellow was bashed at the Belmont Police Station. That is what we are doing to our Police Service today. The hydroponics equipment that is to be prescribed in the regulations includes specialist lighting, light shades, ballast boxes, electrical timing devices, literature related to plant growth through artificial medium, water pumps, plant nutrients, artificial soil mediums, carbon dioxide gas, carbon dioxide gas regulators, air movement or extraction equipment, air filtering devices or odour control systems, and heating devices. All those

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products can be bought at half a dozen different places, and those shops do not necessarily have signs at the front stating "hydroponic supplier". I want members to understand what this legislation will do to businesspeople. It will create another industry. The sign-writers will be happy about this. There will no longer be hydroponics suppliers in Western Australia; they will become agricultural suppliers or lighting suppliers. Any of those items in that list can be purchased at Retravisson stores or farm suppliers such as Wesfarmers Landmark, Elders, Rural Traders Company Ltd and so on. All that needs to happen is for an officer to decide that a person ought to have reasonably known when making a sale. That person will face a very serious conviction and the possibility that his business will be destroyed. Operators in the retail hydroponics sector will either have to change the names of their businesses or be closed down. Of course, that will not have any impact on the availability of that equipment. All those things - fans, lights, plant nutrients, water pumps and air pumps - are available from hardware stores, fish pond suppliers, pet shops, lighting suppliers, agricultural suppliers, gardening centres and so on. According to this Bill, a hydroponics shop owner ought reasonably to know when a person is purchasing equipment whether it is for the cultivation of cannabis. Does that mean that the person with long hair, a beard and dark glasses must be a drug user and therefore cannot be sold anything? What does it mean for equal rights and fair trading? How do we judge?

[Leave granted for the member's time to be extended.]

Mr P.D. OMODEI: What about the bloke with short back and sides who arrives in a coupé and looks as though he is from Nedlands, Dalkeith or Belmont? Who is to say that that person is not also buying those products to cultivate drugs? People do not need to have long beards and hair to be drug suppliers. We are creating a nightmare for hydroponics retailers. The working party that compiled the legislation was approached by people in the hydroponics industry. However, it has not had much to say about the impact this legislation will have on those businesses. The provisions relating to hydroponics will create a huge problem for those retailers. We will turn ordinary law-abiding citizens into criminals. I return to the judgment that someone reasonably ought to know. The same requirement to make that judgment will be imposed on our police officers. They will have to decide whether a person is a dealer or a user. I do not know what kind of school they will be put through -

Mr R.C. Kucera: They must do that now under your legislation.

Mr P.D. OMODEI: Do they? All of a sudden, police officers in this State will be placed in a difficult position. This legislation will change things. The facts are that young people - whether they are over or under 18 years of age - will cultivate plants. People will sell the product, and that will have a massive impact on the community as we know it. I know of young men who were doing all the things that young people do, got caught and had an infringement recorded for marijuana use. Later when they wanted to go overseas on a business or student exchange, they were unable to do so. This legislation will open up a Pandora's box. Every member in this House knows that the use of this drug leads to the use of heavier drugs and schizophrenia. The deterioration in the performance of young people is evident. My younger son told me that if there is one thing I can do in my political career, it is to make sure that marijuana is banned. Members should study the young guys of about 20 who play football or basketball, and see whether their performance improves when they reach 21, 22 or 23. One can pick the users. They are the ones whose performance drops off before they reach the peak of their career. It happens in every community across Western Australia. We should strengthen the laws controlling cannabis. It should be totally illegal, and people should be stopped from using it. We go to a lot of trouble to tell people whether they can smoke in the front bar or saloon of a hotel. That is controlled by the health regulations. Yet, the Government in this State is encouraging the use of marijuana. It should be made a serious offence. We should come down on young people. They should be made aware that being a casual user of cannabis can lead to serious penalties and health problems, and that marijuana use can have an impact on the extended family. I know of many such cases.

I cannot believe that during this very important time in the development of this State, we are talking about the social issues that the Labor Party seems obsessed with. I repeat that the Premier is not in the House. I would have thought that every Labor Party member of Parliament would be in this place for this debate. The Government is promoting the legislation. It is the responsibility of the Government, not the Opposition, to maintain the numbers in the House. There have been far more opposition members than government members sitting in the House listening to this debate.

Mr M.P. Whitely: That is not true.

Mr P.D. OMODEI: I have been in the Chamber for the whole debate, and at times only four members of the Government have been in their seats. It was not afternoon tea time. This was well and truly before lunchtime. It just goes to show how Labor Party members consider this legislation.

Mr R.F. Johnson: I wonder how many members of the government backbench will make a contribution to this debate.

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Mr P.D. OMODEI: I was just about to make the same point. I will tell members what I think will happen. I think that probably three or four government members will speak on this legislation, but they will be members from very safe Labor seats. I am sure that those who are in marginal seats will not make a contribution at all. However, I would like to be proved wrong. I would be more than happy to hear the member for Swanbourne, who pretends to be the member for Cockburn, make a speech in this place about marijuana. I cannot see in the Chamber the members for Collie, Bunbury and Geraldton. The member for Albany -

Mr P.B. Watson: I have spoken on the radio about it.

Mr P.D. OMODEI: The member for Albany has spoken on the radio; now is his chance to put his views on the parliamentary record. I will do the member a favour; I will send his speech to the local church groups to see what they think about it. I wanted to read all of the letter from the Bishop of Broome to the Premier of Western Australia. That letter has been sent to a number of politicians. However, it is incumbent on us to ensure that the people of Western Australia are aware of what a prominent person in the Roman Catholic Church thinks. There are a lot of Labor supporters who are very devout Roman Catholics. God bless them, but they need to know what the Bishop of Broome has said about this legislation.

Several members interjected.

The ACTING SPEAKER (Mr A.D. McRae): I allowed the interjections from members on my right to continue because they were clearly invited by the member on his feet. However, he has now ceased and members should cease interjecting as well.

Mr C.J. Barnett interjected.

The ACTING SPEAKER: That does not mean that the Leader of the Opposition has an invitation to start.

Mr P.D. OMODEI: I thank you for your protection, Mr Acting Speaker. I have a fairly loud voice, but you are right; members opposite were getting a little unruly. I am not used to that.

The ACTING SPEAKER: I call the member for Cockburn to order for the first time.

Mr P.D. OMODEI: Obviously the member for Cockburn is so concerned about this issue that he could not see where he was going. We all know that the standing orders provide that a member should not walk between the member speaking and the Chair. As a good Christian, I forgive him.

I repeat: it is important that the people of Western Australia know what members of the clergy have to say about this issue. I endorse 1 000 per cent the fact that a prominent Catholic bishop has said very publicly all of the things that he has said in his letter. What he has said is true. Obviously he has experienced that situation in the 28 years that he has provided pastoral care in the Kimberley. I will bet my bottom dollar that if we asked for a comment from the Bishop of Bunbury, he would make exactly the same observations, because clergymen and people from Anglicare and Catholic Care deal with people with drug abuse problems. I am surprised that the member for Perth is not in the Chamber. I can recall very clearly that when the Holy Spirit of Freedom wanted to create a drop-in centre in Northbridge for drug addicts and prostitutes, the member for Perth, in his capacity as the then Mayor of the Town of Vincent, opposed it. Even though the drop-in centre had the endorsement of the Catholic Archbishop of Perth, Reverend Hickey, the member for Perth opposed it. Guess what? It was canned. I know for a fact that people from the Holy Spirit of Freedom and Anglicare deal with a lot of people with drug problems. They are the people to whom we as members of Parliament should be talking. It is no use the member for Albany smiling; this is a serious matter.

Mr P.B. Watson interjected.

Mr P.D. OMODEI: He does make us smile from time to time.

It is important that we as members of Parliament talk to people who have a direct relationship with those who suffer from drug addictions. I do not care if people want to smoke marijuana; that is their business. However, it is a well-known fact that constant users of marijuana suffer from a range of illnesses, and experience difficulties with their physical performance and how they handle themselves in their homes and in public and so on. It entices them to use heavier drugs such as amphetamines, heroin and so on. Members in this House are fully aware of that. I believe that this legislation will have a huge cost on not only families and the people of this State but also our health system - a health system that is already overburdened. The Minister for Health knows that full well. There must be some hidden reason that the Labor Party in Western Australia wants the Minister for Health to deal with a piece of legislation that has more to do with police and policing than anything else. I acknowledge all the health issues that arise from the use of cannabis, but it is not the Department of Health that will police the use of cannabis in Western Australia; it is the Police Service.

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Again, at the risk of being accused of becoming tedious, I repeat: the Minister for Police should be in the Chamber for this debate, as should the Premier of Western Australia, who trumpets his party's wonderful social reforms. The Labor Party in Western Australia is about to do to Western Australia what Gough Whitlam and some of his mates did to Australia back in the 1970s; that is, destroy the fabric of society, destroy families and put in place legislation and laws that will ensure that the children in this State will be off with the fairies. What the Minister for Health is doing is an absolute disgrace and he should be ashamed of himself.

MS S.E. WALKER (Nedlands) [3.26 pm]: I paused momentarily because I thought I would be run over in the rush of members opposite, who have been sitting there for ages gabbing on.

Mr C.J. Barnett: They have all been gagged; they are not allowed to speak.

Ms S.E. WALKER: That is right. The wonderful thing about being in opposition is that I can get up and have a say. All members opposite can do is cheep, cheep, cheep, cheep, cheep. This Bill should be renamed the "Drug Dealers Manual Mark I". I will tell people how they can grow drugs indefinitely under this Bill and just attend a lecture. I note that the Minister for Police is not in the Chamber. The Misuse of Drugs Act falls under her portfolio in the *Government Gazette*, but she is not in the Chamber, and neither is the Minister for Community Development. I read her maiden speech the other day, in which she referred to youth suicide and how concerned she was about it; yet she is not even in the Chamber.

The ACTING SPEAKER (Mr A.D. McRae): I do not wish in any way to limit the member's legitimate comments, but I remind her that the Speaker found cause to remind the House two weeks ago that referring to the absence of any member in this Chamber did not add to the quality of the debate. As he pointed out at the time, and it is on the *Hansard* record, all members are absent from the House from time to time. I am not suggesting that the member not make the point that she wants to make; I just draw her attention to the Speaker's advice two weeks ago.

Point of Order

Mr J.L. BRADSHAW: The issue is that on important subjects that should be dear to the heart of a particular minister, members should be able to make the point that the minister is not present when he or she should be, or the legislation should be held over until the minister is available. I do not think what the member for Nedlands has said is wrong. I can understand other situations in which ministers are not involved in the legislation before the House. However, in this case, the legislation affects the portfolios of those ministers; yet they are not in the Chamber.

The ACTING SPEAKER: There is no point of order. I was not making a ruling; I was drawing the attention of the House to the advice given by the Speaker two weeks ago about the use of that technique by members and whether it added to the debate. There is no ruling and there is no point of order.

Debate Resumed

Ms S.E. WALKER: This Bill also has relevance to the Minister for Education, who is not in the Chamber. The Bill is about children being stupefied by being allowed to grow cannabis. They will not have to get out of their pyjamas or have to work out how to get the money to buy cannabis; they can grow it outside their bedroom window. Before they go to school in the morning, they can just break a bit off and dry it out. I suppose that is how they do it.

Mr P.D. Omodei: Pop it in the microwave.

Ms S.E. WALKER: Yes, and pop it in the microwave. When they come home at night and just before they do their homework - if they do their homework at all - they can roll a joint and have a whiff before they go to sleep. There is no problem with that scenario under this Bill. I will tell the House how under this Bill children will be able to grow and harvest cannabis and get away with it by attending a continual round of lectures; however, I will come back to that. The editorial in today's *The West Australian* headed "Stunt adds weight to drug risk" referred to a stunt by our great and popular opposition leader, Colin Barnett.

Mr M.P. Whitely interjected.

Ms S.E. WALKER: At least the Leader of the Opposition turns up when I am speaking, which is more than the member for Roleystone's leader does. The editorial reads -

Under the Bill, people growing two cannabis plants or possessing more than 30g of the drug for personal use will not be treated as criminals, but will have to pay an on-the-spot fine of up to \$200.

That is not right. A police officer will serve an infringement notice on people who are caught with two cannabis plants, which notice will give them three choices. First, they can go to court and be convicted - who will do that? Secondly, they can pay a fine. Thirdly, they can turn up to a lecture at any time whenever they like.

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Mr C.J. Barnett: If they like.

Ms S.E. WALKER: Yes. I will come to the clauses in a minute. In the third option they can get an extension of time. They could hang on to an infringement notice so that if they get another one in the following six months, they can put them all together and knock them off at one lecture. Although I appreciate the editorial in today's *The West Australian*, I put on record that it is not quite right. The editorial also said "possessing more than 30g of the drug" but it should be "less than 30g of the drug".

Point of Order

Mr R.F. JOHNSON: I want to clarify who is handling the Bill. I wondered whether it had been switched to the Leader of the House, because the Minister for Health has now left the House.

Mr J.C. Kobelke: There is no point of order.

Mr R.F. JOHNSON: I would have thought the minister in charge of the Bill should be in the House. I wondered whether he had handed over the Bill to the Leader of the House or whether we will debate it in his absence.

Mr J.C. Kobelke: He has stepped out for 60 seconds.

Mr C.J. Barnett: He has been gone longer than that.

The ACTING SPEAKER (Mr A.D. McRae): There is no point of order. I say to the leader of opposition business that I have just sat down from giving the House advice about the use of the tactic he used and whether it adds to the quality of the debate. There is no point of order.

Debate Resumed

Ms S.E. WALKER: I note that the minister handling this Bill is not in the Chamber, which is a shame, because I would have liked to put him right on this Bill. I would have told him exactly what is happening.

Point of Order

Mrs C.L. EDWARDES: I draw your attention to the state of the House, Mr Acting Speaker.

Mr M. McGowan: You are supposed to wait until the member is finished speaking to do that. That is not part of the point of order.

Mr R.F. Johnson: Of course it is. The member is calling for a quorum.

Mr C.J. Barnett: You are really serious about cannabis, aren't you?

Mr P.B. Watson interjected.

Mr R.F. Johnson: We want the Minister for Health in here.

Mr P.B. Watson interjected.

The ACTING SPEAKER: Members! A quorum is present.

[Quorum formed.]

Debate Resumed

Ms S.E. WALKER: Nobody in this debate questions that cannabis use is harmful. I told an acquaintance of mine, an anaesthetist, that the Cannabis Control Bill was coming up for debate. She said that she could tell me quite a bit about what happens to people who need an operation when they have cannabis in their system. She sent me an e-mail, which I will read out shortly. However, I will read some articles that were given to me by a person who participated in the federal suicide program. That person was concerned about the effects of this drug and asked me to remind the Minister for Health about them. A report titled "Australian secondary students' use of over-the-counter and illicit substances in 1996" states -

While the prevalence of tobacco and alcohol use among Australian adolescents has been monitored in a study of a large representative sample of secondary students since 1984 . . .

The minister should have no doubt that this Bill will apply to students. People under 18 will simply be cautioned for possessing cannabis plants. Let us be honest and realistic about this. When this Bill is proclaimed and hits the ground, all the 18 and 19-year-olds will say, "Okay, we will grow a few cannabis plants because I remember what Sue Walker said in the House when she took us around the legislation; we will get only a lecture"; that is, unless this Government changes the Bill after they have heard what I have to say. Those teenagers will know that they will get only a lecture and will therefore start growing plants in their garden. That will have an effect on their brothers, sisters and any other younger children who live near them.

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Mr M.P. Whitely: Why - because they listened to what Sue Walker said?

Ms S.E. WALKER: They are not going to listen to the member for Roleystone. Will he grow cannabis for his children? He should answer that question.

Mr M.P. Whitely interjected.

Ms S.E. WALKER: Will the member for Roleystone allow his children to grow it?

Mr M.P. Whitely: What?

Ms S.E. WALKER: He cannot answer the question. He does not mind other people's children growing it, but he does not want his children to grow it.

Mr M.P. Whitely: You are under the delusion that something you say in this place will be taken on board by someone else.

Several members interjected.

Point of Order

Mr R.C. KUCERA: Mr Acting Speaker, would you remind the member for Nedlands to address the Chair. It is difficult to hear what is being said in the debate. I need to make some notes because much of what is being said is totally wrong.

The ACTING SPEAKER (Mr A.D. McRae): There is no point of order.

Debate Resumed

Ms S.E. WALKER: Does the minister want me to repeat myself? I refer to a report titled "Licit and illicit drug use among 12 to 17-year-old Western Australian school students in 1996", which states -

In 1996, the fifth in a series of surveys on smoking and alcohol behaviour among Australian secondary school students was conducted. The survey was first conducted in 1984 and has been repeated at three-yearly intervals since. The aim of the series of surveys is to provide up-to-date estimates of the prevalence of smoking and drinking among school students. Other licit and illicit drug-use questions were first included in the 1996 survey to provide prevalence estimates of licit and illicit drug usage.

Has the Minister for Health read the most recent survey? The report of the survey in 1996, at page 8, stated -

Marijuana is the most widely used drug after analgesics, alcohol and tobacco, with two in five students (40%) having used the drug in their lifetime, -

That is, 40 per cent of secondary school students -

one in four (24%) in the past month, and just under one in five (16%) having used in the past week.

This report is a government publication from the Department of Health of Western Australia and the minister should be able to get his hands on it. The report continues -

The survey findings also highlight issues of concern with respect to alcohol consumption among students.

...

Also to consider from the survey findings is the prevalence estimates of marijuana use among 12 to 17-year-olds.

That is, 12 to 17-year-olds, and that is what I was saying: if young adults start planting and using this stuff, those figures will increase. The report continues -

Two in five students (40%) had used marijuana in their lifetime . . . This represents approximately 21 000 12 to 17-year-old students who have used marijuana in the past week, of which an estimated 13 300 were aged between 12 to 15 years.

The anaesthetist I spoke to mentioned some of the problems that are encountered when a person who has smoked cannabis needs an operation. I think the Leader of the Opposition said today that cannabis stays in a person's system for a relatively long time after that person has used it. She wrote to me as follows -

CANNABIS and some other drugs

In terms of the effects of cannabis during anaesthesia, cannabis metabolises down into about 15 types of cannabis when used. Some of these can be measured in the blood and tissues for up to 3 months after

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cannabis use. Therefore the possible effect can be prolonged and may be potentiated by other drugs or medicines or herbal products.

The effects depend a bit on the quality of the cannabis i.e. if it is rough or good quality. Hydroponic growth (which is very common) often seems to produce a powerful plant.

She knows about this matter because she must ask people at the hospital whether they are on drugs because the answer will affect the way she delivers the anaesthetic. The letter continues -

On inductions into anaesthesia, a user goes off to sleep in a normal circulation time, but then they start to move. They are probably not aware or awake but they take a bit of catching sometimes.

If they have been using rough stuff, they generally exhibit a flushed face. It is a particular colour of red/puce and seems diagnostic of cannabis and, indeed, if you ask them as they wake up, when they have diminished will power, they often will tell you the truth.

For some, the flush can resemble an allergic response but without the smooth muscle response . . . Blood pressure is often a bit on the low side and nausea and vomiting post-operatively is increased . . .

Other problems are those of decreased temperature regulation (which can affect wound healing), decreased fertility, which may make IVF less successful.

We can see clearly that this drug robs a person of his or her vibrancy and vitality, as the member for Kalgoorlie has said, yet the Government is saying that its use is okay. I am staggered that 30 grams is proposed as the permitted amount for possession. The Prior report explains that one can take up to 450 grams off a cannabis plant three times a year. Interestingly, the report brushed over this aspect; its authors did not know what to do with the information. The report on page 12 reads -

The issue here is the discrepancy between the amount of cannabis it is possible to harvest from two mature plants and the amount specified under the CIN provisions (30 grams). The Working Party considered a number of possible ways to resolve this discrepancy within the provisions of the scheme itself, but rather than risk making the scheme overly complex and difficult to administer, decided to leave it to the police and the courts to interpret the law.

That is just staggering!

Mrs C.L. Edwardes: They don't make the law clear.

Ms S.E. WALKER: That is right. They are saying, "We can't work it out; it's an anomaly. You can get 1 200 grams of cannabis off a plant a year, but, oh dear, you can be in possession of 30 grams at a time!"

I turn now to what the Minister for Health has had to say about this matter before I refer him to the Bill and how to get around its provisions so that people will receive a slap on the wrist and a paltry lecture. I place on record that I have a great deal of time for the cautioning scheme, and its sentiment, as implemented by the Liberal Party. Young children using drugs - I am not talking about selling or trafficking, but those targeted - should be moved by society away from the criminal justice system. I have a profound difficulty with the minister's comments found in his second reading speech -

in proposing this Bill, the Government does not condone or wish in any way to encourage cannabis use. There is clear scientific evidence that cannabis use is associated with risk of significant harm to the user's mental and physical health and wellbeing.

I cannot work out why he then encourages people to use cannabis. People will no longer need to get dressed, find the money, go down the street and talk to unpalatable people to find the drug; those hurdles will be eliminated.

The minister stated about cannabis infringement notices -

Young people are excluded from the CIN scheme. There are adequate processes to respond to young people through juvenile justice teams.

That is nonsense. They are not excluded from the cannabis infringement notice - CIN - scheme. The Government's policy will be to turn a blind eye to anyone found growing cannabis, including children. Can members imagine a 17-year-old not being given a caution under the Young Offenders Act?

Mr R.C. Kucera: I thought you were aware of the law.

Ms S.E. WALKER: Why could he not be given a caution?

Mr R.C. Kucera: He can.

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Ms S.E. WALKER: I am saying why would the police not give him a notice! The minister is not listening.

Mr R.C. Kucera: More misinformation.

Ms S.E. WALKER: Listen and learn something, minister. The minister knows what this Bill will do. He puts in complex and wordy provisions, but I can work it out. If I can work it out, those fancy lawyers from Melbourne who come over to Western Australia to represent people in organised crime have already worked out this Bill - they are probably laughing their heads off.

I turn now to cannabis cultivation and the provision with which I have the greatest difficulty. The press release issued by the Minister for Health on 19 March 2003 reads -

“This Bill does not condone the use of **cannabis** - in fact, quite the opposite - as we are of the very firm view that **cannabis** is a dangerous drug with serious health consequences for the user.

The press release also contains two columns that appeared in a recent *The West Australian* article. Under the heading of “New System” and subheading of “No Cautions”, it indicates that the penalty for possession of up to 15 grams will be a \$100 fine by cannabis infringement notice; and for 15-30 grams, \$150 by CIN and the cannabis will be confiscated and destroyed. The release does not tell the truth, which can be seen in black and white. Clause 7 of the Bill states -

A police officer, other than a police officer who is an authorised person for the purposes of sections 8(4)(b)(i), 10(1) or 11(1), who has reason to believe that a person who has reached 18 years of age has committed an offence under section 7(2) -

That is the cannabis cultivation section -

of the *Misuse of Drugs Act 1981* may, subject to subsection (2), within 21 days after the alleged offence is believed to have been committed, give a cannabis infringement notice to the alleged offender.

That is provided that the plants are not being grown hydroponically, and that they are all located in the same premises and do not number more than two. Where does it say in that provision that it must be two per household? The nonsense press release claimed only two per household are to be permitted.

Mrs C.L. Edwardes: It is not two per household.

Ms S.E. WALKER: Indeed. Mark that down, Minister for Health!

Mrs C.L. Edwardes: And bring forward an amendment.

Ms S.E. WALKER: Indeed, we need an amendment to stipulate two per household. Then the minister should tell us how he will police the two plants per household aspect. Let us say four students share a house in my electorate - we will keep the numbers small to make it easy for the Minister for Health. There are four students and two plants and a police officer turns up who says, “There are two plants here, so someone put up their hand for them.” The students respond that they will all put up their hands, and the officer will advise that none of them should put up their hands. This aspect will never be policed. The provision states that if a police officer attends a house with four students and eight plants, and they all claim they have two plants each, they will all be given an infringement notice.

Mr R.C. Kucera: Sounds like organised crime to me.

Ms S.E. WALKER: Is that right, minister?

Mr R.C. Kucera: Ask me in consideration in detail.

Ms S.E. WALKER: I have hit the nail on the head, have I not? Not only that, the four students will each receive an infringement notice.

Mr P.B. Watson interjected.

The ACTING SPEAKER (Mr A.D. McRae): I call the member for Albany to order.

Ms S.E. WALKER: What will this big, bad infringement notice say? It will be in the form outlined in clause 8. The minister knows what it states. It will be in the form prescribed by the regulations, whatever that means. It is to contain a description of the alleged offence, but it must advise the offender that he can write - we do not know to where - and elect to have the offence heard and determined by a court. That option is open. If the member for Warren-Blackwood were a young student growing two cannabis plants, which option would he choose?

Mr P.D. Omodei: I would defer.

Ms S.E. WALKER: The member should hear the options. He receives an infringement notice and he can apply to go to court, get a conviction and go to jail. Under clause 8(4) the infringement notice states that he can pay

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the amount of money specified in the infringement notice within a period of 28 days. What will the member do then? He can go to court or he can pay the fine, or he can go along to a lecture. What will the member for Warren-Blackwood do: go to court, pay a fine or go to a lecture?

Mr P.D. Omodei: I think I will do it a few times and then go to a lecture.

Ms S.E. WALKER: I was coming to that. The Bill refers to 28 days. We should look further in the Bill. Clause 10, headed "Extension of time", states -

(1) An authorised person may, in a particular case, extend the period of 28 days within which -

He may complete the lecture.

Mrs C.L. Edwardes: Is there a time limit on the extension?

Ms S.E. WALKER: No, it is indefinite. There is no time limit. It goes further than that, because clause 12 states -

(b) the alleged offender has completed a CES in respect of the CIN within 28 days or such further time as is allowed.

But hang on, that is not the end of the story. There is more. Our children can gather all these infringement notices around them. Drug dealers must be laughing their heads off; they must have worked it out a long time ago.

Mr P.B. Watson interjected.

Ms S.E. WALKER: Has the member ever worked it out? Perhaps I ought not to say. That is probably why he is over there with the other one-termers.

I refer now to clause 13. I know why all government members have disappeared after they have been chattering on, because they will not get up and say anything for our children. Clause 13 states -

For the purposes of section 12(1)(b), if an alleged offender is believed to have committed more than one offence referred to in section 5, 6 or 7 -

Section 7 refers to cannabis cultivation -

on one day and is given -

An infringement notice -

in respect of each of those offences, the alleged offender is to be taken to have completed a CES -

That is a lecture -

in respect of each of those -

Infringement notices. They are deemed.

Mrs C.L. Edwardes: One lecture?

Ms S.E. WALKER: Yes. They are deemed. I will tell members how to do it. I plant two plants in my house and then I pop across to my friend's house and plant two in hers, and then I pop across to another friend's place and plant two cannabis plants there. A police officer will turn up to my house and say, "Sue, here is an infringement notice." I will say, "Thanks very much for that; I will just pocket that one." Then I will pop down to my friend's and another police officer will come along and say, "Sue, are they your plants?" I will say, "They are." He will say, "Well, here is another infringement notice."

Mrs C.L. Edwardes: What about the ones at your mother's place?

Ms S.E. WALKER: That is right. I will pocket that infringement notice as well. Then I will get on the phone to the police and say, "Can you give me an extension of time for 28 days, because I am accumulating a few infringement notices?" I know all the tricks, because I have been in the courts and I have seen them. Then I will turn up in court and my defence counsel will say, "Sue has 10 infringement notices, but I refer Your Honour to section 13, which states that she has done a CES once, she has attended a lecture - mind you, I do know she passed out because she plucked a few leaves from a plant this morning and smoked quite a bit of dope - but she attended." That is it. In fact, I do not even have to go to court. I withdraw that. I just have to go to the lecture and get the certificate, and that is it. Then I go off and plant more plants. It is a joke! It is a total joke! It is an absolute joke!

Mr R.F. Johnson: It is a very sick joke.

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

Ms S.E. WALKER: It is a sick joke on our children. I have no difficulty at all with trying to steer our children away from cannabis, but this Government is encouraging them the other way with this legislation. The Government may have some grand plan for helping our children in the long run. I would admire this Government more and it would show more guts if it were honest, but this legislation just encourages our children to grow cannabis plants.

What will happen then? It will have a multiplier effect. In the suburbs and in the communities they will be growing plants everywhere. All members who have children and grandchildren should think about it, because young adults will be growing plants in their communities. They may send their kid over to see Mrs X, and she will be growing plants. They will see plants growing everywhere.

The Minister for Health may laugh. He sits there smugly, as he has often done on serious legislation. He knows exactly what this legislation is about.

Mr R.C. Kucera: I am laughing at the absurdity of your argument.

Ms S.E. WALKER: It is not absurd. The minister could not answer the question I asked him today.

Mr J.C. Kobelke: You are a very sick joke.

Ms S.E. WALKER: I am not a joke. Will the minister tell me where in the Bill it says different? He is dumbfounded as usual. Maybe he is just dumb; I do not know.

I will tell members what made me laugh. I refer to the Minister for Health's press release of 19 March and what he does not say. This was also contained in the letter responding to what the Leader of the Opposition said in the *Subiaco Post*. When I looked at that response, I knew I had the Minister for Health, because he mentioned everything but the cultivation. The real danger with this legislation is the cultivation.

Mr R.C. Kucera: Is this the opinion you expressed at the drug law reform forums?

Ms S.E. WALKER: I will answer that interjection.

Mrs C.L. Edwardes interjected.

The ACTING SPEAKER (Mr A.D. McRae): Member for Kingsley, when there is interaction between the member speaking and the minister, you do not have licence to add to that exchange.

Ms S.E. WALKER: Anything I have said anywhere in one drug forum is entirely consistent with what I have said today. At that stage it was about the use of heroin.

Mr R.C. Kucera: I will follow that up.

Ms S.E. WALKER: The minister should follow it up and he should look at my maiden speech, because what I said on the record is the truth. The minister should not ask me to bring up the Lewandowski affidavit again.

Mr R.C. Kucera: There is no prize for second.

Ms S.E. WALKER: The minister invited a response and he got it. The minister is the star performer.

I refer to the Minister for Health's media release of 19 March. I went up to one of *The West Australian* reporters and asked them where they got this from. They said they got it from his press release.

Mr R.C. Kucera interjected.

The ACTING SPEAKER: Minister for Health!

Ms S.E. WALKER: The media statement refers to the current system and the new system. It states -

CURRENT SYSTEM

Cultivation

Up to 25 plants charged with possession or dealing.

What does the minister leave out? This is what he has to say -

NEW SYSTEM

Cultivation

No cautions apply -

That is true.

One - two plants per household:

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

I do not think so under clause 7 -

\$200 fine by infringement notice

The minister does not mention the lecture. Why? Because he is soft on drugs. He is leading our children down a very dangerous path. We know about alcohol, because most people who are in jail have drunk alcohol just before they committed their crime. We know that smoking is dangerous. We know that cannabis is dangerous. We do not want to criminalise our children who are in possession of small amounts of cannabis, but we do not want to encourage them. This Government comes out and says in a glossy that it is reducing the number of plants from 25 to 10, but I note that in the schedule to the Misuse of Drugs Act it could have reduced the number of plants that are required for the purposes of deeming a person a drug trafficker. That number of plants is 250, but that has not been touched at all. Why has that not been reduced to 30 if the Government is serious? The minister is not serious about this legislation. I refer to the amount of cannabis that a person must have in his possession to deem him a drug trafficker. It is absolute nonsense to impose a penalty for selling drug paraphernalia if it is sold for use to a person who is under age. How will that be policed? Why not just ban selling cannabis-smoking paraphernalia? An example of the Government's bringing in its big guns is the penalty for selling hydroponic equipment. The minister said that anyone who sells a person hydroponic equipment to grow drugs will be fined. How will that be policed? It will not be policed; it is window dressing.

I am disappointed in the Government for introducing this Bill. I could be pre-empting something, but I suspect that we will hear an onslaught of speeches from members opposite because they have children, grandchildren, nephews and nieces and they know other children. The minister should ask them if they want their children to use cannabis. Perhaps they do. However, I suspect not, because the biggest fear of all parents is that their children will start taking drugs. For the reasons I have outlined I will not support this Bill.

The ACTING SPEAKER (Mr McRae): When the quorum was called at 3.32 pm a number of members came to the door. In my view, the member for Kalgoorlie partially entered the Chamber. I will not call him to order. However, when a quorum is called, standing orders provide that members shall not leave the Chamber once they have entered. That includes members who partially enter the Chamber. If they are in here, they must stay in here.

MR W.J. McNEE (Moore) [4.02 pm]: I am having some difficulty believing that I am living in the real world. Perhaps the Government is not living in the real world. I wonder why I think that.

I am fascinated by the attendance and the interest of members of the Government in this important issue. The Premier, who leads this morally bankrupt little Government, has not been here all day.

Mr J.C. Kobelke: That is not true.

Mr W.J. McNEE: He is taking the money but he is not doing the job. He was here during question time. That is the extent of his interest. Where are the backbench members?

Mr C.J. Barnett: They have all popped off.

Mr W.J. McNEE: They are not here. Perhaps they go home early on Thursdays.

Mr R.C. Kucera interjected.

Mr W.J. McNEE: I am talking about government members who belong to this morally bankrupt, grubby little Government, which is involved in making moral reforms. Is that what it is called? Moral reform is all this Government has achieved since it took office.

Mr J.P.D. Edwards: It is immoral reform.

Mr W.J. McNEE: Yes. Meanwhile, we have had the worst drought this State has ever experienced. What did the Government do about it? Can any member tell me what it did? I can tell members what it did. It did nothing.

The Government cares about all the minority groups in the community. The Premier lectures in this place at great length but he is not here to defend himself, nor are any of his backbenchers. How many ministers are here?

Mr R.F. Johnson: One.

Mr W.J. McNEE: There is one minister present. Is the Government really serious about this legislation? Do you think the Government is serious about it, Madam Deputy Speaker? How could it be? I am getting sick of one-sided arguments in this place.

Mr C.J. Barnett: A talented front bench, isn't it? Look at it.

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

Mr W.J. McNEE: They have all ducked for cover. They have run like a bunch of rabbits down a burrow.

The DEPUTY SPEAKER: The Leader of the Opposition is out of his seat. I remind members of the Speaker's remarks a few weeks ago about members commenting ad nauseam on people who may or may not be in this Chamber. Other members have other business to attend to, as members in here all well know. The member for Moore should acknowledge that and address the Bill.

Mr W.J. McNEE: I am delighted to do that. I have been here all day. I know the important issues and I understand that people have other things to do. However, I remind you, Madam Deputy Speaker, that this is a major piece of legislation that can change the destiny of our young children, some of them not yet born.

Mr R.F. Johnson: It will steal the innocence of the young.

Mr W.J. McNEE: Of course it will steal the innocence of the young. That reminds me of the important issues. I am certain that if I told my electors that I could not get back to them on Thursday because I was in the Parliament debating the Cannabis Control Bill - the freeing-up, becoming-soft-on-drugs Bill - they would understand and say that they did not expect me to be available. This is a very important issue.

How can the Government be serious about passing this legislation? In the past few weeks it has said that the Bill will not change anything. If it will not change anything, why has it been introduced? Something is being changed. Of course the Government wants to change the law. This Bill illustrates that the Gallop Government is soft on drugs. The Government has given up the argument and has decided to give in to drug dealers, the whoopee people's association and other groups that had influence over the Government in the lead up to the election. This is stage 1. If I were involved in hard negotiations with you, Madam Deputy Speaker, as soon as you cracked and said that you accepted something, I would know I had you. I would say, "Right, we have this person and we will now complete this deal." That is what happened to members opposite. They have given in, and this is just stage 1 of what will be a very long debate. Given all the evidence before the Government, I cannot imagine how it could possibly consider taking this action. If, in fact, the use of cannabis is accepted, whatever the Government says -

Mr R.F. Johnson: It is being encouraged.

Mr W.J. McNEE: It certainly is. I will go further than that: it will open the flood gates.

Mr R.F. Johnson: During war times people are encouraged to dig up their gardens to plant vegetables, but it is taking it to extremes to say that they can grow their own cannabis.

Mr W.J. McNEE: Absolutely. That is precisely what the Government is saying. It is saying that it is okay to grow two plants. Two plants can yield a substantial amount of weed and, heavens above, one could not smoke all of it. Once the quantity is increased, will the danger not exist that the market must be expanded? Youngsters aged 10, 11 and 12 will become a part of that market. That is the sad thing about it. The British Lung Foundation has done some work on this matter. It has confirmed that cannabis is far worse than tobacco in its cancer-causing effects. This sanctimonious mob opposite keep talking about cigarettes. I do not approve of people smoking cigarettes, but if they want to smoke, they can smoke; it does not matter to me whether they do or do not smoke. This sanctimonious Government has got posters all over town that portray cigarette smoking as being akin to a funeral, it is always telling people that they should not smoke, and it is always talking about how smoking is a drain on the health budget; yet now it is about to say that it is okay to smoke something that is worse than tobacco! The people who are putting these propositions to the Government and seeking the Government's support for them are obviously using information that is pretty old. Apparently some years ago the attitude towards cannabis was pretty relaxed and people seemed to think it was not very harmful. Now I am told that three cannabis cigarettes a day can cause the same damage to the lining of the airways as 20 tobacco cigarettes. Three! Not 33, but three!

Mr R.C. Kucera: That is a good point, because that was precisely the interjection I was going to make to the member for Dawesville when he was reading out those quotes on the harm that it does. There is exactly the same toxicity in cannabis smoke as there is in tobacco smoke. I hope that when the member for Dawesville is around his grandchildren he reminds everyone who smokes cigarettes that it is the same thing.

Mr W.J. McNEE: We are not saying that people should go out and smoke cigarettes. We are saying why would a Government that pontificates about how people should not smoke come out and say to young kids that it is soft on drugs and it is okay to grow two plants so that they can smoke their three cannabis cigarettes a day and do themselves more damage than if they were smoking 20 cigarettes? Who will pay the public health bill? It has been suggested already by ardent non-smokers that smokers should pay the bill.

Mr R.C. Kucera: We know Kay Patterson and John Howard will not pay!

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

Mr W.J. McNEE: The Government obviously will not pay, because it has no money to do anything; it went on this morning about the problems it has with that. The Government is placing young people in a disadvantaged position and will not help them at all. Has the Government actually thought it through? I suppose most members on the other side have children or grandchildren. How can they tell their children or grandchildren that they will go into the Parliament and will legislate to allow them to take poison? Around a farm we may find some strychnine. Would members opposite let their children have access to strychnine, or to kerosene? I do not think they would. This Government is legislating so that children can have access to a poison! Worse than that, cannabis use can cause depression, schizophrenia and a range of other things. The Government is allowing children to be exposed to that, under the guise of helping them! I do not know who the Government is helping. I do not think it knows who it is helping either; and I am certainly not displaying any real interest in it.

We should look at the number of people involved in traffic offences who are affected by drugs. Ambulance officers have said to me - they must have said it to members opposite too - that many of the people whom they pick up off the roads are affected by drugs. Why would we make it easier for people to access a drug that we know is bad? What is the rationale for doing that? I had hoped that some members from the government side would have jumped up and given us all the good points, but they have not done that, and I guess they do not intend to do that, because I do not think there can be a defence of this legislation. I bet that in his heart of hearts, the Minister for Health does not really believe it himself. I do not see how he possibly can.

Mr R.C. Kucera: You are very wrong, member for Moore.

Mr W.J. McNEE: I bet that before the Minister for Health came into this Parliament he did not believe in it. We will now have this crazy system in which being caught with cannabis will be less of a problem than being caught speeding. If I am caught in the morning and then again in the afternoon with my 30 grams of cannabis, nothing will happen to me other than I may have to go to a lecture. However, if I am caught in the morning for speeding and I am caught again in the afternoon, I will be fined twice and I may even lose some points.

Mr J.L. Bradshaw: And if you lose enough points you will lose your licence!

Mr W.J. McNEE: That is right, and then I may lose my job. The Minister for Health is concerned that if people get caught with cannabis they may have difficulty in getting insurance or a job. I can tell the Minister for Health that if people are caught with drugs they should have trouble getting insurance!. I do not want every goddamn drug user around the place pushing up my insurance premiums. If an insurance company wants to insure a drug user at a premium or whatever, good luck to it. I do not think I should have to pay a higher premium. However, the Minister for Health thinks that is a good reason to change the legislation. That is an absolute nonsense. The Minister for Health does not live in the real world. While we are on that subject, let us talk about what will happen if a person is caught. The Minister for Health says the police will have discretion. He says he has faith in his police officers to exercise discretion. I am not saying he should not have faith. However, what I am saying is everyone in this Chamber, given the power of discretion, will do it slightly differently. There is no discretion when we pass a Multanova on the side of the road. Have members ever tried to ring up and complain about a Multanova fine? I will tell members what happened to me once. I sent the department a cheque, but it sent it back and said I was not the one who was driving; it was someone else. It was my wife! The department was not happy to take my money!

Mr R.C. Kucera: What were you on?

Mr W.J. McNEE: I was not even in the car! I am not complaining, but I am saying there is no discretion with a speeding fine, yet there is discretion if I am caught with cannabis! Every police officer would do it slightly differently, as would everyone in this room. There is no uniformity in the law. The Government talks about how it is legislating for uniformity so that everyone will be equal. We cannot ever make everyone equal, but the Government does not seem to understand that, so it just does not happen. I cannot believe that it can put up such a weak argument and expect it to be accepted by the people of Western Australia.

[Leave granted for the member's time to be extended.]

Mr W.J. McNEE: The people of Western Australia are getting fed up with this Government. They have put up with enough. They stood the Government's reform agenda, but now that it is starting to interfere with their children and grandchildren, they have had enough. They say to the Premier and his Government, morally bankrupt as they are, that enough is enough and they do not want any more. Why do they not want any more? I refer to a letter to the Premier from Archbishop Saunders, which I was handed by one of my colleagues. It reads, in part -

If you decriminalize marijuana you will give the habit a respectability and a sanction which will further ensnare the young who will confuse this lenient legislation as an attitude of approval.

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

The Government should make no mistake about that. I continue -

The social dividend will be starkly negative and we can expect to see a further deterioration in the quality of life experienced by users and victims alike.

...

It appears that budget shortfalls or monetary considerations drive this proposed legislation. Is it the case that the Government simply will not spend what it takes to educate about drugs and to enforce the law?

I cannot believe that we are considering to follow the legislative path of other States in Australia and overseas. Legislation in those places has given rise to many more problems than they have ever solved. I note the comments of the Commissioner of Police in South Australia recorded in *The Sunday Times*.

In this letter, Archbishop Saunders pleads with the Premier to give the police the resources they need. That would be the way to do it, but the Government hides behind the excuse of not having sufficient money. That raises questions about what it is doing with the money. The Government is not collecting any less money. God knows what it is doing with it.

The results of a 30-year Swedish study were published in the November edition of the *British Medical Journal*. The study concluded that the use of cannabis prior to the age of 18 was associated with a 30 per cent increase in the risk of developing schizophrenia, and that risk increased with the frequency of use. The use of cannabis more than 50 times a year by someone under 18 years - for example, one cigarette a week for one year - was associated with a 6.7-fold increase in the risk of developing schizophrenia. I have read elsewhere that girls are very prone to developing schizophrenia and depression. Members should imagine some poor kid who is schizophrenic and depressed. What a life we will be giving those poor kids. Is that what the Government wants to do? There is not a parent or grandparent sitting on that side of the Chamber who wants to do that; yet, the Government is being led along like a sheep to the water trough, and it is legislating for this. I am sure that many members opposite do not believe in it. They should have a rebellion in their caucus room. They should stand up to the Premier and tell him that the people of Western Australia do not want this.

Mr R.F. Johnson: I do not think the Premier really wants it.

Mr W.J. McNEE: I do not think he does either.

Mr R.F. Johnson: I think he has been rolled on this one.

Mr W.J. McNEE: In my paddock they say that the Premier is not the Premier; the Attorney General is the Premier.

Mr R.F. Johnson interjected.

Mr W.J. McNEE: That is absolutely right. My colleague has mentioned the suicide rate. Figures show that the country suicide rate is high enough already. Some young people out there need help. I do not mean help of a medical nature. They need help because there are not many girls around. Many of the girls have left the districts. There is not a lot those people can do on the weekend unless they can get to Perth. I do not know what leads young country people to do those things, but I am sure that it also happens around the city area.

I remember the first person I ever spoke to who had a child involved in drugs. Before that time I had never known anyone who knew someone involved in drugs. That mother told me how terrible it was. She told me how her young boy's girlfriend had died a tragic death in tragic circumstances. She told me how she had had 12 months of hell trying to keep this young lad of hers. She went on a train and followed him as he went to the drug dealer to get his hit. He told his mother that he had to have it, and she told him that if he was still alive in the morning, he should ring her. It is sad, and it is even more sad because it is true. How would members feel if that happened to them? We are legislating to legitimise drugs. I cannot believe it. There is stacks of evidence that suggests we should not do it. The *British Medical Journal* also referred to a Victorian study that followed 1 600 students aged 14 to 15 for seven years to determine if adolescent cannabis use increased rates of depression and anxiety in adulthood. It concluded that daily cannabis use by young women resulted in a 5.65-fold increase in the risk of developing depression or anxiety. Weekly use by teenagers doubled the risk that they would later suffer from depression and anxiety disorders. That is weekly, not heavy, use. The journal earlier stated that smoking 50 marijuana cigarettes over a year could increase the risk of depression 6.7 times. We are talking not about people who have been hooked, but about people who use the drug on a recreational basis. That is what we ought to get rid of. Would members tell their children to play on the freeway? Of course they would not. We cover this up this by calling it recreational use. What a load of rubbish. Who would encourage anyone to be a recreational user of poison?

Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker

Mr R.F. Johnson: A drug dealer.

Mr W.J. McNEE: Of course he will.

Mr R.C. Kucera: Philip Morris.

Mr W.J. McNEE: That is right. The minister is doing Philip Morris' work far better than it ever could. He is giving this a government sanction; a government imprimatur. The minister should worry about that. I cannot believe that this Government would even consider the introduction of legislation that is anti-young people. It helps nobody.

Mr R.F. Johnson: Other than drug dealers.

Mr W.J. McNEE: Of course. As I said earlier, if the supply is increased, the market will increase. That is what will happen. Drug use will start at earlier ages. When Philip Morris promoted its cigarettes, it did not promote them to me. I was not much good because I do not smoke, and I will be off the planet in a little while. Who did Philip Morris promote its products to? It promoted them to young people. Who was the actor who rode the horse?

Mr R.C. Kucera: The member for Hillarys is not very young.

Mr W.J. McNEE: We do not have to worry about that. I am saying that Philip Morris promoted its product to young people. When are young people vulnerable? They are vulnerable when they have a drink after playing sport, at the football or the cricket, at the local dance or wherever they go, or when they are with their friends. They get hooked. Any marketing person can tell members that if he can make a person buy a particular car for his or her first car, the chances are that he will keep that person driving that type of car. That is why young people are vitally important to those who market products.

Mr R.F. Johnson: Did you know that the marketing strategy of both Coca-Cola and Pepsi-Cola is to get to young children's throats before each other, because they want either Coke or Pepsi to go down those children's throats so they get used to that flavour. They know that is the best way of encouraging children to drink Coke or Pepsi for many years to come. Drug dealers will do exactly the same with marijuana.

Mr W.J. McNEE: Of course they will.

Mr R.C. Kucera: Member for Hillarys, are you suggesting that the Coca-Cola company is a drug dealer?

Mr W.J. McNEE: No, he is not.

Mr R.F. Johnson: Why do you make stupid comments like that? You are a typical old-time copper, uneducated and unintelligent.

The DEPUTY SPEAKER: Order!

Mr W.J. McNEE: That is the reason that the Government makes such stupid decisions! Can members imagine statements like that being made in its cabinet room? If that is one of the better statements, God save us from ever going to a cabinet meeting. What must they be like? No wonder the Government runs into trouble. The fact remains that drug dealers will target young people. There is no question about that. Young people are the most vulnerable. I am sure that everyone in this Chamber wants to protect those young people from the ravages of this dreadful substance.

Two plants can produce a huge amount of cannabis. How many plants can be grown in a block of 100 flats if two plants can be grown in every flat?

Mr R.F. Johnson: There could be thousands. Think of the water consumption!

Mr W.J. McNEE: What happens if I share one of those flats with somebody else and we both want to grow two plants? There would be four plants in that flat.

Mr R.C. Kucera: You would get busted.

Mr W.J. McNEE: That will be at the discretion of whoever catches us. We would not get busted. We will have a good story for the copper, do not worry about that.

Mr R.F. Johnson: You will get an award for greening Western Australia from this mob.

Mr W.J. McNEE: Yes. As I said at the beginning of my speech, sometimes I cannot believe that I am awake and that this is actually happening. It is almost unbelievable. I have seen Governments do some dopey things in the time that I have been a member of Parliament, but this would be above all the most stupid thing I have seen any Government attempt to do.

Debate adjourned, on motion by Mr R.F. Johnson.

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Mr Bernie Masters; Speaker; Mr Paul Omodei; Acting Speaker; Ms Sue Walker; Mr John Bradshaw; Mr Rob Johnson; Mrs Cheryl Edwardes; Mr Bob Kucera; Mr Bill McNee; Deputy Speaker
