

CANNABIS CULTIVATION, DECRIMINALISATION

**617. Ms S.E. WALKER to the Minister for Health:**

I refer the minister to the Misuse of Drugs Act 1981 and clauses 7, 8, 12 and 13 of the Cannabis Control Bill 2003.

- (1) Is the minister aware that currently the cultivation of one cannabis plant under the Misuse of Drugs Act is an offence attracting a fine of \$20 000 or a term of two years imprisonment or both?
- (2) Is the minister also aware that under the Cannabis Control Bill, by virtue of clauses 7, 8, 12 and 13, it is possible now for a teenager or an adult to grow multiples of plants in multiple premises and not be liable for any court appearances, convictions or financial penalties and that, rather, the teenager or adult will be liable merely to attend a lecture at the time of his or her choosing?
- (3) Is the minister also aware that under the proposed legislation, a person may choose to attend only one cannabis lecture at a time of his or her choosing to extinguish multiple infringement notices for the cultivation of cannabis?
- (4) Will the minister now admit that he is decriminalising the cultivation of cannabis in this State?

**Mr R.C. KUCERA replied:**

- (1)-(4) I am in a quandary, Mr Speaker, because I suspect that I am being asked to give legal opinions, particularly on the first part of the question. However, again, this is misinformation that has been peddled by the Leader of the Opposition and his party. All these issues will be addressed in the debate on the Bill. The only people who are giving the message to young people in this State that they will be allowed to use, smoke and grow cannabis are the Leader of the Opposition and the members of his party.

Ms S.E. Walker: Your legislation states that.

Mr R.C. KUCERA: The legislation clearly states - I will continue to repeat this until the debate is finished - that growing cannabis will remain illegal. Members can go through all the hypothetical situations they want, but it will remain illegal for people to grow or smoke cannabis. The legislation contains penalties for smoking and growing cannabis. I want to put that on record to dispel the misinformation that has been peddled in this place today. The Government has left in the Bill sets of circumstances in which police officers will be allowed to use their discretion to charge people, as did the previous Government when it introduced its soft, slap-on-the-wrist rules on cannabis almost eight years ago.

Several members interjected.

The SPEAKER: I call to order the member for Hillarys for the second time and the member for Vasse for the first time.