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MP for Franklin  
Parliament House  
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Hobart 7000

3 May 2023

By email: [rosalie.woodruff@parliament.tas.gov.au](mailto:rosalie.woodruff@parliament.tas.gov.au)

Dear Dr Woodruff,

**[Decriminalising Personal Drug Use Bill 2023]**

I am writing to you as **Tasmanian President** of the Australian Lawyers Alliance (ALA). The ALA is a national association of lawyers, academics and other professionals dedicated to protecting and promoting justice, freedom and the rights of the individual.

The ALA supports the *Decriminalising Personal Drug Use Bill 2023*; in particular, we welcome provisions that decriminalise the use of small quantities of drugs consistent with personal use. We strongly support the Bill stipulating that **certain offences, such as possessing a controlled drug, would not apply if a person has a quantity of the drug below the personal possession limit for that drug.**

Notably, the ALA acknowledges and supports the Bills retention of other drug offences – including for the sale, supply, or trafficking of drugs.

The ALA has long advocated for a shift in drug policies across Australia from an emphasis on law enforcement, to a focus on the broader health and social issues associated with the harmful use of drugs. We note the strong evidence demonstrating that criminalisation of drug use has not worked; it has not stopped people from continuing to use drugs nor has it stopped people from overdosing. **It has often exacerbated people's disadvantage, resulting in further financial distress, mental illness, and difficulties finding and keeping housing.**

The ALA considers that drug policies focused on prohibition are counterproductive and cause significant harm additional to that resulting from drug use.

The ALA has been a long-time advocate of a health focused response to drug reform as there is increasing recognition both within Australia and internationally that criminalisation of illicit drug consumption has been a policy failure; both in terms of reducing crime and addressing the significant health and social problems associated with drug consumption. With this recognition, **a momentum has developed to shift the focus of the policies from criminal law enforcement to initiatives that focus on health and harm minimisation, and to address the social problems associated with drug consumption.** These include financial hardship, mental illness, unemployment and homelessness.

The Bill's focus on personal possession as the qualifying factor separating those offences of manufacturing and cultivation is reflected in the proposal to allow a person to possess up to three cannabis plants (that does not exceed the personal possession limit). The ALA encourages the Tasmanian Government to consider and adopt laws that free up police resources and redirect policy to a focus on drug traffickers and manufacture.

From a financial and economic perspective, the ALA contends that a policy of criminalisation and prohibition is not sustainable. **The significant public expenditure on law enforcement, the courts, community corrections and prisons, as well as the continuing ongoing costs associated with drug consumption, including health issues and mental illness, is not providing sufficient return to warrant its continuation.** The ALA submits that this money would be better spent on health, housing and social services that will serve to address the underlying causes of substance abuse and the associated social problems that go with it. **Public investment in harm minimisation and health responses to drug consumption will result in significant savings for the criminal justice system and improved health and wellbeing for people who suffer from addiction.**

Thank you for your attention in this important matter. Please do let me know if I can be of further assistance, in which case please direct correspondence to Nadia Elads, Policy and Advocacy Officer at the Australian Lawyers Alliance, on 0422 054 902 or at [nadia@lawyersalliance.com.au](mailto:nadia@lawyersalliance.com.au).

Yours sincerely,



**Rowena Macdonald**

**Tasmanian President**

**Australian Lawyers Alliance**