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Australian Federal Police Association

Decriminalising illicit substances without appropriate support from the ACT Government

The Australian Federal Police Association (AFPA) is dismayed that the ACT Government continues to progress down the path of decriminalising heroin, methylamphetamine (ice) and cocaine, after reading an article published in today's *The Canberra Times* (**ACT court sentences Canberra teen to community-based order for stealing Mercedes, crashing into police car**).

AFPA President Alex Caruana said that the ACT Government hadn't done enough in the health and rehabilitation sectors to support decriminalising illicit substances in the ACT.

"The police and courts are doing their job; however, like the wider community, they are being let down by a government wanting to appear tough on drugs yet unwilling to invest in the health and rehabilitation sector alongside decriminalisation.

"When a Justice of the ACT Supreme Court sees that the drug and alcohol sentencing list has been full since February with no money to do assessments, then something has gone very wrong. This demonstrates that the ACT Government doesn't take the treatment and rehabilitation of people seriously.

"When it comes to sentencing, ACT Justices and Magistrates of the ACT judicial system are hamstrung by poor funding and a lack of resources in the rehabilitation-focused Drug and Alcohol Court. The Government is more interested in being seen as progressive instead of actually trying to divert, educate and help people," Mr Caruana said.

The *Canberra Times* article quotes Justice Michael Elkaim: 'the young man high on drugs, driving stupidly and dangerously, is an unfortunate example of the type of event that the police have to deal with all too regularly'.

Mr Caruana said that Justice Elkaim was correct and that ACT Policing officers are put in harm's way daily by irresponsible drug drivers.

"Police officers join the job knowing there is risk involved, but this risk will be increased by the ACT Government's push to decriminalise heroin, ice and cocaine. The risk will also transition onto the community. There is no way ACT Policing can test roadside if a person is driving with heroin, ice or cocaine in their system. Police officers will be forced to take people into custody and then to the hospital to obtain a blood test.

"I wager the Health Minister hasn't allowed funding to hire more hospital staff to conduct this testing. The health sector is already facing staffing and timeliness issues. The testing is legislated and has to be done within two hours. Police will also be forced to wait with the person while the testing takes place, taking already thin policing services away from the community," Mr Caruana said.



The AFPA supports former President of the ACT Bar Association John Purnell SC in calling for more resources and funding for the ACT Supreme Court's Drug and Alcohol Sentencing List.

Mr Caruana said that the decriminalisation of illicit substances started as a criminal conviction issue by Mr Michael Petterson and that if the Drug and Alcohol Court were adequately funded and resourced, this would assist in harm minimisation and reducing criminal convictions.

"Minister Rachel Stephen-Smith talks about harm minimisation, but what have the Minister and Attorney-General Shane Rattenbury actually done to further the harm minimisation aspect of this decriminalisation of heroin, ice and cocaine, and other substances? On the surface, it appears to be very little.

"The AFPA agrees that it's a health issue. The ACT Supreme Court's Drug and Alcohol Sentencing List will play a crucial part in the future of diverting people away from the justice system. Yet the ACT Government doesn't want to put money into support services to back up their plan to decriminalise drugs," Mr Caruana said.

END STATEMENT

For comments:

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