# NZ CANNABIS REFERENDUM

19th September 2020

# The Referendum Question.

**Do you support the proposed Cannabis Legalisation and Control Bill?**

You can choose 1 of 2 answers.

- **Yes**

  *I support the proposed Bill.*

- **No**

  *I do not support the proposed Bill.*

# The Bill

- **Regulates production, supply and consumption of recreational cannabis.**
- Prime purpose to reduce cannabis-related harm to individuals, families and communities.
- *Does not cover medicinal cannabis (already legal), hemp, driving while impaired, or workplace health and safety issues which are covered by existing laws.*

# The Bill - Purpose

The Bill intends to reduce cannabis-related harm by:

- providing access to legal cannabis that meets quality and potency requirements
- eliminating the illegal supply of cannabis
- raising awareness of the health risks associated with cannabis use
- restricting young people's access to cannabis
- limiting the public visibility of cannabis
- requiring health warnings on packaging and at the time of purchase
- improving access to health and social services, and other kinds of support for families
- making sure the response to any breach of the law is fair.

# The Bill – Possession & Consumption

Permits possession and consumption in limited circumstances.

A person aged 20 or over would be able to:

- *buy up to 14 grams of dried cannabis per day only from licensed outlets*
- *enter licensed premises where cannabis is sold or consumed*
- *consume cannabis on private property or at a licensed premise*
- *grow up to 2 plants, with a maximum of 4 plants per household*
- *share up to 14 grams of dried cannabis with another person aged 20 or over.*

# The Bill – Production & Supply

Would regulate how cannabis is produced and supplied by:

- *limiting total amount of licensed cannabis for sale*
- *controlling potency and contents of licensed cannabis and cannabis products*
- *applying an excise tax when a product is packaged and labelled for sale*
- *setting up a licensing system under which all cannabis-related businesses must hold a licence*

# Production & Supply (cont)

- *regulating location and trading hours for premises in consultation with local communities*
- *banning importation of cannabis and allowing only licensed businesses to import cannabis seeds*
- *separating businesses that are licensed to grow cannabis and produce cannabis products from businesses that are licensed to operate premises where cannabis can be sold and consumed.*

# What happens after the votes are counted?

- If more than 50% vote 'Yes', after the election incoming Government can introduce Bill to Parliament to legalise and control cannabis. Includes opportunity for public input.
- If more than 50% of people vote 'No', recreational cannabis would remain illegal.
- *Medicinal cannabis and hemp will not be affected by outcome of the referendum.*

# The Evidence - A potpourri of facts

- New Z'ers  among highest users of illegal drugs in the world, and top the list for cannabis use. (U N 2012 Drug Report.)
- Approx 12% of New Zealanders used cannabis in the past 12 months (NZMoH Survey & UN survey)
- By the age of 21, 75% of New Zealanders have tried cannabis at least once. 10% developed pattern of heavy use (Dunedin and Christchurch Longitudinal Studies).
- Māori adults and adults living in the most deprived areas more likely to report using cannabis in the last 12 months.
- More than 1/3 of cannabis users who drove in the past year reported driving under the influence of cannabis in the last 12 months. (NZMoH Health Survey)

# More evidence

- Current 'market value' of recreational cannabis = $200 - 700 million(?)
- Possession of any amount of cannabis is currently illegal. Maximum sentence for possession of cannabis is 3 months imprisonment or a $500 fine; although there is a presumption against imprisonment.
- Cultivation of cannabis carries a maximum penalty of 7 years imprisonment, while the dealing of cannabis carries a maximum penalty of 8 years imprisonment

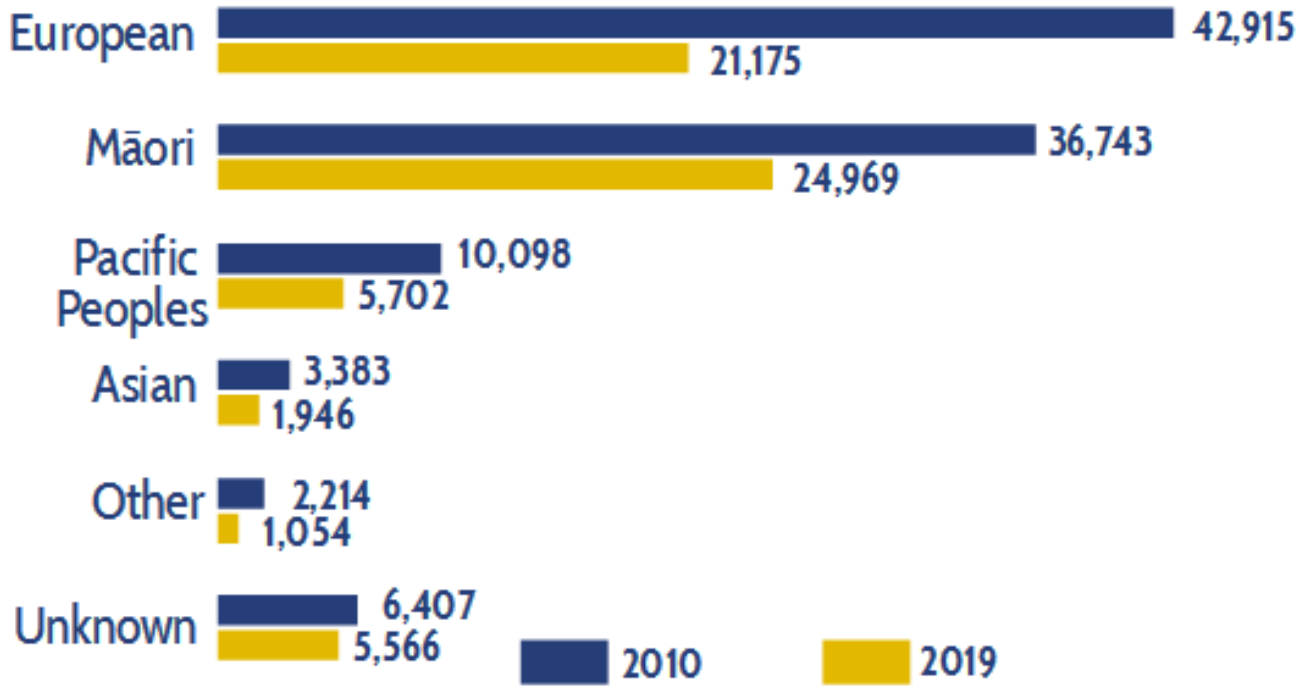
# Convictions

# Convictions (cont)

- Approx 150,000 convictions per year (all offences)
- Approx 10,000 convictions per year for drug offences (all drugs) of which approx 6,000 relate to cannabis.
- Approx ½ of cannabis convictions are for possession and / or use.
- Most people convicted of cannabis possession and/or use offences were also convicted of other offences at the same time. (i.e. Less than 1,000 people p.a. were convicted of possession and / or use only.)
- Convictions have been falling since approx 2010

  (Change in Police prosecution policy? Reduction in use?)

# The number of convicted adults has fallen across all ethnicities over the past 10 years




# But the percentage of convicted Māori has increased from 39% to 44% over the same period

# The Black Market (Source : MSD 2001)

- *Increased health risks of drugs produced on black market;*
- *Drug-user crime caused by inflated black market prices for drugs;*
- *Risk of victimisation faced by buyers and sellers forced to transact in a criminal market;*
- *Violent "turf wars" fought by rival gangs over lucrative drug-selling locations;*
- *Black market profits that finance organised crime.*
- *In general, black markets for cannabis are less harmful than black markets for heroin and cocaine*

# The Black Market (cont)

- *Gangs becoming (2001) more organised. Hydroponic cannabis cultivation may allow professional syndicates to produce higher-potency cannabis at lower prices.*
- *If cannabis black market were significantly reduced by the legalisation, violent criminals involved in cannabis trade may switch to involvement in, and the expansion of, other illicit drug markets.*
- *If legalised those under 20 will still source cannabis from black market*

# Health & Socioeconomics.

**The Royal Society of New Zealand and the Dunedin and Christchurch Cohort Study** found that:

- *Approx 75% of the cohort study group had used cannabis at least once*
- *Approx 10% became dependant and 1/3 of users went on to use harder drugs*
- *Chances of experiencing psychotic symptoms and/or psychotic disorders are elevated, especially if use began during adolescence* and *continued into adulthood.*
- *Psychotic symptoms risk is not large at the population level, appearing to be strongest among a sub-group of users who possess a genetic vulnerability.*

# Health, etc (cont)

- *Heavy users prone to destructive lung disease which results in irreversibly , significantly damaged lung tissue.*
- *Two to threefold increased risk of developing gum disease*
- *Cannabis use unrelated to risk for cardiovascular disease and diabetes*
- *Loss of cognitive ability  evident with largest loss among those who began using cannabis during adolescence and who continued using cannabis.*
- *Adversely affects developing brains influencing motivation and cognition*
- *Poor socioeconomic and educational outcomes*

# Health, etc (cont)

- *Persistent cannabis use characterised by downward social mobility and a range of social problems. The longer the period of use and/or dependence the worse the economic and social outcomes.*
- *For young adults, driving under the influence of cannabis, were more likely to be involved in accidents.*
- *Māori rates of arrest and conviction were three times higher than non-Māori*
- *Arrest or convictions for cannabis offences did not result in a reduction of cannabis use*

# In Favour

## **New Zealand Drug Foundation**,

(The Green Party, The Helen Clark Foundation.)

- **Tax revenue will go towards drug education and treatment.**

  *All benefit from as much as $490M of new annual taxes from legalising and controlling cannabis.* (Note: Sum is potentially incorrect.)

- **It will free up police time to focus on serious crime.**

  *Each year, we spend almost $200 million and over 330,000 police hours on cannabis enforcement and convictions.* (Unable to confirm figure)

- **Cannabis will remain illegal for anyone under 20 years old.**

  *This sends a very clear message that cannabis is for adults only.*

# New Zealand Drug Foundation, etc (cont)

- **Potency levels will be limited for safety.**

  *Setting a maximum potency level is an important way to promote safer cannabis use*

- **Sales restricted to licensed premises.**

  *This means stores won't be situated near schools or churches, and stores won't be concentrated in poorer neighbourhood as has happened with bottle shops and pokies.*

- **No consumption in public spaces.**

  *Other than in licensed consumption spaces, it will only be legal to consume at home – not on the street, or in parks.*

- **Plain packaging and clear warning labels, with zero advertising.**

# Against

**New Zealand Medical Association.**

- *Cannabis is a harmful drug that causes a range of health and social harms at the individual and community level.*
- *NZMA believes that cannabis use is a significant health and social issue.*
- *Its use creates social and psychological harm, particularly for younger people.*
- *Rather want government to undertake targeted initiatives to reduce social inequalities that increase risk of harm from drug use, and meaningful investment into education and treatment programmes.*

# New Zealand Medical  Association. (cont)

- *Want a public education campaign to demonstrate that 'soft' or 'recreational' drugs can have serious and harmful effects.*

- *Support civil penalties such as court orders requiring counselling and education (particularly for young and first-time offenders), or attendance at 'drug courts' which divert users from criminal justice system into treatment.*

# New Zealand Drug Detection Agency.

- *Legalisation drives up use of other, often harder drugs.*
  *(Increased issues in Canada and permissive US states)*
- *Detrimental impacts on workplace health and safety.*
- *2/3 of respondents to construction industry employer survey say legalisation of cannabis will negatively impact their business*
- *Construction and forestry businesses already struggling with staff recruitment due to substance abuse. Legalisation would compound the problem.*
- *Drug courts working well – although not total solution.*

# Road Transport Forum of New Zealand.

- *Not enough information to make a binding vote.*
- *Bill badly written and half finished*
- *If enacted, will have serious consequences for safety sensitive industries, such as trucking.*
- *International research shows that with legalisation of cannabis comes higher use and new users* (Some evidence potentially refutes this)
- *Number of people being killed by drug impaired drivers on New Zealand roads is already higher than those killed by drivers above legal alcohol limit.* (Some evidence refutes this)

## Road Transport Forum of New Zealand (cont)

- *People not well informed of impacts of using cannabis and driving.*
- *Increase in road accidents in areas where recreational cannabis is legal.* (Some evidence potentially refutes this)
- *Higher risk on the roads automatically means higher insurance premiums across the board*
- *New markets and money to be made. Black market remains as it always has.*
- *Whole new bureaucracy put in place to manage cannabis legalisation.*

# Your Thoughts?