

# Drug Summit offers hope, delivers betrayal

by Marty de Weerd

The Minns Labor government has responded to recommendations resulting from the 2024 Drug Summit.

While many of the recommendations are supported by the government either fully or in principle, concerns have been raised about key recommendations they are choosing to ignore or putting on the backburner.

Former magistrate and drug law reform advocate, David Heilpern, expressed his dismay at the government's response to the Summit, calling it a "betrayal" and a "massive defeat for the drug reform movement".

The Drug Summit included forums attended by 700 participants over four days in metropolitan Sydney, Griffith and Lismore, with invited attendees representing key stakeholders such as health experts, police, service providers, community members and people with lived or living experience.

In addition, 3,669 written submissions were received via an on-line survey.

The subsequent report, authored by summit co-chairs Carmel Tebbutt and John Brogden, was handed to the government in April of this year and contained 56 recommendations, most of which emphasised a whole of government approach focussed on harm minimisation.

Since the summit, several government agencies have begun implementing reforms covering social housing policy, longer term grants for service providers to increase job stability and funding certainty in the sector, education for young people through targeted campaigns and a 12-month drug checking trial at festivals.

However, in making its announcement on 28th October, the government said that it would continue with the use of sniffer dogs and strip searches at music festivals, something the report



specifically recommended should cease.

This policy has recently come under heavy scrutiny following a landmark case in which Sydney woman, Raya Meredith, was awarded \$93,000 in damages by the Supreme Court for a "humiliating" unlawful strip search at the 2018 Splendour in the Grass Festival in Byron Bay.

In addition to Ms Meredith's case, a class

action involving 3,000 people searched by NSW Police at music festivals between 2016 and 2022 is due to return to court. Should this class action be successful, the government could be liable to pay a further \$150 million in damages.

Aside from the legal issues, Mr Heilpern expressed deep concerns about the risk of death resulting from festival attendees "front loading" drugs to avoid possession

charges.

The report also recommended legislating the medical defence for people using medically prescribed cannabis whilst driving. The government has stopped short of that measure, announcing an investigation that will be conducted by a working group comprised of experts, with recommendations to be presented to government for consideration.

There has been no commitment from the government to act upon the recommendations, nor any indication of how the proposed group will be comprised.

Tasmania is currently the only state which allows drivers with a prescription to legally drive with cannabis in their system and there is no indication that this policy has resulted in any additional road safety concerns.

"There is a glimmer of hope," said Mr Heilpern before highlighting that the working group is unnecessary,

considering both Tasmania and overseas cases should provide all the necessary evidence to move forward with the legislation.

The other key recommendation that the government appears to have ignored is the establishment of safe injecting rooms across the state.

There is just one safe injecting room in NSW, located in Kings Cross, and the report recommended that the current legislation that restricts medically supervised injecting centres to one premises be amended to allow for the program to be expanded into other metropolitan, regional, rural and remote areas.

While there remains hope that drug driving laws will see reform, the government's response has left drug law reform campaigners concerned that the opportunity for more significant reforms such as decriminalisation has been lost.

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