



The Hon Gladys Berejiklian  
Premier of NSW  
Parliament House  
Macquarie Street  
Sydney 2000 NSW

9 December 2020

Dear Premier

I am writing to you on behalf of Harm Reduction Australia's Board, Advocates and members regarding the upcoming formal NSW Government response to the recommendations of the Special Commission of Inquiry into the Drug 'Ice'.

As you know, in 2019 and 2020, you received two extensively researched and comprehensive arguments for change to our drug laws and policies from the [Deputy Coroner](#) and a [Special Commissioner](#) - the latter whom you personally appointed.

The recommendations in these reports have a high level of common ground for a good reason – they are both based on the irrefutable evidence of harm from the failings in our current approach to drug use.

In 2019/20 there were close to 20,000 drug possession and use charges heard in NSW Local, Children's, and District Courts. This is an extraordinary waste of resources and time for the entire criminal justice system when the predominate outcome is simply long-term harm to the work, travel and life opportunities for individuals and their families.

We understand that reform can be difficult but the current public presentation of the proposed changes being one that leads to encouragement of drug use is simply untrue and is not based on the evidence from jurisdictions where decriminalisation has been in place for many years.

It is also important to note that the use of alcohol and tobacco is not encouraged but nor is it criminalised for people that either enjoy their use or become dependent on these substances. Instead, as a community we discourage their use or misuse with public campaigns while investing in support, treatment and other health-based programs. We all

understand that arresting and criminalising people for drinking alcohol or smoking tobacco would be absurd, yet this is the policy we have for all other drugs.

Please understand that we are not condoning drug use, instead our collective concern is providing the most effective services available to ensure the health and safety of people who do use drugs.

The potential substantial redirection of funds into health services, particularly drug treatment, support and harm reduction services that have received minimal financial assistance for the increased alcohol and drug use that has resulted from the pandemic, is but one tangible benefit from the proposed reforms.

We would also ask that you reconsider the earlier decision to reject the recommendations for pill testing and the removal of drug detection dogs in the community given the evidence and successful implementation of these policies and programs in the ACT.

One question we always ask people when considering drug laws and policies is what they would like to see happen if it was a family member or loved one that was using drugs or had developed problems with their drug use. Rarely is the answer for a criminal justice approach, rather it is for the provision of help and support, something that is made all the more difficult by criminalising people who use drugs.

It is our sincere hope that just as we have seen in the incredibly successful approach to the pandemic in NSW, we will also see the same health and law enforcement supported approach prevail on drug use.

Yours sincerely



Gino Vumbaca BSW MBA MAICD Churchill Fellow  
President  
Harm Reduction Australia

cc     The Hon John Barilaro, NSW Deputy Premier and NSW Leader of the Nationals  
          The Hon Mark Speakman, NSW Attorney General  
          The Hon Brad Hazzard, NSW Minister for Health  
          The Hon David Elliot, NSW Minister for Police & Emergency Services  
          Commissioner Mick Fuller, NSW Police  
          Dr Kerry Chant, NSW Chief Health Officer