

1 Submission from Michael Balderstone - Inquiry into the use of Cannabis in Victoria

Firstly, thank you for this inquiry.

I believe it's much more important than most people realise. I have been embroiled in cannabis law reform for over thirty years, in fact it has almost taken over my life since I woke up to the massive social consequences of what the war on drugs is creating. A war on certain drugs that is, not all drugs of course, as many are legal, like pharmaceutical drugs and alcohol. This war is really a war against nature's best pain relieving plants, the opium poppy, cannabis and coca plants, as well as any entheogenic plants, like magic mushrooms and peyote. It's a war over who gets the profit from pain relief, likely the most profitable business on Earth.

Like is being argued now in the pandemic that aged care should be in the non-profit sector, I think all our health issues should be not for profit. Drug use is simply about people trying to feel good. How come this has become a crime for so many that over half of our police arrests are for drug use and drug related crime fills our jails? The answer is always money, profit.

Cannabis is in all the earliest herbal recordings and has been used by mankind for as long as we know, and without ever having one recorded death. The war on this plant began very recently, less than a century ago, with an orchestrated campaign of lies and propaganda which has been extraordinarily successful. Seems to me this 'Reefer Madness' campaign coincided with the beginnings of the pharmaceutical and petro-chemical eras that so dominate our lives today.

In those days the cannabis plant was direct competition to modern pain relief, plastics, woodchip, nylon, paint and endless other plant based products. Cannabis's long strong flexible fibre was labour intensive to process compared to cotton, and then nylon turned up. Prior to that most people wore hemp and all the banknotes and Bibles were made of hemp because of its superior lasting qualities. The word canvas comes from cannabis.

Highly nutritious hemp seed oil has been replaced by fish oil these days but it is a superfood, as the Women's Weekly keeps telling us. Australia was the last country on the planet to legalise hemp seed, just two years ago. Our police were responsible for this delay.

The medicine from the cannabis and hemp plants (the same plant different strains) is another matter. There's huge profits at stake here. In America where already some 33 states have some form of legal pot, either medical, recreational or both, there have been marked drops in the use of pharmaceutical products for many ailments as people discover cannabis works better and without any detrimental side effects. Chronic pain, PTSD, epilepsy, arthritis, Parkinsons, autism, insomnia, nausea and cancer treatments, migraines, anxiety and depression....there is a long list of ailments people are discovering cannabis helps them with.

I personally didn't discover cannabis until I was 24 years old. I was a migraine and anxiety sufferer, and since then, almost fifty years, I've never had another migraine so long as I have cannabis available. I was sent to Scotch College in Hawthorn as a boarder at ten years old and been affected by it all my life. PTSD it's called these days but I recently discovered there's actually a thing called "Boarding School Syndrome". It was an unhappy

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and traumatic time of my life.

I moved to the Nimbin area 35 years ago and discovered a community of people who understood cannabis use and didn't judge me. It's been a huge relief to be accepted and not have to hide my choice of medicine. The Nimbin community has a lot of people like me who discovered cannabis works for them. Many are like me and drink little alcohol and rarely visit a doctor. And many of them I discovered have had traumatic childhoods and find cannabis gives great relief. I notice many veterans from our wars love cannabis, as do ex police and fireman etc. Nimbin also has a lot of epileptics who don't have seizures and alcoholics who don't drink booze anymore.

I've written so many words like this over three decades saying basically the same stuff over and over it can be depressing as the vested interests keeping me a criminal are so powerful and all controlling one wonders if it will ever change. I would however love to talk to this committee if the chance offers as I've been deeply involved with cannabis users for over twenty years as president of Nimbins HEMP Embassy and the federally registered Help End Marijuana Prohibition (HEMP) Party which I have been a Senate candidate for several times.

As I said, I sincerely appreciate you having this inquiry in Victoria but really I believe we should be tackling the war on cannabis at a federal level and perhaps you can take your conclusions to the other States and get some agreement on this when done. Otherwise we can end up with different rules in every state as has happened in America, causing a lot of unnecessary confusion.

It's encouraging that there seems to be no big noise from the UN over Canada legalising cannabis as in the past our universal agreements on the drug war have stopped some countries making changes. As we in Australia grow over half the planets legal opium we may be less inclined to ruffle any UN feathers, but it shouldn't matter.

Some of my main conclusions after years of discussion with cannabis users from all walks of life are as follows.

Primarily, drug use is simply all about people trying to feel good, relax, have less pain or worry, enjoy their day. It's important to learn about the history of prohibition and how it was introduced. I recommend reading "Chasing The Scream", a recent book by Johan Hari, and I have enclosed a copy for each member of this committee. It's all about money and the huge profits to be made in trying to help people feel good. Pretty much the opposite to compassion.

Cannabis is a really useful and very safe medicine that people should be allowed to grow for themselves. Juiced raw it is extremely healthy. Extracted as a concentrate the medicine has huge potential and when legal will save the nation a fortune in health care. Smoked or vaporised it is a wonderful relaxant with minimal health issues so long as people do not mix it with tobacco which is a bad Aussie habit for many. (When legalised this is an important health education campaign that is needed.)

The ACT has allowed its residents to grow 2 plants or a maximum of 4 per household. This is not really enough, especially for people who want to make juice which is

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exceptionally good for gut problems like Chrones disease. For many people 2 plants will be enough but I would allow up to ten and even more in certain cases. Restricting people to a few plants means many will grow huge heavily fertilised plants which is what has happened in other countries and is not so ideal or healthy.

In the same way alcohol is regulated the controls are much more important on sales. People can brew as much alcohol as they like but selling it is another matter. Why not licence cannabis in a similar way as alcohol, you need a licence to sell your wine and it is taxed then. If you make wine and sell it you'll generally have to account for WET, a Wine Equalisation Tax of 29% of the wholesale value.

Here is where there is a massive opportunity for employment. Can we call it hempemployment? By allowing small growers to supply dispensary's in a cottage industry way, which is the model various American States have adopted, thousands of jobs are created. Colorado has 100,000 people employed in its legal cannabis industry and their population is less than Melbourne's.

Ironically their hempemployment only happened because Federally cannabis is still illegal in America, which kept Big Pharma out of the picture. In Canada there are few licences to produce and all owned by giant pharmaceutical linked companies which is the model we have started in Australia. I would liken the hempemployment model to boutique brewers or winemakers which are enjoying great success in this country, rather than just a few giant companies controlling the whole industry.

I guess we have to make it 18 years and older to have access, like alcohol, though prohibition has created so much disrespect younger people will continue to use it. Our census shows fifty percent of school age children try cannabis. Doctors should be able to prescribe cannabis for any age as is happening in North America. Ending prohibition would bring back respect for drug advice which is currently a shambles.

One of the best things about regulations is quality control. All cannabis sold in dispensaries in America is tested for moulds and pesticides etc, which is super important. The more it is grown organically in the sun the better. Currently all the legal medical cannabis available here is grown inside under lights, almost artificially with chemical fertilisers. Dispensaries should be able to sell not only various strains which suit various ailments and personalities, but also plants and seeds people can take home and grow themselves.

For us volunteers in the not for profit HEMP Embassy, it is all about education. There is a lot of misinformation still being peddled about cannabis, the super safe plant anyone can grow. I urge you to keep an open mind. Nimbin is a refugee camp from the war on drugs and has been attracting cannabis users since the 1970's. I have met and smoked with thousands of them. How to legalise and regulate cannabis is a much discussed topic and I was fortunate to visit Canada and some of the legal American states a few years ago. Please excuse me for repeating myself below in some instances as I spell out some thoughts.

1. Prevent young people and children from accessing and using cannabis in Victoria.

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This is a big ask. Especially as prohibition and its accompanying lies and propaganda has created massive disrespect for the drug laws. Young people know no one dies from cannabis use and in fact it has a fun reputation. They are told it is the devils work but then have a good experience! They are far more worried about getting caught and getting into trouble. And they are right, that is the biggest problem. With parents, or teachers, or police. Education is key. I was fortunate in this case as I didn't discover cannabis until I was 24 and my brain had almost finished growing. We advise young people to resist peer pressure and wait until their body is grown but invariably we lose out to curiosity and their peers.

We emphasise not to smoke with tobacco, or mull with spin as it is called. This is a European and Aussie habit from the days of smoking hashish which needs the tabac to burn it. New Zealanders, Americans and Canadians all smoke straight and would be horrified if someone mulled their weed with spin, but we have developed the habit here which is a serious problem. Again education is key.

Smokers argue they get more to smoke if they mull with spin, as pot costs upwards of \$10 per gram, but of course they get no more pot, just more smoke. And unlike cannabis, tobacco is addictive and after smoking bonges for a while people wake up craving them in no time. I have met smokers hooked on over 100 bonges a day who brag they don't smoke ciggies! Smart social workers teach them to take the tobacco out and they'll soon smoke ten bonges a day, if they can make the adjustment. It's a hard habit to change, tobacco is very addictive, unlike cannabis.

Smoking with spin is an urgent matter of education which is prevented by prohibition. The addiction likely causes people to smoke a lot more pot than they normally would.

Still, the biggest danger for young people smoking cannabis is getting in trouble with the police or authorities who know no better. A criminal record has serious lifelong consequences to careers. A criminal experience can also create future attitudes quite the opposite of what is intended. Young people know cannabis is not as dangerous as authorities make out. Bullying and frightening them often has the opposite effect to what was intended. Changing the legality of cannabis will of course help in getting rid of the "forbidden fruit" syndrome which is a real thing. Better to prohibit fresh apples! Not really, but honest education is the key.

Ending the war on drugs would completely change relations with the police and bring back respect for the Force. In New Zealand over a year ago their police of their own accord decided not to prioritise cannabis busts and the arrests dropped by half in the first twelve months.

Criminal convictions for cannabis should be annulled when we re-legalise cannabis, as is now happening in various American States.

2. Protect public health and public safety in relation to the use of cannabis in Victoria.

From what exactly?! The pain relieving herb has never killed anyone in ten thousand years

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of history. Sure, its mind altering properties are not to everyone's liking, the same as alcohol. Some people get frightened and don't go there again. After all, it is manure for the imagination's garden. Again prohibition is the problem. Cannabis was a sacred herb in many cultures and introduced to people with a ritual and initiation. Prohibition destroyed that along with the respect. And importantly, along with the respect for other drug use.

"If they've lied to us about cannabis being dangerous and we loved it, what about all the other illegal drugs, let's try them." Totally logical.

So, first up to protect public health and safety let's start being honest. And while we're at it, educate people not to smoke their organic it should be pot with tobacco. They don't even have to smoke it, there are other options, like eating or vaporising. We like smoking because we can feel the effect quickly and know when to stop, self titration it's called. Taking cannabis orally means waiting up to an hour for the effect which can then be too much or too little.

I guess once regulated it has to be for over 18 year olds, like booze. And introducing regulations brings in education. Dispensaries where you buy cannabis in America have experts giving health advice on site. What is the best variety of cannabis for you to try is a modern day art still in its infancy. Unless you grow your own in Australia or have a friend who grows, this choice of variety is hardly possible under prohibition and is a huge loss. We have been left way behind North America which has had legal pot for over twenty years and is now breeding specific strains of pot with cannabinoid profiles to suit the patient. We go to the blackmarket and get what we can and hope not to get caught!

Driving is another important safety issue. Cannabis users like myself who have been using regularly for almost fifty years are safer with their usual medicine than without. The same as people who use all manner and mixes of pharmaceutical drugs. Currently in Australia we are being bullied with saliva testing drivers merely for the presence of THC and nothing to do with impairment. Cannabinoids are uniquely fat soluble, unlike all other illegal drugs, and stay in your system for not just weeks but months. It would take me 3 months to get my blood free of cannabis, several weeks for my urine to be free and days for my saliva to be free.

Where I live near Nimbin many people have stopped driving or stopped smoking in the evening if they have to drive the next day. Or they change to using drugs that are not tested, like opiates, methadone, mushrooms, lsd, etc. Or they use chemical drugs which your body expels almost overnight, unlike cannabis which it hangs onto long after everything else is eliminated.

Police set up roadblocks on the Nimbin road and it's like shooting fish in a barrel for them. Nothing to do with impairment. Currently around the globe researchers are trying to invent an impairment test for drivers using cannabis but it could be simply done with a sobriety test which is already in the rules.

"Get out of the car would you mate, walk in a straight line, stand on one leg, touch your nose, etc." It would be easy to see if someone is impaired. In NZ if a driver tests positive to cannabis they then do a sobriety test. In Australia we arrest people and take their licence away. We are the only country on Earth doing this and it urgently needs reviewing.

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Impairment not quantity used is the issue with safe driving. Someone young smoking their first cone is totally different to someone who has been using for decades. And if they've drunk alcohol as well it's another matter again. Impaired driving is the issue.

Our saliva testing, and sniffer dogs, have dramatically altered drug trends in Australia. Cannabis is an easy bust, bulky, smelly, needs to be smoked. Pills and powders are easily hidden and used. Our policing methods have helped create the shocking ice epidemic here. The road to hell is paved with good intentions. Many drivers have moved away from pot to chemical drugs and alcohol.

There could be a parliamentary inquiry into just driver drug testing alone. It is important enough. Rumours persist police contacts have the lucrative contract to supply the expensive drug tests. I have no idea but certainly the police are promoting the drug testing in a big way and they know full well it has little if anything to do with impaired driving. There is absolutely no evidence at all it is helping the road toll or accident rates. In fact States in America with legal cannabis have figures showing a significant fall in car accidents (possibly because of less alcohol use) along with a drop in suicides, domestic violence, depression, and of course crime.

3. Implement health education campaigns and programs to ensure children and young people are aware of the dangers of drug use, in particular, cannabis use.

American States in particular have a lot to show us on this. Many states there have had legal medical cannabis for over twenty years and we all learn by trial and error in the end. All 33 states with legal pot have different regulations. We are in a terrific position to pick the eyes out of their experiments. We need to start being truthful. Cannabis is safe and not addictive for a start. Young people and children will sense the truth on drugs if presented honestly. We just need to be truthful with them.

Young people are currently learning about drug use from television and the internet where there are endless movies and documentaries that include all sorts of drug use and abuse. Pills and powders which our laws have inadvertently encouraged, have no quality control, and is serious risk taking I would have thought. It has no comparison to cannabis the dried herb where you can see what you're getting.

Having said that, prohibition has created a cannabis culture which obviously has no formal quality control checks. In our ignorance perhaps, cannabis breeders over the decades have bred high THC plants which is only one direction to go in and not necessarily best for everyone's mental health. The more recent discoveries of the other cannabinoids with various healing properties is changing how we use the plant and now high CBD plants are popular and plants are even bred now to have almost equal CBD and THC, for example.

This is a massive new science in countries like the Americas and parts of Europe and Israel where cannabis is legal. We are being left way behind in this research, and of course we are also missing out on the massive tax benefits and cost savings that come with drug law reform. The earlier we start educating children honestly about drug use the better. The same as educating them about how to eat healthy food and the importance of exercise.

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Again, smoking cannabis with tobacco is a real health issue that must be addressed. And cannabis should be grown organically, and in the ground in the sun ideally.

4. Prevent criminal activity relating to the illegal cannabis trade in Victoria.

In two wordstax and regulate! Learn from the American States who have been the guinea pigs for us on this. Take it out of the hands of criminals and give it to experienced growers who can create jobs and pay tax. And I mean a lot of jobs, and a lot of tax! Colorado has less than Melbourne's population and in 8 years the State has earned \$1.25 billion in tax and there are 100,000 jobs in the industry. This is the potential Victoria has. There are a lot more cannabis users than you will ever know in Australia. Most people who use it need to hide their habit like a junkie. The stigma is huge but keeping your job is paramount.

Allowing people to grow their own at home is the critical first step. And the more plants allowed the better as restricting people to grow only 2 or 4 plants will encourage growing giant trees with massive doses of fertiliser. I would allow ten plants at least. I would also importantly allow growers to share their plants like they might share their home grown pumpkins or parsley. They will do it anyway, and why not? Because no one is making money out of it?

The difference is if you want to sell your produce you need a licence. You can brew as much alcohol at home as you like but selling it is not on. Same with home made wine. Let's call it the Grape Tax. And everyone agrees alcohol is more dangerous than pot, don't they?

And in the same way very few people brew their own grog so most will not grow their own pot. There are multiple options on how to regulate the buying and selling. We should have quality control ensuring the product is free of pesticides and mould etc, as all foodstuffs have. And we should have the potency well displayed. Imagine buying alcohol but having no idea what the strength was? Beer or whisky. That's the current black market situation.

There is a massive employment option available when regulating cannabis. We could hand the supply permits to Big Pharma related companies as is happening with the medical cannabis permits at the moment in this country. Or we could issue permits to small growers who have decades of experience and expertise, a bit like boutique brewers. Permits to supply 100 kilos or 500 kilos and a tax per kilo like the Grape Tax per bottle will create tens of thousands of jobs. Give the contracts to Big Cannabis and it will create hundreds of jobs only. We estimate Australia consumes around one ton of cannabis each day.

And I assure you there are thousands of Victorians on the dole or pension now growing pot who would love to become legal taxpayers! Learn from America I suggest, they put many of the Mexican cartels out of business. They changed to growing opium instead!

There are various ways to raise tax from this industry although I believe Aussie states cannot tax sales, but federally we can. I'm sure there are various ways around this, like it's possible I imagine to licence home grown also. A \$50 per plant licence up to ten plants per

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annum is an option? If we must!

5. Assess the health, mental health, and social impacts of cannabis use on people who use cannabis, their families and carers.

Cannabis is a fantastic medicine. I discovered it at the age of 24 and have loved it ever since. It changed my life as it did for millions of people around the country. I cannot explain exactly why or how either. There is a spiritual content in using it, for me anyway. For millennia it was known in the East as "Gods Gift", and I understand why. Is it just because it takes your pain away and makes you feel good? (Good and God come from the same root, by Gad!)

In the East it was recommended for any worry or concern that needed thinking through as well as for physical pain. I used to suffer from debilitating migraines before I discovered it, but so long as I've got cannabis I never get a migraine now. But it's more than that, it's a relaxant I write, struggling for words. It's terrific for anxiety and depression, for some people, but not everybody reacts the same way I find. It is anti-inflammatory which is the cause of most physical pain I believe.

It was discovered in Israel last century that we all have an Endocannabinoid system throughout our bodies which is critical for good health. It is now being intensely studied around the Globe. Humans have been evolving with this plant for millennia I suspect

The HEMP Embassy volunteers include alcoholics as well as ex ice and heroin addicts. It's a fantastic herb for breaking addictions and in the American States with legal cannabis there is a major drop in opioid deaths, up to fifty percent I read. Virtually all the health impacts on people are from the plant being illegal. Thousands of criminal records prevent people following their career of choice. The expensive black market price of a plant you could grow yourself breaks up families. Not understanding the government could be wrong causes generations to clash. My father died always worried I had a criminal habit.

The stigma associated with using an illegal drug is massive as you well know. But when you KNOW the law is the crime rather than the plant, then there can be an even bigger issue with respecting all laws and authority. Bad laws breed disorder and disrespect. The social consequences of prohibition will not be known until it ends and only then will we realise the extent of the massive damage the war on drugs is doing socially.

As mentioned earlier breeding skunk plants for high THC has led to unbalancing the cannabinoids for some and the CBD is needed to keep the natural equilibrium. However, a very few people have had mental health problems with this but seemingly all recover ok. Poly drug use is behind most drug related mental health problems but cannabis often gets the blame as when the bloods are tested it's the only one left in there!

I have a friend with a severely disabled son in his thirties with cerebral palsy who discovered that a very mild THC, mostly THCA solution (unheated cannabis which is not psycho-active...you must cook or burn pot to turn the THCA into THC), helped him relax enormously. He has been using this for years in a home for the disabled but they recently worried they may lose their funding if the authorities found out, so they kindly organised for a doctor to prescribe it legally. The cost went from \$20 a month to \$600 for imported from

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Canada indoor grown CBD..there is no legal THCA. For a plant that grows like a weed! This is why I cannot support giving the supply permits to Big Pharma related companies who have massive profit agendas.

In closing I cannot emphasise enough the impact of prohibition on all aspects of a cannabis users life. I have been rejected all my life by family and friends as well as society, who all understandably thought I had lost my way. If users are allowed to grow their own, not just will they be able to save the fortune they are spending in the black market but also the social stigma will change dramatically and in their backyards they will have what was reputedly the most grown and useful plant on the planet not long ago.

Thank you for this opportunity and I know you have endless reading but Johan Haris book is exceptional and I urge you to have a read of it. It's over time we got honest with ourselves about the war on drugs, which everyone sort of agrees is really a health issue, yet we keep treating it as a criminal one.

Sincerely, Michael Balderstone
President, HEMP Party and Nimbin HEMP Embassy
51 Cullen Street
Nimbin NSW 2480
Phone: (02) 66 890326 Mobile 0472760236
HEMP.org.au
hempembassy.net
nimbinmardigrass.com

"The war on drugs seems to be all about who gets to profit from our pain relief, a truly sick business."