

# Recommendations

## Recommendation 1

The *Cannabis Control Act 2003* should be continued and its effectiveness enhanced by undertaking the reforms outlined below.

## Recommendation 2

That the *Cannabis Control Act 2003* be amended so that the maximum amount of cannabis for which a CIN can be issued be not more than 15 grams.

## Recommendation 3

That the *Cannabis Control Act 2003* be amended to remove the offence of cultivation of any number of cannabis plants.

## Recommendation 4

That:

- (a) the *Cannabis Control Act 2003* and the *Young Offenders Act 1994* be amended to enable police to issue juveniles with one or more CINs on a single occasion; and
- (b) failure to comply with the requirements of a CIN or the commission by a young person of further offences should result in referral to a Juvenile Justice Team.

## Recommendation 5

That juveniles who commit minor cannabis offences and are eligible under the CIN criteria, are required to attend an individual therapeutic intervention that addresses their cannabis use and that this intervention comprises not less than one session.

## Recommendation 6

Retain the option for adults to comply with a CIN by either attendance at a cannabis education session or payment of a financial penalty, but increase the financial penalties for the offences of:

- a) possessing not more than 15 grams of cannabis; and
- b) possession of a smoking implement with detectable traces of cannabis.

## Recommendation 7

That:

- (a) there should be an ongoing program of general community and targeted education campaigns that are able to contribute to changing behaviours related to cannabis use over time; and
- (b) the Drug and Alcohol Office review and enhance, where appropriate, training and resource materials for relevant health professionals on cannabis and related risks.

## Recommendation 8

That the definition of the type of cannabis for which a CIN can be issued be amended to include seeds.

### **Recommendation 9**

That the WA Police, where practical, issue CINs on the spot rather than detaining an offender and taking them to a police station.

### **Recommendation 10**

That the *Misuse of Drugs Act 1981* and/or the *Cannabis Control Act 2003* be amended to enable police to destroy an exposable quantity of cannabis after a CIN has been issued, and that a suitable provision be included so that the material seized is deemed to be cannabis.

### **Recommendation 11**

- (a) That in addition to the established Community Drug Service Teams and the Aboriginal Alcohol and Drug Service, Aboriginal Community Controlled Health Organisations be included as CES providers, where they are willing and able to perform this function in regional and remote areas.
- (b) That consideration be given to including other service providers where there is evidence of a lack of access to the CES.

### **Recommendation 12**

That additional education programs, resources and referral mechanisms be developed to enable new and existing CES providers to maximise their effectiveness in assisting those who have cannabis related problems.

### **Recommendation 13**

That the *Cannabis Control Act 2003* be amended to enable the Director General of Health to develop an improved administrative process for approving and managing providers of cannabis education sessions that is more flexible and effective.

### **Recommendation 14**

That consideration be given to amending the FER process to enable a Work Development Order to be imposed as an alternative to a financial penalty.

### **Recommendation 15**

- (a) That the regulation of the sale of cannabis smoking paraphernalia and the provision of comprehensive health education material through retailers be maintained.
- (b) That the *Cannabis Control Act 2003* be amended to improve the ability of the Drug and Alcohol Office to monitor compliance by cannabis paraphernalia retailers to enable entry and inspection of premises similar to the powers available in the *Tobacco Products Control Act 2006*.