



Speech by

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DRUGS MISUSE AMENDMENT BILL

Mr LANGBROEK (Surfers Paradise—Lib) (4.17 pm): I am also pleased to rise to speak in support of the Drugs Misuse Amendment Bill 2007. The Queensland coalition supports the bill before the House because it takes a tough stance on illicit drug use. As my coalition colleague stated, the amendments contained herein seek to reinforce our fight against dangerous drugs in our community by creating new offences, increasing penalties, modernising the legislative scheduling of drugs under the act and formalising the reporting systems for chemists dealing in prescription drugs. The Queensland coalition supports all of those moves.

Clause 41 of the bill amends the list of schedule 2 drugs. It is an extensive catalogue of dangerous substances—it takes up 13 pages of the bill—but it is by no means exhaustive. I note that the bill proposes to replace schedule 2 with a new schedule 2 and to include 36 benzodiazepines, making them dangerous drugs. I am referring to the Parliamentary Library research brief, which is a very good method by which to summarise the contents of a bill. I have certainly enjoyed reading it and using aspects of it in this speech.

The amendments before the House seek to incorporate all regulation schedule 2A drugs into schedule 2, which has the effect of increasing the penalties that apply to offences relating to those drugs. I note that schedule 2A was inserted into the Drugs Misuse Regulation in 2000 by the Drugs Misuse Amendment Act 2000 when the misuse of performance-enhancing drugs became an issue in the lead-up to the 2000 Sydney Olympic Games. Schedule 2A covers anabolic and androgenic steroidal agents. While these drugs were, prior to the 2000 amendments, dealt with by a different regulation, the maximum penalty that applied to their misuse was a \$4,500 fine. There was no custodial sanction. That penalty was changed then and it will be changed again by this bill.

Some of the schedule 2A drugs that will be elevated to schedule 2 upon the passage of this bill include steroids, ephedrine and the date rape drug, Rohypnol. Of course, there has been lot of publicity about incidents involving Rohypnol over the past few years. However, I note that possession and use authorised by prescription will still be lawful. I also note that currently the maximum penalty relating to schedule 2A drugs is two years imprisonment. This bill will bolster that penalty to 15 years. I think all members would agree that that increased penalty sends a clear message to drug users, and that is that drug abuse will not be tolerated in Queensland.

As my colleagues have mentioned, the reassessment of scheduled drugs is something that we are very supportive of. The difficulty with categorising and codifying illicit drugs is that it fails to take into account the dynamic and sinister nature of drug production. Limitations on statutory interpretation suggest that there may be some circumstances where crimes are not captured under the relevant offence because they cannot be properly pigeonholed. As the member for Toowoomba North and the honourable the Attorney-General stated, there is a real need to expand the definition of 'drugs' so that dangerous substances that do not fit into traditional classes but which have a similar make-up, physical and psychological effect to a recognised drug are encapsulated by these laws. This is an important move if Queensland's drug laws are to be relevant to contemporary society.

In the same vein, the bill contains provisions to redefine the drugs MDMA—or ecstasy—and PMA, colloquially known as death, as first schedule drugs. This category represents the most dangerous and destructive of illicit drugs. Under the bill, MDMA and PMA will be in the company of heroin, cocaine, LSD and angel dust—substances that are well known for their widespread wreckage of lives and devastating social impact. Previously, ecstasy and death were classified as second schedule drugs, insinuating that they were somewhat less destructive than those aforementioned. Anyone who has witnessed the effect of these drugs in the community would testify against that.

To a large degree the perception that some drugs such as ecstasy are safer or less legally significant than other drugs undermines our position in the war against drugs. Regardless of the chemical compound of a particular drug compared to another, the common denominator is that in most cases drugs are illegal. Rather than focusing on what goes into a drug recipe, we should be far more concerned with the end product: a dangerous illegal substance.

When addressing an issue such as illegal drugs, it is difficult not to condemn them as evil—which, of course, I believe they are. However, I came across an interesting article in the *Australian* recently about the prevalence of illicit drug use and why we as parents, members of the Police Service and governments are not winning the war. The author, Duncan Fine, made the poignant point that the rhetoric does not always equate to reality. He poses a very relevant question: if illicit drugs are evil, then why would so many intelligent people across all strata of society take them? I know many people—non drug takers—have asked themselves that very question.

Young people see successful people—sporting heroes, celebrities, corporate movers and shakers—taking drugs and wonder what is so evil about drugs. I know in my dental surgery—and this probably started happening about 10 years ago—when people were asked the question on the medical history sheet as to whether they took any medication they suddenly started asking me whether they should include recreational drugs in that section. I became increasingly aware of the fact that people seemed to distinguish between what they thought were recreational drugs and other medicines or drugs. It is a fairly common occurrence that young people especially have begun to think that recreational drugs are not necessarily ones that will affect them as badly as other drugs.

Of course, occasionally the argument against taking drugs is sadly made when promising lives are brought to an untimely end as a result, as in the case of the recent death of the Australian actor Heath Ledger. But for those who survive the deep and the passing shame of being publicly identified as a drug user, many still go on to experience successes. Just this week Andrew Johns was recognised as the greatest Rugby League player of the past three decades. Whilst I am not casting doubt on Johns's ability on the sporting field, it leads me to question the kind of message that we are sending our kids when transgressions such as illegal drug taking are swept under the carpet.

The other significant aspect of the Drugs Misuse Amendment Bill is that it creates two new offences dealing with the possession of precursor drugs and equipment, such as pill presses. These new offences will assist police to deal with drug related crime and will boost the relevance of Queensland's drug laws. I commend the bill to the House.