




Speech By
Hon. Cameron Dick

MEMBER FOR WOODRIDGE

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PUBLIC HEALTH (MEDICINAL CANNABIS) BILL

 **Hon. CR DICK** (Woodridge—ALP) (Minister for Health and Minister for Ambulance Services) (10.43 pm), in reply: I thank all members in this House for their support for allowing patients a pathway to access lawful medicinal cannabis products. Given the significance of this bill, it is appropriate to see bipartisan support for this important reform, and it is a testament, I believe, to the quality of the legislation before the House. This bill will ensure that people who need access to medicinal cannabis products can safely access and use them in Queensland under the supervision of their medical practitioner.

The members for Surfers Paradise and Caloundra asked that I provide a detailed clarification regarding the potential to remove duplication between state and Commonwealth frameworks. I welcome the opportunity to do this. Responsibility for regulating medicinal cannabis is shared between the Commonwealth and states and territories. Constitutionally, the Commonwealth can pass, and has passed, legislation to regulate the supply of therapeutic goods including unapproved goods such as cannabis. It is able to do this as it has power under the Constitution to regulate constitutional corporations and trade and commerce. States and territories cannot regulate in a way that is inconsistent with Commonwealth legislation and must therefore prepare complementary legislation.

To the extent that there is any duplication of the information required by the agencies administering the Commonwealth and state legislative frameworks, this must be addressed through cooperation between the responsible regulatory agencies. I can assure honourable members that my department is working closely with the Therapeutic Goods Administration and other Commonwealth and state and territory entities to ensure an effective framework. The Chief Health Officer has already written to the TGA expressing Queenslanders' desire to work with it to reduce duplication. Departmental staff are also participating in the TGA's cannabis access working group, which considers these issues at its meetings.

The member for Surfers Paradise commented that the bill does not appropriately outline how duplication will be reduced. It is not appropriate that a bill or explanatory notes speak to the relationship between state and Commonwealth legislation. However, the bill has been designed with streamlining in mind. For example, the general provisions relating to information disclosure in chapter 12 of the bill give the department and others the ability to provide information to the TGA so patients do not have to provide this information again. The patient class prescriber pathway established by the bill will further streamline access to medicinal cannabis. In practice, this will mean that a patient who has epilepsy, for example, will only need to see their treating specialist. They will not need to apply to the state or the Commonwealth for an approval.

The member for Caloundra noted that section 270B of the Health (Drugs and Poisons) Regulation 1996 will be repealed when the bill takes effect. This would, in his view, remove the ability for a patient to go through a single process to obtain medicinal cannabis products. The member for Caloundra has misunderstood the effect of this section. It does not provide a single process for a patient to obtain a

medicinal cannabis product. A medicinal cannabis approval granted under this section will only be effective if the TGA also approves the supply of the product and an import permit is subsequently granted. In other words, the bill's provisions operate in the same way as the existing section 270B of the Health (Drugs and Poisons) Regulation.

The member for Caloundra also sought more information about the quantity of land required for cultivation. The truth is that we do not know how much land may be required. This is a rapidly evolving system where demand is unknown. I must make the point that the Commonwealth has an important role to play here to ensure that the cultivation and manufacturing framework that it is developing is effective and that businesses are able to apply for licences with certainty. As the member for Toowoomba South has reminded us, this is an industry with real potential, along with other honourable members who spoke on that point. I am keen to ensure Queensland businesses are able to participate in this industry and will support the Minister for Agriculture and Fisheries in that regard.

Today this House takes a significant step forward for seriously ill Queenslanders. The Palaszczuk government has listened to Queenslanders and has been responsive to their needs. We moved quickly to amend the Health (Drugs and Poisons) Regulation 1996 late last year to ensure medicinal cannabis treatment was made available in appropriate cases as soon as possible. This bill is the next step in the journey, putting in place a more comprehensive and flexible framework for medicinal cannabis in Queensland.

There is already evidence of the possible therapeutic benefits of medicinal cannabis, and the evidence is growing. We know that, where traditional medicine alone is not helping a patient, medicinal cannabis may improve a patient's quality of life. The members for Greenslopes and Thuringowa, with their experience in the medical profession, have shared their firsthand experience in caring for patients suffering debilitating conditions such as intractable epilepsy and muscle wastage caused by HIV/AIDS. I, like the member for Greenslopes, can understand the desire to do everything in our power to alleviate this suffering.

The bill will provide a safe and legal pathway for these patients to seek access to medicinal cannabis products. It will also ensure that we can gather evidence on the use of medicinal cannabis through the results of clinical trials which the government is funding and feedback from prescribing doctors. This evidence will inform future treatment decisions and potentially expand the circumstances in which medicinal cannabis products are used in the future.

We have also heard this evening about the potential offered by the medicinal cannabis cultivation and manufacturing industry. We hope that as this industry develops locally a range of medicinal cannabis products will become available at affordable prices. These advances mean the framework may require adjustment in the future. That is why I have given an undertaking to review the act after two years of operation to ensure it remains fit for purpose. This demonstrates the agility with which the Palaszczuk government is responding to emerging approaches to health care.

I would again like to thank the members of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee and the staff of the committee for their detailed consideration of the bill. Feedback received during the public consultation process demonstrated strong community support for medicinal cannabis. This support was echoed during the committee process. I would also like to thank the medical practitioners, industry groups and individuals who took the time to provide feedback on the bill. I particularly thank Epilepsy Queensland, the Australian Medical Association Queensland, MS Australia and MS Research Australia, Health Consumers Queensland, the Queensland Nurses' Union, Carers Queensland and Leading Age Services Australia for their support of the bill.

I would also like to acknowledge officers from the Department of Health for their outstanding work in developing this bill. Particular thanks goes to the Department of Health officers Dorothy Vincenzino, Sue Ballantyne, Greg Perry, William Alker, Louise Blatchford, Tanya Bain, Jacqui Heywood and Nola Simpson; and the legislative policy unit, particularly David Harmer, Mark Zgrajewski, Sha Lang, Kirsten Law, Ryan Robertson, Rosie Caulfield, Eve Gibson, Sally Stubbington and Megan Pretorius. I particularly acknowledge the leadership of Dr Jeannette Young, Queensland's Chief Health Officer and Chief Medical Officer, and Kathleen Forrester, deputy director-general, for their expert advice to the committee.

At the heart of this bill is a need to assist those in our community who are suffering from illnesses and disease which we know from a growing body of evidence may respond to treatment with medicinal cannabis products. I commend the bill to the House.