



Tasmanian Government condemned over silence on prosecutions for medical cannabis use

By Emily Bryan

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Tasmanians involved in the use of medicinal cannabis for those with a serious illness say they are still seeking clarification as to whether they could face prosecution.

The State Government has said police would not seek to prosecute terminally ill users of medicinal cannabis, or those who comment on its benefits.

Police have also indicated they will not pursue terminally ill cannabis users, but say they want the discretion to assess each case.

Launceston woman Lyn Cleaver turned herself in to police on Christmas Eve, alerting them to a home-grown cannabis crop used to treat her son Jeremy's epileptic seizures.

"We had no response from the local police in Launceston. We emailed, again, the Premier...and no response from [him] either," she said.

Police Minister Rene Hidding has since promised to reply to Ms Cleaver and police apologised for failing to telephone Ms Cleaver after she visited them on December 24.

Ms Cleaver said she knew her crop was illegal and that police had promised not to pursue legitimate medical growers.

She said that did not answer critical questions.

"How many plants can we grow, can he take his medicine in public, can other people give him his medicine?" she said.

Earlier this month a Brisbane man was charged for giving cannabis oil to his two-year-old daughter to treat her cancer symptoms.

Tasmanian growers said there was no guarantee it would not happen here, and they are condemning the State Government's silence.

Hannah Rubenach has admitted growing cannabis which she said was processed into oil for her brother Tim, who has a brain injury and has developed epilepsy.

"There's a lot of other people in the background that have been assisting us and we don't know whether they are protected by the commitments that have been made by the state government," she said.

Ms Rubenach said she often carried dried cannabis plant in her car.

"If I do get caught with it, where do I legally stand on the matter? We have concerns for those that are growing, on our behalf," she said.

"We have concerns for those that are transporting, and for processing."

Her questions to the Government have also gone unanswered.

"The problem is that if the Government has made a statement and nothing's actually officially through legislation we're concerned that they can withdraw that commitment," she said.

"I'm going to continue doing what I'm doing. My brother means a lot to me, he's my family. I will stand up for his rights and his needs no matter what."

Ms Rubenach said she wanted the supply chain for medicinal cannabis to be protected.

Mr Hidding issued a statement promising a response to Ms Cleaver.

"The Liberal Government is supportive of trials for the potential use of medicinal cannabis on the basis it provides an evidence-based approach and appropriate framework for the product," he said.

"We remain supportive of a national approach and trials in New South Wales.

"We are sympathetic to, and have met with, concerned Tasmanians.

"A formal response will be provided to Ms Cleaver."

Assistant Police Commissioner Scott Tilyard said officers could not condone the use of cannabis, but the pursuit of people who claimed to use the drug for medicinal reasons was not an operational priority.

"Under the Act, Tasmania Police officers are authorised to investigate and seize discovered or reported amounts of cannabis," he said.

"However, the decision to prosecute occurs on a case-by-case basis, informed by advice from Tasmania Police Prosecution Services and the Director of Public Prosecutions, as required."

He said Tasmania Police would await the State Government's response to a Parliamentary inquiry into legalising medicinal cannabis.

A spokesman for the Police Minister said the Government may support a national approach to legalisation.

In the meantime, he said it would not seek to influence which cases police can prosecute.

Topics: crime, health, laws, law-crime-and-justice, state-parliament, medical-research, tas

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