

Online submission to the Victorian Law Reform Commission

MEDICINAL CANNABIS REFERENCE

Number	12
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Comment	Mother of a child with refractory Epilepsy who is frustrated with legal options available.
Question 1	Which of the following considerations should determine whether there are exceptional circumstances for medicinal cannabis to be made available to a patient: (a) the circumstances of the patient (b) the state of clinical knowledge about the efficacy or potential efficacy of using cannabis in treating the patient's condition (c) both of the above?
Response	a) as the primary answer, however detailed knowledge of what strain and dosage would beat benefit the patient's situation are invaluable.
Question 2	For what conditions is there sufficient knowledge of the therapeutic benefits, dangers, risks and side effects of cannabis to justify allowing sufferers to use it lawfully in Victoria?
Response	Epilepsy, cancer (both as pain and nausea relief, and for treatment of the cancer itself), chronic pain relief (eg for fibromyalgia), PTSD
Question 3	What special considerations, if any, justify access to medicinal cannabis for: (a) patients who are under 18 years of age (b) patients who lack capacity by reason of age or another disability (other than youth) to consent to using medicinal cannabis?
Response	Again, the situation. For example it had proven to work very well for children suffering Dravet Syndrome, a catastrophic epileptic disorder. Given that the side effects seem to be so minimal, and considering the potency and severity of anti-epileptic drugs already being prescribed, it should be a first option rather than last resort.
Question 4	On which of the following should the law creating a medicinal cannabis scheme base a person's eligibility to use medicinal cannabis: (a) a list of medical conditions (b) a list of symptoms (c) a list of symptoms arising from certain medical conditions (d) evidence that all reasonable conventional treatments have been tried and failed?
Response	Prescription of MC should be based on symptoms and medical conditions and as per question 4, in many cases should be the first offering, not the last.

Question 5	Should there be a way to allow for special cases where a person who is otherwise ineligible may use medicinal cannabis? If so, what should that be?
Response	That would depend entirely upon what the eligibility criteria are in the first place. For example, only offering it to the terminally ill is not enough.
Question 6	If Victoria acted through a state agency, in what circumstances would it be legally entitled to establish a medicinal cannabis scheme which manufactured cannabis products without breaching the terms of the <i>Therapeutic Drugs Act 1989 (Cth)</i> or the <i>Narcotic Drugs Act 1967 (Cth)</i> ?
Response	(No response)
Question 7	Are the regulatory objectives identified by the Commission appropriate? What changes, if any, would you make to them?
Response	(No response)
Question 8	Would the creation of a defence to prosecution for authorised patients and carers in possession of small amounts of dried cannabis or cannabis products be an adequate way of providing for people to be treated with medicinal cannabis in exceptional circumstances?
Response	That would be a start
Question 9	What mechanism should Victoria use to regulate the cultivation of medicinal cannabis?
Response	There are countless countries already growing and dispensing this for medical purposes. Many US states are doing this successfully, along with Israel, who is a world leader in cultivation and use for medicinal reasons. Study their setups.
Question 10	What approach, or approaches, should Victoria take to regulating how medicinal cannabis is processed and distributed?
Response	Per above
Question 11	How should the Victorian medicinal cannabis scheme interact with the national arrangements for the control of therapeutic products under therapeutic goods legislation and narcotic drugs legislation?
Response	Regulations should be changed at a national level.
Question 12	What responsibilities should be given to health practitioners in authorising a patient's use of medicinal cannabis?
Response	They should be trained in the conditions that would benefit, and training regarding the human endocannabinoid system should be a greater part of the initial medical degree.
Question 13	Who should have the authority to assess whether a patient is an appropriate candidate to be treated with medicinal cannabis: (a) all registered medical practitioners (b) certain designated specialist medical practitioners (c) registered health practitioners who have prescribing entitlements (d) a subset of these?
Response	B and d

Question 14	What requirements, restrictions, guidance or other assistance should health practitioners be given in monitoring a patient's use of medicinal cannabis?
Response	Training for a start! And then monitor and discuss as they would any other prescription drug.
Question 15	What additional restrictions or requirements, if any, should apply to patients who are vulnerable by reason of age or lack of capacity, so as to provide adequate protection for their welfare?
Response	Common sense. The use of medicinal cannabis "cards" to identify those eligible and cards for appropriate or registered carers.
Question 16	In what form(s) should medicinal cannabis be permitted to be supplied and used?
Response	Per dispensaries in the USA, as dried or raw plant, tincture, oil, ointment.
Question 17	In what ways could Victoria's medicinal cannabis scheme keep pace with, and contribute to, clinical research into the therapeutic uses of cannabis and other changes in scientific knowledge, medical practices and technology?
Response	There are currently enough studies to warrant it's legalisation for certain conditions, specifically epilepsy, cancer and pain relief. Starting here is necessary and will enable research regarding strains and dosages which is particularly lacking.