



**ALKMAN MANAGEMENT SERVICES PTY LTD**

*Partners in Innovation*

ABN: 24163278000

**Submission to the Victorian Law Reform Commission**

17<sup>TH</sup> April 2015

Dear Panel,

**Re: Medicinal Cannabis: Issues Paper, March 2015**

Alkman Management Services is an Australian company that has participated in the Victorian Governments recent amendments to the *Drugs, Poisons and Controlled Substances Act* with regard to other pharmaceutical plant crops. It has experience working under these regulations and seeks to provide opinion on issues associated with the regulation of Medicinal Cannabis in Victoria.

Specifically we aim to comment on three questions posed in the issue paper, those being

9. *What mechanism should Victoria use to regulate the cultivation of medicinal cannabis?*
10. *What approach, or approaches, should Victoria take to regulating how medicinal cannabis is processed and distributed?*
16. *In what form(s) should medicinal cannabis be permitted to be supplied and used?*

The mechanisms proposed in the issues paper for the regulation of cultivation, processing and distribution of medicinal cannabis outlined in section 4 cover all relevant legislation as far as the authors are aware. Of greatest focus should be supporting the proposed Commonwealth *Regulator of Medicinal Cannabis Bill 2014*, and if passed opting into the scheme. This would allow any Victorian based company producing medicinal cannabis to operate under a less restrictive system than amendments to the *Narcotic Drugs Act 1967* and the *Therapeutic Goods Act 1989* would potentially allow. Adoption of an overarching Commonwealth scheme would also satisfy the obligations of the *Single Convention on Narcotic Drugs, 1961*. Furthermore, this Bill provides flexibility for experimental

research use and the freedom to export product to other countries if required (Section 20). We believe this is an attractive option for further research, development and clinical trials to be undertaken to strengthen published data on the efficacy of medicinal cannabis for treatment of patients. By providing a system that does not involve the *Therapeutic Goods Act 1987* we believe that there is the scope for Victorian and/or other Australian medical research groups to lead the world in medicinal cannabis studies. Failing the ratification of the *Regulator of Medicinal Cannabis Bill 2014*, we support reclassifying cannabis and derived products from Schedule 9 to Schedule 4 as outlined in section 4.14 of the issues paper.

The *Regulator of Medicinal Cannabis Bill 2014* does not propose a Government agency (either Federal or State) manage the cultivation, processing and distribution of medicinal cannabis. The authors believe that any system which supports Government having sole control over the industry would not be the most effective, as proposed in section 4.92 of the issues paper. In a submission to the Senate on the *Regulator of Medicinal Cannabis Bill 2014*, Professor Wayne Hall (submission 4) cites examples from both the Canadian and the Netherlands government run medicinal cannabis schemes where patients are reluctant to use the scheme due to high cost and a severely restricted portfolio of products, also outlined in the issues paper, section 6.71. Therefore further dialogue between the Victorian government and Commonwealth is required to permit a system whereby cultivation and distribution could be undertaken by private companies.

By introducing a system of legislation to manage the industry akin to the existing systems operating in Victoria for the poppy and hemp industries we believe that private companies applying to the government for cultivation and/or processing licences would be the most successful model. In order for the scheme to be effective there must be a practical method for monitoring diversion and illicit cultivation of the crop and the authors support measures as outlined in sections 7.29-7.32 of the issues paper.

It is proposed that any industry is based on pharmaceutical formulations supplied to patients with known quality, composition and efficacy. The authors do not wish to make comment on the assessment of patients for access to any proposed scheme which is outside their area of expertise.

Legislative change will give companies the security to invest in the growing interest in the application of cannabis based pharmaceutical formulations to treat a variety of ailments and help ease pain and suffering of patients worldwide.

We appreciate the attention that the Victorian Law Reform Commission has given to this subject matter and look forward to a favourable outcome for the advancement of the industry.

Regards



Ian Muir

**Director**

**Alkman Management Services Pty Ltd**

