



Mick Gentleman MLA

Manager of Government Business
Minister for Planning and Land Management
Minister for Police and Emergency Services
Minister for Corrections
Minister for Industrial Relations and Workplace Safety

Member for Brindabella

RESPONSE TO QUESTION ON NOTICE

Questions on Notice Paper No 2

12 February 2021

Question No. 87

MR DAVIS MLA: To ask the Minister for Corrections—

- (1) How many people on parole have tested positive for cannabis (presence of Tetrahydrocannabinol) during drug testing, since 1 February 2020.
- (2) In how many instances, over the last 12 months, has an individual on parole cannabis use warranted the cancellation of their parole/intensive correction order.
- (3) What is the purpose of core parole conditions disallowing cannabis use even though cannabis use has been legalised for the rest of the population.

MR GENTLEMAN MLA - The answer to the Member's question is as follows:

1. ACT Corrective Services (ACTCS) has confirmed that since 1 February 2020, 35 parolees have tested positive for cannabis use.
2. Within this period, six parole orders were cancelled, however the cancellations were for multiple instances of non-compliance with cannabis use being only one factor in these.
3. Changes to allow limited possession of cannabis were made to the *Drugs of Dependence Act 1989*, however core conditions of parole orders are legislated under the *Crimes (Sentence Administration) Act 2005* and the *Crimes (Sentence Administration) Regulation 2006*.

For parole orders, the Sentence Administration Board (SAB) includes the core condition that an "offender must not use a prohibited substance, or abuse a medicine that is lawfully obtained." Where an alleged breach involving cannabis use is raised with the SAB and it is proved, the SAB must impose a sanction as required by law. (However, cannabis use alone is

likely to be regarded as a minor breach with the sanction imposed likely to be 'no further action' or a 'warning'.)

In a similar way, it remains an offence to drive with detectable amounts of the key psychoactive component of cannabis (tetrahydrocannabinol – THC) in road side drug test samples.

Approved for circulation to the Member and incorporation into Hansard.



**Mick Gentleman MLA
Minister for Corrections**

Date: 18/3/22

This response required 2hrs 20mins to complete, at an approximate cost of \$241.23.