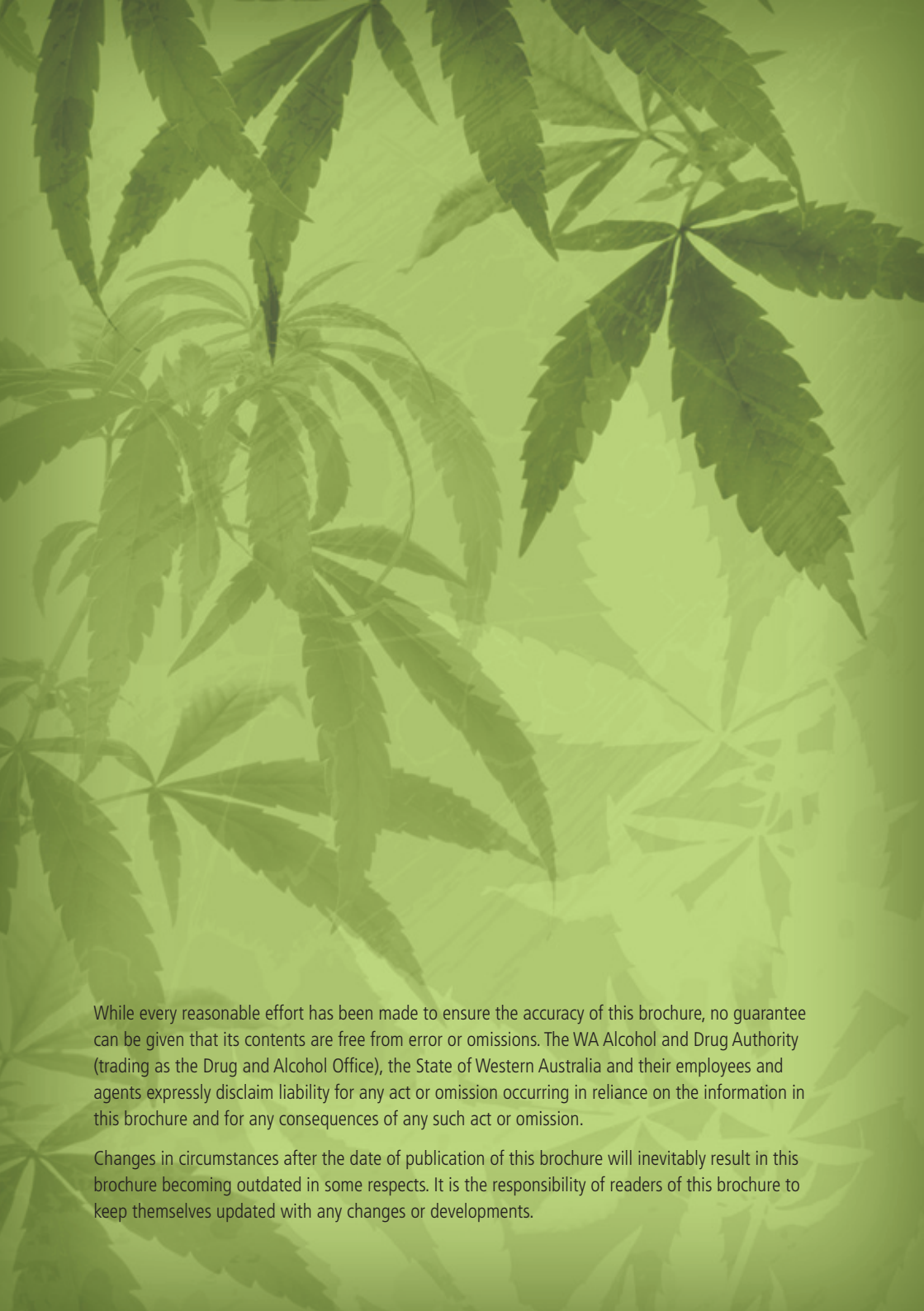


CANNABIS LAWS IN WESTERN AUSTRALIA



Government of **Western Australia**
Drug and Alcohol Office





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Changes in circumstances after the date of publication of this brochure will inevitably result in this brochure becoming outdated in some respects. It is the responsibility of readers of this brochure to keep themselves updated with any changes or developments.

Because cannabis is harmful, it is against the law for people in Western Australia to cultivate, possess, use, sell or supply cannabis, or to possess pipes and other smoking implements containing detectable traces of cannabis. It is also illegal for shops to sell or display cannabis smoking paraphernalia.

Under the law, people apprehended for simple cannabis offences by police, may be issued a **Cannabis Intervention Requirement (CIR)**.

WHAT IS A CANNABIS INTERVENTION REQUIREMENT (CIR)?

Under the CIR scheme, police may issue a CIR notice to eligible people found in possession or use of small amounts of cannabis, and/or possession of a smoking implement containing traces of cannabis.

However, a person found in possession of a small amount of cannabis may still be charged with the more serious offence of possession of cannabis with intent to sell or supply, if police have relevant evidence.

The CIR scheme does not apply to offences involving the possession or cultivation of cannabis plants, or possession of any quantities of cannabis resin (hash), hash oil, or other cannabis derivatives. These offences will be prosecuted through the courts.

A person who has been given a CIR will be required to book and complete a **Cannabis Intervention Session (CIS)** within 28 days or elect to have the matter heard in court.

WHO IS ELIGIBLE FOR A CIR?

Police have the discretion whether or not to issue a CIR to an eligible person.

A person is eligible for a CIR if they are aged 14 years or over, and are found using, or in possession of not more than 10 grams of cannabis, and/or found in possession of a smoking implement containing detectable traces of cannabis.

An adult can only receive one CIR while a young person (aged 14 to 17 years) can be given a CIR on two separate occasions.

An adult who previously received a CIR, and commits a second or subsequent minor cannabis related offence, will be prosecuted through the courts. A young person who commits a third or subsequent minor cannabis related offence will be referred to a Juvenile Justice Team, where appropriate under the *Young Offender's Act 1994*, rather than being charged.

WHO IS NOT ELIGIBLE FOR A CIR?

If a person has previously been convicted of a minor cannabis related offence and was an adult at the time of conviction, he or she would be ineligible to receive a CIR.

Previous convictions for serious drug offences and offences of a violent and/or sexual nature may also preclude a person from being given a CIR.

WHAT CAN I DO IF I RECEIVE A CIR?

The options are:

- book and complete a CIS within 28 days after being given the CIR; or
- apply in writing to have the matter heard and determined in court.

If you are unable to complete a CIS within the 28 day period, you may apply in writing to police for an extension of time; however these are only issued in extenuating circumstances (for more details visit www.police.wa.gov.au).

If you book and complete a CIS you will not be required to appear in court. No further action will be taken against you for the alleged offence and you will not receive a criminal conviction.

WHAT IS A CANNABIS INTERVENTION SESSION (CIS)?

A CIS is a one-to-one session with a trained alcohol and drug counsellor.

The purpose of the CIS is to inform you about:

- the adverse health and social consequences of cannabis use;
- the laws relating to the use, possession and cultivation of cannabis; and
- effective strategies to address cannabis using behaviour.

The CIS takes approximately one hour to complete.

Following completion of the CIS, the counsellor will give you a Completion Certificate and send a copy to the WA Police for their records.



IGNORING A CIR

If the 28 day period has expired and you have not completed a CIS or elected to have the matter heard and determined in court you will be prosecuted through the courts or, if you are a young person, the matter may be referred to a Juvenile Justice Team.

SELLING CANNABIS SMOKING PARAPHERNALIA

It is against the law to sell “cannabis smoking paraphernalia” (e.g. bongs) or to display them for sale in a shop or retail outlet. Selling cannabis smoking paraphernalia to a child under the age of 18 years attracts a higher penalty than selling to an adult.



FOR MORE INFORMATION AND HELP

If you would like more information about cannabis or how to access support services in Western Australia, contact:

Alcohol and Drug Information Service (ADIS)

- Free 24-hour, state-wide, confidential telephone service.
- Access to information about alcohol and other drugs confidentially and quickly.
- Talk to a professionally trained counsellor about alcohol and other drugs.
- Provides information, counselling and advice for people concerned about their own or another's alcohol or other drug use.
- Find out about other services.

ADIS: (08) 9442 5000

Toll-free (country callers only): 1800 198 024

E-mail: adis@health.wa.gov.au

Live Chat: www.dao.health.wa.gov.au

Parent Drug Information Service (PDIS)

- Free alcohol and other drug information and support for parents and family members.
- Talk to a professionally trained counsellor about alcohol and other drugs.
- Talk confidentially to another parent for strategies and support.
- Find out where to go for further help.

Telephone: (08) 9442 5050

Toll-free (country callers only): 1800 653 203

Drug Aware Website - www.drugaware.com.au

- Access detailed information about drugs, including cannabis, and links to services in Western Australia.
- Find out about the latest issues.
- Post questions anonymously and have them answered by professionals.
- Confidentially chat online to a qualified alcohol and other drug counsellor via *Live Chat*.
- Find links to other useful sites.

Drug and Alcohol Office Website - www.dao.health.wa.gov.au

- For information about the Drug and Alcohol Office.
- Access various publications online including reports, documents and general information about alcohol and other drugs.
- Access the Alcohol and Other Drug Services directory for Western Australia.

WA Police Website - www.police.wa.gov.au

- For information about illicit drugs and the law.
- Access the online form: 'Cannabis Intervention Session (Application for Time Extension)'.



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