

Knowledge of decriminalisation legislation among samples of people who regularly use illegal drugs in Canberra, 2023-2024

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Intro

- On 28 October 2023, the Australian Capital Territory (ACT) introduced changes that reduced the maximum penalties for possession of small quantities of several commonly used illicit substances.
- This legislative reform, often referred to as “decriminalisation”, means that most small-quantity offences are now typically dealt with via a \$100 fine or a referral to harm reduction education, although this remains at police discretion.
- While it is still possible for someone to be taken to court and convicted, the maximum penalty for small-quantity possession in court has been reduced to \$160.
- Penalties for possession of other drugs, larger quantities, or for drug dealing remain unchanged.
- These changes build on earlier reforms in the ACT, where personal cannabis use and possession were decriminalised in January 2020.

Aim

To examine awareness of this legislation among people who regularly use illicit drugs in Canberra, ACT, both before and after the legislation came into effect.

Methods

- Cross-sectional sentinel samples were drawn from two cohorts in Canberra: people who **regularly use illicit stimulants (EDRS)** and people who **regularly inject illicit or non-prescribed drugs (IDRS)**.
- Interviews were conducted between April and July in each year.
- The 2023 interviews (EDRS $n=100$; IDRS $n=101$) occurred 4–6 months before the legislation came into effect, while the 2024 interviews (EDRS $n=100$; IDRS $n=100$) took place 6–8 months after.
- Chi-square analyses were conducted to test for differences in each sample between 2023 and 2024.

Implications & conclusions

- By 2024, awareness of the decriminalisation reforms was high among both **EDRS** and **IDRS** participants and had increased significantly compared to 2023.
- However, understanding of the legislation’s details was mixed. While most participants correctly identified that the changes applied to drug possession rather than sale or supply, many still believed that possessing small amounts of cannabis or other illicit drugs was entirely legal. This indicates ongoing confusion between decriminalisation and legalisation.
- These findings underscore the need for continued public education campaigns and collaboration with community organisations to improve knowledge of the reforms.

Results

Participants who use ecstasy and/or other illicit stimulants

Mean years of school education: 12

Median age: 22

EDRS

Unemployed: 18-24%

3 most used illicit drugs:

Ecstasy
Cannabis
Cocaine

The Difference is Research

Participants who inject illicit and/or non-prescribed drugs

Mean years of school education: 10

Median age: 46-48

IDRS

Unemployed: 85-91%

3 most used illicit drugs:

Heroin
Methamphetamine
Cannabis

2023

(4-6 months preceding reform)

2024

(6-8 months post reform)

Knowledge of legislation changes

49%

81% ***



Note. * $p<0.050$; ** $p<0.010$; *** $p<0.001$.

2023

(4-6 months preceding reform)

2024

(6-8 months post reform)

33%

72% ***



Describe the current legal status for possession of cannabis in the ACT[^]

2023

85%

12%

2024

86%

7%



Note. [^]Small numbers ($n\leq 5$) reported on other response options, and are therefore not reported. * $p<0.050$; ** $p<0.010$; *** $p<0.001$.

2023

74%

23%

2024

64%**

19%



Describe the current legal status for possession of illicit drugs, other than cannabis, in the ACT[^]

2023

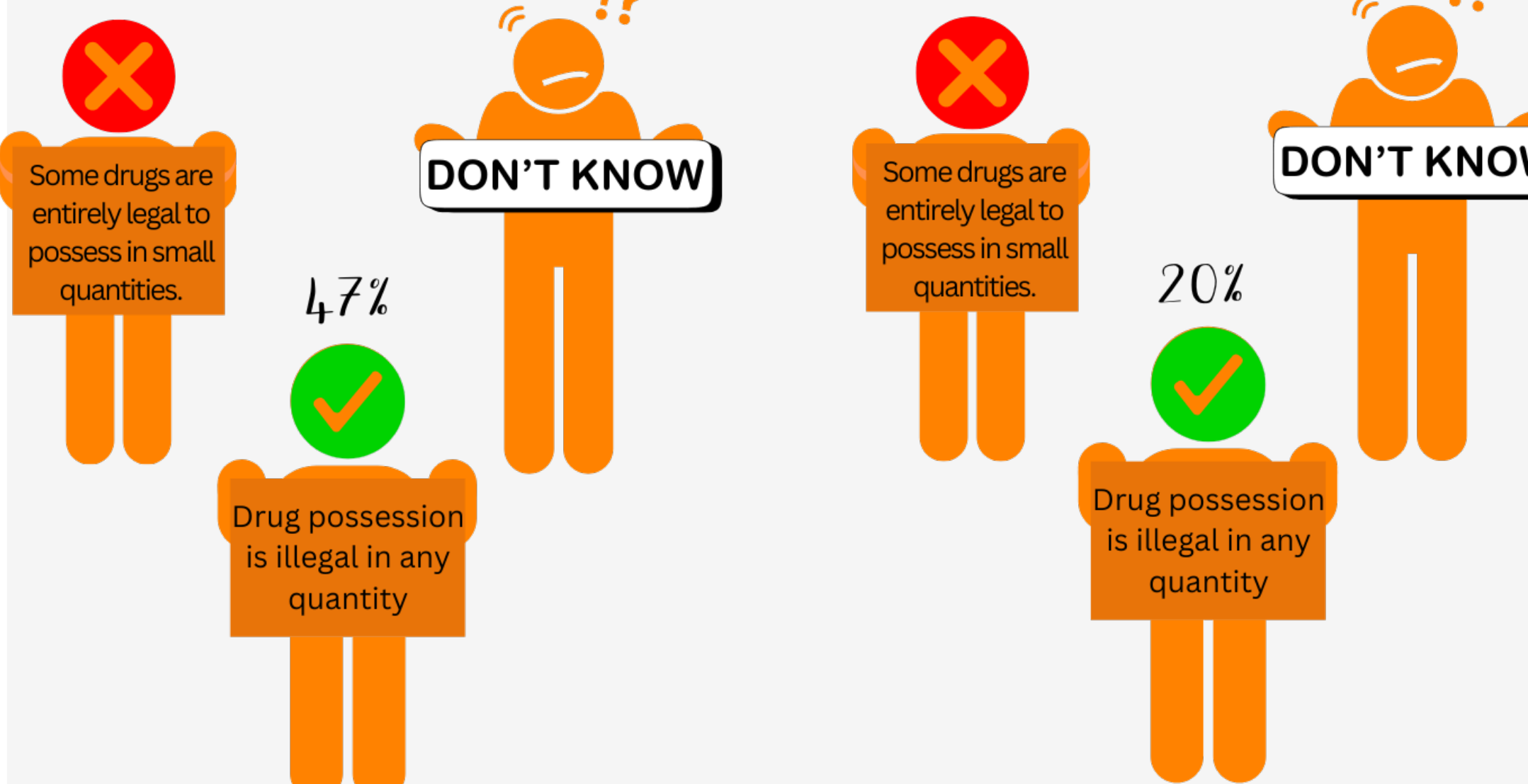
21%

31%!

2024

58%***

20%!



Note. [^]Small numbers ($n\leq 5$) reported on other response options, and are therefore not reported. * $p<0.050$; ** $p<0.010$; *** $p<0.001$.

2023

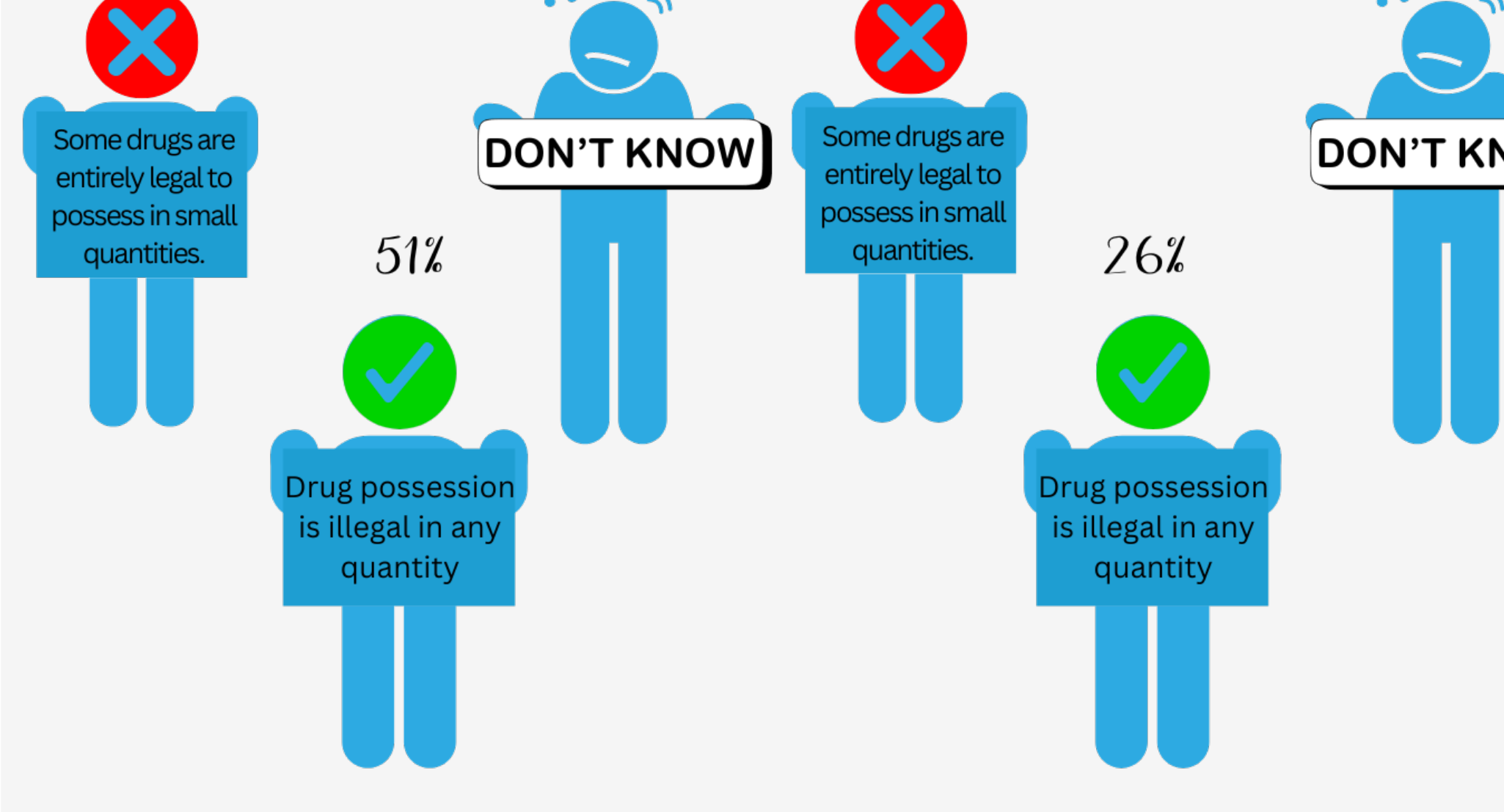
18%

29%!

2024

48%***

24%!



Among those that were aware of legislation:

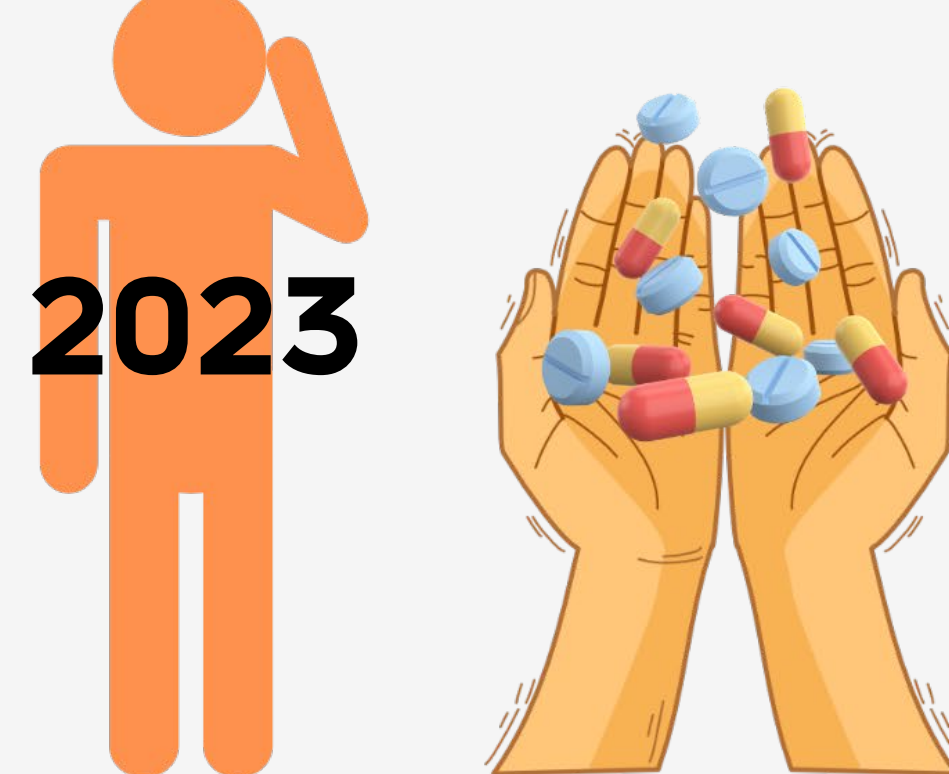
Awareness that legislation covers drug possession

94%

2023

95%

2024

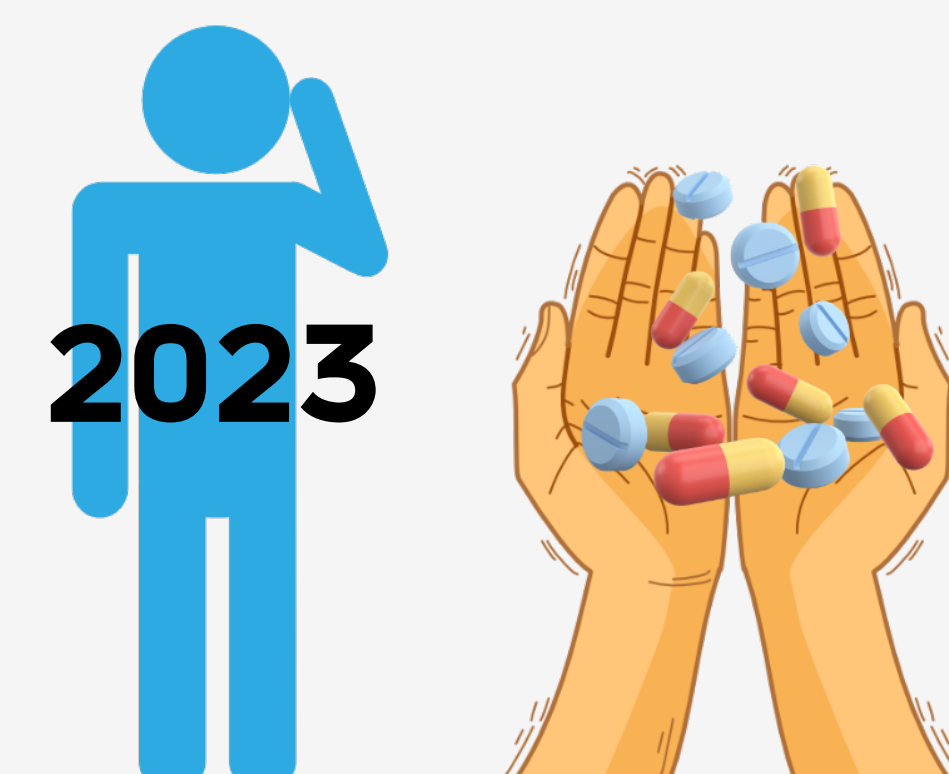


78%

2023

91%

2024



Acknowledgements & information

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