

EXPECTED ABOUT 8.00 p.m.  
NATIONAL DRUG INQUIRY

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Statement by the Prime Minister

I am pleased to be able to inform the House that the Government has decided to establish a National Royal Commission into Drugs. The Royal Commission will be constituted by Mr Justice E.S. Williams of the Queensland Supreme Court and will commence its hearings as soon as possible.

Since the Commonwealth first announced the proposal to establish a National Drug Inquiry, there have been a series of meetings between the Commonwealth and the States at officer and ministerial level to settle the terms of reference and mode of operation of the Inquiry and to discuss co-operation and co-ordination with the two existing Drug Inquiries in New South Wales and South Australia.

Victoria, Tasmania, Western Australia and Queensland have agreed to the establishment of a National Royal Commission and to the terms of reference of such a Commission. These States have also indicated their willingness to give any legal support necessary for the establishment and operation of the National Royal Commission. Negotiations are still proceeding with New South Wales and South Australia. The procedure will be that the Commonwealth will establish a Commonwealth Royal Commission and those States agreeing to support the National Royal Commission will take steps to appoint the Commonwealth Royal Commissioner to head identical inquiries under State legislation.

The Government believes this to be a most important step as it is clear from all accounts that the drug problem extends right across Australia and is not confined to any one particular State. Because of this, the Government believes that a National Royal Commission is needed to investigate the total position. After the National Royal Commission has been established I feel sure that a workable relationship will be arrived at with the New South Wales and South Australian Royal Commissions.

The Government has been very conscious of the need to minimise as much as possible any overlapping or duplication between the roles of the various Commissions. To this end the terms of reference of the National Royal Commission have been adjusted to minimise any such overlapping, particularly with the South Australian Inquiry.

I now table the proposed terms of reference which I believe represent a satisfactory and comprehensive basis for a national inquiry.

TERMS OF REFERENCE

- (a) The extent of, and the methods used in -
  - (i) the illegal importation of drugs;
  - (ii) the illegal exportation of drugs;
  - (iii) the illegal production of drugs; and
  - (iv) the illegal trafficking in drugs;
- (b) the places where drugs mentioned in paragraph (a) are produced or from which they are obtained and the places to which those drugs are sent;
- (c) the extent to which -
  - (i) drugs are illegally used;
  - (ii) drugs lawfully obtained are diverted to illegal trafficking or illegal uses; or
  - (iii) drugs are misused in so far as such misuse is relevant to the illegal use of drugs;
- (d) the extent (if any) to which the illegal activities mentioned in paragraph (a) or the illegal use or the diversion mentioned in paragraph (c) are engaged in, directly or indirectly, by persons who engage, on an organized basis, in other illegal activities, whether or not related to drugs;
- (e) the adequacy of existing laws (including the appropriateness of the penalties) and of existing law enforcement (including arrangements for co-operation between law enforcement agencies) in relation to the prohibition, restriction or control of the importation, exportation, production, possession, supply or use of, or trafficking in, drugs; and

- (f) whether new laws should be enacted or other measures taken (including the taking of initiatives for the making or revision of international agreements) to remedy any inadequacies found to exist under paragraph (c):

Interpretative Provisions -

- (g) the expression 'drug' means a narcotic or psychotropic substance and includes every drug or substance specified in any of the schedules to the Single Convention on Narcotic Drugs or the Convention on Psychotropic Substances;
- (h) a reference to a drug includes a reference to an article or substance containing a drug;
- (j) a reference to the production of a drug includes a reference to the manufacture of a drug by any means and also includes a reference to the cultivation or production of any plant or substance from which a drug is capable of being derived; and
- (k) a reference to the importation or exportation of, or to trafficking in, a drug includes a reference to the importation or exportation of, or to trafficking in, a plant or substance referred to in paragraph (j) or of a seed from which such a plant can be cultivated.

Direction to Commissioner

To the extent that alcohol may be regarded as a narcotic substance, the Commissioner is to be directed to have regard to it only in so far as it is necessary to do so for the purpose of establishing the extent of the illegal use, or of the misuse, of other drugs in accordance with paragraph (c).