

2018.01.30

**8 Deputy M. Tadier of the Minister for Home Affairs regarding the transportation of prescribed medicinal cannabis products: [OQ.21/2018]**

What provisions currently exist or will be made available for individuals with the relevant prescription to transport medicinal cannabis products in and out of Jersey?

**Deputy K.L. Moore of St. Peter (The Minister for Home Affairs):**

As I have stated in previous answers to questions on this topic, officers on the Misuse of Drugs Advisory Council who are taking this matter forward are reporting directly to the Minister for Health and Social Services. As the Deputy will be aware, the only such product permitted for use in Jersey is Sativex, which is a licensed medicine and can be carried by individuals on their person when travelling to or from Jersey under the provisions of the Misuse of Drugs Open General Licence for the importation and exportation of controlled drugs. Otherwise, there are no provisions to allow for the import or export of cannabis-based products into or out of the Island. As the Minister for Health and Social Services indicated during the last sitting, however, discussions have taken place with potential suppliers of cannabis-based products and some products have been identified for approval for us in Jersey.

[11:15]

I understand that it is the intention for an amendment to be made to the Misuse of Drugs (Jersey) Law 1978 to allow individuals with the relevant prescription or licence to be able to import or export approved products to or from Jersey under the Misuse of Drugs Open General Licence for the importation or exportation of controlled drugs. Any individual licence issued following an application by a prescribing doctor in Jersey would only cover importation and exportation to and from the Island. It would not be authorisation to import or export from any other country. Accordingly, it is important to note that possession in and transport through other jurisdictions will be a matter for those jurisdictions and subject to their own legislation, which is obviously beyond our control. Members will also wish to note that the proposed changes would not cover importation by post of the individuals in possession of a licence which need to physically and personally travel with the appropriate amount of their prescribed product, as is consistent with the arrangements for other prescriptions for controlled drugs. I hope this assists the Deputy, although I must again stress that it is not a matter for which I have ministerial responsibility.

**4.8.1 Deputy M. Tadier:**

I really do despair at the length of time that this is taking to bring in. I meet people who are suffering with various acute pain conditions and they say to me: "When will I be able to get these cannabis products?" I have to say: "I am afraid you cannot, the only one you can get at the moment is Sativex and that is probably not right for you." Will the Minister clarify; at the moment it is possible for any doctor to prescribe cannabis, if they want it, to a patient. That patient can go to somewhere like Holland and buy it or have it prescribed, or they can go to other jurisdictions, but they cannot bring it back to the Island, even if they have a prescription saying it is for specific medical use. Is that the case and what date will that change?

**The Deputy of St. Peter:**

As I stated in my initial response, this is really a matter of ministerial responsibility for the Minister for Health and Social Services, but I do totally understand that it is very difficult for a person who is living in pain on a day-to-day basis. Just yesterday I spoke to such an individual who explained to me what it is that they are wishing to see in terms of a government solution. Sadly, although I have

endeavoured to take this up with the Minister for Health and Social Services, what is being desired by certain members of the public in this realm are just not within the bounds of what is possible at the moment as we stand.

#### **4.8.2 Deputy M. Tadier:**

Does the Minister for Home Affairs agree with me that first of all this is a job for joined-up Government and there needs to be one single position from Ministers, including herself and the Minister for Health and Social Services; and that in fact it is very simple, we first of all allow products such as Tilray and Bedrocan on the permitted list? Secondly, we allow G.P.s (General Practitioners) to prescribe these products, and thirdly, we allow pharmacies to dispense these products. That is what needs to happen and it should not be any more complicated than that. We need to give these people certainty of a particular date from which these products will be available. Will she endeavour to work on that basis and convince the Minister for Health and Social Services that that is the way forward?

#### **The Deputy of St. Peter:**

I think in relation to the products that the Deputy has just described, the Minister for Health and Social Services did make a significant announcement at the last sitting and that was indeed a step forward. I am not sure what progress has been made by his department but I am sure they are working on this in an expedient fashion. You will not find any greater support of joined-up Government than myself, but sometimes on very difficult issues that are a matter of great change in our society and community it does take some considerable consultation with not only Members and Ministers, but also members of the public as well.