

**Statement in the St. Kitts and Nevis National Assembly by Dr. the Hon. Timothy Harris, Prime Minister on the Report of the Marijuana Commission**

February 20<sup>th</sup>, 2019

Mr. Speaker, Sir, on April 5<sup>th</sup>, 2017, the Cabinet announced the establishment of a National Marijuana Commission, to consult with the public and enquire into the wide-ranging issues surrounding Marijuana use in the Federation and to provide recommendations on the way forward.

I am pleased to report that the Commission, which began its work on October 5<sup>th</sup>, 2017, presented its report to the Office of the Prime Minister on January 10<sup>th</sup>, 2019, some 15 months later.

Cabinet on Monday, February 18<sup>th</sup>, 2019 deliberated on the report and engaged the Commissioners on said Report. The Commission comprises of:

1. Dr. Hazel Laws – Chief Medical Officer (Chair)
2. Mr. Andre Mitchell – Assistant Commissioner of Police (representing Law Enforcement)
3. Dr. Garfield Alexander – President of the St. Kitts and Nevis Medical & Dental Association
4. The Rev. Canon P. Allister Rawlins – The Anglican Parishes of St. Paul’s & St. John, St Kitts (Clergy from Nevis)
5. Samande ‘Ras Iya’ Reid – Representative of the Rastafari Community
6. Ms. Karimu Byron-Caines – Director, National Council on Drug Abuse Prevention
7. Mr. Charles Wilkin – Former President of the St. Kitts & Nevis Bar Association
8. Mrs. Michele De La Coudray-Blake – Director, Counselling Unit, Department of Community Development, Gender Affairs & Social Services
9. Ms. Kenisha Flemming – Representative of St. Kitts National Youth Parliament Association (SKNYA)
10. Mrs. Joan Browne – Assistant Secretary, Ministry of Finance, NIA
11. Dr. Julie Graves – Former Associate Professor of Epidemiology, Ethics & Behavioural Science (UMHS-St Kitts)

I thank each and every one of the Commissioners for their diligence and commitment to the process.

### Unanimous Recommendations of the Commission Accepted by Cabinet

The Report sets out the work of the Commission, its methodologies and importantly the recommendations of its members. Those recommendations have been considered by the Cabinet and I am pleased today to advise that the Cabinet has accepted the unanimous recommendations of the Commission set out at paragraph A of Chapter 11 of the Report. Those unanimous recommendations are:

1. The blanket criminalization of cannabis as per the Drugs Act has been overtaken by passage of time and regional and international developments and should be amended.
2. The definitions in the Drugs Act relating to cannabis should be amended, having regard to scientific developments since the Act was passed in 1986.
3. The use of cannabis and its derivatives for medicinal and scientific purposes should be permitted under licence and a strict legislated regime.
4. The regime for the use of cannabis for medicinal purposes should include the following:
  - a. The establishment of a medicinal licensing authority to regulate importation, local cultivation and production.
  - b. A requirement that two tiers of practitioners must complete a requisite amount of Continuous Medical Education (CME) hours on cannabis (i) medical practitioners for prescribable marijuana products; and (ii) herbalists for non-prescribable marijuana products.
  - c. A requirement that prescribable marijuana products must meet international labeling standards.
  - d. The inclusion of other components should be allowed only under advice from experts in the industry.
5. Production and trade should be permitted under licence and a strict legislated regime of hemp and hemp products.
6. The penalty for possession of less than 15 grams of cannabis should be reduced to a ticketable offence without a criminal record.

7. The penalty for the growth of less than 5 plants per household should be reduced to a ticketable offence without a criminal record.
8. The current regime for the rehabilitation of offenders should be amended to permit the Court to expunge the criminal records of persons convicted in the past of possession of cannabis in quantities below the amounts specified above.
9. Current healthcare services for the treatment of substance abuse should be substantially upgraded and increase the number of personnel trained in treatment and counseling of young persons and other vulnerable groups.
10. A massive public messaging programme should be created prior to any changes in the law and continuing thereafter informing the public of the benefits and risks and the potential harm to young persons regarding the use of cannabis.
11. The programme should be adapted for use in the school curriculum.
12. The smoking and use of cannabis in public places should remain a criminal offence and attract substantial penalties.
13. Offences and penalties of driving under the influence of cannabis should be introduced.

In addition, the Cabinet has determined that the use and possession and sale to persons under the age of 18 years of cannabis should be strictly prohibited. This is consistent with the science that regular intake, particularly smoking of marijuana by young persons, is inimical to their neurological development.

Mr. Speaker, the acceptance of these recommendations put forward unanimously by the National Cannabis Commission portends some fundamental changes to existing laws in St. Kitts and Nevis, which the Cabinet will have to consider carefully and consult further on. The Commission could not agree that cannabis should be legalized for religious purposes or that it should be legalized for recreational purposes. The Cabinet considers, therefore, that a phased approach is advisable, taking the unanimous recommendations of the Commission as first steps and thereafter considering the other areas on which unanimity could not be achieved would be the prudent approach to take.

### Practical Results Going Forward

1. What this then means is that the Cabinet will consider and consult further on creating the framework for the use of cannabis for medicinal purposes and for the development of the medical cannabis industry in St. Kitts and Nevis.
2. At the same time, those found with less than 15 grams of cannabis or growing less than 5 plants should be subject to ticketable offences only.
3. Those currently in prison on convictions for these small amounts should have their sentences reviewed and anyone convicted for such small amounts should have their convictions expunged.
4. The use of cannabis in public places will continue to be a serious offence and we will seek also to prohibit the sale or use of cannabis by persons under the age of 18 years old. Of course, the Hon. Attorney General will bring the necessary Bill or Bills to Parliament to give effect to the new policy frame.

Mr. Speaker, I shall report at a later date to this Honourable House as further consultations unfold, but I wished to update the public now as to the key findings of the National Cannabis Commission at this time.

My Government is one that listens intently. It is a government that consults. It is a government that will always act in the best interest of the people of St. Kitts and Nevis. We are hopeful that the approach of widespread consultation on a controversial issue, such as cannabis, adopted by this Government will become the model for addressing such issues in a modern democratic society such as St. Kitts and Nevis.

I end, Mr. Speaker, by thanking the Chair of the National Cannabis Commission and all the members for their hard work over the last 15 months. I commend the quality of their final report, which has established important signposts and given guidance to my Government.

May it please you, Mr. Speaker.