

## Submission in support of the proposed amendments to the Poisons Standard (Medicines) to reschedule MDMA and Psilocybin

*This submission has been authored for Students for Sensible Drug Policy Australia by members of affiliated campus teams at The University of Melbourne, The University of Western Australia and Edith Cowan University, supported by SSDP Australia's National Research Team.*

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### Overview:

Students for Sensible Drug Policy Australia (SSDP Australia) is thankful for the opportunity to make a submission to the Therapeutic Goods Administration (TGA) regarding the 'Proposed amendments to the Poisons Standard - November 2020 ACMS/ACCS meetings'.<sup>1</sup> We are thankful to Mind Medicine Australia (MMA) for submitting applications to reschedule psilocybin<sup>2</sup> and MDMA.<sup>3</sup>

Our written submission supports the proposed amendments to reschedule psilocybin (Item 1.5)<sup>4</sup> and N,  $\alpha$ -Dimethyl-3,4-(methylenedioxy)phenylethylamine (MDMA)<sup>5</sup> (Item 1.6)<sup>6</sup> from Schedule 9 (S9) to Schedule 8 (S8).

We support the rescheduling of these psychedelics<sup>7</sup>, but encourage the TGA to consider their decision and future decisions in the wider context of evidence-based drug law reform, and ensure adequate procedures are in place to maximise access to therapy and further research that responds to the full spectrum of consumption patterns and treatment needs across society.

We believe MMA's two applications for rescheduling psilocybin and MDMA provide an adequate overview of the significant and sufficiently rigorous evidence that supports the efficacy and safety of the use of psilocybin and MDMA as treatments in clinical settings for a variety of conditions.

Nevertheless, we also believe that the current push to reschedule these drugs relies too heavily on a 'psychedelic medicalisation'<sup>8,9</sup> framing. S8 will do little to address the increasingly widespread<sup>10</sup> illicit use of these drugs in unregulated recreational and therapeutic settings.<sup>11</sup>

The amendments proposed by Mind Medicine Australia "will not affect existing legal controls on illicit use or supply".<sup>12</sup> However, we note the TGA's stated interest in addressing "any other matters necessary to protect public health",<sup>13</sup> and we believe further drug policy reform (alongside further rescheduling) is required to ensure psilocybin and MDMA are managed as effectively as possible for all of society.

We believe S8 is urgently needed to increase desperate patients' access to psychedelic-assisted therapy. However, as Psychedelic Research in Science & Medicine (PRISM) advises, Australia is "lagging" far behind other countries in terms of

<sup>1</sup> Therapeutic Goods Administration (TGA), "Consultation: Proposed amendments to the Poisons Standard – ACCS, ACMS and joint ACCS/ACMS meetings, November 2020" (August 2020): 23-39.

<sup>2</sup> <https://www.tga.gov.au/sites/default/files/consultation-proposed-amendments-poisons-standard-acms-and-joint-acmsaccs-meetings-november-2020.pdf>

<sup>3</sup> Mind Medicine Australia (MMA) "Application to Reschedule Psilocybin<sup>1</sup> from Schedule 9 to Schedule 8 of the Poisons Standard" (July 2020):

<https://mindmedicineaustralia.org/wp-content/uploads/2020/08/Mind-Medicine-Australia-Psilocybin-Rescheduling-S9-to-S8-14-July-2020-FINAL.pdf>

<sup>4</sup> MMA, "Application to Reschedule N,  $\alpha$ -DIMETHYL-3,4-(METHYLENEDIOXY)PHENYLETHYLAMINE (MDMA) from Schedule 9 to Schedule 8 of the Poisons Standard" (July 2020): <https://mindmedicineaustralia.org/wp-content/uploads/2020/08/Mind-Medicine-Australia-MDMA-Rescheduling-S9-to-S8-15-July-2020-FINAL.pdf>

<sup>5</sup> TGA, "Proposed Amendments".

<sup>6</sup> Note: Also referred to as 3,4-methylenedioxy-N-methylamphetamine (MDMA; "ecstasy") See: [https://wiki2.org/en/Substituted\\_methylenedioxyphenethylamine](https://wiki2.org/en/Substituted_methylenedioxyphenethylamine)

<sup>7</sup> TGA, "Proposed Amendments".

<sup>8</sup> Note: We define MDMA and psilocybin as psychedelics. MDMA is also classified as an empathogen–entactogen and a stimulant. It may exhibit psychedelic features, but is rarely classed as a hallucinogen. See: <https://en.wikipedia.org/wiki/Empathogen%E2%80%9993entactogen>

<sup>9</sup> Tehseen Noorani, "Making psychedelics into medicines: The politics and paradoxes of medicalization" (March 2020): <https://doi.org/10.1556/2054.2019.018>

<sup>10</sup> Claudia Schwarz-Plaschg "Why Psychedelic Researchers Should Not Push Back Against Decriminalization" (May 2020):

<https://chacruna.net/why-psychedelic-researchers-should-not-push-back-against-decriminalization/>

<sup>11</sup> Australian Institute of Health and Welfare (AIHW), "Data tables: National Drug Strategy Household Survey 2019 - 4 Illicit use of drugs supplementary tables" (July 2020):

"Table 4.2: Lifetime(a) drug use, people aged 14 and over, 2001 to 2019 (per cent)",

<https://www.aihw.gov.au/reports/illicit-use-of-drugs/national-drug-strategy-household-survey-2019/data>

<sup>12</sup> Jenny Valentish, "The hidden world of underground psychedelic psychotherapy in Australia" (August 2018):

<https://www.abc.net.au/news/2018-08-30/underground-psychedelic-psychotherapy-mdma-lsd/10134044>

<sup>13</sup> MMA, "TGA RESCHEDULING SUBMISSIONS", (September 2020): <https://mindmedicineaustralia.org/tga/>

<sup>14</sup> See Section 52E of the Therapeutic Goods Act 1989 as quoted by MMA in "Invitation to Lodge Submissions to Support Mind Medicine Australia's Applications for the Rescheduling of Medicinal Psilocybin and Medicinal MDMA as part of Therapy" (September 2020):

<https://mindmedicineaustralia.org/wp-content/uploads/2020/08/Mind-Medicine-Australia-Invitation-for-Rescheduling-Guide-27-August-2020.pdf>

psychedelic research.<sup>14,15</sup> Australia also only has 5 trained psychedelic therapists.<sup>16</sup> More must be done alongside rescheduling to S8 to ensure Australia rapidly develops a world-class psychedelic research and treatment system that harnesses the full potential of psychedelics to improve the health & wellbeing of individuals and society.

We believe SSDP is primed to connect a new generation of young people and students, who are passionate about this issue, with researchers & regulators— and this could help Australia catch up.

SSDP seeks to represent and empower young people to bring change to drug policies. We hope our submission provides the TGA and general public with some key insights into how young people see this issue.

### **Prevalence of the use of MDMA ('Ecstasy') and psychedelics ('hallucinogens') amongst young people:**

The most recent National Drug Strategy Household Survey (NDSHS 2019) reports that the percentage of people aged 14 and over who reported lifetime use of 'Ecstasy' rose from 11.2% in 2016 to 12.5% in 2019.<sup>17</sup> Use of 'Hallucinogens'<sup>18</sup> rose from 9.4% in 2016 to 10.4% in 2019.<sup>19</sup>

Use of psychedelics (including MDMA and psilocybin) is becoming increasingly prevalent amongst young people. NDSHS reports that in 2019, 21.4% of respondents aged 20-29 had used 'Ecstasy' in their lifetime, and 9.8% had used 'Ecstasy' in the last 12 months, the highest for all age groups.<sup>20</sup> In 2019, 14.2% of all respondents aged 20-29 had used hallucinogens in their lifetime, up from 11.6% in 2016.<sup>21</sup> 5.0% had used hallucinogens in the last 12 months, up from 3.1% in 2016.<sup>22</sup>

Other surveys suggest young people are using these drugs even more. In 2019, triple j's 'What's Up In Your World?' surveyed 15,703 Australians aged 18-29. 41% of respondents said they'd used 'MDMA/Ecstasy' in the past 12 months, up from 33% in 2016.<sup>23</sup> Use of 'hallucinogens (LSD/Mushrooms)' rose from 13% in 2016, to 14% in 2019. Use of ketamine is also rising rapidly, from 5% in 2016, to 13% in 2019. The previous triple j survey in 2018 also revealed young people believe the most 'pressing' issue affecting young people is mental health.<sup>24</sup>

### **Social, economic, health and legal harms to young people that are related to the prohibition of psychedelics:**

Despite the masses of funding allocated to enforcing prohibition,<sup>25</sup> drug use is increasing,<sup>26</sup> as are harms.<sup>27</sup> For example, in Victoria, in 2018/19, there were 264 hospital admissions for hallucinogens,<sup>28</sup> up from 45 in 2010/11.<sup>29</sup> Young people are more likely to be impacted. Young people aged 15-24 accounted for 156 admissions in 2018/19, up from just 22 in 2010/11.<sup>30</sup> Given that only 40% of young Australians who felt they needed help for their problems with drugs actually got it,<sup>31</sup> we also believe many medical emergencies could be prevented if the stigma of accessing services is addressed<sup>32</sup> and if there were improved access to AOD & mental health support & treatment services.<sup>33</sup>

<sup>14</sup> Psychedelic Research in Science & Medicine (PRISM), "Research" (September 2020): <https://www.prism.org.au/research/>

<sup>15</sup> Stephen Bright and Martin Williams, "Should Australian Psychology Consider Enhancing Psychotherapeutic Interventions with Psychedelic Drugs? A Call for Research" (April 2018): <https://doi.org/10.1111/ap.12345>

<sup>16</sup> Ahmed Yussuf, "Could psychedelic drugs help people with mental illness cope during covid-19?" (April 2020):

<https://www.sbs.com.au/news/the-feed/could-psychedelic-drugs-help-people-with-mental-illness-cope-during-covid-19>

<sup>17</sup> AIHW, "Illicit use of drugs supplementary tables": "Table 4.2: Lifetime(a) drug use, people aged 14 and over, 2001 to 2019 (per cent)".

<sup>18</sup> Note: Excludes 'Ecstasy'. The most common hallucinogens used are LSD/tabs and psilocybin a.k.a 'magic mushrooms'. See: AIHW, "Illicit use of drugs supplementary tables":

"Table 4.87: Forms of hallucinogens used by sex, people who have recently(a) used hallucinogens aged 14 and over, 2019 (per cent)".

<sup>19</sup> AIHW, "Illicit use of drugs supplementary tables": "Table 4.2: Lifetime(a) drug use, people aged 14 and over, 2001 to 2019 (per cent)".

<sup>20</sup> AIHW, "Illicit use of drugs supplementary tables": "Table 4.16: Illicit use of drugs, by age and drug type, 2019 (per cent)".

<sup>21</sup> AIHW, "Illicit use of drugs supplementary tables": "Table 4.86: Lifetime(a) and recent(b) use of hallucinogens by age, 2001 to 2019 (per cent)".

<sup>22</sup> AIHW, "Illicit use of drugs supplementary tables": "Table 4.86: Lifetime(a) and recent(b) use of hallucinogens by age, 2001 to 2019 (per cent)".

<sup>23</sup> triple j Hack, "Climate change has replaced jobs and housing as the number one issue for young Australians, survey shows" (September 2019):

<https://www.abc.net.au/triplej/programs/hack/whats-up-in-your-world-survey-names-climate-change-top-issue/11525658>

<sup>24</sup> triple j Hack, "Young, smart, and kinda broke: What we learnt from our Census for Young People" (July 2018):

<https://www.abc.net.au/triplej/programs/hack/whats-up-in-your-world-the-census-for-young-people/10051266#future>

<sup>25</sup> Roger Nicholas, Ann Roche and Alison Ritter, "FactCheck: does Australia spend \$1.5 billion a year on drug law enforcement, with 70% due to cannabis?" (February 2016):

<https://theconversation.com/factcheck-does-australia-spend-1-5-billion-a-year-on-drug-law-enforcement-with-70-due-to-cannabis-55307>

<sup>26</sup> AIHW, "National Drug Strategy Household Survey 2019" (NDSHS 2019) (July 2020): 'Main report',

<https://www.aihw.gov.au/reports/illicit-use-of-drugs/national-drug-strategy-household-survey-2019/data>

<sup>27</sup> AIHW, "Alcohol, tobacco & other drugs in Australia" (September 2020): "Health Impacts",

<https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/impacts/health-impacts>

<sup>28</sup> Note: Similar data is not available for MDMA/Ecstasy, as AODStats merges cocaine and ecstasy into one 'other stimulants' category, see page 4 of:

[https://aodstats.org.au/docs/Ambo\\_AODStats\\_Methods.pdf](https://aodstats.org.au/docs/Ambo_AODStats_Methods.pdf)

<sup>29</sup> Turning Point, "AODStats Victoria" (Accessed September 2020): "Whole of State - Hallucinogens Hospital Admissions Total", <https://aodstats.org.au/index.php?page=24>

<sup>30</sup> Turning Point, "AODStats Victoria" (Accessed September 2020): "Whole of State Hallucinogens Hospital Admission 15-24yrs", <https://aodstats.org.au/index.php?page=24>

<sup>31</sup> triple j Hack, "Young, smart, and kinda broke: What we learnt from our Census for Young People" (July 2018):

<https://www.abc.net.au/triplej/programs/hack/whats-up-in-your-world-the-census-for-young-people/10051266#future>

<sup>32</sup> Alcohol and Drug Foundation, "Stigma and people who use drugs" (July 2019): <https://adf.org.au/insights/stigma-people-who-use-drugs/>

<sup>33</sup> Youth Support and Advocacy Service (YSAS), "Submission to the Royal Commission into Victoria's Mental Health System" (July 2019):

[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-rcvmhs.files/8315/6765/3973/YSAS\\_Youth\\_Support\\_and\\_Advocacy\\_Service.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-rcvmhs.files/8315/6765/3973/YSAS_Youth_Support_and_Advocacy_Service.pdf)

Nevertheless, even with prohibition making these drugs more dangerous, most MDMA and psilocybin users never experience any serious harms.<sup>34, 35, 36</sup> The Global Drug Survey found that only “approximately 1% of MDMA users”<sup>37</sup> and only 0.2% of psilocybin users<sup>38</sup> reported having sought emergency medical treatment over the last 12 months.

The lack of support services under prohibition only makes these drugs more dangerous. To reduce these harms & risks, SSDP Australia recommends:

- Increasing access to peer-led harm reduction education services, such as DanceWize,<sup>39</sup> so users know how to consume less amounts, in a safer manner.<sup>40, 41, 42</sup>
- Increasing access to drugs of known purity.<sup>43, 44</sup>
- Increasing access to legal psychedelic treatments.<sup>45</sup>
- Immediately establish ‘drug safety testing’ / ‘drug checking’ / ‘pill testing’ services for all drug users, to ensure they have more information about what they are taking, and are connected to health services.<sup>46</sup>

Many of the worst harms from consuming illicit drugs are related to their unknown purity. For example, a recent (currently ongoing) coronial inquest into the deaths of 5 young Victorians from overdosing on adulterated drugs reports that they all thought they were “taking a small dose” of MDMA.<sup>47</sup> Similarly, NSW’s 2019 Coronial *Inquest into the death of six patrons of NSW music festivals* found that these young patrons overdosed from taking unknown quantities of MDMA.<sup>48</sup> The Coroner made a range of recommendations, including “Decriminalising personal use of drugs, as a mechanism to reduce the harm caused by drug use” and “Expanded regulation of certain currently illicit drugs.”<sup>49</sup>

Under prohibition, psychedelic users also endure the fear and harms of criminalisation. Australia’s latest *Illicit Drug Data Report 2017–18* reports that “the number of national MDMA seizures and arrests increased to record highs in 2016–17”,<sup>50</sup> and the number of MDMA arrests decreased only 10.7%, from 6,424 in 2016–17 to 5,739 in 2017–18.<sup>51</sup> The number of national hallucinogen arrests increased 5.3% from 945 in 2016–17 to 995 in 2017–18. Consumer arrests account for the greatest proportion of arrests, comprising 84.2% of national hallucinogen arrests.<sup>52</sup>

Young people are more likely to be impacted by this criminalisation. For example, in Victoria, young people aged 20-24 account for over 25% of all minor drug offences—more than any other age group.<sup>53</sup> For cases involving ecstasy, 53% were aged under 25 years. From 2007-2017, the number of charges involving ecstasy increased by 79%, peaking at 898 charges in 2015–16.<sup>54</sup> The Queensland Productivity Commission recently recommended legalising MDMA to reduce the amount of money wasted on criminalisation.<sup>55</sup>

<sup>34</sup> Nicole Lee and Jarryd Bartle, “History, not harm, dictates why some drugs are legal and others aren’t” (2019):

<https://theconversation.com/history-not-harm-dictates-why-some-drugs-are-legal-and-others-arent-110564>

<sup>35</sup> Louisa Degenhardt et al, “The epidemiology of ecstasy use and harms in Australia” (2009): <https://pubmed.ncbi.nlm.nih.gov/19893334/>

<sup>36</sup> Luisa Dillner, “Is it safe to take magic mushrooms?” (2017):

<https://www.theguardian.com/lifeandstyle/2017/may/29/safe-magic-mushrooms-psilocybin-drug-depression-illegal>

<sup>37</sup> Adam Winstock, “GDS 2020: MDMA: not just about the dose but how you divide it (or not)” (Accessed September 2020):

<https://www.globaldrugsurvey.com/gds-2020/gds-2020-mdma-not-just-about-the-dose-but-how-you-divide-it-or-not/>

<sup>38</sup> Olivia Solon, “Study finds mushrooms are the safest recreational drug” (May 2017):

<https://www.theguardian.com/society/2017/may/23/study-hallucinogenic-mushrooms-safest-recreational-drug-lsd>

<sup>39</sup> Harm Reduction Victoria (HRVic), “DanceWize” (Accessed September 2020): <https://www.hrvic.org.au/dancewize>

<sup>40</sup> Adam Winstock, “GDS 2020: MDMA”

<sup>41</sup> Shannon Clare Petitt, “Hand in Hand: How Psychedelic Harm Reduction Is Making a Difference Now” (2016):

<https://maps.org/news/bulletin/articles/410-bulletin-winter-2016/6467-hand-in-hand-how-psychedelic-harm-reduction-is-making-a-difference-now>

<sup>42</sup> Hilary Agro, “Prohibited Practice: Drug Use, Harm Reduction and Benefit Enhancement in Toronto Rave Culture” (July 2016): <https://ir.lib.uwo.ca/etd/3852/>

<sup>43</sup> Transform Drug Policy Foundation, “Let’s talk about stimulants.” (January 2019): <https://transformdrugs.org/its-time-to-regulate-stimulants/>

<sup>44</sup> Transform Drug Policy Foundation, “After the War on Drugs: Blueprint for Regulation” (2009): 150, <https://transformdrugs.org/wp-content/uploads/2020/07/Blueprint-1.pdf>

<sup>45</sup> Transform, “After the War on Drugs”, 151.

<sup>46</sup> Magistrate Harriet Grahame, Deputy State Coroner, State Coroner’s Court of New South Wales, “Inquest into the death of six patrons of NSW music festivals” (November

2019): [https://coroners.nsw.gov.au/documents/findings/2019/Music Festival Redacted findings in the joint inquest into deaths arising at music festivals .pdf](https://coroners.nsw.gov.au/documents/findings/2019/Music%20Festival%20Redacted%20findings%20in%20the%20joint%20inquest%20into%20deaths%20arising%20at%20music%20festivals.pdf)

<sup>47</sup> Erin Pearson, “Five young men died from rare synthetic drug cocktail, coroner told” (September 2020):

<https://www.theage.com.au/national/victoria/five-young-men-died-from-rare-synthetic-drug-cocktail-coroner-told-20200923-p55yfv.html>

<sup>48</sup> Magistrate Harriet Grahame, Deputy State Coroner, State Coroner’s Court of New South Wales, “Inquest into the death of six patrons of NSW music festivals” (November

2019): [https://coroners.nsw.gov.au/documents/findings/2019/Music Festival Redacted findings in the joint inquest into deaths arising at music festivals .pdf](https://coroners.nsw.gov.au/documents/findings/2019/Music%20Festival%20Redacted%20findings%20in%20the%20joint%20inquest%20into%20deaths%20arising%20at%20music%20festivals.pdf)

<sup>49</sup> Harriet Grahame, “Inquest into the death of six patrons”, page 136.

<sup>50</sup> Australian Criminal Intelligence Commission (ACIC) “Illicit Drug Data Report 2016–17” (July 2018): 39,

[https://www.acic.gov.au/sites/default/files/iddr\\_2016-17\\_050718.pdf?acsf\\_files\\_redirect](https://www.acic.gov.au/sites/default/files/iddr_2016-17_050718.pdf?acsf_files_redirect)

<sup>51</sup> Australian Criminal Intelligence Commission (ACIC) “Illicit Drug Data Report 2017–18” (July 2019): 39,

[https://www.acic.gov.au/sites/default/files/illicit\\_drug\\_data\\_report\\_2017-18.pdf?v=1564727746](https://www.acic.gov.au/sites/default/files/illicit_drug_data_report_2017-18.pdf?v=1564727746)

<sup>52</sup> ACIC, “Illicit Drug Data Report 2017–18”, 95.

<sup>53</sup> Sentencing Advisory Council of Victoria, “Trends in Minor Drug Offences Sentenced in the Magistrates’ Court of Victoria” (June 2018):

[https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Trends in Minor Drug Offences Sentenced in the Magistrates Court.pdf](https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Trends%20in%20Minor%20Drug%20Offences%20Sentenced%20in%20the%20Magistrates%20Court.pdf)

<sup>54</sup> Sentencing Advisory Council of Victoria, “Trends in Minor Drug Offences”.

<sup>55</sup> Matt Wordsworth, “Drug decriminalisation would ‘save hundreds of millions’, but Queensland Premier rules it out” (January 2020):

<https://www.abc.net.au/news/2020-01-31/drug-offences-penalties-qld-police-prison/11918390>

## **Benefits of a new regulatory approach to psychedelics for young people and future generations:**

The popularity of psychedelics is set to further increase,<sup>56</sup> and Australian regulators must catch up. Internationally, more and more jurisdictions have—or are expected to increase—legal access to psychedelics.<sup>57, 58, 59</sup> Global movements for drug policy reform, such as #DecriminalizeNature<sup>60, 61</sup> and #ThankYouPlantMedicine,<sup>62</sup> are also building momentum.<sup>63</sup>

In the USA, the FDA has granted MDMA and psilocybin ‘breakthrough therapy’ designation.<sup>64</sup> MAPS’ Phase 3 trials for MDMA-assisted psychotherapy for PTSD “are expected to be complete in 2022, meaning that the FDA could approve the treatment as soon as 2023”.<sup>65</sup> Expanded (‘Compassionate’) Access Schemes are also expected to bring positive publicity before then.<sup>66</sup>

Meanwhile, Australia is only just beginning to trial the use of psilocybin-assisted psychotherapy for end-of-life anxiety, and, soon, hopefully, MDMA-assisted psychotherapy for PTSD.<sup>67</sup>

We believe young people can also greatly benefit from psychedelic treatments, but the current political climate means we are being denied access. Young people are already at a higher risk of suffering from a range of mental health issues<sup>68</sup>— and COVID-19 and a recession will likely worsen this.<sup>69</sup> Under prohibition, Australians struggling with various mental health issues who choose to self-medicate must resort to the unregulated market, and do so without adequate education, guidance, or support.<sup>70</sup> If S8 does not result in people with ‘milder’ conditions, particularly young people, and other marginalised communities<sup>71</sup> being seen as worthy of legal access, then these people will continue to either be deprived of treatment, or face the increased risks of illicit use. Additionally, in 2019, “one in three young adults aged 18 to 25 reported problematic levels of loneliness”,<sup>72, 73</sup> and we believe that psychedelic therapy could be used to help treat loneliness and depression.<sup>74, 75</sup> More research should be conducted into the relationships between loneliness, stigma, mental illness, and problematic and beneficial drug & psychedelic use. We believe young people should be supported to overcome stigma and institutional barriers to engage in psychedelic trials and research.

With increased possibilities for research, and the inclusion of young people and other marginalised groups in research regulatory processes, we believe psychedelics can continue to be proven safe and beneficial when consumed in regulated environments.

Precedent also exists for psychedelics to be regulated beyond S8. Recreational drugs such as alcohol<sup>76</sup> and tobacco<sup>77</sup> enjoy legislation separate to that of the Poisons Standard Act. More recently, alkyl nitrites / amyl nitrates (‘poppers’) have avoided harsher rescheduling, with the TGA citing the harms of prohibition and low adverse health outcomes as evidence against a

<sup>56</sup> Dorian Tatala, “Every psychedelic study currently going on in Europe” (August 2020): <https://icpr2020.net/europes-psychedelic-science-renaissance/>

<sup>57</sup> Sean McAllister, “Will Psilocybin Decriminalization Expand in 2020? Psilocybin Initiatives in Denver, Oakland, Chicago, California, and Oregon” (January 2020): <https://chacruna.net/will-psilocybin-decriminalization-expand-in-2020-psilocybin-initiatives-in-denver-oakland-chicago-california-and-oregon/>

<sup>58</sup> Kyle Jaeger, “City Council Unanimously Votes To Decriminalize Psychedelics In Ann Arbor, Michigan” (September 2020):

<https://www.marijuanamoment.net/city-council-unanimously-votes-to-decriminalize-psychedelics-in-ann-arbor-michigan/>

<sup>59</sup> Dillon DuBois, “Legal Psychedelics: Countries With the Most Relaxed Laws” (March 2019): <https://www.alltherooms.com/blog/legal-psychedelics-countries-relaxed-laws/>

<sup>60</sup> Sam Levin, “These are healing plants: Oakland decriminalizes magic mushrooms” (June 2019):

<https://www.theguardian.com/us-news/2019/jun/05/oakland-magic-mushrooms-decriminalize>

<sup>61</sup> Decriminalize Nature, “Our beloved entheogenic community” (Accessed September 2020): <https://www.decriminalizenature.org/about>

<sup>62</sup> #ThankYouPlantMedicine, “Our Mission” (Accessed September 2020): <https://thankyouplantmedicine.com/#about>

<sup>63</sup> Meg Hartley, “What’s next for psychedelic decriminalization?” (March 2020): <https://www.leafly.com/news/health/whats-next-psychedelic-decriminalization>

<sup>64</sup> Megan Brooks, “FDA Grants Psilocybin Second Breakthrough Therapy Designation for Resistant Depression” (November 2019):

<https://www.medscape.com/viewarticle/921789>

<sup>65</sup> Multidisciplinary Association for Psychedelic Studies (MAPS), “Research News - Summer 2020” (2020):

<https://maps.org/news/bulletin/articles/444-bulletin-summer-2020/8307-research-news-summer-2020>

<sup>66</sup> MAPS, “Research News - Summer 2020”.

<sup>67</sup> PRISM, “Research”.

<sup>68</sup> AIHW, “Mental health services in Australia” (Online Report Edition: 21 July 2020): “Psychological distress”,

<https://www.aihw.gov.au/reports/mental-health-services/mental-health-services-in-australia/report-contents/summary-of-mental-health-services-in-australia/prevalence-imp-act-and-burden>

<sup>69</sup> Dana McCauley, “Experts warn of ‘cascading effects’ of pandemic on mental health” (September 2020):

<https://www.smh.com.au/politics/federal/experts-warn-of-cascading-effects-of-covid-19-pandemic-on-mental-health-20200915-p55vu6.html>

<sup>70</sup> Jenny Valentish, “The hidden world of underground psychedelic psychotherapy in Australia” (August 2018):

<https://www.abc.net.au/news/2018-08-30/underground-psychedelic-psychotherapy-mdma-lsd/10134044>

<sup>71</sup> Whitney Joiner, “Who Will Benefit From Psychedelic Medicine?” (September 2020):

<https://www.washingtonpost.com/magazine/2020/09/21/psychedelic-medicine-will-it-be-accessible-to-all/>

<sup>72</sup> Michelle H Lim, “One in three young people is lonely, but the solution isn’t as simple as making more friends” (October 2019):

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<sup>76</sup> Commonwealth of Australia, Department of Health, “Alcohol laws in Australia” (October 2019):

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<sup>77</sup> Commonwealth of Australia, Department of Health, “Smoking and tobacco laws in Australia” (March 2020):

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more restrictive scheduling.<sup>78,79</sup>

### **Conclusion:**

Psychedelics must be regulated in new ways — few other drugs (excepting cannabis) have been so popular for so long, yet so suppressed and poorly researched, while showing such great promise. Many members of the public are demanding access, yet the medical system lags behind.

The TGA should learn from previous mistakes with regards to the rescheduling of medicinal cannabis, where potential users still face barriers to access,<sup>80</sup> and the process of prescribing has been criticised as highly bureaucratic by the RACGP.<sup>81</sup> S8 will make these therapies more popular and legitimate, so Australia must fast-track reforms that can give quality treatment to those who rightly demand it.

SSDP Australia encourages the TGA to move ahead with the rescheduling of MDMA and psilocybin. However we also implore the TGA and all other relevant parties to increase their engagement with affected communities, particularly young people, to increase appropriate research and access to treatments, and explore new ways to regulate and respond to the use of these substances in line with emerging evidence and the trends of the 21st century.

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<sup>79</sup> TGA, "Final decision(s) for matter(s) referred to the March 2019 Joint ACMS-ACCS meeting" (June 2019):

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<sup>81</sup> The Royal Australian College of General Practitioners (RACGP), "The regulatory framework for medicinal use of cannabis products" (2019):

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