



To: Portfolio Committee on Justice and Correctional Services
via email cannabisbill@parliament.gov.za

From: Fields of Green for ALL NPC
Registration 2013/191487/08

Date: 11 May 2022

Honourable Members of the Committee,

Fields of Green for ALL's submissions for your consideration (October 2020) and our presentation to the committee (September 2021), attached to this email, refer:

- As South Africa's longest-standing Cannabis re-legalisation civil society organisation we note here with disappointment that our submissions never received your attention or feedback as per the meeting summary dated 31 August 2021.
- We were similarly ignored during subsequent feedback meetings via zoom.

Fields of Green for ALL's position remains unchanged. We reject the Cannabis for Private Purposes Bill outright. The recent amendments have only served to make the Bill even more unconstitutional.

The Cannabis for Private Purposes Bill is not based on evidence.

The Cannabis for Private Purposes Bill is based on the *perceived* harms of Cannabis, the plant itself and the trade therein.

The Cannabis for Private Purposes Bill is not the solution to the commercialisation of Cannabis in South Africa.

The responsible adult use of Cannabis does not equate to "recreational use" and the continued use of this dismissive term further highlights the lack of the knowledge of South Africa's centuries old Cannabis Culture.

Fields of Green for ALL's constituency spans the entirety of the existing, unregulated Cannabis industry in South Africa. Let it be noted here that Fields of Green for ALL stands in solidarity with the Umzimvubu Farmers Support Network, an organisation whose impeccable submissions to this committee have been similarly ignored.

In the interests of brevity, we respectfully ask that the committee considers the entirety of Fields of Green for ALL's submissions as everything we have said thus far also applies to the amendments below. It is for this reason that our comments take the form of questions that we would like the committee to answer.

In addition, we ask once again that the committee considers our publication, "Cannabis in South Africa. The People's Plant. A Full Spectrum Manifesto for Policy Reform" as one of your resources.

Amendment 1 (as outlined in the invitation to comment)

"Commercial Activities in respect of recreational cannabis"

As above, we object to the use of the word "recreational" as this serves to discriminate against responsible adults who use Cannabis as a safe relaxant. We further reiterate that it does not serve the progress of a legitimate Cannabis industry in South Africa to create a muddle of provisions for commercialisation within a specifically *private* bill.

What about the fact that both Judge Davis and Judge Zondo's judgments described "dealing in" Cannabis as a social ill?

Amendment 2

"The cultivation, possession and supply cannabis plants and cannabis by cultural or religious communities or organisations for cultural or religious purposes."

The amendments are clear that this refers to the members of the Rastafari religion.

Why is preference given to a religion that less than one hundred years old when we have records of the use, cultivation and trade in Cannabis in Southern Africa for over 700 years?

How are the enforcers of this law going to identify a member of the Rastafari religion?

Does the committee believe that this amendment will pass constitutional muster?

Amendment 3

"The use of cannabis for palliation and medication."

Many factors make the inclusion of this amendment problematic.

Where is the scientific evidence to support the lengthy explanations around THC levels? This has serious implications for patients growing their own medicine under the proposed bill.

See plant counting below.

Extra considerations

Has the committee considered that the number of plants prescribed may not be sufficient for a patient to grow their own medicine (see above).

Who is going to come and count our plants? Who comes to our homes and counts our bottles of whisky?

Has there ever been any consideration of the perceived harms of the Cannabis plant in relation to the suggested criminal sanctions?

In conclusion, Fields of Green for ALL thanks the committee for their time and looks forward to the formation of a South African Dagga Commission so that the evidence may be heard and we may all achieve laws and regulations that are fair, sustainable and in line with our world class constitution.

Regards

Myrtle Clarke