

INFORMATION AND SUPPORT

A Needle and Syringe Program (NSP or the exchange) worker can give you information, help you find services and make appointments for you.

DirectLine

1800 888 236 • www.directline.org.au
24-hour. If you want to talk to someone about your drug use or find a support service.

Youth Law

(03) 9611 2412 • www.youthlaw.asn.au
Free legal advice for young people under 25.

Fitzroy Legal Service

(03) 9419 3744 • www.fitzroy-legal.org.au

Victoria Legal Aid

1300 792 387 • www.legalaid.vic.gov.au

Agency details:

SAFER USING 17 USING AND THE LAW

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If you use drugs, it's important to know about drug laws and your rights.

INJECTING EQUIPMENT

You have the right to carry new or used injecting equipment, but if you admit to police that you have committed an offence (e.g. possessed or used illicit drugs), you can be charged.

It is legal to carry naloxone. Naloxone temporarily reverses the effects of opioid overdose which will allow the person to begin to breathe again.

There is more information on naloxone in the brochure titled 'Overdose'.

DRUGS

It's illegal to possess, use or traffic certain drugs that are classed as drugs of dependence.

These drugs include

- Heroin
- Ice or speed
- MDMA (Ecstasy)
- Cannabis
- Synthetic cannabis and other new synthetic drugs.

Trafficking means

- Manufacturing or preparing a drug for sale
- Selling, agreeing to sell, and offering to sell drugs
- Buying drugs for someone else or giving someone drugs, even if there is no money involved
- Helping or encouraging someone buy drugs.

Other things that are illegal include

- Giving someone else a hit
- Forging or lying to get a script
- Carrying prescription drugs that are not yours.

CONTACT WITH THE POLICE

If you have been threatened, robbed, sexually assaulted or bashed you can ask the police for help and report a crime, this includes domestic or family violence.

Being stopped and searched

The police can only search you if:

- They have a reasonable suspicion you're carrying weapons or drugs
- They have a warrant or you've been arrested
- You agree to be searched.

Answering questions

The police can ask for your name and address if they have a reasonable belief that you have, or are about to commit an offence.

You do not have to answer any questions other than giving your name and address.

Arrest

You can be arrested if the police believe you have broken the law, if they have a warrant or if they believe you're going to hurt someone.

If you have been arrested you can make two phone calls; one to a family member or friend and one to a lawyer.

Always speak to a lawyer before a police interview.

Formal police caution

The police can choose to give you a caution if it's a relatively minor first offence.

Drug Diversion

This means that you will be referred to a drug treatment agency for two appointments. If you go to both of them you won't have to go to court. If you miss one or both of them you will end up in court and may get a conviction.

Protective Service Officers or PSOs

These are the officers you may see around train stations or tram stops. They are armed and do have the power to stop, arrest, search and fine people in those areas.

COMPLAINTS

You can make a complaint against a police officer if you feel you have been treated unfairly.

You should speak to a lawyer as soon as you can about this. They can give you advice about how to make a complaint and details about the complaint process.

DRINK/DRUG DRIVING

It is against the law to:

Drive if you are affected by alcohol or at/over blood alcohol level .05 (If you are a learner, P1, P2, restricted motorcycle rider or a professional driver e.g., a truck, bus or taxi driver, you must drive with a .00 blood alcohol level).

Drive while affected by any drug regardless of whether it is a legal or illegal drug.

Drive with drugs in your system even if you are not affected by them.

Supervise a learner driver if you are affected by illegal drugs.

You can be given a penalty for:

- Failing a roadside screening test
- Refusing to cooperate with police.

If you are caught drink or drug driving you should speak to a lawyer as soon as you can.

You can get telephone advice from Victoria Legal Aid Legal Help line.

If you are homeless or at risk of being homeless there is an outreach legal service which you can call on 1800 606 313 (free call from landlines).

COURT

Going to court

Always try to speak to a lawyer before your court day.

If you don't see a lawyer before the day, then you can see a legal aid lawyer when you go to court.

They can give you information and advice.

A lawyer can speak to you about sentencing and any options you might have.

Drug Court

You may be eligible to be sentenced and supervised by the drug court. However, you should only consider drug court after you speak to a lawyer as it may not be in your interest.

Koori Court

Koori Elders or Respected Persons, the Koori Court Officer, Koori defendants and their families can contribute during the Court hearing. This is to ensure sentencing orders are appropriate to the cultural needs of Koori offenders, and assist them to address issues relating to their offending behaviour.

Assessment and Referral Court List (ARC)

Special court list that aims to support people who are accused of a crime and have a mental illness and/or a cognitive impairment.

They can provide case management, referral to welfare, health, mental health, disability, housing services and/or drug and alcohol treatment.

You can speak to a lawyer about special circumstances that can be considered to discharge or significantly discount infringements that have occurred as direct result of someone's ongoing serious drug dependency.
