



# DRUGS AND THE LAW

If you have been charged with a drug offence, get legal advice as soon as possible. Call the Legal Help Line on 1300 366 424.

## Drugs and the Law

The drugs we talk about in this factsheet are common illegal drugs like marijuana, ice, MDMA, LSD, cocaine and heroine. Some laws apply to all drugs, and some to particular drugs.

There are two main types of drug offences the police can charge you with:

1. Drug possession and use; and
2. Drug manufacture and sale, trafficking or supply

There are also other laws, like those about having drug equipment, or using or selling prescription drugs that you don't actually have a prescription for.

## Drug Possession and Use

Whatever way you do it, whether it's smoking, inhaling, injecting or swallowing: using an illegal drug is an offence. It's an offence to help someone else use drugs or to let someone help you use drugs.



## Possessing drugs and drug equipment

It is against the law to have illegal drugs on you (this can include in your pockets, bag, car or house).

If the police find you with bongs, pipes, scales, weights or other items for using or selling drugs you can be charged with an offence.

Generally, the more drugs the police find you with, the more trouble you will be in. If you have more than a certain amount of drugs, the police can presume that you were planning to sell the drugs to other people.

## Drug manufacture, sale, traffic or supply

Making or helping to make drugs is a serious offence. The consequences will depend on the amount and type of drugs the police find you with.

## What if my friends are selling or making drugs?

You can be charged with drug offences for doing things like letting your friends use your house or car to sell drugs, helping pack drugs into bags, arranging a meeting between dealers and buyers, helping transport drugs or hiding drugs or equipment, among others.



## What counts as 'supply'?

Supply has a wide meaning. It can look like giving drugs to a friend or handing a stash around school. You don't have to get money for it to be illegal. If you pass joints around at a party you can still be charged with supplying drugs. It's illegal to offer to sell drugs even if you don't go through with it.

**There are serious penalties for supplying or selling drugs in a school zone. This includes the school grounds and any area within 500m of the school boundary.**

## Drink spiking with drugs or alcohol

It is a serious offence to 'spike' food or drink with any substance that impairs the mind or body of another person (including alcohol). It's an offence even if there was no intention to cause harm where the person didn't think about potential consequences.

## Getting searched

The police can search you or your car without arresting you if they reasonably suspect that you might have drugs on you. For example, a drug sniffer dog sits next to you, or they can smell cannabis on you. If you don't want to be searched, make sure you clearly say that and ask for that to be written down by the police officer. The police can also search you if you have been arrested. There are laws the police have to follow when searching a young person. See our Police & You Factsheet for more information.

## Youth Treatment Orders

Where there is concern about a young person's use of drugs, the Youth Court can make orders for that young person to be assessed and treated for drug dependency. This may look like visiting a health worker who will ask you questions about your drug use so that they can report back to the Court. It may also look like being ordered to stay at a youth training centre while you undergo drug treatment.

Currently, the Court can only make orders about a young person already in detention at a training centre. People with interest in the young person's wellbeing can make an application for these orders.

### Contact us!

Would you like more information, resources, or a free visit to your school, organisation or group?

Email: [cle@lsc.sa.gov.au](mailto:cle@lsc.sa.gov.au)

To apply for legal aid online, visit: [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

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