

Drugs

Young people and the law



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

This factsheet explains some common drug crimes. For health information and support, visit the Alcohol and Drug Foundation at adf.org.au or call **1800 250 015**.

Drugs and the law

The drugs we talk about in this factsheet are common illegal drugs like marijuana (cannabis), ice (crystal meth), MDMA (ecstasy), LSD, cocaine, and heroin. Some laws apply to all drugs, and some only apply to certain drugs.

There are 2 main types of drug crimes the police can charge you with:

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

Other laws restrict having drug equipment or ban using or selling legal drugs without a prescription.

Possessing drugs and drug equipment

Using an illegal drug is an offence. This includes smoking, inhaling, injecting or swallowing a drug.

It is an offence to help someone use drugs or to let someone help you use drugs. It is a crime to have illegal drugs on you. This includes 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 criminal offending.

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. This is a serious offence.

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 may be charged with drug offences if you let your friends use your house or car to sell drugs, help pack drugs into bags, arrange a meeting between dealers and buyers, help transport drugs or hide drugs or equipment.

What counts as supply?

Supply has a wide meaning. It can include giving drugs to a friend, handing a stash around school, or passing a joint around at a party.

Supplying drugs is a crime even if you do not get money for it. It is also illegal to offer to sell drugs even if you do not go through with it.

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

Drink spiking

It is a serious offence to **spike** someone's food or drink with any substance that impairs the mind or body (including alcohol). It is a crime even without an intent to cause harm if the person doing the spiking did not think about what could happen.

Police searches

The police can search you or your car without arresting you if they reasonably suspect that you might have drugs on you. This can happen if they smell cannabis on you or a drug sniffer dog sits next to you.

If you do not want to be searched, tell the police officer and ask them to write that down.

The police can also search you if you have been arrested. There are laws the police must follow when searching a young person.

See our **Police and your rights factsheet** for more information.

Legal help for all South Australians

1300 366 424 Legal Helpline



Prefer to text?

Use our Legal Chat at lsc.sa.gov.au