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**From:** Pavleka Andrea <[andrea.pavleka@cdpp.gov.au](mailto:andrea.pavleka@cdpp.gov.au)>  
**Sent:** Friday, 20 September 2019 4:57 PM  
**To:** McNaughton Sarah <[Sarah.McNaughton@cdpp.gov.au](mailto:Sarah.McNaughton@cdpp.gov.au)>  
**Subject:** RE: Just a preliminary thought as to our response re the ACT issue [SEC=OFFICIAL]

## OFFICIAL

Yes, I think something along those lines could be good. Wasn't sure if we needed to formally withdraw the letter, or whether that sounded a bit like legalese.

Perhaps:

I refer to my previous letter. This office has since given the matter some further consideration. It is now apparent that the issues you raise are attended by legal complexities that we had not initially appreciated in formulating our response. On that basis, I have concluded that it would not be appropriate to provide a view on the proposed legislation. I apologise for any inconvenience caused.

I've had a quick look at their advice, and appreciate the point they are making.

I have to head off now, but will give it further thought on the weekend, and we can settle a position on Monday. Have a nice weekend.

Andrea

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**From:** McNaughton Sarah  
**Sent:** Friday, 20 September 2019 4:31 PM  
**To:** Pavleka Andrea <[andrea.pavleka@cdpp.gov.au](mailto:andrea.pavleka@cdpp.gov.au)>  
**Subject:** Just a preliminary thought as to our response re the ACT issue [SEC=OFFICIAL]

## OFFICIAL

Andrea – a potential approach:

We refer to our previous letter. We have since given the matter further consideration. It is now apparent that the issue is more legally controversial than we first appreciated, and on reflection we withdraw our previous letter. We decline to provide any definitive view at this stage. I apologise for any inconvenience caused.

Kind regards

Sarah

# CDPP

*Australia's Federal Prosecution Service*

**Sarah McNaughton SC**

Director

Commonwealth Director of Public Prosecutions

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22 September 2019

Mr Richard Glenn  
A/g Director-General  
Justice and Community Safety Directorate  
GPO Box 158  
CANBERRA CITY ACT 2601

Dear Mr Glenn

**Private Member's Bill – Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018 (ACT)**

I refer to my previous letter. This office has since given the matter some further consideration.

It is now apparent that the issues you raise are attended by legal complexities that we had not initially appreciated in formulating our response. On that basis, I have concluded that it would not be appropriate to provide a view on the proposed legislation.

I apologise for any inconvenience caused.

Yours sincerely,

Sarah McNaughton SC  
Commonwealth Director of Public Prosecutions