

The Criminalisation of New and Emerging Drugs

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ABSTRACT

The misuse of pharmaceuticals and ‘new and emerging drugs’ (NEDs), also referred to as legal highs, herbal highs, herbal ecstasy and synthetic cannabis, has recently caught the media and public’s attention. As a result, Australian parliaments have responded by attempting to once again address the ever-evolving drug industry. The Queensland parliamentary response is wide-reaching and includes amendments which pre-empt future developments in the illicit drug industry by prescribing existing drugs that are yet to come to the attention of the legislature, and yet to be developed ‘drug-like’ substances. This paper will critically analyse Queensland’s analogue provisions and compare them with the legislative responses of other jurisdictions.

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