

Leadership, management, social justice and ICT: The Duty of an educator to warn the youths of the dangers of Drug. Say No to Smoking, alcohol or any form of Drugs, Cannabis, synthetic, Cocaine, heroin, bhang भंग but what about medical Cannabis? (Defense 1) Too many pretend to need that drug to live a proper life. (Defense 2) What is that alleged defense of Planting? How is that plausible that so many drug suspects arrested at different times, locations, quantities and types of drug use the same defense? Is that defense admissible in a Court of justice from the mouths of drug suspects who spend their time searching fight with an educator, Civil servant like me who preach against drug to the youths or it is rather Criminal defamation under s 288 of Criminal Code ? Under the dangerous drugs (amended) Act 2022 ,an overview of the specific therapeutic conditions of the patients that have failed to respond to other conventional treatment who wish to be treated with Medical Cannabis namely (i) spasticity, associated with multiple sclerosis (ii) severe refractory epilepsy (iii) intractable nausea and vomiting, associated with chemotherapy (iv) severe intractable pain and after approval by the Medicinal Cannabis Committee. A Study across the Drug route Sodnac-QB-Market-Lalouise-Palma-Bambous-Flic en Flac-Riviere Noire-western regions and North of Mauritius along which huge amount of drug was seized

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ABSTRACT: *The paper addresses two issues pertaining to drug. Medical Cannabis and the alleged defense of planting evidence. (a) Too many pretend to need drug to live a proper life. (b) What is that alleged defense of Planting ? Under the dangerous drugs (amended) Act 2022 ,an overview of the specific therapeutic conditions of the patients that have failed to respond to other conventional treatment who wish to be treated with Medical Cannabis.*

KEYWORDS: *Drug, Medical Cannabis*

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I. INTRODUCTION

According to arrested drug suspects, they allege that supposedly someone has put drug in their house and Police arrested them with drug. Every suspect has the right for a fair trial and in a impartial court of justice. The question is whether that defense of planting evidence, admissible in a court of justice , from the mouths of drug suspects who spend their time searching fight with an educator, civil servant like me who preach against drug to the youths or is it rather Criminal defamation under section 288 of the Criminal Code. The other aspect of that

defense is that many drug suspects sue that defense. So how can that be plausible that so many drug suspects use that defense ?

There were arrested at different times, locations, quantities and types of drug and they use the same defense. It is an open debate. If there had been planting, what could be the motive of doing that ? It is not very clear these defenses. An Impartial court of justice will decide whether everyone has been planted or really one, or two or really everyone got planted or an inadmissible defense. The accused can also have the right for appeals to Supreme Courts and Privy Council.

My personal opinion as an (i) educator, civil servant (ii) who knows that milieu of drug dealers, criminals, police, courts, lawyers, educators, youths, politics very well (iii) as someone who neither smoke, nor consume alcohol never been into drugs, and (iv) who has been victim of the harassment, violence of these same people even before they even got arrested for drug, these drug suspects were searching problems with me even before, my opinion is that I do not believe in their defense of planting of evidence. At worse, it can reduce their sentence, or lower the charges but not enough to clear them completely. But I again say that it is an impartial court of justice who decides. **I have personally contacted the Mauritius Bar Association to inform them to ask their clients the drug suspects to keep their distances from me but they have not listened.** It tells you about their intentions and characters.

II. DISCUSSION

The other issue discussed in this paper is the Medical use of Cannabis. This also is a serious problem since too many pretend to need that drug to live a proper life, when their real illness is just addictions to drug. According to **THE DANGEROUS DRUGS (AMENDMENT) ACT 2022, Act No. 17 of 2022** that was amended to make provisions, inter alia, for the implementation of the recommendations of the Commission of Inquiry on Drug Trafficking (2018) Only an authorized patient, through authorized Medical Specialists can be treated by Medical Cannabis.

Under section 28 D Request for treatment with medicinal cannabis

If an authorized specialist, believes a patient needs to be treated with Medical Cannabis, the Authorised specialist will have to make a request to the Medicinal Cannabis Therapeutic Committee for a patient to be treated with medicinal cannabis. Where an authorized specialist assesses that a patient who suffers from specific therapeutic conditions requires treatment with medicinal cannabis, he shall make a request, in such form as may be prescribed, to the Medicinal Cannabis Therapeutic Committee of the regional hospital which is nearest to the place of residence of the patient. No authorised specialist shall make a request for himself to be treated with medicinal cannabis.

III. FINDINGS

Under this Act, “authorised specialist” means a specialist who –

(a) is registered as such under section 20 of the Medical Council Act; (b) has successfully completed a training course, as approved by the Ministry, on the therapeutic use of medicinal cannabis; and (c) is authorised, in writing, by the Ministry to make a request for, and to issue a prescription to, a patient to be treated with medicinal cannabis; “specific therapeutic conditions” – (a) means – (i) spasticity, associated with multiple sclerosis, that has failed to respond to conventional treatment; (ii) severe refractory epilepsy that has failed to respond to conventional anti-convulsant treatment; (iii) intractable nausea and vomiting, associated with chemotherapy, that has failed to respond to conventional anti-emetic treatment; or (iv) severe intractable pain that has failed to respond to conventional treatment; and (b) includes such other therapeutic conditions as may be authorised by the Medicinal Cannabis Therapeutic Committee based on therapeutic evidence.

Under section 28E. Approval or rejection of request

(1) The Medicinal Cannabis Therapeutic Committee shall, on receipt of a request made under section 28D, approve or reject the request. (2) Where, pursuant to a request made under section 28D, the Medicinal Cannabis Therapeutic Committee approves or rejects the request, it shall convey, in writing, its approval or rejection, as the case may be, to the authorised specialist.

28F. Prescription for treatment with medicinal cannabis

(1) On receipt of an approval under section 28E, the authorised specialist may issue a prescription, in such form as may be prescribed, to the patient to be treated with medicinal cannabis. (2) The treatment with medicinal cannabis may be prescribed for a renewable period not exceeding 3 months and on such other terms and conditions as the Medicinal Cannabis Therapeutic Committee may determine.

28G. Dispensing medicinal cannabis

(1) No medicinal cannabis shall be dispensed – (a) other than in a regional hospital; (b) other than by an authorised pharmacist; (c) other than to the authorised patient, unless a person acting on behalf of the patient is authorised

by the Medicinal Cannabis Therapeutic Committee; (d) more than once on a prescription for medicinal cannabis. (2) On receipt of a prescription for medicinal cannabis, an authorised pharmacist shall take such reasonable steps as may be necessary to ascertain that the Medicinal Cannabis Therapeutic Committee approved the request for medicinal cannabis. (3) An authorised pharmacist who dispenses medicinal cannabis on a prescription for medicinal cannabis shall – (a) at the time of dispensing, mark on the prescription the date on which it is dispensed; (b) keep the prescription on the premises where the medicinal cannabis prescribed has been dispensed; (c) deliver to the authorised patient for whose use the medicinal cannabis was supplied, or to the person acting on his behalf, a copy of the prescription bearing – (i) the date on which the prescription was dispensed; and (ii) the stamp of the hospital; (d) enter into the register of medicinal cannabis the details of the patient required under section 28H(2); and (e) forthwith notify the Consultant-in-Charge of the hospital for record purposes.

IV. CONCLUSION

I trust the courts to decide whether this defense of planting evidence is plausible that all these people have been planted and admissible in a court of justice. My opinion is that it is not enough to clear all these dozens of people who claim to have been planted. I also trust the Medical Sector of Mauritius to decide who really needs to be treated with medical cannabis and who do not.