



9 October 2017

**Re: Publication of interim decisions made pursuant to regulations 42ZCZN of the Therapeutic Goods Regulations 1990. Specifically the;**

- proposed amendments referred to the June 2018 meeting of the Advisory Committee on Medicines Scheduling (ACMS #24);
- proposed amendments referred to the June 2018 meeting of the Joint meeting of the Advisory Committees on Chemicals and Medicines Scheduling (Joint ACCS-ACMS #19); and;
- proposed amendment to include volatile alkyl nitrites in the Poisons Standard, thus moving these substances from Schedule 4 (Prescription Medicines) to Schedule 9 (Prohibited Substances).

Dear Secretary,

I have had the opportunity to examine the joint submission to this call for further submissions from the Australian Federation of AIDS Organisations and the National LGBTI Health Alliance on the proposed Amyl TGA ban. I write to endorse that submission. In addition to this, on behalf of the National Association of People with HIV (NAPWHA), I would add the following comments:

NAPWHA is Australia's peak non-government organisation representing community-based groups of people with HIV. Our vision is of a world where people with HIV live their lives to their full potential, in good health and free from discrimination. We are opposed to any legislation which threatens to add additional burdens—social, medical or legal—on this already marginalised group.

Marginalised community members require supportive environments to adopt protective behaviours, both for their own health and for that of their partners. Criminalisation of a niche behaviour with little associated health risk poses a danger far greater than the behaviour itself.

Criminalisation will send these behaviours underground and compromise health education incentives. This proposed amendment threatens Australia's public health investment in HIV prevention, testing and treatment and the broader safety of our community.

We reiterate the closing recommendation in the aforementioned submission:

The most appropriate way of managing uncertainty around alkyl nitrite use in the community is through health promotion activities and through healthcare professionals discussing use with individuals in medical consultations. This would be significantly more effective, from a cost and public health perspective, than a criminal justice response.

Yours faithfully,



Aaron Cogle  
Executive Director