

STATES OF JERSEY



BEDROCAN BV: POSSESSION FOR TREATMENT PURPOSES – PETITION

Lodged au Greffe on 16th July 2014
by Deputy M. Tadier of St. Brelade

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to request the Minister for Health and Social Services to issue a licence to Ms. Katie Le Texier for her to be professionally prescribed and supplied with Bedrocan BV products in accordance with the Minister's discretionary powers under the Misuse of Drugs (General Provisions) (Jersey) Order 2009;
- (b) to request the Minister for Health and Social Services to review procedures for persons in need of treatment who have exhausted all other treatment and management options available locally and in the UK and who are left without any further treatment while waiting for the Minister to exercise discretion to allow treatment with Cannabis Sativa within the provision safeguarded by the Misuse of Drugs (Jersey) Law 1978 so that the physical and mental impact of delays can be mitigated.

DEPUTY M. TADIER OF ST. BRELADE

REPORT

I was first contacted by Ms. Le Texier by e-mail on 8th May 2014. The subject line of the e-mail was titled 'A Plea for Help'. In the e-mail, she explained her very difficult circumstances – the severe suffering caused by her condition, fibromyalgia; the difficulty she has had in accessing effective treatment; the great expense of accessing treatment abroad; and finally, how she had now exhausted all treatment options available in the Island.

Ms. Le Texier has been in contact with the Minister for Health and Social Services repeatedly on the issue in order to be able to be prescribed a type of medication that she and her G.P. know would be effective, but with no joy. I will not quote from correspondence at this point, but suffice to say, Ms. Le Texier has felt very let down by the perceived lack of helpfulness from the Minister.

The amount of courage it has taken Ms. Le Texier to come forward and present a petition in her own name cannot be underestimated. Like most people, she values her privacy; however, if this is the only way to seek to progress the matter and seek remedy for her treatment, she is willing to do it.

I do hope that this and the related propositions don't actually need to be debated, but that the Minister will make the decision which she is able to do in her own right, for what is essentially a straightforward political decision, which will greatly assist the Petitioner.

Financial and manpower implications

There are no direct financial or manpower implications arising from the issuing of a licence to the Petitioner. There may be financial implications if Bedrocan BV medication is prescribed to patients who do not currently have it prescribed to them, but similarly there will be savings if they no longer need to take current medication.

PETITION

TO THE PRESIDENT AND MEMBERS OF THE STATES OF JERSEY

Name of person(s) or body responsible for this petition –

Katie Le Texier

These are the reasons for this petition –

The Petitioner is 29 years of age, and had been a busy young professional until 7 years ago when she became suddenly unwell. The Petitioner has been diagnosed with Fibromyalgia, is unable to work and has suffered constantly and severely. The Petitioner now relies entirely on her parents, with whom she lives, having lost completely her ability to live independently.

The symptoms of this condition include chronic widespread pain, migraines, incontinence, altered sensation and areas of complete numbness, extreme fatigue, muscle spasms, sleep problems and severe problems with mental processing which are typically described as ‘fibro-fog’, sensitivities to light, sound and temperature, and a low immune system. All of these symptoms have taken a large toll on the Petitioner’s quality of life and have had a large emotional impact.

The condition is incurable, and treatments for the Petitioner’s condition are aimed at reducing and managing individual symptoms, but are largely inconsistent in their benefits. This has caused a lengthy and expensive process of treatment, the Petitioner having funded much of this herself, including private specialists in Jersey and abroad following several refusals of various Health Department specialists to engage with referrals made by her G.P., and having no private health insurance cover during this time. For many years the Petitioner has taken medicines prescribed by consultants and her G.P. for the management of various symptoms including, but not limited to: Amitriptyline, Tramadol, B12 injections, various anti-inflammatory and pain relief drugs, Lyrica (Pregablin), and most recently, Valium for the reduction in heart rate which has increased due to the untreated pain that has caused the Petitioner to lose consciousness on several occasions. These medications have all proven ineffective at reducing pain and other symptoms sufficiently and the side-effects were intolerable, and her suffering is now ever more severe.

The Petitioner has struggled for many years to live with the symptoms that are inflicted upon her by this condition, and she has had a large amount of help and support from Steve Bougeard of Adult Mental Health in developing coping strategies; however, having exhausted all treatment options currently available, and with her condition still unmanaged and now no longer being treated by the health authorities in Jersey any further, she is left struggling to cope with such a poor quality of life and extreme levels of pain. The Petitioner has done much research relating to the latest treatments available globally for her condition, and has found that Cannabis Sativa is an extremely effective management tool for many sufferers worldwide. She has tried this herself and has found it has offered great relief for the pain and other symptoms, and even the complete reduction in incontinence caused by her condition; however, given that this is a known effective medicinal use and is prescribed for her condition throughout much of Europe, Canada and the U.S., she wishes to comply with the law

and obtain this legally within the provision safeguarded by Article 12(4) of the Misuse of Drugs (Jersey) Law 1978. From the research gathered, there is substantial evidence to suggest that in cases such as the Petitioner's where all other treatments have been ineffective and where Cannabis has proven effective, there is an underlying Clinical EndoCannabinoid Deficiency (CECD) which, when treated with Cannabis, markedly improves the overall condition.

Bedrocan BV are producers of various Cannabis Sativa products since 2003, manufactured both in the Netherlands and Canada on behalf of many Governments' Health Departments, and these products are available throughout Europe, Canada and many States in the U.S. These products are safely manufactured, of a standardised composition and labelled accordingly, with importation and exportation procedures already in place in order that they comply fully to international laws.

Katie Le Texier petitions the States of Jersey as follows –

The Minister for Health and Social Services is requested to issue a licence to the Petitioner for her to be professionally prescribed and supplied with Bedrocan BV products in accordance with the Minister's discretionary powers under Article 12(4) of the Misuse of Drugs (Jersey) Law 1978, as laid out both in this Petition and in the application that the Petitioner made on 14th April 2014, without further delay, for the special purpose of treating her condition which is unable to be treated in any other way, having exhausted all other treatments available.

Furthermore, the Minister is asked to assess what changes to procedures would be appropriate to avoid a future situation whereby a person such as the Petitioner, having exhausted all current treatment and management options available locally and in the UK, is left without any further treatment whatsoever during the time imposed by the Minister's delayed decision-making on an application for the treatment with Cannabis Sativa within the provision safeguarded by Article 12(4) of the Misuse of Drugs (Jersey) Law 1978 for use in cases such as that faced by the Petitioner, so that the physical and mental impact of delays of this type can be mitigated in the future.

Full name (please print)	Full postal address	Signature
Katie Le Texier	(address redacted)	(signed)

Number of signatures: 1