

Families and Friends for Drug Law Reform (ACT) Inc.

committed to preventing tragedy that arises from illicit drug use

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NEWSLETTER

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JULY Meeting

Thursday 28 July, 2005
at St Ninians Uniting Church
Cnr Mouat and Brigalow Sts
Lyneham

Meeting 7:30 pm

Speaker 8.00pm

John Paget, Director, the ACT Prison Project will be our guest speaker

refreshments to follow

Current Issues Forum

**Drug policy –
consequences and future directions**

When? Thursday, 4th August 2005 at 8pm

Where? North Belconnen Uniting Church (off Goldner Circuit, Melba; opposite Melba High School)

Stay after the presentation and join in a lively discussion of issues such as

- What can we do better?
- How is the current policy affecting young people?
- Would different policies reduce crime?
- What impact is there on help for individuals and the community?
- Would different drug policies better protect our children?

Come and hear a free public presentation by

Tina van Raay, Executive Director, Directions ACT, a drug referral and information centre that also provide detox and withdrawal facilities, education and a life skills programme for illicit drug users and their families.

Jess Taylor-Hatch, Project Officer, Drugs in the Family Project, Youth Coalition of the ACT, the peak youth affairs body in the ACT, representing the interests of those aged between 12 and 25.

Bill Bush, Families and Friends for Drug Law Reform and a member of the ACT Crime Prevention Committee. Bill will speak about drugs and crime and

Brian McConnell, President, Families and Friends for Drug Law Reform, a group committed to preventing tragedy from illicit drug use. Brian will suggest future directions for drug policies,

Editorial

Drug Action Week, organised by the Alcohol and Drugs Council of Australia (ADCA), was a mixed blessing. It provided an opportunity to raise issues about drugs and for many to learn about the issues. But it also left one with a feeling that there was still much to be accomplished.

The week was launched by Christopher Pyne, Parliamentary Secretary to the Minister for Health and Ageing, with wuch media in attendance.

Later that week the Australian National Council on Drugs (ANCD) launched the website of Good News Stories – stories from people who have overcome their dependence on drugs. Good news stories are always welcome and they must be told to provide hope to others. At centre stage of the launch were two women who had returned from ‘rock bottom’ and told their stories.

The Health Minister, Tony Abbott, launched the site amid a large contingent of media that left one temporarily blind from the camera flashes.

As the cameras flashed once more the minister made a very important announcement that he wanted a “drug free Australia”. I heard no plans on how that might be achieved. This was a 10 second grab for the media but fortunately it was not picked up. The ‘good news stories’ were reported instead.

Major Brian Watters made a last appearance as chairman of the ANCD – he resigned as chairman to take up a post as a member of the International Narcotics Control Board.

Members will of course know that I have not been impressed with Major Watters performance as chairman of the ANCD and I had written to the Prime Minister suggesting that he remove him from the position. I would like to think that the PM had finally found a way to move him to a position that could cause less harm, but I suspect it is more a reward for good and faithful service than the former.

FFDLR organised a debate on the Thursday which was chaired by the editor in chief of the Canberra Times and debated by the ANU Debating Society. The debaters acquitted themselves well and the audience of 80 – 90 people appreciated their lively and entertaining style.

The debate was decided by the audience by popular acclaim. Their decision was that “The prohibition of the recreational use of drugs is NOT based on good principles”.

At the end of the week FFDLR held a stall in Garema Place as part of an event organised by the ACT Alcohol and Drug Program. The day was cold and only a few people ventured out. Nevertheless FFDLR did attract some interest in its “Quick Quiz” – a list of four questions with multiple choice answers. Most people answered three of the four questions correctly but were surprised with the answer to the following question:

Q2 In 1951, two years before heroin was prohibited in Australia, Australia was using heroin at the rate of 5 1/4 kilos of heroin per million of population, mostly for medical purposes.

In 1999, 46 years after heroin was prohibited, Australia was using

- A. 2 kilos of heroin per million of population
- B. 335 kilos of heroin per million of population
- C. 30 kilos of heroin per million of population

The correct answer of course is "B"

One would have thought after the full week of information about drugs that the population would have been more informed. But if the article by Cardinal George Pell in the Sunday Telegraph of 10 July was any indication, one must conclude that many are as ill-informed as ever.

Cardinal Pell implied without any evidence that cannabis caused suicides when he said: *"The autopsies had discovered that every teenage suicide had traces of marijuana in their blood."* He trotted out that hoary old myth but with his own exaggerated spin *"..marijuana, sometimes 50 times more powerful now than [in] 1960"*

And not satisfied with that he dredged up the Swedish study that has repeatedly been shown to be wrong: *"A Swedish study showed that heavy cannabis users were six times more likely to develop schizophrenia"*

Despite the good work and tireless efforts of many, including ADCA both during Drug Action Week and at other times, there is still a much to do and there is no doubt we need to continue in our efforts.

Death of Sir Ronald Wilson

Members of Families and Friends for Drug Law Reform were saddened to learn recently of the death of Sir Ronald Wilson. He was a man who showed great compassion and great humility. We were fortunate to have him address the gathering at our remembrance ceremony "for those who lose their lives to illicit drugs" in Canberra on 13 November 2000.

Here is the address by Sir Ronald

We gather together today as those who know the pain and sorrow of premature bereavement - of the loss of loved ones before their time because of illicit drugs. We come to mourn, to share our stories, to find compassion and healing, but also to make a point.

The point is this: for many of you the sense of sorrow and loss that brings you here will be tinged with anger, anger because some of those in authority take the high moral ground and preach zero tolerance to drugs, thereby standing on the sidelines while too many young people are struck down. It surely is not beyond the wit of those entrusted with the political leadership of this country to tackle the causes of this tragic loss of life. Is there not a case for decriminalisation, for taking the profit out of drugs, making them available on a doctor's prescription and devoting the resources thereby saved from law enforcement into education and counselling. It is good that safe injecting rooms are being trialed in some parts of the country, but this is not enough.

We must not rest until drug addiction is seen and treated as a health issue, not, save for dealing with pushers, as a criminal one.

My background encourages me to see the issue as one of human rights. When society rushes to judgment without

seeking to understand, when it condemns out of hand, without looking for constructive solutions, there is a denial of basic human rights - the right to be treated as a person, a human being, with a right to life, with feelings, with needs, with an inherent dignity and worth, with families who love and care..

But while anger and advocacy may bring a degree of relief, more is needed to assuage the deep loss of a loved one.

Viktor Frankl was a Jew who spent time in a Nazi concentration camp. In his book MAN'S SEARCH FOR MEANING he tells of the girl he met in one of those camps. She knew she would die in a few days, yet she was surprisingly calm and even cheerful. She pointed out to him portion of a chestnut tree which you could just glimpse through the small window of the hut, saying, THIS TREE IS MY FRIEND. I could only see part of one branch from the window, but on that branch were two blossoms. "I OFTEN TALK TO IT" she said. I was startled. Was she delirious? Did she have hallucinations? Anxiously, I asked her if the tree replied. "OH YES", she replied. "What does it say?" I asked. Her answer came with quiet conviction.

"IT SAYS TO ME: I AM HERE. I AM HERE. I AM LIFE, ETERNAL LIFE.

May I suggest that this girl had made a discovery that is of basic importance to an understanding of life. That in the midst of death, there is life. That at the heart of the Universe, of the Creation, of personal experience, there are positive vibes that speak of life, of love, of hope and of faith, that speak of the springtime and new life that follows the winter of despair and death.. It is not only theologians who have testified that love is the fundamental law of life. Cicero was one of the most influential people of his day - a noted Roman statesman, jurist and philosopher. In 46 BC he said:

"We have a natural propensity to love our fellow human beings, and this after all is the foundation of all law."

I believe it is relevant today to share the experience gained through the national inquiry into the Stolen Generations. We listened to many heart-rending stories of pain and loss, of the sometimes brutal separation of vulnerable young children from their families and communities. I had never been exposed to such pain before. The remarkable thing was that, despite the trauma of telling their stories, the process was the beginning of healing. Often the storyteller would get up to go, the tears drying on the face, and they would say. "I feel better".

Today, the Journey of Healing for the Stolen Generations is producing many testimonies to the healing that comes from telling their story, from the comfort that comes from sharing in community, from sympathetic and supportive listeners, even from the word "Sorry" that reflects a committed, loving response.

Let me share Val's story with you. She was taken from her family at the age of 2, together with her eight brothers and sisters, in the 1940s. It was during the War and her father was away, serving in the 2nd AIF. She grew up in Cootamundra Girls Home. Twice her father tried to visit her, and was escorted away by police each time. They never met until he was on his deathbed.

When Val was 16 she was sent as a domestic servant to a family in rural NSW. There she was raped by the husband,

and fled in terror. The matron at Cootamundra reported to the Aborigines Welfare Board,

"I did not return Valerie to the family for fear her allegations may be true". The police opened an investigation, but soon closed it for "lack of evidence".

Last May, the National Sorry Day Committee invited all members of the Stolen Generations to walk with them across the Sydney Harbour Bridge. When she got the invitation, Val phoned to say that she could only do so if we removed the Journey of Healing banner. "After all I have been through, there is no possibility of healing for me" she said.

Anyway, she went on the Bridge walk, holding her own banner, reading "I am not a myth".

On the Bridge, she looked up at the word 'Sorry' written by the sky-writers in the sky. She looked at the thousands of people walking with her. "Tears began to pour down my cheeks", she said. "I know at last I'm not alone, and seeing the white Australians joining in with the Aboriginal Australians, I felt peace".

The story is only one of thousands, but it is a reminder that however deep the hurt, healing is still possible.

I speak like this because I believe your coming together to share in this remembrance ceremony is the kind of experience that brings healing in its train - the presence of love that is being shared, the loving memories that find fresh nourishment, the opportunity to share your stories of the life you loved and that is now removed a short space from you. Of course, you cannot cease to mourn the untimely loss of that life, but you may find comfort and even joy in celebrating the life that you knew, the shared moments of joy, of successes and surprises. That life is still a part of you, a part of your life, to be cherished lovingly in your heart with true thankfulness.

I pray that in gathering at this tree, you might take its message into your heart: I AM HERE. I AM HERE. I AM LIFE. ETERNAL LIFE.

Vale Sir Ronald.

REVEALED: HOW DRUGS WAR FAILED

[The original story broke in The Observer, UK, by Martin Bright, home affairs editor, on Sunday July 3, 2005, but this article contains much more detailed information. ed]

Alan Travis, home affairs editor, The Guardian, (UK), 05 Jul 2005

Low Seizure Rates Give Traffickers Vast Profits From UKP4bn a Year Business, Says Report Ministers Refuse to Publish

The profit margins for major traffickers of heroin into Britain are so high they outstrip luxury goods companies such as Louis Vuitton and Gucci, according to a study that Downing Street is refusing to publish under freedom of information legislation.

Only the first half of the strategy unit study led by the former director general of the BBC, Lord Birt, was released last Friday. The other half was withheld but has been leaked to the Guardian.

Article continues It says that the traffickers enjoy such high profits that seizure rates of 60-80% are needed to

have any serious impact on the flow of drugs into Britain but nothing greater than 20% has been achieved.

The study concludes that the estimated UK annual supply of heroin and cocaine could be transported into the country in five standard-sized shipping containers but has a value which at a conservative estimate tops UKP4bn.

The report was presented in its full form to Tony Blair in June 2003. Only 52 of its 105 pages were published on Friday night on the eve of the Live 8 concert, with a note saying the rest was being withheld under the Freedom of Information Act.

The government yesterday defended its decision not to publish the half of the report that delivers a scathing verdict on efforts to disrupt the drugs supply chain. The first 50 pages deal with drug consumption patterns and drug-related crime.

A Downing Street spokeswoman said the second half contained information supplied by law enforcement agencies dealing with security matters, it concerned the formulation of government policy and its publication would be prejudicial to the conduct of public affairs. But critics last night said much of the unpublished material was already in the public domain.

Among the data suppressed because it was supplied by an agency involved in security is a table on page 12 from the National Criminal Intelligence Service showing average street prices for various drugs. It estimates the average cost for a heavy user at UKP89 a week for cannabis and UKP525 for crack cocaine - information that is presumably at the fingertips of every hardcore drug abuser and dealer in the country.

Opposition politicians last night criticised the partial suppression of the Birt report on drugs, saying it was a stark example of the misuse of the Freedom of Information Act.

The Liberal Democrats' home affairs spokesman, Mark Oaten, called on the information commissioner to order full disclosure. "What this report shows and what the government is too paranoid to admit is that the 'war on drugs' is a disaster. We need an evidence-led debate about the way forward but if they withhold the evidence we can't have the debate."

Danny Kushlik of the Transform drugs policy foundation, which campaigns for legalisation, said the government was using the act to hide the parts of the report which demonstrated that, far from reducing production, trafficking and supply, prohibition spawned the business.

"The fact that part of the report was released late on Friday night, right before Live 8 and the G8 meeting, shows how intent the government is on 'burying bad news'. Fortunately, they won't get away with it."

The suppressed pages say that the drugs supply market into Britain is sophisticated and attempts to intervene have not resulted in sustainable disruption to the market at any level. "Government interventions against the drug business are a cost of business, rather than a substantive threat to the industry's viability," it concludes.

An economic model made for Downing Street shows that the profits per kilo for a major Afghan trafficker into Britain carry a profit margin as high as 58% - higher than Louis Vuitton's margin of 48% or Gucci's 30%.

"Because upstream UK suppliers enjoy high profits, they are more able to absorb the cost of interception. Thus upstream seizures may temporarily impact street availability but are unlikely to threaten the viability of any individual business."

Emphasising the inadequacy of seizure rates, the study says the result over the past 10 to 15 years has been that, "despite interventions at every point in the supply chain, cocaine and heroin consumption has been rising, prices falling and drugs have continued to reach users".

It concludes that even if the government succeeded in reducing the availability of drugs, that could backfire because the most addicted, "high harm" users might commit more crimes to fund the purchase of ever more expensive drugs.

The report says the annual cost of crimes committed by an estimated 280,000 high harm drug users to support their cocaine and heroin habits has reached UKP16bn a year - a figure which rises to UKP24bn if the costs to the nation's health and "social functioning harms" are included.

Only 20% of the 280,000 high harm drug users are receiving treatment or in prison at any one time. The report notes that those who are in treatment tend not to stay with it for long.

It says that more than 3 million people in the UK use illicit drugs every year and compares the 749 deaths annually from heroin and methadone with the 6,000 deaths from alcohol abuse and 100,000 from tobacco. It reveals that there are 674 hospital admissions on mental health grounds resulting from cannabis use, compared to 3,480 for heroin users.

The report says the drug supply business is large, highly flexible and very adaptable, and even if supply-side interventions were more effective it is not clear that the impact of the harm caused by serious drug users would be reduced.

It argues that targeting distributors and wholesalers does remove drugs before they hit the streets in small quantities but such operations are resource-intensive.

Equally, targeting street dealers helps reduce the social problems they cause but dealers are quickly replaced and only tiny quantities of drugs are removed from circulation.

The outlook for stopping drug production in developing countries is equally gloomy and embarrassing to the British government, which is leading attempts to curb heroin production in Afghanistan.

The report says a policy of compensated, forced eradication is very expensive and actually encourages further planting by farmers, while the alternative of a comprehensive set of development interventions is also expensive, takes time and might only displace cultivation to other countries.

The report was supposed to be phase one of Downing Street's reappraisal of official drugs policy.

In December 2003, phase two, titled Diagnoses and Recommendations and which also remains unpublished, was produced by Lord Birt. It ignored the reported ineffectiveness of the attempts to curb drug trafficking and recommended the compulsory treatment of arrested drug addicts. Powers to enable that are contained in the latest drugs legislation.

[The report can be found at:

<http://www.guardian.co.uk/drugs/Story/0,2763,1520250,00.html>]

Submission

Families & Friends for Drug Law Reform has made a submission to the inquiry by the Senate Legal & Constitutional Affairs Committee in proposed Commonwealth drug crimes legislation which would radically extend Commonwealth law across the country down to the level of possession offences. Documentation and other information on the Committee's inquiry is at http://www.aph.gov.au/senate/committee/legcon_ctte/drug_offences/index.htm. This includes the Families & Friends submission (no. 8). Its summary introduction is set out below:

1. Families and Friends for Drug Law Reform is grateful to the Committee for the opportunity to comment on the Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Bill 2005. This submission focuses on those aspects of the Bill that deal with drugs and in particular with those affecting drug users.
2. The Bill is misnamed. It is far from confined to serious drug offences by large-scale suppliers. It is a radical extension of Commonwealth legislative authority into the criminal law of drugs with potential application to every drug user in the country. Moreover, it does this in a heavy-handed way. Actions that in plain language would not be regarded as 'serious crimes' will be labelled as serious drug offences to which draconian penalties will apply.
3. The first part of the submission draws these conclusions from an analysis of the Bill. If the Commonwealth is intent upon legislating so broadly in the area of drugs it should separate out the penalties for those parts of the Bill that deal with drug users at the retail level from those parts that deal with commercially motivated drug crime further up the supply chain. The penalties concerning drug users at the retail level should be moderated.
4. The submission then examines the claim that the Bill will protect young people. It is a worry that legislation of potential application to the 2,510,100 Australians who are known to have used illicit drugs recently is founded on a principle of deterrence that admits to the objective of making "the life of the habitual user dangerous, arduous, frightening and expensive." Parents want their children protected from drugs but if they dabble in them they do not want them labelled as serious criminals who are made an example of in such callous ways.
5. The principal claim for the Bill is that it will "reduce the supply of illicit drugs". With regard to measures operating at higher levels of the distribution chain, the submission finds no good basis for this assertion. The heroin drought and other changes in drug supply and consumption patterns are examined in coming to this conclusion. With regard to the expected impact of the Bill at the retail level it is even clearer that the Bill will not reduce the supply.
6. Finally the submission queries the reasons for the introduction of wide-ranging Commonwealth drug law. If it is to operate concurrently with State and Territory law it needs to respect rather than undermine those aspects of existing law that are for the benefit of drug users and young people that may experiment in drugs.