



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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Next Meeting

Thursday, July 25th

at St Ninians Uniting Church,
Cnr Brigalow and Mouat Streets,
Lyneham
7.30pm

June Meeting

Thank you to Sally Pink and Bruce Munro from ACT Community Care Alcohol and Drug Program for their informative talk last month. It is great to see so much happening in the area of help and support for drug users and their families. But it is of concern that it is not always easy to recruit the necessary staff to run these programs – understandable because treating drug addiction is not always seen as an attractive career.

Law, Justice and Drugs Forum

This was organised by Families and Friends for Drug Law Reform and held during Drug Action Week on Friday 28th June. Around 60 people attended at the Theatre of the Canberra Museum and Gallery and listened attentively to the speakers – Richard Refshauge (Director of Public Prosecutions), David McDonald (Public Health and Criminology Researcher), John Murray (ACT Chief Police Officer) and Joost Dirkzwager (Counsellor, Royal Netherlands Embassy) who gave their views on Law, Justice and Drugs. Their talks were recorded and we hope to have them available soon.

Thank you to the speakers and to Kerrie Tucker (MLA) for chairing the forum and Bill Wood (MLA) for opening it.

Editorial

Background Briefing on “Law and Order in Australia”, ABC Radio National, 14/7/2002, featured Don Weatherburn and has many parallels with our cause.

Don Weatherburn is the director of the NSW Bureau of Crime Statistics and Research, one of the few organisations in Australia gathering and analysing data on crime and recommending better ways of dealing with crime based on sound evidence. In other words evidence based crime-fighting policies.

Background briefing featured Mr Weatherburn’s public lecture entitled “Does Australia have a law and order problem?” delivered at the University of New South Wales on the 21st of May, 2002. A transcript can be found at <http://www.abc.net.au/rn/talks/bbing/index/bbchronoidx.htm>.

Don Weatherburn commenced his talk with a parable about how there was pressure in WA to do something about car thefts. The response was for a tougher law and order approach and high-speed police chases one of which resulted in the death of a young pregnant woman and her child. The tough law and order approach did nothing to prevent car thefts, which, by the way, were already reducing when the first tougher measures were introduced.

We have our own parable: Prior to 1954 the UN, because of high medicinal use of heroin, pressured Australia to introduce prohibition laws to reduce the heroin use. The drug was used by the medical profession for pain relief and perhaps there was some non-prescription use, but this was

mainly by the medical profession and little street use was evident. In the ten years prior to 1954 there were no overdose deaths, drug squads were rare or only comprised a small portion of the police force, and the black market for this drug was non-existent.

Australia succumbed to the pressure and prohibited heroin. Now, almost 50 years later we have seen a growth in the black market, such that street sales prior to the heroin drought amounted to between \$2 - \$4 billion.

Since 1954 thousands of lives have been lost – in the period from 1997 to 2000 over 3,000 persons have died from heroin overdose.

Over those 48 years the prohibition laws have been strengthened and stronger penalties have been introduced and yet drug use has increased. Thus the laws have had no effect in reducing heroin use. They have in fact contributed to increasing drug use – just the opposite to what was in-



Richard Refshauge at the Law, Justice and Drugs Forum.

tended, and they have added some dangerous and nasty social side effects.

Despite all of this the wisdom of persisting with the same approach, it is not challenged by those in Australia responsible for those laws.

Weatherburn has this to say about the tougher law and order push:

The usual pattern in Australia is for Governments and Oppositions to try and outdo each other in showing how tough they are on crime. The trouble with these law and order auctions is not that getting tough with offenders doesn't work. Sometimes it does.

The problem is that the endless preoccupation with who is tougher distracts the public at large from important issues in crime control.

Amongst other things he says: "You can attack the motivation for property crime by getting more heroin-dependent offenders into methadone treatment." But he continues that many of the more prosaic options for crime control do not "excite the media, or the general public, because they aren't simple or dramatic, and they don't involve locking someone up we can all easily recognise as criminal."

Herein lies the problem – the media and the public are looking for the simple and dramatic solution and our task is made all the more difficult because of this. But it is not impossible. Our message for evidence based drug policies must be put in terms that the media and the public will understand.

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There were two more messages of particular interest in the Background Briefing program: 1) the parenting implications for crime reduction, and 2) assessment considerations of crime control options. The relevant transcript extracts are included below. While you are reading it consider the application of what Don Weatherburn says to our issue of illicit drugs.

1) the parenting implications for crime reduction

Don Weatherburn: You need to bear in mind that [targeting repeat offenders is] not going to work forever, and it didn't work forever in New South Wales. After about two years, the reduction in crime bottomed out, and then it slowly began to increase again. So you get some leverage from increasing the arrest rate if you target the right sorts of people, but it's not a magic wand, and nor is imprisonment.

Kirsten Garrett: So if you target repeat offenders in crime, there is a short-term effect but it will not by itself be a long-term solution.

Don Weatherburn: Yes, I wouldn't dismiss it. I mean if you're living in a neighbourhood which is beset with problems of break, enter and steal, or motor vehicle theft, you'd be grateful for some relief from that problem. So yes, it's something police ought to consider among the range of options they have. But no, targeting repeat offenders won't drive your crime rate down forever, and you're going to need some longer-term strategies as well.

Kirsten Garrett: Well of course the main ones there that you stressed, was teaching people to be better parents, so

that the children or the young adults as they grow up, have better things to do with their life.

Don Weatherburn: Well I think if I had to pick a Number 1 solution of importance in the longer term, it would be reducing the rate of child neglect and abuse. Particularly child neglect; abuse already gets a lot of attention, but we found in our studies that kids are actually more likely to get involved in crime if neglected, than if abused. There's certainly a stronger connection.

Kirsten Garrett: What do you mean by neglected?

Don Weatherburn: I mean things that range from simply having parents that don't care where they are, to parents who might care where they are, but don't form a close relationship with their children and reward them when they do the right thing, to parents who give an inconsistent, erratic or harsh discipline, or parents who don't inquire about their friends, or show any concern about who they're hanging about with. I mean the sorts of things that commonsense would tell you.

Kirsten Garrett: Any granny could tell you that.

Don Weatherburn: That's right. They're actually very important for keeping kids out of crime, or if you like, making sure that if they get involved in crime, they dip their toes in the water and pull them out pretty quickly.

Kirsten Garrett: And can that be taught at a later age? I mean a later age in the life of the family, or is that something where you have to go in on very early?

Don Weatherburn: It can be taught, and there are some programs which are very effective in teaching it. Often though, it's not a matter of ignorance on the part of the parents, so much as the external stresses they're under. If you take someone who may be a sole parent or in a relationship which is abusive, don't have a lot of income, have no friends or family available to support them, it's not that they don't know what's the right thing to do as a parent, often they're under such extreme stress or depression they find it hard to manage as a parent. And so while educative programs are important, family support is just as important, making it possible for people to function effectively as parents is important as well.

Kirsten Garrett: Can you give the listeners some examples of what you mean by family support? It's not really money.

Don Weatherburn: No, no, it's certainly not only money. Simple things: Putting them in touch with people who can provide emotional support to them, making sure they're not socially isolated, making sure that when for example they are struggling with children they're given simple tips on how to manage problems with kids who are engaging in temper tantrums. These sorts of programs have actually been tried in the United States very effectively. It's as simple as sending a home visitor in twice or three times a week in the first couple of years of a child's life and has been shown to halve the risk that the child will grow up and become a serious repeat offender. So they're effective programs.

2) assessment considerations of crime control options

Don Weatherburn: Governments ought to be guided in their assessment of crime control options by three considerations.

1. *Is there any evidentiary basis for the claim that this particular option will work? If not, is the Government properly evaluating it?*

2. *Are there any less expensive or more efficient ways of achieving the same outcome?*

3. *Does the option in question pose a greater threat to public health, civil rights or law and order than the crime problem to which it's directed?*

I don't imagine for a minute that adhering to these principles is easy or that if we commit ourselves to evidence-based policy, we'll get quick and immediate relief from crime.

Disease didn't disappear overnight when doctors gave up witchcraft and began practicing medicine based on research.

What we can do, though, is give ourselves a better chance of dealing with the crime problems that now beset us.

Given the seriousness of those problems, I don't think we can afford to pass up any opportunity for a more rational approach to law and order.

From the BBC website.

Wednesday, 10 July, 2002, 16:17 GMT 17:17 UK

Cannabis laws eased by Blunkett

Cannabis is to be reclassified as a less dangerous drug to free-up police resources to fight hard drugs such as heroin and cocaine, Home Secretary David Blunkett has announced. He unveiled the controversial measure in the House of Commons just hours after the government's former "drugs czar" Keith Hellawell said he had quit his role as a government adviser in protest. It came shortly after Tony Blair defended the move during prime minister's question time.

Mr Blunkett also announced that the controversial cannabis experiment, currently under way in London's Brixton, would be extended across London. The decision to reclassify cannabis was in response to a report by MPs arguing that drugs policy should focus on tackling the problems caused by heroin addicts.

The change will put cannabis on a par with anti-depressants and steroids. Possession of small amounts would no longer be considered an arrestable offence.

Mr Blunkett countered suggestions that he was going "soft on drugs" by saying police would retain the power to arrest marijuana users in certain "aggravated" cases, such as when the drug is smoked near children.

He raised the maximum sentence for dealers of class B and C drugs from five years to 14 years

An education campaign will be launched, targeted at young people and emphasising that "all drugs are harmful and class A drugs are killers". "There will be an increasing focus on class A drugs," the home secretary said.

"The message is clear - drugs are dangerous. We will educate, persuade and where necessary, direct young people away from their use. "We will not legalise or decriminalise any drugs, nor do we envisage a time when this will be appropriate."

Mr Blunkett placed heavy emphasis on the importance of drug treatment.

The committee recommended moving Ecstasy from class A to B, but Mr Blunkett rejected this, stressing: "It kills".

"I will seek to reclassify cannabis as a class C drug by July of next year."

"Cannabis possession remains a criminal offence. I am determined that the police are able to control the streets and uphold order," he said.

But shadow home secretary Oliver Letwin criticised the reclassification, warning that Mr Blunkett was handing control of cannabis to dealers. [Mr Letwin does not appear to understand that dealers already control cannabis distribution.Ed]. The idea proposed by Mr Blunkett was a "muddled, dangerous policy" and would lead to an "open season for drug peddlers", he said.

Roger Howard, chief executive of DrugScope, welcomed the measure but warned that the arrest powers in "aggravated" cases might "sow confusion in people's minds".

Mr Blunkett said the Association of Chief Police Officers would shortly issue national guidance that in the vast majority of cases "officers will confiscate the drugs and use warnings".

He stressed: "Police time saved will be refocused on class A drugs." The government signalled its intention to downgrade cannabis last October. Since then, the Advisory Council on the Misuse of Drugs, comprising medical experts, and the all-party select committee have both backed the idea.

On other drugs Mr Blunkett said he accepted that expansion of "managed" prescriptions for heroin users will be necessary. But he was not persuaded by the argument for "shooting galleries" - places where people take hard drugs in a safe environment.

"We will clamp down on the dealers who prey on the young," he said.

Earlier, former "drugs czar" Keith Hellawell said he handed in his notice in protest at plans to move cannabis to a lower category. He launched a stinging attack on the proposals, which he claims will damage communities and lead to more drug use. But the Home Office insisted Mr Hellawell supported the move when it was first floated last year. Mr Hellawell, meanwhile, says he had made his reservations known to Mr Blunkett at a meeting last autumn.

By Warren Hoge

<http://www.nytimes.com/2002/07/11/international/europe/1IBRIT.html?todayshadlines>

LONDON, July 10 - Britain, which has one of the highest rates of cannabis use in Europe, said today that it was relaxing its laws on marijuana smoking, keeping the practice theoretically illegal but making private use in discreet amounts no longer subject to arrest. The decision, announced by Home Secretary David Blunkett in the House of Commons, stirred criticism from the Conservative opposition and some Labor politicians and prompted the country's former antidrug chief to resign as a government adviser because, he said, Britain is "moving further toward decriminalization than any other country in the world."

Mr. Blunkett tempered his announcement, which takes effect next July and puts cannabis on a par with antidepres-

sants and steroids, by saying he would also raise the punishment for marijuana dealing and step up drug education and treatment for abusers.

An estimated five million people in Britain regularly use marijuana, and government data show that its use has risen sharply in the last 20 years. A study published last year on drug habits in the European Union showed that 20 to 25 percent of adults in Britain used marijuana - about the same rate as shown for Denmark, France, Ireland, the Netherlands and Spain.

The government action followed recommendations of a parliamentary committee in May, which said a new attitude of tolerance would give drug policy greater credibility among young people and help the police direct resources toward heroin and cocaine. Britain has the most drug-related deaths of any country in the European Union, with heroin cited as the principal cause.

The parliamentary committee also suggested reclassifying the drug Ecstasy, but Mr. Blunkett said he had rejected that advice.

Several other European countries have already relaxed their drug laws. The Netherlands has legalized marijuana *[note that this is not true and is incorrectly reported ...Ed]*, while Luxembourg has ended jail sentences for marijuana possession. Spain and Italy do not jail people caught with drugs meant for personal use. Last year Portugal eliminated jail time for possession of small amounts of any illegal drug.

Under the British reform, possession of marijuana would no longer be considered an arrestable offence. Though that will not take effect for a year, from now on any police action will be limited to issuing a warning and seizing the drug.

Mr. Blunkett countered suggestions that Britain was going "soft on drugs" by saying the police would retain the right to arrest users in cases like smoking outside schools or in the presence of children. The Home Office emphasized that any marijuana cafes where the drug was sold and used openly remained illegal and would be closed.

"It is critical that police can maintain public order," Mr. Blunkett said.

"Where cannabis possession is linked to aggravated behaviour that threatens public order, the police will retain the power of arrest."

Scotland Yard said it welcomed the reclassification of the drug combined with maintaining a discretionary police power to intervene. The drug spokesman for the Association of Chief Police Officers, Andy Hayman, said, "The retention of police power of arrest will enable the police to have greater flexibility in dealing with incidents on the street."

Mr. Blunkett insisted that today's move did not constitute legalizing marijuana. "All controlled drugs are harmful and will remain illegal," he said. "We must concentrate our efforts on the drugs that cause the most harm, while sending a credible message to young people."

But Keith Hellawell, Prime Minister Tony Blair's onetime antidrug chief, said the new policy "would virtually be decriminalization of cannabis, and this is, quite frankly, giving out the wrong message."

He coupled the announcement of his resignation from a government advisory post with a strong attack on the pol-

icy, saying it would damage communities and lead to more, not less, drug use.

"It's actually a technical adjustment which in the reality of the law doesn't make a great deal of difference," Mr. Hellawell said, "but it's being bandied about by people as a softening of the law." He said that there had been an increase in marijuana smoking among young people and that more people were seeking treatment for its effects. "Why on earth, when there are these problems, we change our message and give a softer message, I don't know," he said.

Mr. Hellawell, the former chief constable of West Yorkshire, was named the government's first antidrug coordinator by Mr. Blair in 1997, but last year he was sidelined by Mr. Blunkett from the \$160,000-a-year post and made a part-time adviser on the international drug trade.

The new police tolerance has been in effect on an experimental basis in two London neighborhoods, Lambeth and Brixton. The Conservative leader, Iain Duncan Smith, visited the Brixton project on Tuesday and told the Commons today that residents had told him it had led to rampant dealing on their streets. He said Mr. Blunkett's plan amounted to "handing over drugs policy to criminals on the street."

Oliver Letwin, the Conservatives' spokesman on law enforcement, complained that "the middle ground of calling it illegal, leaving it in the hands of dealers rather than in legitimate tobacconists or whatever, then turning a blind eye to it, is the worst of all worlds."

Kate Hoey, a Labor member of Parliament who represents one of the affected London areas, said the government could live to regret today's decision because of the increasing strength of marijuana being peddled on the street. "It is a very strong type of cannabis, it's genetically modified, it is not perhaps like people tried 20 years ago," she said, "and we have no idea of the long-term effects of constant hard smoking that some kids are doing now."

By Kevin Mckern ilanet

SA Drug Summit

This Summit took place during Drug Action Week 24-28 June.

Susie O'Brien writing for the Advertiser (28/6/2002 p 18) says "the State Government has stressed it does not want the Drug Summit to be a 'talkfest', but unless they are prepared to act on the recommendations which are produced, that's what it's going to end up being. As the week has progressed, it's becoming increasingly apparent that there may be a divergence between the Government's tough stand on law and order and the calls by delegates for greater support and compassion for drug users."

According to this article among other recommendations there has been recommendations for a scientific trial of heroin prescription for hard-core addicts and clean-needle programs in jails. Premier Mike Rann has already voiced his opposition to such recommendations.

Families and Friends for Drug Law Reform South Australian members are urged to write to the paper and visit their politicians on this issue. If you need help in ways of approaching this please phone us or look at our website.