

## NEWSLETTER



June 2013

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### NO MONTHLY MEETING IN JUNE

**Instead we invite you to FFDLR's Drug Action Week Forum to be held on 19 June, 12.30pm.**

**Topic:** "How many cones? How many pills? How many lines of coke? Estimating the size of Australia's market in illegal drugs and its potential for raising revenue under a regulated market"

**Speaker:** Dr John Jiggins

**Where:** Reception Room, ACT Legislative Assembly, London Cct, Canberra City

**HELP NEEDED:** If you can help by bringing cake, slice, fruit please let Marion know 62542961

### Editorial

#### Saving our children from drugs or just picking up the pieces?

The recent publication of the latest Illicit Drug Report 2011/12 by the Australian Crime Commission (ACC) should give some comfort to Australians. It boasts that in 2011/12 over 93,000 people were arrested for drug related offences and that 23.8 tonnes of illicit drugs were seized. These figures were "the highest reported in the last decade" according to John Lawler, Chief Executive Officer of the ACC. Members of Parliament throughout Australia were relaxed by these figures as too might families who are worried that their children could be caught up in drugs.

Acceptance of these figures on face value gives a warm cosy feeling that most of the drugs are stopped at the border and the dealers are being arrested. We parents can thus sleep comfortably knowing that all is well.

Or can we?

Well, not really. Even the authors of the report have their doubts as they reveal increased availability of analogues and novel substances, changes to drug supply routes and concealment methods, and constant presence of organised crime.

Clearly not all the drugs are seized at the border. Estimates of the size of the drug market vary but on average it could be 10 times the size of the drugs seized. Nor are all the dealers caught. Of the 93,000 arrests some 81% are of users ie those that only do harm to themselves but for whom the contact with the criminal justice system can do immense harm.

Other reports about illicit drug use and access (eg Illicit Drug Reporting System (IDRS) National Report 2012), state that drugs such as heroin, methamphetamine and cannabis are easy to very easy to obtain and that price is stable. The concept behind arrests and seizures is partly economic theory - reduced

supply raises the price thus reducing demand. But the arrests and seizures are not raising prices nor reducing demand, suggesting that supply is sufficient to meet demand even after all those arrests and seizures. 'Good' business men will always allow for 'losses in transit'.

If we only capture 1/10th of the drugs and we are targeting the users can we really say that we are saving our children from drugs?

Australia's drug policy, which operates under the prohibition umbrella, is one of a three pillar harm minimisation - reduce the supply, reduce the demand, but reduce the harm for those who use drugs. That strategy includes the needle and syringe program, medicated approaches for those addicted and counselling and rehabilitation services.

There has been no exploration of the root cause. I refer not to the individual reasons why people start using drugs because that is a treatise in itself. Rather I refer to the fundamental cause - prohibition - without which we would not have the Mr Big driven drug trade that supplies drugs of unknown quality and purity to all comers. And now most recently there is the emergence of synthetic cannabis which is proving to be more dangerous than cannabis itself.

There are many good examples of success throughout the world and even in small form in Australia. The supervised injection room in Kings Cross and the needle exchange programs are successful measures, albeit hard earned through acts of civil disobedience. Overseas there is the classic Swiss experiment of prescription heroin which has spread to a total of eight countries. The results are unequivocal: lives are saved, health is improved, polly-drug use is reduced, and what should interest all politicians and administrators crime and its costs are reduced significantly. Portugal's, Mexico's and even US states' experiments with decriminalisation should also be of interest. The dissatisfaction by South American countries of the current prohibition regime, the many reports from the UK asking for change and the different approach by the NZ government should all be of interest.

One critical issue is how to get sufficient numbers of citizens demanding of our governments a more evidenced and realistic approach to drug policy.

In this country there seems to be no interest by major political parties in moving out of its false comfort zone to even consider changes taking place across the world. The protection of our children from drugs thus remains paper thin, and until reality hits there is little that can be done except to pick up the pieces as best we can.

### Drug Action Week

See information in this Newsletter and visit the website:

<http://www.drugactionweek.org.au/>

## **White Revolver, Ash Inferno': Wide range of synthetic drugs banned**

Lisa Davies, SMH, 9/6/2013

NSW Fair Trading minister Anthony Roberts has banned a wide range of about 30 synthetic drugs including bath salts for the next 90 days, as he urged the federal government to make the bans permanent to protect consumers across the country.

The move follows recommendations from a parliamentary report released last month that the minister issue interim bans on synthetic drugs that "will or may cause injury to any person".

It also comes after the death of 17-year-old Henry Kwan last week, who jumped over his family's third-floor balcony after taking a tab of a drug that is marketed as mimicking the effects of LSD.

Mr Roberts said the safety bans apply to the sale and supply of a list of named synthetic drugs including White Revolver, Ash Inferno, Black Widow, Skunk, Kronik, K2, Vortex Inferno and Montana Madness.

But the interim bans also include any products that are "represented as such an equivalent".

Mr Roberts said the concept of "colourable variations of the name" has been added to the ban in order to deal with those circumstances where a person, in trade or commerce, seeks to circumvent the ban by making a minor alteration to the name of the banned goods - like "Kronic" to "Kronyc".

He also said that the interim ban had been specifically designed to negate the need for the testing of substances by listing banned products according to their known brand name rather than their chemical compounds.

While dozens of fair trading officers would this week be deployed across the state to enforce these bans, Mr Roberts said it was also imperative the community to consider that each time they are using the products they are putting their lives at risk.

"Fair Trading can't have an officer looking over the shoulder of every person in NSW who is thinking of consuming these products, nor can we be in every shop at once monitoring every internet site that might be selling them," he said.

"People will need to step up and realise that they are endangering themselves if they consume these products."

He said he would be writing to the federal government and seeking their support for the Australian Competition and Consumer Commission to make the bans permanent after the expiry of the 90 day ban - the limit by the NSW authority.

However, the ban is unlikely to curb use of the synthetic LSD drug that led to the death of Henry Kwan last week, as the drug is purchased only online.

Experts say the statewide retail ban could even push users towards more dangerous synthetic drugs available on the internet.

The head of emergency services at St Vincent's Hospital, Gordian Fulde, said he had noticed a significant increase in the number of people presenting with side effects from synthetic drugs over the past year, particularly among teenagers and those in their early 20s. And, he said, his peers at other hospitals had noticed similar increases.

"This is not just a boutique Kings Cross clubbing drug," he said.

"It's everywhere."

Fiona Patten, chief executive of the Eros Association, Australia's adult retail and entertainment association, said the ban would have a minimal effect as "most" synthetic drugs were bought over the internet.

She said the association would look at appealing the decision.

Monica Barratt, from the National Drug Research Institute at Curtin University, said while the ban would undoubtedly affect sales of some substances, it would be unlikely to reach the synthetic LSD taken by Kwan.

"And it may indeed drive other people towards this [drug], because they may have gone to the store and got something a lot more benign and now they are thinking about going to the [online drug marketplace] Silk Road," Dr Barratt said.

"It is going to be similar to the sorts of problems you get with Australian bricks and mortar stores not being able to compete with overseas websites," she said.

Mr Roberts said with new substances regularly appearing on the drug market, it was challenging for governments.

"But we are determined to do all we can," he said.

"Interim product safety bans are a step forward but we need the support of the Commonwealth in regard to products available around the country, over the internet and from overseas."

By listing products by brand name instead of chemical compounds, the ban aims to eliminate loopholes manufacturers have previously used to skirt bans by tweaking the make-up of their drugs.

NSW Fair Trading's assistant commissioner, Robert Vellar, said to prevent sellers from simply changing the name of their products, the ban notice would also encapsulate "like products".

## **FFDLR Media Release Prohibition of certain drugs leads to increase in drug varieties and more deaths**

"The death of a young man following the ingestion of a synthetic drug has drawn the same predictable response from police", said Brian McConnell, President of Families and Friends for Drug Law Reform.

The head of the NSW Drug Squad, Superintendent Nick Bingham following this tragic death said that a request was being made to the NSW government to have the substance put on the prohibited list.

"It is not that simple. We need some intelligent thinking on the whole effectiveness of prohibition", said Brian McConnell.

"We have already prohibited many drugs but people still get them. What is now worse is the number of synthetic drugs that are appearing. And young people are turning to these synthetics as substitutes for the prohibited ones".

There are now many more drugs on sale than the 234 banned by the 1961 and 1971 UN Conventions. Moves to ban new drugs simply inspire chemical innovation that sidesteps the law.

There are 700 websites in the EU alone selling these drugs and many dozens of others by post and it is probably not much different here in Australia.

We need a Drug Summit to discuss the whole issue of illegal drugs. Perhaps one outcome might be the one in the Netherlands

where there are pill-testing laboratories with professionals who test pills for impurities then give them back to the consumer with a calculation of their contents and contaminants. Apparently the knowledge that a user can have their drugs tested keeps Dutch dealers honest – and the drug supply chain purer than elsewhere in the EU.

“In the Netherlands, because of this scheme there is little interest in so called legal highs”.

Young people are being exposed to significant and avoidable risks. We can do better.

## The most embarrassing graph in American drug policy

By Harold Pollack, Published: May 29, 2013

When it comes to drugs, it’s all about prices.

The ability to raise prices is – at least is perceived to be – a critical function of drug control policy. Higher prices discourage young people from using. Higher prices encourage adult users to consume less, to quit sooner, or to seek treatment. (Though higher prices can bring short-term problems, too, as drug users turn to crime to finance their increasingly unaffordable habit.)

An enormous law enforcement effort seeks to raise prices at every point in the supply chain from farmers to end-users: Eradicating coca crops in source countries, hindering access to chemicals required for drug production, interdicting smuggling routes internationally and within our borders, street-level police actions against local dealers.

That’s why this may be the most embarrassing graph in the history of drug control policy. (I’m grateful to Peter Reuter, Jonathan Caulkins, and Sarah Chandler for their willingness to share this figure from their work.) Law enforcement strategies have utterly failed to even maintain street prices of the key illicit substances. Street drug prices in the below figure fell by roughly a factor of five between 1980 and 2008. Meanwhile the number of drug offenders locked up in our jails and prisons went from fewer than 42,000 in 1980 to a peak of 562,000 in 2007.

The second embarrassment may reflect policymakers desire to ask fewer questions that bring up the first. We have remarkably little evidence that the billions of dollars spent on supply-side interdiction have much impact. There’s surprisingly little demand in the policy community to collect such evidence, despite considerable investments at every level of American government.

In 2001, the National Academy of Sciences concluded: “Neither the data systems nor the research infrastructure needed to assess the effectiveness of drug control enforcement policies now

exists.” That remains true today, 12 years and hundreds of billions of dollars later.

That’s not to say enforcement has zero effect. The mere fact of a drug’s illegality massively increases its cost of production and distribution. To give one timely example, credible research suggests that the (untaxed) market price of cannabis might fall by as much as 80 percent if it could be legally produced at optimum scale as other agricultural commodities are.

But we have little reliable evidence that any particular change in the intensity of law enforcement exerts much influence on market prices. The few studies which examine this question fail to find much of a relationship between law enforcement intensity and illicit drug prices. A 2004 paper by Kuziemko and Levitt is one of the few rigorous analyses that found such a relationship. Examining a period when cocaine prices were actually plummeting, these authors estimated that a 15-fold increase in the number of incarcerated drug offenders raised street cocaine prices in the range of 5 percent to 15 percent, compared with what otherwise would have been the case. That’s not much.

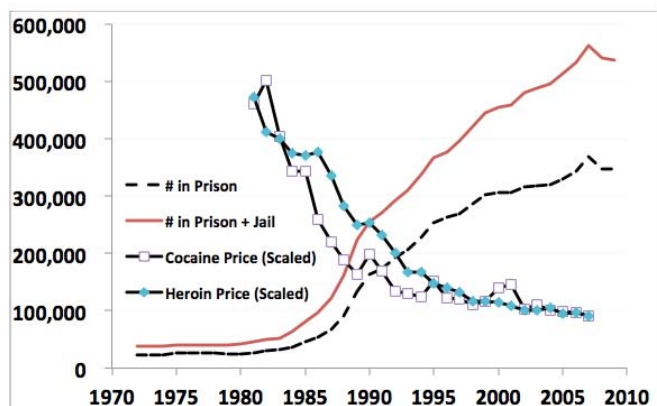
Is there hope? I think so. Drug policy has improved during the Obama years. The president and his key drug policy advisers have largely abandoned the harsh war-on-drugs rhetoric of previous administrations. The number of incarcerated drug offenders has declined for the first time in decades. On the demand side, health reform will greatly expand access to substance abuse treatment. Drug markets are less violent than they used to be, too, which creates greater political space for less punitive policies.

I’m especially heartened that conservative groups such as “Right on Crime” are asking anew whether we really need to incarcerate so many people, for such long periods, because they participated on the supply-side of the drug economy. There is interest, across the political spectrum, in violence-reduction policing strategies, such as those promoted by David Kennedy and Mark Kleiman, that offer more discriminating approaches to police illicit drug markets.

Americans across the spectrum are finally requesting more effective, more evidence-based drug control policies. Americans also are more likely to recognize the human faces of drug users, and even of drug sellers, too. That recognition, however overdue, is the foundation of improved public policies.

## Drug Action Week 16 - 22 June

Theme for this year is **Drugs Communities and Families.**



Events throughout Australia can be found on this website: <http://www.drugactionweek.org.au/>

### ACT Events Calendar

A variety of events including, information stands, breakfasts, BBQs, walks, alcohol free music event for young people, hepatitis awareness and education. Check the website for full details. Listed below are some key events.

ACT launch: The Launch of the ACT Drug Action Week 2013 will be held at the ACT Legislative Assembly on **13 June 2013** from 10am – 12:30pm.

**Wednesday 19 June:** Public forum: How many cones?... see page one of this newsletter. Cost free.

**Thursday 20 June:** Drug Policy Research Symposium, 10am - 4 pm, National Portrait Gallery. Contact Colleen Faes 9385 0186, [colleen.faes@unsw.edu.au](mailto:colleen.faes@unsw.edu.au). Registration necessary. Cost free.

**Friday 21 June:** 6th Annual ACT Alcohol Tobacco and Other Drugs Sector Conference, 8:45am - 5:00pm, National Portrait Gallery. Contact 6255 4070, email [conference@atoda.org.au](mailto:conference@atoda.org.au). Registration is essential. Cost \$80

## Latin America Will Push U.S. To Discuss New Drug War Strategies At OAS Meeting

By Sonia Perez Diaz, Huffington Post, 04/06/2013

**A**NTIGUA, Guatemala — Latin American countries frustrated by the United States' refusal to change its drug war strategy are pushing the U.S. government to look at alternatives to a fight that has killed tens of thousands in a region beset by drug cartels.

Guatemalan Foreign Relations Secretary Fernando Carrera said the subject of drugs will top the agenda at the Organization of American States' General Assembly, which began its three-day session in Antigua on Tuesday evening.

"We have already reached a consensus and agreed that our final declaration will include changes to the current anti-drug model," Carrera said. "We already have some ideas on how to change drug-fighting policies."

U.S. Secretary of State John Kerry and Assistant Secretary for the Bureau of International Narcotics and Law Enforcement Affairs William R. Brownfield were attending the meeting, which comes two weeks after the OAS released a report calling for a serious discussion on legalizing marijuana.

The OAS study doesn't make specific proposals and found there is "no significant support" among the OAS's 35 member states for legalizing cocaine, the illegal drug with the greatest impact on Latin America, or other harsher drugs.

The study was commissioned after some Latin American leaders called on President Barack Obama to rethink the war on drugs at last year's Summit of the Americas in Cartagena, Colombia.

It urges "assessing existing signals and trends that lean toward the decriminalization or legalization of the production, sale and use of marijuana. Sooner or later decisions in this area will need to be taken."

The Obama administration, however, believes it has already adopted a comprehensive counter-narcotics approach that melds cutting demand for drugs and treatment with law enforcement and interdiction of supply.

A senior U.S. official traveling with Kerry said the OAS would endorse that multi-pronged strategy and pointed out that there is no consensus either within the hemisphere or in individual countries on legalization.

This is true even in the United States, where several states have legalized marijuana, said the official, who was not authorized to preview Kerry's discussions publicly. The U.S. is open to discussing ideas, but will not as a federal government support decriminalization.

Human Rights Watch urged the OAS countries to explore legal

regulation as a way to help stem the violence of organized crime and drug traffickers inflicted on many Latin American countries. The international human rights group said that criminalizing personal drug use "undermine" basic human rights.

"The 'drug war' has taken a huge toll in the Americas, from the carnage of brutal drug trafficking organizations to the egregious abuses by security forces fighting them," the group's Americas director, Jose Miguel Vivanco, said in a statement. "Governments should find new policies to address the harm drug use causes, while curbing the violence and abuse that have plagued the current approach."

Dozens of human rights organizations from Canada to Argentina signed a letter Monday asking for leaders "to discuss and rethink the existing initiatives with a view to place human rights in the center of the debate."

Among those countries pushing for a dialogue on drugs in the Western Hemisphere are many who have been close allies of the United States' fight against drugs, including Colombia and Guatemala.

Colombian President Juan Manuel Santos was among those urging a discussion of legalization. He said that while his country extradites hundreds of alleged drug traffickers for trial in the U.S., criminals turn to other countries where law enforcement is weaker. Central America and Mexico in particular have been hit hard as traffickers shifted operations there.

President Otto Perez Molina of Guatemala, a hard-hit cocaine transit country along with neighboring Honduras, made headlines shortly after taking office last year when he proposed legalizing drugs.

"The message has been sent that the hemisphere wants to look at alternative approaches and wants the United States to be part of that discussion," said Cynthia Arnson, director of the Latin American program at the Washington-based Woodrow Wilson International Center for Scholars.

Arnson said Latin American leaders will use the meeting to spur a discussion that can be sustained as countries try to go forward with a new strategy.

"Latin American countries will mostly be looking for ways to diminish the violence and the negative effects on their societies and their economies posed by organized crime and they may increasingly diverge with the United States over what policies to adapt," she said.

While the OAS meeting promises to serve as a forum to begin discussing the legalization of marijuana, talking about harder drugs like cocaine, heroin and methamphetamines may be harder to bring to the table, Arnson said.

"It's one thing to say, 'Let's break the ice on talking about these issues,' and it's another thing to come forward with concrete proposals for dealing with harder drugs that many countries can sign on to, including the United States," she said.

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