



FAMILIES & FRIENDS FOR DRUG LAW REFORM

NOVEMBER NEWSLETTER 2018

Get behind fair treatment: fair go not criminalisation—Bill Bush

Our remembrance ceremony just past is the most moving, most important, most profound event of our year. It sums up what Families and Friends is all about. – putting an end to the deaths and suffering precipitated or aggravated by our counter-productive and stupid policy response to certain drugs.

This year 280 names were read out. That mere number still has power to astound. One first time attender told me she never realised that so many die (we could, of course, have added thousands more from around the country.)

This country is getting a lot of practice in apologising for misguided, harmful policies: the forgotten children dragged from their indigenous parents, allegedly orphaned children dispatched from post-war Britain across the world to endure abusive, unloving treatment in Australian orphanages, gays pursued as criminals for over 100 years, children traumatised for life by sexual abuse the existence of which was suppressed by trusted

institutions like churches. Australian governments and institutions have a lot to seek forgiveness for. The day will come when governments will be forced to apologise for the tragic consequences caused by drug prohibition laws.

One of the most off putting reactions I am greeted with when a stranger learns of my involvement in drug law reform is sympathy for the family loss they assume I have suffered. Now I give thanks that I am not in that position but what drives me and what drove Marion and Brian, who in 1995 kicked off our group, is a sense of deep grievance – of profound injustice. True, our annual remembrance ceremony has mourning and grief among its aims but it also serves as a rallying call to right a grave wrong without which all those deaths would most likely not have occurred.

The barrier that created the stigma and alienation, the attitude that begrudged providing less than half the treatment beds required,

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You are all invited to the

AGM and BBQ

Thursday

22nd November, 2018

6.00pm - BBQ

7.30pm - AGM

Yearly Treasurer's and President's reports will be presented as well as election of office bearers.

Venue: Marion's home (contact Marion for address
mccconnell@ffdlr.org.au or 61697678)

Meat and salad provided. Please bring a sweet and drink.

It would be great to have you join us even if you haven't attended other meetings. Your support would be most appreciated.



Lyn Stephens from Australia21 handing the report, *We all pay the price*, to ACT Attorney General, Gordon Ramsay and ACT Health Minister, Meegan Fitzharris at the ACT Assembly on 2nd November.

Get behind really fair treatment: fair go not criminalisation. A national apology is overdue - cont'd from page 1

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the fear of police intervention that interrupts treatment and precipitates vulnerable young human beings into the grinding maw's of the criminal justice system was the fact that our unjust laws made all those thousands of people criminals. We know and honour their worth, we remember their passing but to the law of the land they were all criminals undeserving of our sympathy. There's no fairness there.

This year Ann Finlay spoke about her young son Paul's struggle to overcome a dependency precipitated by powerful painkillers he was prescribed after suffering severe burns. Paul's experience represents the icy sharp ridge that drug users seek to climb in search of relief. Paul frantically applied to doctors for prescription medications. Others for exactly the same recognised medical condition of opiate dependency sought relief in an illicit opiate. Climbers who lose their footing plunge to their death from either side of that ridge but there is a difference: you fall on one side you are good person who has suffered a misfortune. You fall on the other and it's your own fault because you broke the law. But the difference between these different drug users is becoming more and more blurred. Patients who have become dependent on powerful pain killers have recourse to the illicit market when they are blocked from securing supplies through medical channels. This week [the Australian Institute of Health and Welfare commented](#) that:

More Australians have used *Pain-killers/analgesics and pharmaceutical opioids* for illicit or non-medical

purposes in their lifetime than have used *Heroin*. While the percentage of Australians who have used *Heroin* in their lifetime has decreased over time, the percentage reporting illicit or non-medical use of *Pain-killers/analgesics and pharmaceutical opioids* in their lifetime has increased over time.

And analgesics like the particularly potent fentanyl are used to cut drugs bought illicitly:

Fentanyl is more potent than heroin and has a greater potential to be lethal, meaning many users die before they can receive acute care

Who is good, who is bad and who has the capacity to change the policy that makes such a cruel, wrong distinction?

The NSW/ACT Synod of the Uniting Church proclaimed in April 2016 its support for the removal of criminal sanctions for the possession of small quantities of illicit drugs. It distinguished itself by becoming the first religious organisation in the world to do so. Subsequently Uniting, the welfare arm of the church, promoted this campaign under the slogan: #FairTreatment. "Fair" is the sting in the tail of that slogan. Any amount of treatment that can be disrupted by the criminal law coming down hard on a drug user is not "Fair". Decriminalisation is not an optional extra.

So let's get behind something like "really fair treatment", "fair go for us all" or "it's our turn now!". Come on, use your imagination. Start tweeting and posting on your Facebook page because, as the Australia 21 report just released expresses it: "We all pay the price." It's time to revolt against prohibition

that is tearing apart the social fabric of Australia. Enough!

Bill Bush

Australia21 Report Launched

This report, launched on 2nd November in three capital cities is an important contribution to the continued battle to get reform of our drug laws. Titled *We all pay the price: Our drug laws are tearing apart Australia's Social Fabric, as well as harming drug users and their families*.

More information and access to the report can be found at <http://australia21.org.au/product/we-all-pay-the-price/#.W-ojbOJoTcs>

We All Pay The Price explores the complex two-way interactions between the punitive approach to drug use and problems including poverty, social disadvantage, unemployment, homelessness, family violence, child protection interventions, mental illness, stigma, discrimination and suicide. It calls for the removal of criminal sanctions for consumption and a boost in funding for treatment, to reduce the health, social and economic costs of drug harms ultimately borne by all Australians.

*A happy and peaceful
Christmas Season to all
our members and
supporters*

Is Gladys Berejiklian more daring than she dares have us believe? - Bill Bush

In the October newsletter I had a go at the New South Wales Premier's summary dismissal of pill testing following the death of two young people at a music festival in Sydney. The panel she established to advise the government about keeping people safe at festivals was effectively told not to recommend pill testing so, predictably enough, with an election looming next year, it recommended a tough law and order approach with the creation of a new offence that means drug dealers will be held responsible for any deaths they cause.

For all that futile hairy chestedness, the New South Wales government included a surprising and welcome gesture to harm reduction, namely the trial of an expiation notice system for those caught with cannabis at music festivals. In the words of [her media release](#) the premier stated that: the NSW Government will also trial on-the-spot fines for people who are caught in possession of illegal drugs at music festivals, rather than issuing a court attendance notice."

This is a significant alleviation of the exposure of music festival patrons to the harmful rigours of the criminal law. I am obliged to Will Tregoning of Unharm for drawing this well camouflaged announcement to my attention. He tells me that it is the government's intention that people receiving an on the spot fine will not accrue a criminal record.

This step is not enough because it still implicitly treats young festival patrons as delinquents. Even so it must be acknowledged as a small but significant step forward.

The [report of the panel](#) that advised the government to

adopt this course is worth a read:

6.1 A proposal to issue on-the-spot fines for drug possession

Recommendation 6: Trial the use of Criminal Infringement Notices (on-the-spot fines) instead of Court Attendance Notices for drug possession offences at or in the vicinity of music festivals.

Strengthened penalties (**Recommendation 7**) need to target drug suppliers. Advice was received from stakeholders about festival attendees' behaviour in relation to police enforcement methods, including anecdotes of people hurriedly consuming drugs to avoid detection. Provision of on-the-spot fines for possession of prohibited drugs at music festivals provides for a harm reduction approach. This could be strengthened by exploring the feasibility of Police offering referral to individuals issued with on the spot fines to suitable NSW Health services. This would help young people who use substances to access treatment and harm reduction programs.

Under the Criminal Procedure Act, Police can already issue on-the-spot fines for selected offences, including: offensive language; offensive conduct; and continuation of intoxicated and disorderly behaviour following a move-on direction. The NSW Government also recently announced it would extend on-the-spot fines to low range drink driving first offences.

Currently, 'possession of prohibited drug' (small quantity) is a summary (low level) offence under the *Drug Misuse and Trafficking Act (DMTA)*. The penalty is \$2,200 (20 penalty units), imprisonment for two years, or both. However, according to BOCSAR, in 2017 there were 11,077 offences of possession of illicit drugs (principal offence). Of those, 6,005 (54%) were provided a fine; 2,539 were given a bond (without supervision); and 699 were given section 10s (no offence recorded).

The Panel is satisfied that the community would generally consider a trial for on-the-spot fines a reasonable sanction for illicit drug possession at music festivals. Police are similarly able to convey the seriousness of this offence. Examination of ticket prices for major music festivals shows that attendees are willing to pay, on average, over \$200 for an event. An on-the-spot fine together with high visibility policing at music festivals will continue to send a strong message to music festival attendees.

While we endeavour to reform prohibition drug laws the poppy crops in Afghanistan flourish. The 2017 poppy crop is more than four times that of 2002, the first full year of US intervention in Afghanistan and hundreds of innocent civilians have died in the process. Read more about how after 17 years of war and expenditure of \$8billion the illegal narcotics industry is thriving.
<https://www.strategic-culture.org/news/2018/11/08/the-drug-catastrophe-in-afghanistan.html>

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Families and Friends for Drug Law Reform began in March 1995 following the death by overdose of eight young people in Canberra. At the request of one father, Michael Moore, then Independent Member of the ACT Legislative Assembly, called a meeting to include families who had been affected. Forty people attended this first meeting which was the beginning of Families and Friends for Drug Law Reform. All in attendance believed that the drug laws were more the problem than the solution and called for change. They wanted laws and policies that caused less harm. They wanted addiction to be treated as a health and social issue not a law enforcement one. They believed that the huge profits made by the illegal trade made drugs more available to their kids. Their efforts continue today. If not already please consider becoming a member via the website ffdlr.org.au or sign in as a supporter.

Uniting's long walk for treatment

The final steps of the long walk from Dubbo to Parliament House in Sydney were taken on Friday 2nd November. The baton with more than 6,000 signatures collected along the way was handed to four politicians, Cate Faerhmann (Green Upper House), Alex Greenwich (Independent, MP), Shayne Mallard (Liberal, Upper House) and Jo Haylen (Labor MP). The Moderator of the Uniting Church Synod spoke and Marion from FFDLR was also amongst the invited speakers. An excerpt of her words are repeated here. Full talk can be found on FFDLR's website.

"Those affected have told their stories along the way so that a growing number may understand the injustice, the craziness, the harm that our drug laws cause.

... It is important and vital that we all continue to work together. This is not the end, this is the beginning of real change.

With all the blood, sweat and tears that you have put into this campaign and the very positive effects it has had, politicians must listen, they have no other option, the people have spoken. This is my plea to all the law making people in this country: you can stop the suffering, take away the criminal sanctions on personal use, treat people as you would like to be treated and stop the suffering. And if this isn't enough it will save you lots of money."



Bill Bush, President FFDLR, at the 23rd Annual Remembrance Ceremony, 29th October, 2018

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.—Margaret Mead

