

# Families and Friends for Drug Law Reform

*committed to preventing tragedy that arises from illicit drug use*

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## NEWSLETTER

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### NEXT Meeting

Thursday 28<sup>th</sup> October  
at 7.30pm

**Venue:** St Ninian's Uniting Church, cnr  
Mouat and Brigalow Sts, Lyneham.

**Speaker at 8pm:** Jason Morressey,  
Directions ACT

**Topic:** Drug & Alcohol Interventions  
are Mental Health Interventions

Everyone is welcome. We hope you will come along and  
hear Jason speak and join in discussion.

**Refreshments will follow**

### Editorial

#### Coming to you soon from the USA.

According to Wikipedia **eugenics** is the **biosocial movement** which advocates the use of practices aimed at improving the **genetic composition of a population**. It was widely popular in the early decades of the 20th century, but has fallen into disfavour after having become associated with **Nazi Germany** and with the discovery of **molecular evolution**. Since the **postwar** period, both the public and the scientific communities have associated eugenics with **Nazi** abuses, such as enforced **racial hygiene**, **human experimentation**, and the **extermination** of "undesired" population groups. However, developments in **genetic**, **genomic**, and **reproductive technologies** at the end of the 20th century have raised many new questions and concerns about the meaning of **eugenics** and its ethical and moral status in the modern era.

Sterilisation is included in this practice, one that, in 1897, the USA was the first to introduce. Since that time there has hardly been a country that has not sterilised certain classes of people. **Czechoslovakia** carried out a policy of sterilization of **Roma** women. Japanese governments promoted decreasing the number of people suffering mental retardation, disability, genetic disease and other conditions that led to inferiority in the Japanese gene pool. For China and India it was a family planning initiative. Sweden's use was meant primarily to prevent mental illness and disease where 27,000 people were forcibly or coerced to be sterilised between 1934 and 1976.

The practice ceased in most countries in the mid 1970s. Well almost!

Recently a report appeared in the newspaper of an US "charitable organization" which promotes the practice of

sterilisation of drug users, coercing them with a payment of \$US300. (See the following article.)

It is a practice that feeds on the prejudice and stigmatization against drug users. A practice that promotes all that is abusive of human rights now as it was in the last century. And a practice that any person in the grips of addiction looking to fund their next hit could hardly resist.

It is coming to Australia soon. We went all the way with the USA with prohibition, the basic cause of the problem. Will we have the strength of character to resist this one.

### Charity 'preys on weak, addicted'

*Adam Carey, The Age, October 20, 2010*

THE founder of an American charity that pays drug and alcohol-dependent people to be sterilised says that she will bring her radical methods to Australia as local drug and alcohol services accuse her of exploiting highly vulnerable people.

"We have had so much interest from Australia, people offering to help out and even raise money. Looks like we'll be in Australia very, very soon," Barbara Harris, the founder of North Carolina-based Project Prevention, told *The Age*.

The charity has already paid about 3500 drug and alcohol-addicted people in the US \$US300 to undergo sterilisation treatment. This week it paid an addict in Britain £200 to have a vasectomy. The 38-year-old had reportedly been involved with drugs since the age of 11 or 12 and was "spurred" to have the operation by the offer of payment.

"Our goal is to prevent unwanted pregnancies for drug addicts and alcoholics. Too often the children will be aborted, stillborn, die after birth or end up in foster care," Ms Harris said. "This is a tragedy that is preventable, and we are working around the clock locating addicts and offering them \$300 to be responsible."

But the director of local alcohol and drug treatment centre Turning Point, Professor Dan Lubman, said the charity was preying upon desperate people and feeding the stigma that all drug and alcohol-dependent people are irresponsible.

"It's exploitation of a very vulnerable population with significant health needs," Professor Lubman said.

"The perception in the community that people who suffer drug and alcohol problems are somehow morally irresponsible and are a danger to themselves or their family members is grossly unfair and untrue, and initiatives like this play into that stigma, moralising about a population that has considerable health needs."

Professor Lubman queried whether a person in such a vulnerable position could truly give informed consent about such a life-changing operation.

"There are huge ethical ramifications," he said.

"If someone is really desperate and in a state where they need treatment and not making good decisions, how can someone promote the idea of such a life-changing procedure?"

Project Prevention offers drug or alcohol-dependent people one-off payments for vasectomies or tubal ligation, and three \$US100 payments over a year for inserting an IUD or the contraceptive Implanon.

Ms Harris recently told the BBC's *Inside Out* program she founded Project Prevention in anger after adopting four children from the same drug-dependent mother. She has 10 children of her own, including the four she and her husband adopted.

## Prohibition of cannabis

*Professor Robin Room, Editorial, British Medical Journal, 7 Oct 2010*

### Is not achieving its aims in the US, and may even worsen outcomes

A new report, *Tools for Debate: US Federal Government Data on Cannabis Prohibition*, focuses on the effects of the enforcement of drug prohibition in recent decades in the United States. It shows that efforts to suppress the selling and use of cannabis increased substantially. Adjusting for inflation, the US federal antidrug budget increased from about \$1.5bn (£0.95bn; €1.1bn) in 1981 to more than \$18bn in 2002. Between 1990 and 2006, annual cannabis related arrests increased from fewer than 350,000 to more than 800,000 and annual seizures of cannabis from less than 500,000 lb (226,798 kg) to more than 2,500,000 lb. In the same period the availability of illicit cannabis and the number of users rose: the retail price of cannabis decreased by more than half, the potency increased, and the proportion of users who were young adults went up from about 25% to more than 30%. Intensified enforcement of cannabis prohibition thus did not have the intended effects.

The report then turns to "unintended consequences" of prohibition, arguing that both in the US and in countries supplying the markets of affluent countries, drug prohibition contributed to increased rates of violence because enforcement made the illicit market a richer prize for criminal groups to fight over. The report concludes with a brief discussion of the alternatives to prohibition — decriminalisation and legalisation — arguing that experience with regulation of alcohol and tobacco offers many lessons on how a regulated market in cannabis might best be organised.

The report's conclusions on the ineffectiveness in the US of "supply control" (the conventional term for enforcement of drug prohibition) are in line with reviews of the evidence from a global perspective. *Tools for Debate* joins a bookshelf of reports from the past half century describing perverse effects of drug prohibition and charting ways out of the maze. So far, no government has dared to follow the thread all the way. Now, with the proposition of setting up a legal regulatory system on the California ballot in November,<sup>4</sup> the international drug prohibition system may find itself facing a non-violent popular revolution. Half a

century after the present international system was consolidated by the 1961 Single Convention on Narcotic Drugs, the drug prohibition wave may finally be ebbing.

There is a precedent. A wave of alcohol prohibition swept over the international scene a century ago, with 11 countries adopting prohibition between 1914 and 1920. Eventually the wave receded, with US repeal in 1933 marking the end of alcohol prohibition at the national level. Prohibition was replaced by restrictive regulatory regimes, which restrained alcohol consumption and problems related to alcohol until these constraints were eroded by the neoliberal free market ideologies of recent decades.

Because the international drug prohibition movement was originally an offshoot of the movement to prohibit alcohol, a detailed examination of the experience with alcohol is particularly relevant. The RAND modelling of the effects of legalising marijuana in California projects an increase in consumption, probably a substantial one, but experience with the repeal of alcohol prohibition shows that with substantial state regulation, consumption can be constrained. However, the alcohol control regimes of that time were far more restrictive than they are now in the United Kingdom and in many English speaking jurisdictions.

Analysis shows that these strong alcohol regulatory systems limited the harms from drinking in the period before about 1960, but the lessons have not been applied to regulating cannabis or other drugs. In some places, state control instruments — such as licensing regimes, inspectors, and sales outlets run by the government — are still in place for alcohol and these could be extended to cover cannabis. For instance, state retail monopolies for off sale of alcohol in Canada (except Alberta), the Nordic countries (except Denmark), and several US states would provide workable and well controlled retail outlets for cannabis, as has been proposed in Oregon.

The US has a particular hurdle with respect to regulating cannabis: US court decisions on "commercial free speech" question restrictions on advertising and promotion of a legal product. Barriers also exist at an international level. Psychoactive substances such as cannabis (and alcohol and tobacco) should be exempted from World Trade Organization free trade provisions. The requirements in the drug control treaties for criminalisation of non-medical production and use need to be neutralised, at least with respect to domestic markets. For countries following this thread, adopting a new framework convention on cannabis control could allow a regulated legal domestic market, while

keeping in place international market controls as a matter of comity (whereby jurisdictions recognise and support each other's internal laws).

The evidence from *Tools for Debate* is not only that the prohibition system is not achieving its aims, but that more efforts in the same direction only worsen the results. The challenge for researchers and policy analysts now is to flesh out the details of effective regulatory regimes, as was done at the brink of repeal of US alcohol prohibition.

### **A note for your diary**

Families and Friends for Drug Law Reform's Annual General Meeting (AGM) will be held on Thursday 25 November 2010 at the McConnell's home.

The evening will be a BBQ followed by the AGM. All members are invited and welcome.

More details next Newsletter

*Robin Room professor, School of Population Health, University of Melbourne; Centre for Social Research on Alcohol and Drugs, Stockholm University; and AER Centre for Alcohol Policy Research, Turning Point Alcohol and Drug Centre, Fitzroy, VIC 3065, Australia*

## **Customs bust nets \$160m of cocaine and known criminals**

*Dylan Welch National Security Correspondent, Sydney Morning Herald, 15 Oct, 2010*

A SUSPECTED murderer, an alleged drug dealer and the brother of a jury tamperer are among men arrested over one of Australia's biggest cocaine busts.

Describing the seizure as a "major strike against organised crime", federal police and customs raided a yacht docked at a marina north of Brisbane and found more than 600 blocks of cocaine, believed to have been sailed to Australia from South America.

The 464 kilograms of cocaine worth more than \$160 million is Australia's third-largest cocaine seizure.

It is also the second significant cocaine seizure in the past four months, following the bust in June of a local franchise of Mexico's bloody Sinaloa cocaine cartel. During that operation, NSW police and the NSW Crime Commission seized 240 kilograms of high-purity cocaine.

This week's raids are the result of a federal police and customs investigation dubbed Operation Collage, which was formed after a tip-off from the US Drug Enforcement Agency.

Officers also searched 12 other locations in Queensland and NSW, uncovering a drug lab in Eden.

Two men were charged with the importation and a third man was charged with possession of an illicit substance.

The Herald can reveal the three men are well-known Sydney criminals who have been investigated by state and federal crime agencies.

One is the brother of a convicted drug dealer who was once accused of trying to bribe a juror in his drugs case with \$20,000. Another has spent the past three years pursued by police over the mysterious death of his friend, a yacht skipper, during a sailing trip. .

A coronial inquiry was terminated in November, when the coroner declared she was considering referring the matter to the NSW Director of Public Prosecutions for criminal charges.

Yesterday the Home Affairs Minister, Brendan O'Connor, congratulated the agencies for the arrests and seizure.

"Organised criminals and drug traffickers should be aware that Australian law enforcement agencies are working together and working with our international partners to achieve results like today," he said.

The two largest Australian cocaine seizures are a 502-kilogram haul off Broken Bay in 2000 and a 938-kilogram haul on a boat in Western Australia in 2001.

An annual drug users survey has showed cocaine use is at its highest level since the survey began in 2003. The number of regular ecstasy users who also use cocaine had doubled.

## **Sydney blizzard: cocaine use on the rise**

*ALEXANDRA SMITH, The Canberra Times, 13 Oct, 2010*

Cocaine possession and overdoses are now at a 15-year high in Sydney's CBD and eastern suburbs, latest figures reveal.

The number of arrests for narcotics use and possession and the number of opioid overdoses has doubled since 2006 but the major shift in drug use is in cocaine, with arrests for possession at an all time high.

The NSW Bureau of Crime Statistics and Research examined trends in arrests for narcotics and cocaine possession and overdoses between 1999 and 2009 and found a steep increase in the use of cocaine, especially in pubs and clubs and homes.

Cocaine is most prevalent in the CBD and the eastern suburbs, while the possession of narcotics is more common in the Fairfield and Liverpool local government areas, the figures show.

While the number of arrests for narcotics has soared in the past three years, the levels are still much lower than the heroin drought in 2000 and offenders tend to be men aged 20 to 39, with most having a prior conviction.

It is a different story for cocaine users with less than half of those charged having a criminal record.

## **High with a lot of help from your friends**

*Michael Duffy, Sydney Morning Herald, September 26, 2010*

About 70 per cent of illicit drug buys are from friends and acquaintances.

THE most common person Australians buy illicit drugs from is not a drug dealer but a friend or good acquaintance. And the most common place drugs are bought is not a street or a club, but a lounge room.

Roger Nicholas at the National Drug Law Enforcement Research Fund found that while huge profits are made at the top of the drug chain, at the bottom "the markets for illicit drugs are to a significant extent friendship-based ... motivated by a desire to amass social capital rather than financial capital".

Indeed, it is "a common practice to give and receive gifts of illicit drugs [especially cocaine]. This is perhaps akin to the practice of bringing a bottle of alcohol when invited to a friend's house for a meal." The National Drug Strategy Household Survey found about 70per cent of illicit drug buys had been made from friends or acquaintances, with the exception of heroin, for which the proportion was less than 36 per cent. Most of these transactions occur in homes, and those engaged in them have no (other) criminal connections, and many do not consider themselves to be involved in illegal activity.

This behaviour reflects the growing importance of Generation Y's friendships and it raises enormous problems for police trying to stop drug sales.

## Key finding from two significant reports

Two significant reports were released this month. These were the IDRS (Illicit Drug Reporting System) and the EDRS (Ecstasy and Related Drug Reporting System).

Noting that these are surveys with all the caveats that apply to surveys, they do give indications of trends and it is worthwhile taking note of their findings.

### **IDRS Oct 2010**

#### Key findings

- Heroin remained the most commonly reported drug of choice for participants.
- The recent use and frequency of heroin remained stable.
- Price remained stable. The availability of heroin was 'very easy' or 'easy' and purity 'low' or 'medium'.
- Nationally, the recent use and frequency of use among users of 'any form' of methamphetamine was lower in 2010.
- Methamphetamine price varied by jurisdiction. All forms were considered 'easy' or 'very easy' to obtain. Ice/crystal was reported as 'high' in purity, while speed was 'low' and base 'medium'.
- Recent use of cocaine remained low. NSW remained the only jurisdiction where sizeable numbers of participants reported recent cocaine use.
- Cocaine price remained stable. Availability was reported as either 'easy' or 'difficult' and purity as 'medium' or 'high'.
- The use of cannabis by participants remained common and frequency of use among users remained high, usually daily.
- Hydroponic cannabis dominated the market. Price per gram varied by type. Hydroponic cannabis potency was 'high'.
- Extra-medical use and injection of pharmaceutical preparations continued to occur.
- Borrowing of needles was reported by one in ten participants in the month preceding interview. Sharing of injecting equipment was common. Over half of the participants re-used their own needles in the last month.
- Nearly half of the national sample self-reported a mental health problem in the last six months. The most common problem reported was depression.
- Over one-third of the national sample reported a criminal activity in the last month. Thirty-nine percent had been arrested in the last year.

### **EDRS Oct 2010**

#### Key findings

- Ecstasy remains the primary drug of choice (38%), however ecstasy has continued to decline in preference since 2005.
- Average ecstasy use was fortnightly.
- Significantly more participants in 2010 reported access to ecstasy as being 'difficult' to 'very difficult' to obtain and purity as 'low' compared with 2009.

- All forms of methamphetamine remained at similarly low levels of use in terms of prevalence and frequency compared to 2009.
- Recent cocaine use has steadily increased since monitoring began in 2003 and is currently at the highest prevalence reported to date (48%).
- In 2010, the EDRS actively monitored the prevalence of ephedrine capsules and powder. Nationally, 16% of participants had consumed the drug in the preceding six months prior to interview. The majority of use had occurred in TAS and VIC. Frequency of use was intermittent (median days 3) and the main route of administration was oral and nasal ingestion.

## 15<sup>th</sup> Annual Remembrance Ceremony – Canberra

A beautiful blue sky and sunny day welcomed those 80 or more people attending the 15<sup>th</sup> Annual Remembrance ceremony 'for those who lose their life to illicit drugs' in Weston Park, Canberra on 18<sup>th</sup> October. Spring must be late this year as the tree, although displaying new life greenery had not yet produced its fragrant blossoms.

Josephine Wade from Melbourne spoke about the loss of her daughter and the effects this had on her and her family. Rev Rex Graham spoke of the way in which the death of a drug user is unfairly portrayed by many in our society. He also spoke about the long haul needed if social policy is to be changed using the ten year trial of the Medically Supervised Injecting Centre in Sydney as an example. Amanda Bresnan, ACT Greens member of the Legislative Assembly showed her support for the families and spoke of the recent discussion paper put out by the Greens on needle syringe programs in prison.

Over 200 names were on the remembrance list to be read out, 10 of whom had died in 2010.

The fitting music was given by the Cashews, two young musicians singing and playing guitar and piano accordion.

From many comments it would appear that those who attended appreciate the opportunity to remember their loved ones amongst friends and in such a pleasant setting. However it was disappointing that this year there was little media interest and no politicians except Amanda attended the ceremony.

We acknowledge in this newsletter the help and support given by Directions ACT, CAHMA and Stasia.

## Ethan Nadlemann to visit Australia

Ethan Nadlemann is the founder and Executive Director of the Drug Policy Alliance, the leading organization in the United States promoting alternatives to the war on drugs.

Nadlemann will be in Australia in November this year. His complete timetable of events is not yet known but will be provided by email to members when available.

**He will be appearing at the Press Club in Canberra on 23 November which may be broadcast on the ABC.**

In Brisbane, there is a dinner event on 1 December at the SHIP INN, Cnr Stanley & Sidon Streets. Southbank Parklands, from 6pm (starts 6.30 & early finish). Contact Bill Rutkinph 041871 8586 Bookings and prepayment essential. Limited places.