

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

committed to preventing tragedy that arises from illicit drug use

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NEWSLETTER

October 09

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NEXT Meeting

Thursday 22nd October
at 7.30pm

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

Refreshments will follow

NOTE: The November meeting will be the
Annual General Meeting with presentation of
annual reports and election of office bearers.

PUBLIC MEETING

Monday 26th October, 5.30pm

in the Reception Room, Legislative Assembly,
Civic Square, London Circuit, Canberra.

SPEAKER: **Norm Stamper**, former head of
the Seattle Police Department

TOPIC: The inhumane and unjust War
against Drugs

See enclosed leaflet for more details

Remembrance Ceremonies

Remembrance ceremonies will be held
during October at the following locations:



ACT

Families and Friends for Drug Law Reform's
14th Annual Remembrance Ceremony to
'those who lose their lives to illicit drugs' will be held
on **Monday 19 October 2009** at 12:30 at Weston Park,
Yarralumla, ACT at the memorial site. Speakers will
include Rev'd Graham Long, Pastor at the Wayside
Chapel at Kings Cross, Katy Gallagher, Deputy Chief
Minister and Minister for Health in the ACT Assembly
and Deb Wybron. A light lunch will be provided
following the ceremony. If you would like a loved one
remembered at the ceremony please phone Marion or
Brian on 62542961. Bring a flower to place at the
memorial, an umbrella if it is raining and a chair.

Newcastle

Service of Remembrance in Newcastle for those who
have suffered the loss of a loved one through drug use
will be held in Christ Church Cathedral, Church St,
Newcastle on **Saturday, 24th October, 2009**, at 4.30pm
Supper will be provided after the service. All Welcome.

For more information ring: 0401305522

Sydney

Family Drug Support will hold a Remembrance
Ceremony for those who have lost their life to illicit

drugs on **Saturday 24th October** at 6pm at Ashfield
Uniting Church, Liverpool St, Ashfield.

Enquiries: 4782 9222

Editorial

This is a time when the world promises change.

The USA has changed its president from one who started
two wars and threatened a third.

The new president, Obama, has a more balanced view of
the world. He is unraveling the war on drugs rhetoric,
supports the need for a needle and syringe program and
has allowed Mexico's decriminalisation of cannabis to
go through to the keeper. The Nobel Peace Prize
Committee sees his potential, in its words, for his "great
deeds to come".

No doubt there will be pressure on him from
organisations like LEAP (Law Enforcement Against
Prohibition) – a 30,000 strong organisation of police,
judges, lawyers and the like who have seen first hand the
injustice of the drug wars. That pressure will be to do
more than just change the rhetoric but to take action.

With the current touring visit to all capital cities here in
Australia by Norm Stamper, former head of the Seattle
Police Department, and now advisor to LEAP, there will
be some lessons for us to learn.

But like the US, Australia is still filling jails with drug
users and others who are there because of the war on
drugs. In excess of 80 percent of arrests in Australia are
of users. In the ACT the population of the new prison,
still less than one year old, is increasing. And the Parole
Board is reported in the Canberra Times to be struggling
with a 200 percent increase in workload.

One contributing factor could be that the courts now are
no longer reluctant to send people to jail because the
ACT Alexander Maconochie Centre is seen as a more
humane prison than those in NSW. Recently an ACT
magistrate sent a mentally ill and chronically addicted
man to jail and was reported to have said "he would get
the drug rehabilitation and the psychiatric treatment he
needed in the Alexander Maconochie Centre". No doubt
those who support the Swedish model of compulsory
drug treatment will welcome this move even though
there is no evidence to show such treatment approaches
of incarceration as a treatment option are more
successful than voluntary use of treatment.

At a recent Drug Policy Modeling Project (DPMP)
seminar the estimated cost to the NSW taxpayer of the
legal system when it arrests and prosecutes consumers of
cannabis amounted to \$7.7 million or 69 full time
policemen. Only \$0.6 million was estimated to have
been spent on dealers or providers (on my calculations
that is only 5.3 full time equivalent policemen).

The stated objective by police is to stop supply and they
claim to have little interest in prosecuting consumers - a

statement repeated again at the DPMP seminar. The evidence however seems to point in the other direction – that most of the effort is expended on prosecuting users.

Why this is so is a question yet to be answered but the net effect is that there is a cost both in taxpayer dollars and in human terms for each of those persons processed through the criminal justice system. To some extent one should not blame the police because they will say that their job is to uphold the law. But many of those laws have been created without due regard to the evidence, without due regard to their full consequences and without due regard to the humanity of the people who might be caught up in such a system.

It should only be a matter of time before the policy makers start to listen to and act on the economic arguments – how much longer can they prop the system up with more and more taxpayer dollars. And perhaps it is only a matter of time before they understand it is not about the numbers – the number of arrests or the kilograms of drugs seized or the street value of drugs seized – it is about the people and the relative harm caused.

“Get tough” approach in marijuana legislation

Author: Amanda Banks

Publication: the West Australian (6, Mon 12 Oct 2009)

Offenders caught with small amounts of cannabis will be able to apply to wipe their conviction if they stay out of trouble for three years under State Government legislation to be introduced in Parliament this week.

The legislation, outlined yesterday at the Liberal Party annual State conference, honours an election promise to scrap Labors 2003 cannabis laws for a tougher regime which Premier Collin Barnett said would send a clear message on illicit drug use.

“What I would hope would happen is there would be a reduction in the usage of cannabis and we would be far more effective in helping people to stay away from drugs and to rehabilitate if they have got involved in drugs,” Mr Barnett said.

Under the legislation, a two-plant cultivation limit will be axed and growing any amount of marijuana will be illegal. It also will reduce the prosecution threshold for possession from 30g to 10g, scrap the infringement notice system for first-time offenders and force people caught with amounts under the limit to have compulsory counseling. Subsequent offences will result in criminal charges but juveniles will get two chances.

Mr Barnett said the legislation also would make it illegal to sell cannabis smoking implements. He said cannabis was not a “harmless or soft” drug but the Government recognised the serious impact of a criminal record on a persons employment prospects. “Under the Governments proposed laws, a person convicted of minor cannabis possession offences will be able to apply to have a conviction spent after three years, provided they are not convicted of further offences during that period, Mr Barnett said. “This approach ensures minor

drug offenders who demonstrate they are prepared to take responsibility and rehabilitate themselves are given the opportunity to turn their lives around.

Australian Lawyers Alliance WA president and national director Tom Percy said the Governments changes had “tinkered around the edges” of the existing Labor legislation. “I think if anything, (the cannabis laws) needed to be widened,” Mr Percy said. “We just don’t need minor cannabis offenders in court, the system is dogged. They can be adequately dealt with by the imposition of fines and infringement notices. I can’t see anything other than window-dressing in these cannabis laws.”

Opposition Leader Eric Ripper said he expected Labor would support the Governments changes, which did not differ significantly from proposals announced by former attorney-general Jim McGinty in November 2007. “It is a re-announcement of an election promise,” Mr Ripper said.

Make drugs legal, says former US police chief

MICHAEL DUFFY

Sydney Morning Herald, October 3, 2009

A RETIRED American police chief will tell a Sydney audience tomorrow that the war on drugs has been a failure, and a disaster for police forces.

Norm Stamper retired as chief of police in Seattle in 2000, and is a spokesman for Law Enforcement Against Prohibition, a fast-growing US organisation of 13,000 current and former police officers, prison warders, prosecutors and judges.

He says that since Richard Nixon began the drug war in 1971, the most common reason for arresting young Americans has been for non-violent drug offences. Millions have been jailed, with often devastating effects on themselves and their families. Mr Stamper said this had driven a wedge between police and many otherwise law-abiding Americans.

“Police need a partnership with the community,” he said. “If they’re to get the information they need to fight crime, there needs to be a strong sense of trust. But with tens of millions of young Americans having been arrested for non-violent drug offences, there’s a widespread sense the police are there to do things to people rather than for people.

“You may be working a non-drug-related murder and hoping that citizens will come forward with information about the shooter. But you can have doors slammed in your face because of an unhappy experience with the police over a drug arrest.”

He said the war had encouraged bad behaviour by police, ranging from illegal searches to involvement in the drug trade, further undermining public trust in law enforcement.

America’s conduct of the war overseas had harmed police there too. In Mexico it had led to massive corruption and thousands of killings by drug cartels.

"Many of the victims are police officers, who are often tortured and beheaded," Mr Stamper said. "Essentially, honest police in Mexico have a choice: they can co-operate with the cartels or they can die. This is a direct result of the prohibition model and the American drug war."

Mr Stamper said he had an "epiphany" when he was a rookie cop in the late 1960s.

"I arrested a 19-year-old at his own home for possession of marijuana," he recalled, "and as I was taking him to jail in the back seat of my caged police car, it dawned on me that I could be doing real police work [instead of this]. I wasn't sure what harm this young man had caused anyone, including himself. I know that I had done him a good deal of harm, in arresting him and giving him a criminal record."

Mr Stamper, who thinks drugs should be decriminalised and regulated in the same way as alcohol, has written a book about his career called *Breaking Rank*. He believes that at no stage since 1971 has it even looked as if the war on drugs was being won.

"Every once in a while, someone in government has claimed progress," he said, "but they've been wrong. The immutable law of supply and demand will continue to work its magic for ever. Purity and prices will fluctuate, people's behaviour will fluctuate, but there has never been any point in the drug war where we've come close to winning. It is unwinnable, and it's immoral."

Norm Stamper will be speaking with Alex Wodak and Greg Barnes at the Festival of Dangerous Ideas tomorrow. The session "Make All Drug Use Legal" is at the Opera House Studio at 4pm. The *Herald* is the festival's media partner.

Maysoon

DIRECTIONS ACT is again offering MAYSOON (Arabic for Women Walking Proudly). It is for women with alcohol and other drugs issues who have young children.

Maysoon commences on Thursday 29 October from 10 am – 1pm and continues each Thursday at this time for 7 sessions until 10 December.

Free childcare and a healthy lunch are provided.

Maysoon provides knowledge, support and skills for women to help gain confidence in parenting, building self esteem and resilience in themselves and their children.

It is facilitated by an experienced alcohol and other drugs worker.

Sessions include healthy eating on a budget, self esteem, improving health & well-being, friendship and access to health and counselling services.

It is a great opportunity for women to enjoy themselves in a safe and friendly group and also to access all the services at Directions including the free medical clinic.

Please contact Ineke Wylde on 6122 8038 at DIRECTIONS ACT or for more information www.directionsact.com

The Drugs Debate: Legalise or not?

From the UK Observer 20/09/09

One of our members recently returned from the UK brought with her a newspaper clipping of a two page spread of the arguments for and against legalisation by two writers. Here is a summary of those arguments.

The case for legalisation was written by Tom Lloyd, a former Chief Constable who now leads the International Drug policy Consortium's Law Enforcement project designed to challenge and change current policy and practices. He wrote largely from his experience as a Chief Constable.

- ♦ Since the Misuse of Drugs Act 1971 and despite all the money spent the inexorable spread of drugs and the accompanying damage is powerful testimony to failure.
- ♦ Drug prohibition ignores the history of alcohol prohibition.
- ♦ Criminals in the drug trade make about £6 million. They are the success story.
- ♦ Any large seizure or crackdown is hailed as a success – within days the dealers were back on the street. Success was measured in arrests and drugs seized. It was not judged on containment of the market and reducing the harm.
- ♦ Men and women arrested for little more than youthful experimentation emerged with lives forever tainted by a conviction.
- ♦ Nowhere in the country is free from drugs and the associated crime. Criminals continue to make huge profits, corroding and corrupting public and private lives.
- ♦ Worldwide a huge criminal market with enormous financial incentives has been created using corruption and violence to make its huge profits.
- ♦ Efforts to destroy crops only destroy peasant farmer's livelihoods and the environment, while the poppy fields and coca plants spring up elsewhere with producers adapting to meet the demand. Growing other crops is futile if the demand for drugs remains.
- ♦ Limited resources are directed towards this futile war while public health remains impoverished. Prevention and treatment should come first.
- ♦ Users are excluded and marginalised from the social mainstream, tainted with moral stigma and often unable to find treatment even when they may be motivated to want it.
- ♦ We wring our hands and close our eyes to lessons from abroad: the Swiss heroin on prescription, Portugal's decriminalisation are examples. East Anglia offered prolifically offending addicts a choice between treatment and arrest led to most choosing treatment, saving time and precious

resources but also the most effective way of tackling burglary.

- ♦ Prosecuting users is misguided and counterproductive, prosecuting dealers without tackling demand or their profits does not work.
- ♦ If money wasted on misinformation, low-level enforcement and condemnation had been spent on the underlying causes, so many blighted lives could have been different.
- ♦ We cannot hold a public debate as serving officers or politicians who challenge the war on drugs orthodoxy justifiably fear being pilloried by our national press. Politicians will not even conduct a cost-effectiveness analysis of the current approach.
- ♦ We know that we must change and we also know that police officers like to make things happen. This is the time for police leaders throughout the world to challenge the status quo and focus resources on serious, organised criminals, not blighted users, and focus on harm reduction not some pie-in-the-sky dream of a drug-free society. Where they lead politicians will follow.

The case against was written by Antonio Maria Costa, the Executive Director, UN Office of Drugs and Crime.

In opening his case he acknowledged that

- ♦ too many people were going to jail and not to treatment,
- ♦ eradicating supply to illicit drugs without reducing demand is meaningless,
- ♦ drug control has spawned a massive criminal black market,
- ♦ Policies are changing: three former presidents of Brazil, Columbia, and Mexico recently called for decriminalisation of possession of small amounts of drug. Mexico and Portugal have decriminalised possession of small amounts. The Us has dropped its war on drugs rhetoric.

And from the rest of his article the following seems to be his arguments against legalisation.

- ♦ No members state, even among those calling for change in policy, is suggesting it wants to legalise drugs. This is not for lack of courage. It is due to concerns about health. Drugs are controlled (not prohibited) because they are dangerous.
- ♦ Many more lives would have been lost if controls were not in place
- ♦ UN is developing programs to eradicate poverty not just poppies or coca.
- ♦ Simon Jenkins said drugs were the greatest social menace in the 21st century. That's debatable but abolish controls and he would be right.
- ♦ 5% of adults take drugs at least once a year, compared with around one-quarter who smoke tobacco and about a half who drink alcohol. Drugs kill about 200,000 people a year, tobacco 5 million and alcohol 1.8 million. Why open the floodgates to addiction by increasing access to drugs?
- ♦ Increased health costs because of increased drug use.

- ♦ Why unleash an epidemic of addiction in parts of the world that already face misery, and do not have the health and social systems to cope with a drug tsunami?
- ♦ Vulnerable countries would be hardest hit by an epidemic of drug use.
- ♦ Drug control should be nuanced rather than eliminated.