



Families and Friends for Drug Law Reform (ACT) Inc

committed to preventing tragedy that arises from illicit drug use

NEWSLETTER

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PO Box 4736

HIGGINS ACT 2615

Tel: 02 62542961

email: mcconnell@ffdlr.org.au

Web: www.ffdlr.org.au

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NEXT MEETING

Thursday 25th August, 2011, 7.30pm

St Ninian's Uniting Church hall,

cnr Mouat and Brigalow Sts, LYNEHAM

Meetings are followed by refreshments and time for a chat.

Editorial

NSPs in prison and corruption

In the last month a report was presented to the ACT government showing it the way forward for implementing a needle and syringe program in the ACT Alexander Maconochie Centre. The main purpose was to reduce the spread of blood borne viruses in a prison environment and also in the community on release of the prisoners.

The significant work done for the report demonstrated "that implementation of an NSP in the AMC is capable of delivering significant health benefits for prisoners, staff working within the prison and the broader community. Additionally, these positive outcomes could be achieved with minimal change to existing AMC operations and staffing levels, representing a highly cost-effective investment for the ACT Government".

There is however still opposition to the introduction of the NSP, most concerning of which, is that of the prison officers. Their opposition relates mostly to fears that the needles will be used as weapons – a fear that has not materialised in any of the overseas prisons that have introduced an NSP.

Two of the optional proposed models may overcome the prison officers objections. These models propose the establishment of a contained environment where either a non government organisation or prison health staff provide syringes which are used in that area and disposed of before the prisoner leaves the area. No new syringes would be allowed in the general prison area and thus prison officers would not be exposed to what they perceive as additional dangers and would not be directly involved in the NSP.

This would seem to be a satisfactory all round solution.

But not for everyone it seems. The Canberra Times published a letter from me on this subject on 3 August. The letter was reasoned and courteous, even though I did criticised a previous letter writer who wanted prisoners to be punished further whilst in prison. In my letterbox today was my letter clipped from the newspaper with the following words scrawled along the side: "You are a complete idiot you deserve what you get from drug crazed morons".

I wonder which crazed person I should be more afraid of.

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This month also saw a high level law enforcement officer charged with conspiring to import illegal drugs.

Mark Standen, a former assistant director of investigations with the NSW Crime Commission had denied conspiring with a drug trafficker turned informant, James Kinch and food wholesaler Bakhos "Bill" Jalalaty, between early 2006 and June 2008, to import 300 kilograms of pseudoephedrine, used to make speed and ice. The jury found him guilty on 11 August, 2011 after a trial taking almost five months.

Standen was not a Mr Big but simply a middleman, but what is significant is that he was employed in a secretive crime fighting organisation, the NSW Crime Commission. If there is corruption in that organisation then there is little hope of law enforcement preventing or even slowing down the supply of illicit drugs.

But we know that. We do not have to be reminded of the corruption that has been exposed over the years such as that documented in at least four Royal Commissions (Costigan 1985, Fitzgerald 1987, Wood 1997, Kennedy 2004).

On this subject I had a letter published in the Sydney Morning Herald and in the process of considering my letter they asked me to identify sources for some of the data I referred to in the letter. One of which was the claim that less than 20 percent is captured. (See letter later in this Newsletter.)

Percentage of drugs captured as compared to that which reaches the streets is rarely calculated. FFDLR has been trying to interest governments in publishing this data rather than proclaiming "the largest drug bust ever". Why not give a more accurate understanding by publishing how seizures relate as a percentage of drugs reaching the street?

Some years ago the National Crime Authority estimated for 1999/2000 that only 12% of heroin was seized. Shortly after the NCA was abolished by the Howard government and was replaced by a body with weaker powers.

In my research I uncovered a very useful "Economic model of the world drug markets" by John Walker. In that report he had for example identified that in 2004 the global average seizure rate for cocaine was 23% and for opiates was 11.4%.

The report for the technically minded can be found at at:

www.johnwalkercriminology.com.au/Drugs%20model.htm

The figures in this report from which these percentages were calculated, come from run-of-the-mill annual reports from the United Nations and are not hard to find.

For example a cursory glance at the 2011 World Drug Report produced by the United Nations estimated heroin production at 667 metric tonnes and reported seizures of 100 metric

tonnes, that is a seizure rate of 15%. However the picture is much worse than the raw figures portray because the production figure is of a high purity level – approaching 100% - while the seizures would be of much less purity depending upon the point at which the seizure was made.

The facts are clear: the very costly effort of trying to stop drugs is ineffective, the huge profits to be made for the traffickers guarantees the continuation of the drug trade, guarantees the continuation of related corruption, and guarantees continuation of the tragedy that arises from the trade.

Now all we have to do is to have our leaders heed those facts and take a different course of action.

Injecting plan for jail put to Govt

By Bianca Hall, Canberra Times, 29 Jul, 2011

The ACT Government has been urged to introduce a supervised injecting facility at the Alexander Maconochie Centre's health service .

Under the proposal, handed to the Government yesterday, prisoners would be allowed to take contraband drugs into the jail's health centre.

After being supplied with clean injecting equipment, prisoners would inject their own drugs under the supervision of nursing staff, before disposing of the dirty syringe and returning to their cell.

The plan was outlined in a lengthy report prepared by Public Health Association of Australia president Michael Moore.

Mr Moore had been tasked with identifying the obstacles to establishing a needle and syringe program in the jail, and recommending how those obstacles could be overcome.

The Community and Public Sector Union, which represents prison officers, has consistently opposed a needle program over fears prisoners could use syringes as weapons. But Mr Moore said containing an needle program within the health centre would mitigate that risk.

"We believe we have addressed that issue effectively," he said.

The CPSU had threatened to pull its guards out on strike if a needle program was introduced.

More than 80 per cent of guards signed a petition against a prison needle program last month, which was handed to the Legislative Assembly with a warning from union secretary Vince McDevitt, "Needles in; guards out."

Yesterday, Mr McDevitt was open minded.

"I'll sit down and have a look at it and we'll go out and take it to our members and we'll talk to them and those responses will formulate the basis of the union's response."

Australian Nursing Federation ACT branch secretary Jenny Miragaya said she would need to canvass the views of members about the scheme, which would be administered by nurses.

"From a public health perspective we can certainly see where the Government's going with this, in trying to limit the spread of blood-borne diseases like hepatitis and HIV, but we would still need to canvass our members to see how comfortable they feel with such a service," she said.

Authorities estimate 65 per cent of prisoners at the jail are hepatitis C-positive, and the report was released to coincide with World Hepatitis Day.

A report prepared by the Burnet Institute for the ACT Government earlier this year outlined concern over drug use in the prison.

One prisoner who gave evidence to the report said he regularly saw syringes used by 30 men at the AMC. Another told how three men had ended up at the jail's clinic with septicaemia from sharing syringes.

Liberal corrections spokesman Jeremy Hanson said his party was opposed to a clean syringe program at the jail, regardless of the chosen model.

But Mr Hanson said yesterday's report had only served to "stiffen" that resolve.

"The preferred option is essentially a shooting gallery for drugs in the jail."

Mr Hanson said it would be "naive in the extreme" to expect guards to escort prisoners to the health centre so they could inject illegal drugs, and not to use that information as evidence of a crime.

But Ms Gallagher said she could not ignore the health risks associated with prisoners sharing needles.

"It's politically easy to kill this off and do what every other jurisdiction in Australia has done ... [but] I'm not prepared to put it to rest yet," Ms Gallagher said.

Greens MLA Carolyn Le Couteur said her party would support any measure that could reduce the harm caused by drugs.

"A needle and syringe program run [from] the health centre will not only ensure a decrease in blood-borne viruses amongst detainees but is also likely to lead to a decrease in drug use, as detainees become engaged in health-based drug addiction services and are more likely to try and stop using," she said.

The report will remain open for further consultation for six weeks. Ms Gallagher said she welcomed public feedback.

Recent drug policy news

Paul Dressauer, WASUA, outreach@wasua.com.au

The British Liberal Democratic party, (the junior partner in a coalition government with the Conservatives), is expected to pass a motion calling for an independent panel to study the decriminalisation of possession of all illicit drugs, and regulating the marijuana market;

"There is increasing evidence that the UK's drugs policy is not only ineffective and not cost effective, but actually harmful, impacting particularly severely on the poor and marginalised," the motion said, citing *"the need for evidence-based policy making on drugs with a clear focus on prevention and harm reduction."*

The motion also calls for the inquiry to *"examine heroin maintenance clinics in Switzerland and the Netherlands which have delivered great health benefits for addicts and considerable reductions in drug-related crime."*

Even if the motion is passed, it is unlikely to become law. Its proposals will be opposed not only by the Tories, but also by Labor, which briefly entertained a dalliance with lessening penalties for marijuana before doing a U-turn on the issue in the

face of public and political pressure. >>>

<http://splithorizons.blogspot.com/2011/08/full-text-of-lib-dem-conference-drug.html>

Meanwhile, in Israel, where 6,000 patients a year currently receive state-authorized cannabis for medical use, predictions say the number of authorisations could reach 40,000 by 2016.

So now the Israeli Health Ministry will start to grow and distribute their own...

<http://www.pmo.gov.il/PMOEng/Communication/Spokesman/2011/08/spokecannabis070811.html>

<<< Dr. Ronni Gamzi, director-general of the Health Ministry, decided on Thursday to establish a unit within the ministry to manage the supervision and supply of medical marijuana and to serve as an agency for this purpose according to the demands of an international agreement on the subject.

The unit will begin operating in January, 2012. >>>

<http://www.jpost.com/Health/Article.aspx?id=231535>

Breakthrough: Majority of Americans Support Marijuana Legalization

Drug War Chronicle, by Phillip S. Smith

August 9, 2011

The upward tick in support for freeing the weed is another encouraging sign in the turn on public opinion.

A majority of Americans support legalising marijuana, according to a [new poll from Angus Reid Public Opinion](#).

The online survey of a representative sample of 1,003 American adults found that 55% supported legalising marijuana, while 40% opposed it.

Majority support for pot legalisation crossed all age lines, with young people (18-34) at 53%, middle aged people (35-54) at 57%, and seniors (55+) at 54%. Legalisation also won majority support among Democrats (63%) and independents (61%), but not among Republicans (41%).

Angus Reid polls in 2009 and last year also showed majority support for legalisation, with 53% and 52%, respectively, but this year, support increased slightly. That's in line with, but slightly more optimistic than other recent national polls.

The upward tick in support for freeing the weed has also been evidenced in other polls in the past year and a half, although the other polls have support for legalisation hovering at just under 50%. In January, 2010, an [ABC News/Washington Post poll](#) had support at 46%; in April, 2010, a [Pew poll](#) had it at 41%. By last July, [Rasmussen](#) showed it at 43%. In November, a [Gallup poll](#) had support for legalisation at 46%, its highest level ever and a 15 percentage point increase over just a decade ago. Some of these poll! s showed majority support for legalisation in the West, which will be put to the test in 2012.

While there was majority support for pot legalisation, there was little support for legalising other drugs. The poll asked about cocaine, methamphetamine, heroin, and ecstasy, and none of them reached even 10% support.

If there was little support for drug legalisation, there was little enthusiasm for the war on drugs, either. Only 9% of respondents believed the war on drugs was a success, while 67% said it had failed.

These last numbers suggest that Americans may be open to

an alternative to current drug policy approaches, but that they are a long way from embracing legalisation as *the* alternative.

Read more of Phillip S. Smith's work at the [Drug War Chronicle](#).

Ref:[http://www.alternet.org/drugs/151967/breakthrough: majority_of_americans_support_marijuana_legalization](http://www.alternet.org/drugs/151967/breakthrough:_majority_of_americans_support_marijuana_legalization)

Mark Standen found guilty at drugs trial

Canberra Times, 11 Aug, 2011, AAP and Geesche Jacobsen

Former NSW crime fighter Mark Standen has been found guilty of plotting to import at least 300 kilograms of pseudoephedrine into Australia.

Standen, 54, was also found guilty of taking part in the supply of 300 kilograms of the substance, which is used in the manufacture of illegal amphetamine drugs, and guilty of conspiring to pervert the course of justice.

After a trial that began in March, the NSW Supreme Court jury retired on Monday afternoon and delivered its verdicts today.

Standen, a former assistant director of investigations for the NSW Crime Commission had denied conspiring with drug trafficker turned informant James Kinch and food wholesaler Bakhos "Bill" Jalaty, between early 2006 and June 2008, to import pseudoephedrine, used to make speed and ice.

He also denied the charges of supplying pseudoephedrine and perverting the course of justice.

The Crown alleged Standen's desperate financial plight led to his involvement in the crimes.

Standen, who appeared ashen when he was led into the dock, did not show any emotion when the guilty verdicts were handed down.

Before being led away, Standen exchanged a few words with his two brothers who had regularly attended his trial.

Justice Bruce James commended the 11-member jury, saying he knew they had all experienced hardship during the trial.

He said they had been told that the trial was expected to last for 14 weeks but it had run for almost five months.

"I know that at least one time during the trial you thought the trial might last indefinitely," he said.

He would recommend that all the jurors be permanently exempted from future jury service, he said.

Standen's sentencing hearing will be mentioned before the judge on September 1.

Government in control would end corruption

Letter to the editor, SMH, 13 August, B McConnell

A "corrupt ex-cop" has been convicted over importation of illegal drugs ("Just the tip of the iceberg", SMH, 12 Aug). Headlines in all media have shouted this wrongdoing as if it is so shocking and unexpected.

And for this to be in the organisation charged with preventing drug trafficking.

I for one am not surprised. There are huge profits to be made and Standen was not a Mr Big, just a middleman. It is a temptation that some cannot resist, even those in position of

trust.

We try to stop the drugs and spend about \$2.2 billion each year doing so but less than 20 percent is captured. The high street prices of the drugs means that a user with a desperate need who cannot afford it from his/her own income resorts to dealing, stealing or prostitution. Added to the user's misery is that of his/her family and of anyone who is unfortunate enough to be robbed to pay for the drugs. And there is no guarantee about the safeness of the drug.

What sensible person would want to see this situation continue? Can the drug trafficking or the corruption be prevented?

Not if we continue to do the same things and expect different results.

It is clear for any to see that we need a radical change in the way we deal with drugs. The evidence points clearly to the need to take the driving force, the huge profits, out of this industry and for governments, not criminals and corrupt police, to control drugs.

Vicente Fox: Mexico at 'War,' Obama's Approach a Failure

www.newsmax.com, 22 March 2011

Former Mexican President Vicente Fox says his nation is at "war" with drug cartels, and he offered sharp criticism of the Obama administration for failing to assist its beleaguered neighbour.

In an exclusive interview with Newsmax.TV on Tuesday, Fox said President Barack Obama's administration has failed to grapple with the deteriorating situation in Mexico.

"Obama is thoroughly mixed up with all these things he's got," Fox said, adding: "He's got to solve Libya. He's got to solve Afghanistan. He's everywhere. And this nation, I don't know why it's not showing the leadership and capacity to attend different issues at the same time."

Asked if Mexico was entangled in a civil war involving the drug cartels, Fox responded: "We're undergoing a war, no doubt — 35,000, maybe 40,000 people killed, either members of the cartels or members of the police force or members of the army. So yes, we're undergoing a war, no doubt.

"Everybody's trying to deny that we're going through a war, but that's what it is. That's why we have to move to a new paradigm."

Recently, Fox has called for legalising and decriminalising drugs in the United States to throttle the demand for narcotics, which he argues is the root cause of his country's civil unrest.

"The United States has to think very profoundly how it is going to solve this problem of excess in the consumption of drugs, excess in building a market that is very profitable to the criminals," he said.

He continued: "I think the best move is to take away the business from criminals and put it in the hands of businessmen and producers, farmers, distributors."

He compared the situation with illegal drugs to Prohibition in the United States, which enriched mobsters who provided alcohol just as the drug trade is now enriching the cartels.

"We are never going to eradicate drugs," he added. "They will always be there. It is a free choice" to consume them.

Fox, who served as president from 2000 to 2006, also took

aim at his successor, Felipe Calderon, who has enlisted the army in the fight against drug traffickers in Mexico.

"And this decision that President Calderon took, to bring in the army in trying to control drug trafficking cartels, I don't think is the right measure. It has created violations to human rights and additional problems," he said.

"I think there are much better alternatives than that one. The army should go back to their assigned duties, and police should take the responsibility of fighting the cartels."

Fox was also critical of both the wall at the U.S.-Mexico border and the Arizona law aimed at curtailing illegal immigration.

He stressed that he is "absolutely not" calling for an open border, but rather for the "wisdom and leadership" of this nation.

"There is [an immigration reform] bill in Congress, prepared by Senator Kennedy, Senator McCain, a bipartisan initiative, and it's been sitting there for years, seven years, eight years. I discussed with President Bush a strategy for an integrated immigration reform. And it's been sitting there without any solution.

"So if Arizona sees the federal government isn't assuming its responsibilities, it creates local laws. But migration and keeping security on the borders is not a local or state issue, it's a federal issue."

As for Obama's role in immigration reform, Fox said he "has not attended to it. It was a campaign promise he's not even trying to do it."

Fox is visiting the United States as part of an effort to promote the construction of the Vicente Fox Center of Studies, Library and Museum near his ranch in Guanajuato, Mexico, which he says is the world's first presidential library outside the United States.

Annual Remembrance Ceremony

for those who lose their life to illicit drugs

Make a note in your diary of the date and time: Monday 17 October 2011 at 12:30pm at Weston Park Yarralumla.