

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

committed to preventing tragedy that arises from illicit drug use

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NEWSLETTER

November 2004

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NEXT Meeting

Thursday 25 November 2004 Annual General Meeting

at 7:30pm,

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

This will be the **Annual General Meeting** where annual reports will be received and office bearers for 2005 will be nominated and elected.

Speaker: Following the AGM **David Hambly** will speak about the role of the Parole Board and the extent to which those who come before it are or have been affected by drugs.

Refreshments will follow

President's Annual Report 2004

Introduction

This seventh formal President's report covers the 12 month period from November 2003 to November 2004.

I would like to thank all those who contributed during the year to the group's activities by writing letters, writing submissions, visiting MPs and others, participating in media events, addressing groups and meetings, assisting with various organised activities, participating and providing support and attending meetings. I would like especially to thank my office bearers John Ley, vice president; Pat Varga, treasurer; and Cynthia Groundwater, secretary. I also thank Marion McConnell for her organising work and support, and St Ninians Church for the use of its hall. In addition some excellent work has been undertaken for FFDLR by Bill Bush and I thank him for his tireless efforts.

Interstate the efforts of Jan Steel in WA and of Jim Bright in the NSW Hunter valley area have been valuable contributions. However we certainly need more families to speak out on policy issues.

I would also like to pay tribute to Kerrie Tucker, former Greens member of the ACT Legislative Assembly and Roslyn Dundas, Democrat member for the ACT Legislative Assembly for their support and action during the years they were in the Assembly. Their contribution and support will be missed.

Although FFDLR members have worked very hard this year there has been little visible progress to show for that work. However in the ACT the implementation of the drug strategy and the proposed hydromorphone trial give cause for hope.

Events of significance

The year 2004 was an election year for both Federal and ACT Governments. In both cases incumbent governments were returned with a majority. The issue of illicit drugs was mentioned only briefly during the Federal election – by the Liberal/National coalition which ran a very negative fear campaign against the Greens' drug policy. The Greens' drug policy was the only one that was based on evidence and attempted to make a real reduction in the harm caused by illicit drugs. Other parties such as the Liberal and National parties and Labor party either had no policy or had it tucked away so that it was difficult to find on their website.

Nationally heroin has returned and overdose deaths and callouts appear to be increasing, although not to the same level as before the heroin drought. The use of methamphetamines (along with the associated violence) has increased – confirmation of this anecdotal evidence is expected to be contained in the household survey, to be published early in 2005.

SIP (Supervised Injecting Place): The Kings Cross Medically Supervised Injecting Place trial was extended for a further 4 years in 2003. However despite that centre's very positive reports the ACT Government, even though it promised at the previous election (subject to certain conditions which were satisfied) to establish a **Supervised Injecting Room**, failed to keep that promise. It is noted in passing that ambulance callouts to overdoses is increasing, the highest callouts are in central Canberra.

The Alcohol and Drug Foundation of the ACT **Karralika facility** was allocated funding and had plans approved for construction work to increase its capacity to 60 beds. Early in 2004 the residents in the area complained that there had been no consultation process on the matter. The Karralika Action Group succeeded in not only delaying much needed facilities but caused the number of additional beds, to be reduced substantially to provide a total capacity of 35 beds. To date consultation processes have not been completed, construction work has not commenced, and is unlikely to commence in the near future.

In the ACT plans have proceeded for the building a **prison**. There has been no

BBQ in the New Year

FFDLR members are invited to a social barbeque at the McConnell's to start off our new year.

When: 12:30pm on Saturday 19th February 2005

What to bring: Please bring a salad or sweets. Marion and Brian will provide the rest.

Please note it in your diary and RSVP by 12 Feb 2005 to 6254 2961

recognition that some 80% of prisoners are there because of a drug (or mental health or both) related problem and that effective handling of that problem could reduce the need for the prison. Or at the very least such a large prison need not be built for which there will be pressure to fill the vacant places. Related to the prison issue was the concern expressed that Community Service orders for drug offences were not being issued as often as they could be and that the A.C.T. Government should spend money on early intervention programmes rather than gaol sentences.

The strategy of the drug and alcohol task force was presented to the ACT Government in December 2003 and after some rewriting (on matters that were of little critical relevance to the strategy) the Government accepted and issued the strategy in August 2004. The Government established a group to evaluate the implementation. FFDLR is represented on that group.

Next year will be FFDLR's Tenth Anniversary. It is an occasion that needs to be marked.

Involvement in the community or other groups

FFDLR is represented as follows:

The Opiate Program – ACT: John Ley.

Crime Prevention Committee: Bill Bush.

ACTCOSS Corrections Coalition: Bill Bush.

ACT Alcohol and Other Drugs Taskforce: Brian McConnell continued his representation on this group until December when the work of the taskforce concluded.

ACT Drug Strategy Implementation Monitoring Group: Brian McConnell.

DIRECTIONS: Brian McConnell is a member of the Board of this drug user support service agency.

ADCA Reference Group: John Ley has nominated for Prevention and Community Education Reference Group.

Family Stories Project Advisory Group: LMS consulting invited Marion and Brian McConnell to assist with the project and participate in the project advisory group.

Representations

FFDLR worked very hard during the year in all its representations, articles and letters to expose the deceptions about the heroin drought and about the problems with changes to the Criminal Code Serious Offences legislation in the ACT. Effort was put into raising awareness of the link between problematic drug use and other social problems such as mental health and poverty. An initial attempt has been made to provide an evidence basis for the drug busts that are reported in the media.

FFDLR made representations to the following members of parliament during the year:

- Simon Corbell, ACT Health Minister – among other things we have been attempting to get access to overdose data. At time of writing this report FFDLR has been invited to make application for access to the database.
- Julia Gillard, Federal Opposition Health Spokesperson – a general meeting and an attempt to

encourage the opposition, because of the government's flawed claims of success of their "Tough on Drugs" strategy, and similar flawed claims about the heroin drought, to take up the issue. She understood the issues very well but was reluctant to take the issues up at that time.

- Jon Stanhope, Chief Minister of the ACT – letters in respect of the changes to the Serious Criminal Code Amendment Bill. Our concern was that the Bill widened the net and was likely to catch more users, which should not have been an outcome. The exchange of correspondence was less than satisfactory.
- Phone contact with the Democrats office and other parliamentarians.

FFDLR made representations to the inquiries that were established in respect of administration and clinical practices in the Alcohol and Drug Program. Reports of these inquiries are expected to be available early in 2005. The work in facilitating and enabling our involvement in the inquiry was due to John Ley.

FFDLR also met with the following people:

- Prof James Haire, Executive Director, Australian Centre for Christianity and Culture,
- Lin Hatfield-Dodds, Director of Uniting Care and member of the Social Inclusion Board,
- Ara Creswell, Executive Director of ACTCOSS.

Submissions

- Inquiry of The Human Rights and Equal Opportunity Commission and the Mental Health Council of Australia into the human rights of people affected by mental illness including the need for better mental health care.
- Tougher Drug Laws make Serious Criminals of Our Kids.

Draft legislation is being presented to legislatures across Australia to implement uniform "model" drug laws. The proposal is deceptive. It is labeled as a criminal code on "serious drug offences". In fact it extends to the ordinary conduct of drug users. The Bill transforms minor players in the drug trade and users into "serious criminals".

- Before the 2004 election, the Senate Legal and Constitutional Legislation Committee rejected a Government proposal to amend the Disability Discrimination Amendment Bill 2003 that would have removed protection against discrimination of those addicted to illicit drugs. Nearly all the 118 submissions made to the Senate inquiry objected to this proposal.

FFDLR's submission pointed out that the legislation would further entrench the stigmatisation and marginalisation of those suffering from addiction to certain drugs but not others and that the legitimate interests of employers and others were already protected by the legislation as it stood. It was revealed during the Senate inquiry that the Government had not even consulted its own drug advisory body, the Australian National Council on Drugs. It is possible that the Government will resubmit the legislation during the new Parliament.

The submissions by FFDLR and its members, Mr A Benson and Ms B Barnard are, therefore, still relevant.

- Commentary of Families and Friends for Drug Law Reform on the Issues Paper: Restorative Justice for the ACT
- Inquiry into support services for families of people in custody by the Standing Committee on Community Services and Social Equity of the Legislative Assembly for the Australian Capital Territory

Conferences, Seminars and Inquiries Attended

Bill Bush attended the Senate enquiry hearing on the Disability Discrimination Bill.

Adam Benson and Bill Bush attended the meeting of the ACTOSS community coalition on a proposed ACT prison. John Paget, the Director of the Prison Project in the Department of Justice and Community Affairs, a speaker at the conference, had established a community panel to consult with community groups.

Harm Minimisation Conference. Abstracts were submitted for this April 2004 conference but their initial rejection and later acceptance prevented our attendance. However Brenda Irwin, a Melbourne member attended the conference.

Bill Bush attended a Prison forum at which the NSW Corrective Services Minister spoke.

Awareness raising activities

FFDLR held a public meeting on 15 December 2003 in the Legislative Assembly building with guest speaker Prof Desmond Manderson whose topic was "The Heroin Ban in Australia: Modern witchcraft, contemporary inquisitions". The meeting was sponsored by Kerrie Tucker from the ACT Greens.

Drug Action Week Activities:

- a) Forum held at Assembly Rooms Wed 23rd, June: David McDonald, chaired the forum. The theme was "Making it happen: impact of drug policy on the implementation of the Canberra Social Plan". It looked at the Canberra Social Plan from the perspective of drugs. The forum was sponsored by the Chief Minister, Jon Stanhope and the panel members/speakers were Prof Ian Webster, Physician and Emeritus Professor of Community Medicine and Public Health; Associate Professor Dr Michael Levy, Director, Centre of Health Research in Criminal Justice; Meredith Hunter, Executive Officer, Youth Coalition of the ACT; Basil Varghese, Education Coordinator/Ambassador, The Brotherhood of St Laurence.
- b) Members of FFDLR organised and attended a stall in Garema Place during Drug Action Week.

During the year many students from the universities and TAFE college made contact in respect of assignments relating to drugs they were undertaking. We were pleased to help those young people.

Talks at FFDLR meetings

February meeting: Guest speakers Phil Lawler and Lyn Magor-Blatch spoke about the proposed redevelopment at Karralika

April meeting: Guest speaker John Paget, Director ACT Prison Project. He spoke about his involvement in the shape and services to be provided at the proposed ACT prison.

July meeting: Guest Speaker, Affie Adagio, a PhD. research student who undertook research on drug addiction in Australia and overseas. Her topic was "Diversity in approaches to dependencies"

August meeting: Guest speaker, Peter Schwartz, from Open Family who spoke about his low-key helping role with young people in the ACT. His topic was "The work of Open Family especially as it relates to the ACT drug scene".

Remembrance Ceremony

The Remembrance Ceremony was held on Monday 1st November. Guest speakers were Anne and Michael Gardner, Kerrie Tucker and Rev'd Simon Wooldridge. This was well attended (approx 150 people). Although rain threatened, the day was warm and sunny, the tree was in perfect blossom and those who came were buoyed by the support, understanding and care of others.

FFDLR media activities

Media Release August 2004: **Tougher drug laws - more kids to have criminal records**

The Government's Criminal Code (Serious Drugs Offences) Amendment Bill 2004 although aimed at drug traffickers and serious drug offences, widens the net and imposes draconian penalties on young people experimenting in or addicted to drugs.

Media Release 9 November 2004: **More overdose deaths to be remembered at ceremony**

Little progress has been made to ensure reduction in drug deaths or improvement in treatment, as Families and Friends for Drug Law Reform prepares for its 9th Annual Remembrance Ceremony for those who lose their lives to illicit drugs.

In addition to specific media releases, the media had contacted us on many occasions for comment on specific issues.

Brian McConnell, President

At least 17 of 20 marijuana initiatives pass, all-time biggest vote to end marijuana prohibition in history

Our thanks to Richard Lake (chief@mapinc.org) for this summary of more positive outcomes from the USA.

Yesterday, the Marijuana Policy Project won an overwhelming victory in Montana, which is now the 10th state to allow patients to use, possess, and grow their own marijuana for medical purposes.

And Alaska saw the all-time biggest vote for ending marijuana prohibition in the history of the country.

A record number of proposals to reform marijuana laws were on state and local ballots ... and MPP and our

friends in California, Massachusetts, Michigan, and Missouri won 17 (or perhaps 18) out of 20.

MONTANA (WIN): MPP's medical marijuana initiative passed by a 62% to 38% margin in Montana, making it the 10th state to protect medical marijuana patients from arrest. This margin of victory eclipses the previous record for any state's first vote on a medical marijuana initiative -- the 61% support received by a medical marijuana measure in Maine in 1999. Visit <http://www.MontanaCares.org> for details.

ALASKA (LOSS): The initiative to remove all penalties for marijuana use by adults aged 21 and older lost by 43% to 57% -- the largest statewide vote ever to end marijuana prohibition. MPP thanks the Yes-On-2 campaign, as well as Alaskans for Rights and Revenues, for their hard work on the Alaska campaign. Visit <http://www.RegulateMarijuanaInAlaska.org> for details.

OREGON (LOSS): The initiative to strengthen Oregon's existing medical marijuana law by allowing registered patients to obtain their medicine from state-regulated dispensaries lost by a 42% to 58% margin. MPP thanks Voter Power in Portland for its hard work. Visit <http://www.Vote33.org> for details.

ANN ARBOR, MICHIGAN (WIN): An MPP-funded proposal to amend the city charter to allow the medical use of marijuana without fear of arrest under local law won by 74% to 26%, making Ann Arbor the second Michigan city in four months to pass a medical marijuana initiative. Detroiters passed a similar measure in August by a 60% to 40% margin. MPP thanks local group "Medical Marijuana in Ann Arbor, Ypsilanti and Saline."

COLUMBIA, MISSOURI (TWO WINS): An MPP-funded measure to replace jail time with a maximum \$250 fine for marijuana possession passed with 61% to 39% of the vote. And a second MPP-funded measure to permit medical marijuana use without fear of arrest passed by 69% to 31%. MPP thanks the Columbia Alliance for Patients and Education (CAPE).

OAKLAND, CALIFORNIA (WIN): An MPP-funded measure to make personal marijuana offenses the lowest priority for local law enforcement and direct the city to tax and regulate marijuana as soon as state law permits it passed by 64% to 36%. MPP thanks the Oakland Civil Liberties Alliance.

MASSACHUSETTS (12 WINS): Voters in 12 out of 12 state legislative districts passed nonbinding public policy questions -- five advise the state legislature to pass medical marijuana legislation, six advise the legislature

to pass a law to fine instead of jail marijuana users, and one advises the legislature to tax and regulate marijuana. MPP, which funded nine of these questions, thanks the Drug Policy Forum of Massachusetts and MassCann/NORML for their good work. Please see <http://www.dpfma.org/ppq/> for details.

BERKELEY, CALIFORNIA (UNDECIDED): It could be days before we know whether voters passed an initiative to regulate marijuana dispensaries in Berkeley. The results are 50% to 50%, more votes are still being counted, and a recount is likely. MPP thanks the Alliance for Berkeley Patients for their efforts, and we wish them the best in the days to come!

In what may be the most significant result of all, we demonstrated that our movement has come of age by influencing the outcome of legislative races -- just like the National Rifle Association and other heavy-hitters routinely do ...

After intensive campaigning by MPP staffers and volunteers, Vermont voters handed stunning defeats to

three leading opponents of that state's medical marijuana law -- passed by the legislature earlier this year after a contentious, three-year battle. MPP ran an extensive grassroots campaign aimed at defeating legislators who opposed the measure and backing candidates who support it.

Three of the six bad incumbents we targeted lost their seats, all three of the good incumbents we were protecting easily won reelection, and we elected one out of three of our candidates to open seats.

These six victories in Vermont helped to flip control of the Vermont House of Representatives to the Democrats and Progressives -- which was MPP's goal, due to the Republican House leadership's unrelenting hostility to our medical

marijuana bill. See <http://www.mpp.org/VT> for details.

Yesterday was a great day for marijuana policy reform. The results send a strong message to legislators that support for medical marijuana is overwhelming and bipartisan ... and that supporting medical marijuana is not politically risky, but opposing it is.

And we held our own against the White House drug czar, whose office spent hundreds of thousands of taxpayer dollars to campaign against the initiatives!

Free Overdose Prevention Education

At the Killard Centre, 103 Crawford Street Queanbeyan, on Thurs 25th November, 10am – 4pm

The Red Cross HOPE Project is for families, friends and associates of people at risk of overdose.

It is a project from the NSW Drug Summit, designed and facilitated by Australian Red Cross and funded by NSW Health. It will provide participants with skills and information in recognising and managing overdose situations in order to prevent fatal overdose.

The course will cover:

- Risk factors that contribute to overdose.
- Overdose recognition
- First aid and critical incident management (CPR Training)
- Post overdose care
- Support and referral information

At the completion of the course participants will receive an Australian Red Cross CPR accreditation. The course runs for 6 hours and is **free of charge**.

Those who are currently dealing with this issue within their families or workplace are particularly encouraged to attend.

Bookings are essential with Tom O'Brien the project coordinator, on 9229 4142 or 0419 250815



We wish all our members a safe and peaceful Christmas and a happy New Year

The next newsletter will be issued in Feb 2005