



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

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

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**NEWSLETTER**

**February 08**

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## **NEXT Meeting**

**Thursday 28 February 2008**

**at 7.30pm**

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

**Refreshments will follow**

## **Editorial**

### **New government shows promise but evidence still needs to be brought to bear**

Welcome to the first Newsletter for the New Year and a happy new year to all our members and readers of our Newsletter.

There is a new government in place in the nation's capital – one that has replaced a government that vetoed the medically prescribed heroin trial, tried very hard to remove harm minimisation from the vocabulary, brought in tougher criminal sanctions that effectively widened the net to catch more users, presided over the overseas execution of one foolish young man and the death sentences of others.

It was also a government that was following the USA down the zero tolerance path with no regard to the evidence that said otherwise and with little regard to the consequences for individuals. Even in its dying breath that government was still trying to wedge any party that tried to promote a policy that was more rationally based.

Recall the statements by Bronwyn Bishop MP who chaired the recent House of Representatives inquiry – “we do not have a harm minimisation policy, we have a zero tolerance policy” because the Prime Minister said so. And recall also that one of her solutions to “the drug problem” was to permanently remove children from parents who were using drugs (she meant illegal drugs, not alcohol or tobacco or prescription medicine).

The net effect would have been devastating for the parents to have their children taken away with no chance, even if they overcame their drug use problems, no chance of getting their children back. It would have created another “stolen generation”.

Governments in the past similarly believed, for ideological reasons, that the removal of children from aboriginal parents would be best. It was not for the betterment of the children, nor because they had poor living conditions, nor because they were unloved or neglected. It was simply because of their aboriginality.

Last week the apology from Prime Minister Rudd saw the first step in rectifying the wrongs of the past.

His words had the effect for many Australians of changing the way we see ourselves. Australia has turned a corner. It was an honest and statesman like speech that I was privileged to be in Parliament House to hear on 13<sup>th</sup> February.

But for me I heard more. I also heard promise of a better future for those entangled in drug addiction when I heard him say:

*We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians...*

*...A future where this Parliament resolves that the injustices of the past must never, never happen again.*

*....*

*....The truth is, a business as usual approach towards Indigenous Australians is not working. Most old approaches are not working. We need a new beginning – a new beginning which contains real measures of policy success or policy failure; a new beginning, a new partnership, on closing the gap with sufficient flexibility not to insist on a one-size-fits-all approach for each of the hundreds of remote and regional Indigenous communities across the country but instead allowing flexible, tailored, local approaches to achieve commonly-agreed national objectives that lie at the core of our proposed new partnership; a new beginning that draws intelligently on the experiences of new policy settings across the nation. ...*

It does not take too much imagination to see how these words could apply equally to drug issues.

The laws and attitudes of past parliaments have also inflicted suffering on those entangled in drugs. They too have been marginalised, incarcerated, denied health and other services that are available to the rest of the community and many have died. The families have suffered too - mostly in silence.

The stories and the facts about this marginalised group also need to be told. The evidence needs to be presented and listened to. A new beginning is needed here also.

Shortly after being elected on 27 November 2007, Kevin Rudd was interviewed on the 7:30 Report and in a conversation about health and where he outlined his view on homelessness he said: “*I believe in evidence-based policy not just ... grand statements.*”

Much of the evidence is there but there are some gaps, particularly where researchers have been steered away from researching such areas by selective government funding. We know for example that abuse of illicit substances is deeply implicated in Australia's most intractable and costly social problems. These extend well beyond direct health and crime costs to issues like

### ***Expand our readership.***

Pass on this Newsletter to someone whom you think will benefit after you have read it.

child protection, school drop out, suicide, mental illness, homelessness, poverty and indigenous disadvantage.

The new government, which shows a willingness to create a better Australia for all its citizens, needs to comprehensively bring the evidence together. It could start by finding answers to the following six basic questions:

1. Whether the best return on investment is achieved in measures that give priority to the prevention of drug use or to those that seek to maximise the reduction in harms in these domains?
2. Should different strategies be adopted to deal with particular drugs having regard to their different harms and propensity to produce dependency? (The social cost per user of harm of different illicit substances varies widely with, for example, the social costs per user of amphetamine estimated to be 300% greater and opiates 1,770% greater than cannabis).
3. What policy responses can best address problems associated with those who are dependent on illicit drugs and those users who are not?
4. Is a primary focus on the elimination of supply the most effective means of reducing harms?
5. What measures are likely to be most effective in reducing availability? (Addictive substances whether they are illicit drugs, prescribed drugs, alcohol or tobacco are not ordinary commodities and should not be treated as such.)
6. What account should be paid to the fact that dependency is a chronic relapsing condition?

## **Filling prisons only part of the solution to cutting crime**

Author: Don Weatherburn, director of the NSW Bureau of Crime Statistics and Research.

Publication: Sydney Morning Herald (13, Wed 06 Feb 2008)

There are few things that set off alarm bells in a political party more readily than a public accusation that they have gone soft on crime.

Both sides of politics scrupulously avoid doing anything that could leave them open to this. As a result, the last decade has seen a general toughening of law and order policy.

One manifestation of this is a growing prison population. The Australian Bureau of Statistics says that between 1997 and 2007 the rate of imprisonment in Australia rose by 23 per cent. There are now more than 24,000 people behind bars.

Almost a quarter of those held in prison are indigenous, although indigenous Australians make up less than 3 per cent of the total population.

The growth in imprisonment has not been the result of higher crime rates. Surprising crime as it may seem, for most of the past 10 years, most categories of crime in Australia have been either stable or falling. Imprisonment rates have risen, despite falling crime rates, because more of those charged with criminal offences are being refused bail and more of those

convicted of criminal offences are receiving a prison sentence.

There is no doubt that sending frequent offenders to prison keeps the crime rate lower than it would otherwise be. Tougher bail policies help reduce the rate at which defendants abscond or re-offend while on bail.

As a crime-control tool, however, prison has some very distinct limitations.

To begin with it's expensive. It costs \$240 a day to keep someone in prison.

A second problem is that a growing proportion of people charged with criminal offences are being held on remand while awaiting trial. Over the past 10 years the proportion of the Australian prison population on remand has risen from 13 per cent to 22 per cent.

The disturbing thing about the growth in remand is that a large percentage of those refused bail end up having the charges against them dismissed. Many of those who are convicted, on the other hand, receive a noncustodial sanction.

In NSW more than 12 per cent of those refused bail are acquitted or have all charges against them dismissed. More than one in three of those refused bail receive a non-custodial sentence.

A third problem is that, like most things that cost a lot of money, prison brings diminishing marginal returns.

Imprisoning serious or prolific offenders prevents a lot of crime. But the wider we cast the net of imprisonment, the less cost-effective prison becomes.

A fourth problem is that nearly all those 24,000 prisoners will sooner or later have to be released. If we don't do anything to help them back into the community, many will go straight back into crime.

In NSW, 60 per cent of those released from prison will be convicted of a further offence within two years.

The fact is we cannot rely solely on imprisonment if we want to get value for our crime-control dollar. Nor can we rely solely on measures that do nothing more than subject offenders in the community to greater surveillance.

Overseas research shows that intensive supervision of offenders, on its own, does nothing to reduce the risk of reoffending.

To make intensive supervision work, it has to be combined with measures that tackle the underlying causes of offending (for example, drug and alcohol dependence, poor social skills, unemployment). Programs that do this can reduce the rate of reoffending by as much as 20 per cent.

Spending money on rehabilitation programs and services can easily be lampooned as being kind to criminals. In truth it's nothing more or less than enlightened commonsense.

## **More support for families needed: ANCD Report says**

A major new report commissioned by the Australian National Council on Drugs and to be released on 25 February 2008, says it is critical to provide much more

support for families coping with young people who are either binge drinking or have issues with drugs.

The new report highlights family members should be able to get support and assistance in their own right and highlights that many family members helping people with drug or alcohol issues frequently aren't getting the right information or support - and end up feeling isolated and confused.

The new report follows the release last year of a major ANCD report that looked at number of children living in households where an adult has alcohol or drug issues. Since that time the authors have undertaken further analysis and now estimate:

1. At least 451,000 children live in a household where they are at risk of exposure to binge drinking by one adult
2. 78,000 children live in a household where there is at least one daily cannabis user
3. 27,000 children live in a household where an adult is using methamphetamines monthly.

Professor Margaret Hamilton, ANCD Executive member said: "Drug use impacts on everyone in a family. If we are to respond to this we need alcohol, drug and other services to recognise the value of a focus on the needs of families. Funding bodies are short sighted if they do not provide for this broader focus as it can alleviate significant stress and reduce other problems in the community; beyond just the person with problematic alcohol or drug use. We simply cannot underestimate the harms that occur for all family members - including siblings - when a young person is in trouble with alcohol or drugs."

One of the key findings of the report is that the majority of treatment providers in Australia do not currently provide a direct service for families who have a young person with alcohol or drugs problems

Tony Trimmingham - who set up Family Drug Support in 1997 after his son died of a heroin overdose also found little support to help him – has welcomed the new report. "Families are the most important source of support for people who have drug and alcohol dependency issues. Their influence can be a vital source for positive change. Sadly families are frequently left to provide ongoing support with little guidance and support for themselves. Feelings of shame, stigma and guilt add to the isolation", he said.

Amongst the major recommendations are:

1. It is important to provide support to families who have a young person with substance mis-use issues and their needs should be recognised within existing drug and alcohol services as well as being supported by stand alone programs.
2. Treatment services need to recognise the need for family members to get treatment in their own right.
3. Government and non-government services should be adequately resourced to deliver intervention programs to family members to help families.
4. Treatment providers need to strengthen their capacity to deliver a range of intervention programs to

help families depending on the circumstance and the needs.

5. Family members of marginalised young people need intensive family support - in recognition of the fact that these groups often have a high incidence of substance misuse issues.
6. Grandparents who may have assumed a parenting role for their children's children, as a result of parental substance abuse, need to have access to additional support structures to address their needs.
7. Funding should be invested into researching the needs of grandparent carers and the issues they face.
8. The actual impact of alcohol misuse on family members needs to be systematically investigated because alcohol is the most widely misused substance in Australia. This investigation needs to look at whether current support services are adequate and the needs of family members and whether support options to help them are adequate.
9. All states and territories need to make it a priority to look at drug and alcohol treatment services and the ways families are being supported.

*Check the ANCD website for full copies of the report: <http://www.ncd.org.au/>*

## **President's Annual Report 2007**

(Presented at the November AGM)

### ***Introduction***

This twelfth President's report covers the 12 month period from November 2006 to November 2007.

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; Bob McFadden, treasurer; and Cynthia Groundwater, secretary and Joan Westaway who has ably filled in for Cynthia when Cynthia is away I also thank Marion McConnell for her organising work and support, and St Ninian's Church for the use of its hall.

It would be remiss of me indeed if I did not give a very special mention to Bill Bush. Bill adds a very important dimension to our work through his professionally and compassionately written submissions which are all very well referenced. We, as members of FFDLR, have every reason to be proud of the high quality of our submissions which are submitted to Parliamentary and other inquiries. The hours which Bill puts into this work can not be calculated. Bill's astuteness is also valued. FFDLR's contribution to ensuring that the new ACT prison is human rights compliant and a place where prisoners are given every opportunity for rehabilitation and a better life on release is another area in which Bill has played a major part. We owe Bill a great deal.

## **Events of significance**

**Internationally** there have been some positive signs of change. There is a positive movement in the UK to make changes to the drug classifications and from unexpected quarters, such as the North Wales Police Authority, which recommended a repeal of the Misuse of Drugs Act 1971 and its replacement with a new Act based on a new hierarchy of harm that includes alcohol and nicotine. Earlier, the Deputy Chief Constable of Nottinghamshire urged the prescription of heroin to curb crime. An injection room and trial of prescribed heroin are under way in Canada in spite of opposition from a new conservative government in Ottawa. In other parts of Europe, excellent results from prescription heroin are winning its acceptance and consolidating its place in routine drug treatment. In several countries there are medically supervised injecting centres. Of note also is that increasing numbers of prisons have recognised the need for syringe exchange programs.

**In Australia:** Little change has taken place although attitudes seem to be changing if newspaper opinion piece articles are anything to go by. The Joint Committee on the Australian Crime Commission issued a sound report in February 2007 on amphetamine and other synthetic drugs. However, vocal voices within the federal government are pushing the replacement of harm minimisation by zero tolerance with all its consequences, thus undermining the harm reduction pillar of Australia's harm minimisation strategy. The most significant has been the House of Representatives report "The winnable war on drugs" which came from the House of Representatives Standing Committee on Family and Human Services inquiry into 'The impact of illicit drug use on families' and chaired by Ms Bronwyn Bishop which uses graphic images from the USA (reminiscent of "Reefer Madness") and in its extreme manifestation recommends the permanent adoption of children of illegal drug using parents.

It was a positive step when the NSW Government gave the Sydney Medically Supervised Injecting Centre another 4 years to operate.

**In the ACT** the government is proceeding with the construction of its first prison – the Alexander Maconochie Centre. The Community Corrections Coalition, of which our group is an active member, is monitoring closely the establishment of the prison and has produced a report card for that purpose. We have contributed to ministerial correspondence, submissions and papers of the Committee, notably on the Corrections Management Bill and performance measures. It was satisfying that the ACT Government agreed to the provision of health services being moved from the control of Corrections to Health – a step we strongly urged. Many other important prison policy papers are in preparation or planned by this committee, largely due to the efforts by Bill Bush.

We were saddened to hear of the death of Audrey Fagen, ACT Chief Police Officer. A condolence motion was passed at our April meeting. The death of Peter Andren, Federal member for Calare also saddened us.

## **Involvement in the community or other organisations**

FFDLR is represented as follows:

**The Opiate Program – ACT:** John Ley. There have been some changes here and John is involved in trying to keep this program not only intact but also to develop it.

**Crime Prevention Committee:** Bill Bush but the committee wound up in December 2006

**Community Corrections on Coalition:** Bill Bush, Brian McConnell, John Ley. The work of this group will prove to be significant in the effectiveness of the prison.

**ACT Alcohol and Other Drugs Strategy Implementation & Evaluation Committee:** Brian McConnell continued his representation on this group.

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

**ADCA Reference Group:** John Ley is represented on the Prevention and Community Education Reference Group.

## **Representations**

**FFDLR members met with and made representations to the following:**

- Bill Stefaniak MLA to discuss the New Prison Legislation March 2007
- Mary Porter M.L.A
- Zed Seselja MLA mainly to inform him of the issues around the new prison.
- ACT Health and Justice ministers, Katy Gallagher MLA and Simon Corbell MLA mainly to discuss the value of having the Health Minister responsible for Health in the prison rather than Corrections. In the event the government was persuaded to change certain critical parts of the Corrections Management Bill prior to being passed into law.
- Senator Gary Humphries on the Bronwyn Bishop inquiry into the impact of illicit drug use on families.
- ACT Hepatitis C Council
- We asked for a meeting with Nicola Roxan, Shadow Health Minister, prior to the election and were offered a phone conversation with her adviser on drugs, Shaun Kelly which Brian had on 27 August.
- John attended a focus group on the Siggins Miller evaluation of the buprenorphine and methadone program in the ACT.
- Vince McDevitt, EO of the CPSU concerning the opposition to a needle/syringe program in the new ACT prison by prison officers.

## **Submissions**

FFDLR made the following written submissions during the year:

- [Submission of Families and Friends for Drug Law Reform to the inquiry of the House of Representatives Standing Committee on Family and Human Services into the impact of illicit drug use on families.](#)
- ACT Legislative Assembly Standing Committee on Health and Disability – Inquiry into the use of crystal methamphetamine. Additionally Bill Bush and John Ley gave oral evidence to the committee.
- [FFDLR views on Australia’s mutual assistance arrangements](#)
- Comments on Draft Children’s and Young People’s Justice Health Services Plan, and Draft Adult Corrections Health Services Plan
- Proposed Submission to the Productivity Commission. This is an important work in progress, for which we have invited other groups, agencies and parliamentarians to become involved.

Contact us (email or phone) if you would like a copy of our submission mailed to you.

### **Conferences, Seminars and Inquiries Attended**

- Brian and Marion and others attended the Australian Parliamentary Group for Drug Law Reform forum on 8<sup>th</sup> December 2006. Speakers were Dr. Ingrid van Beek, Director of the Sydney Medically Supervised Injecting Centre and Dr. David Caldicott whose expertise is in ‘Party Drugs’.
- FFDLR members attended a public forum on “ice” in March 2007 convened by the ACT Standing Committee on Health and Disability.
- Brian, Marion & Bill attended the launch at the National Press Club by Dr John Herron of the ANCD paper on methamphetamines on 31 January 2007
- Brian and Bill attended an ALP community sector forum in 21<sup>st</sup> November 2006
- Families Australia Focus Group meetings on 12<sup>th</sup> and 14<sup>th</sup> March which focussed on their submission on the impact of illicit drugs on Australian families.
- ACT Prison: Brian & Bill attended the Corrections Coalition meeting where John Paget, Sean Moysey and Pene Matthew made presentations March 2007
- Bill attended a consultation forum on the development of a national amphetamine-type stimulants strategy at the Australian Institute of Criminology on 13 March.
- Bill and Peter attended, on 23<sup>rd</sup> April, the launch of the ADLRF economic report, “the three billion \$ question for Australian business”

### **Published opinion pieces**

- Worrying signs of health in ACT jail. By Bill Bush, Published in The Canberra Times 1 June 2007

## **FFDLR Awareness raising activities**

### **Public Forums**

- A Public Meeting was held at the Legislative Assembly, sponsored by Mary Porter MLA which featured Alison Ritter who spoke about “Evidence based drug policy – myth or reality?” It was attended by well over 100 people. Slides from Ms Ritter’s talk are on our website.
- Drug Action Week Forum: A forum was organised by FFDLR on 18 June 2007 at the Legislative Assembly entitled “Parental substance abuse, parenting capacity and child protection: always a three way tug of war?” It was presented by Dr Sue Packer, AM, FRACP, Community Paediatrician at the Children at Risk Unit at Canberra Hospital and former president of the National Association for Prevention of Child Abuse and Neglect (NAPCAN). The forum was sponsored by Deb Foskey MLA. A copy of the talk is available on our website.

### **Monthly meetings**

Meetings were held every month from February to November. Many important and topical issues were discussed and action taken where appropriate. Guest speakers were invited on two occasions – May and August. The speakers were Paul Ribbons, ACT Ambulance Service and Joanne Smith, Directions respectively.

At our February meeting it was decided to raise the annual membership fee from \$10 to \$15. This was the very first rise in fees for FFDLR. The concession remained at \$5.

### **Remembrance Ceremony**

The Twelfth Annual Remembrance Ceremony was held at Weston Park in the ACT on 22 October 2007. Speakers were ACT leader of the opposition Bill Stefaniak, FFDLR member Tina van Raay, and Rev’d James Barr, Senior minister, Canberra Baptist Church. The Canberra Union Voices added significantly to the ceremony. The speeches by Rev’d Barr and Tina van Raay are on the FFDLR website.

FFDLR also participated in discussion into the possibility of establishing a national remembrance day.

### **Talks and presentations**

- Brian & Marion spoke at Canberra College on 1 November 2007 and Deakin High School on 15 November 2007
- Brian spoke to the staff of the Alcohol and Drug Program on 5 November 2007

### **FFDLR media activities**

There were a number of media appearances/presentations undertaken by FFDLR members during the year.



The Writing Letters to the Editor brochure was revised and distributed with the February newsletter.

A number of letters to the editor were written by members and published.

**Media releases were issued as follows:**

31 January 2007 Evidence based drug policy – myth or reality?

1 March 2007 Parliamentary inquiry introduces sense into the “ice” debate

1 June 2007 Prison law is foundation for continued victimisation

17 June 2007 In the best interests of the child: Integration of drug and child protection policies (Drug Action Week Forum)

13 September 2007 Bronwyn Bishop drug report a recipe for disaster.

21 October 2007 Opposition leader to speak at 12th annual remembrance ceremony

19 November 2007 No new ideas in Coalition’s dead end policy

FFDLR received good coverage on WIN TV, the local ABC station and the *Canberra Times* for which we are always grateful.

**Other awareness raising activities**

An important vehicle for raising awareness has been the regular production of the FFDLR Newsletter. Ten issues were produced and mailed to members. In addition a complimentary copy of the Newsletter was emailed to all Australian members of parliaments.

During the year FFDLR continued its good working relationships with the Youth Coalition, ACTCOSS, ADCA, ACT Health and a number of other community organisations

The FFDLR website is an important source of information and a shop front for FFDLR which is increasingly being used by students as part of their school work research.

Brian McConnell,  
President

## Coming Events

### 1. Prisons – can they be Human, even Rehabilitate?

Organised by the Centre for an Ethical Society

Speaker: Professor Tony Vinson

Emeritus Professor at the University of NSW, Honorary Professor in the faculty of education and social work at Sydney University and one of Australia's leading social scientists and outspoken public intellectuals.

Beginning his public service as a parole officer in the NSW Department of Prisons, Prof. Vinson was later appointed chairman of the NSW Corrective Services

Commission and undertook sweeping reforms following the Nagle Royal Commission into the state's prison system. He has been outspoken about the ever expanding NSW prison system in response to social and educational disadvantage.

**Tuesday 26th February, 7.30pm** at the Australian Centre for Christianity and Culture, Kings Ave, Barton

There will be follow-up seminars with an ACT government speaker on the new ACT prison; and another on mental health and prisons.

All the seminars will seek to encourage discussion from the floor.

Donation requested to cover hall costs (\$5 suggested)

### 2. Public meeting on the limitations on development of public policy for custodial settings

Speaker: David McDonald

Date and time: 14 March 2008, 12:30 – 1:30

Location: ACT Legislative Assembly Reception Room, London Circuit

An event jointly organised by the AIDS Action Council and the HepC Council and the first of a series of public events of the ACT Community Coalition on Corrections

Refreshments will be provided



*Setting up the stall at Canberra Contact on 10 Feb 2008. Canberra Contact is a promotional opportunity for community organisations.*

## Netherlands For Nobel Peace Prize

Inspired by the recent success of former U.S. Vice President Al Gore in awakening the world to the dangers of global warming by receiving the Nobel Peace Prize for his advocacy work, the National Organization for the Reform of Marijuana Laws (NORML) is beginning the New Year by coordinating the nomination of the Netherlands for a Nobel Peace Prize for its achievements in minimizing drug use in its citizens, while at the same time restricting imprisonment.

With few peers at the international level and despite tremendous pressure from the United States and the

United Nations, the Dutch government and its people have proven for more than 30 years that it is more cost effective, humane, and practical to be "smart on drugs" rather than "tough on drugs."

For the full text see: <http://www.netherlands4nobel.org/>