



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 08

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NEXT Meeting

Thursday 23 October 2008

at 7.30pm

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

Refreshments will follow

Contents:

- Editorial – Questionnaire on ACT elections.
- 13th Annual Remembrance Ceremony – Reminder.
- \$12bn in illicit loot flowing offshore.
- Danish prisons have been commended for their rehabilitation rates and unique approach to prisoner reform.
- Presidential candidate Barak Obama supports needle exchange.
- An interesting interchange of published letters in the Canberra Times on strip-searching in prisons.

Editorial

It is likely that by the time readers receive this newsletter the outcome of the ACT election will be known. But at time of writing only pollster predictions were known.

The predictions were for equal numbers of Labor and Liberal candidates and for four Greens to be elected. The latter would hold the balance of power.

But there were other parties and a number of independents also running.

In an effort to assist ACT members to understand the drug policy positions of the various parties, a questionnaire comprising six questions was sent to them.

The survey was sent about 4 weeks prior to the election with a follow-up reminder to those who had not responded 2 weeks later. Four parties responded.

The questions were based on general principles rather than specific issues and are included in this newsletter.

The matter of who answered, how they answered and their responses is informative.

Neither the ALP nor the Liberals responded to the questionnaire despite the reminder and despite asking a number of the candidates to follow the matter up. Although a number said that their office was likely to be busy, it is unlikely that they would have been any busier than other less resourced parties. It is probable that they

do not wish to be involved in or publicly put their position on our issues.

All responding parties saw drug dependence as a health and social issue but the Australian Motorist Party saw it also as a law enforcement issue. Similarly all saw that policy should be based on evidence and continuing evaluation of policies but the Community Alliance Party and the Australian Motorist Party felt it should also be based on public expectations.

All responding parties agreed to work in a bi-partisan

Questions put to Parties to the ACT Election

1. Do you perceive drug dependence as:
a health and social issue,
a law enforcement issue.
2. Do you believe drug policy should be based primarily on:
public expectations, or
evidence and continuing evaluation of policies
3. During election time any reference about drugs is usually a law and order bidding war and accusations that opponents are soft on drugs. Thus an honest, serious political debate has never been had on the broad issues of illegal drugs. Would you be prepared to work in a bi-partisan way to properly debate and implement drug policy issues based on the best available evidence and research?
4. For some people abstaining from drugs is a good option but others do well on maintenance programs like methadone treatment.
What do you see as more important?
being drug free at all costs, or
a program that is agreed between client and doctor/service provider as in the best interest of the client.
5. Would you support a cost/benefit and effectiveness analysis of current drug policies and practices.
Yes
No
6. Finally if you have a specific policy on drugs or a set of principles upon which you would base such a policy could you please attach or provide a reference link.

way on drug policy.

On the question of being drug free at all costs compared to a program agreed between the doctor and his patient, all supported the latter but the Pangallo Independents included a caveat that "just so long as it's not open ended".

All supported a cost benefit and effectiveness analysis of current drug policies.

The responding parties provided references or an outline of their drug policies. The Community Alliance Party included their policy under the heading of "Key Policy Statements for Anti-Social Behaviour and Addictions" which seemed a little inconsistent with some of the answers they provided.

The Greens identified a link to its policy on its website. The policy is comprehensive and consistent with the answers provided and is worth a look. I note also that in response to questions put to the Greens by other community organisations they have been straightforward with their responses no matter that the subject might be perceived as controversial.

The Australian Motorist Party insists that those caught up in addiction should be supported and rehabilitated and that there should be no needle exchange in the prison" – the latter position is inconsistent with their stated position on evidence based drug policies. [The Canberra Times of 16 Oct reports that "the party wants anyone convicted of illicit drug use to undertake compulsory "detoxification and rehabilitation" or serve time in jail."]

It is interesting and very disappointing that neither major party, one of which will form government, chose not to respond while the remaining parties made the effort to respond and to respond to the best of their knowledge and experience. It is these major parties also that when in government have the opportunity to make a difference but when standing for election have not put forward their position.

13th Annual Remembrance Ceremony

'for those who lose their life to illicit drugs'

Monday 20th October, 2008, 12.30pm – 1.30pm

Weston Park, Yarralumla, ACT

Speakers include:

- Senator the Hon Jan McLucas, Parliamentary Secretary to the Hon. Nicola Roxon, Minister for Health and Ageing
- Rev'd John Brown
- a family member

Music *In the Mood*

Refreshments will be served following the ceremony.

If you have a family member or friend who has lost their life to illicit drugs and would like them remembered by name at the ceremony please phone Marion on 6254 2961 or Bill on 6257 1786.

HELP NEEDED: If you are able to help with sandwiches, cake, slice, fruit etc. please contact Marion on 62542961 as soon as possible.

If you can help with flowers it would be appreciated.

Sydney Ceremony

Date & Time: Saturday 18 October, 6.00 pm

Venue: Ashfield Uniting Church,
180 Liverpool Road – Ashfield

Enquiries: 4782 9222 or to have a name read or display a photo.

\$12bn in illicit loot flowing offshore

Nick McKenzie, *The Age*, September 27, 2008

UP TO \$12 billion in illicit drug money is flowing out of Australia annually - an amount up to 30 times greater than official estimates - according to the nation's most powerful crime fighting agency.

The Australian Crime Commission's estimates suggest authorities are drastically underestimating the quantity of drugs crossing the nation's borders without detection. ACC chief executive Alastair Milroy told *The Age* that the commission believed \$4 billion to \$12 billion in drug money was being sent offshore each year.

The most recent official estimate, for 2004, put the figure at \$382 million.

"The estimates at the moment range between \$4 billion and \$12 billion a year. We are not saying at the moment which end of the scale is right or wrong, but what we are saying is it is significant," Mr Milroy said.

While early analysis suggests the real figure is closer to the \$12 billion mark, the project is relatively new so the commission cannot commit to a more precise figure.

It is expected that senior law enforcement officials will brief the Federal Government in coming weeks about the need for revised strategies to confront the huge supply and demand for drugs such as ecstasy. The ACC's estimates come from a secretive international operation, code-named Gordian, which has led to the seizure of drugs worth more than \$1.5 billion and the launch of a sophisticated anti-money laundering strategy.

The ACC's work has also led to the arrest of more than 70 suspects over drugs and money laundering offences since 2005. Those charged with smuggling money out of the country include international airline pilots, money remitters and figures connected to Asian organised crime and triad syndicates in Asia, North America and Europe. The ACC estimates suggest a continuing huge domestic demand for ecstasy and other illegal drugs in Australia, and that traditional policing methods are failing to detect the majority of drug importations.

"Certainly we think that current estimates of the size of (drug) money leaving Australia might be conservative," Mr Milroy said. He said Australian policing agencies were involved in some impressive drug busts but that it was difficult to measure the impact of the seizures. "How do you quantify that impact? Clearly there are still drugs on the street and drugs that are getting through," he said.

Criminologist and Associate Professor John Walker's August 2007 study for the Australian Institute of

Criminology and Australia's anti-money laundering agency AUSTRAC estimated that \$382 million was generated from drug trafficking in 2004.

The study is the most recent official estimate. Professor Walker said the crime commission's new estimates should ring alarm bells in police agencies and the Federal Government. He said they indicated that despite law enforcement efforts, many more drugs were entering Australia than being detected by police operations.

"If all police ever do is chase individual importations, they never see the big picture. I think what the ACC is doing, by looking at transnational organised crime as economists would, is a big breakthrough in law enforcement thinking in Australia," Professor Walker said. "If the ACC is right, then Australia would have the most profitable market for illicit drugs on the planet."

The ACC is using sophisticated tracking systems to examine high-risk money movements out of Australia.

The commission is also working to identify and gather evidence against the senior overseas-based crime bosses controlling the flow of drugs to Australia. "We are looking at money flows within a huge, \$1 trillion-plus economy," Mr Milroy said.

The following letter was sent to the Age in response to the article.

Dear editor,

Nick McKenzie's article (\$12bn in illicit loot flowing offshore, The Age, 27/9/08) should give government serious cause for re-examination of its approach to drug policy. As Criminologist Professor John Walker says "it should ring alarm bells".

The current law enforcement approach to illicit drug control has failed and the Australian Crime Commission (ACC) has no idea about the effect the latest large seizures have had. Its Chief Executive, Mr Milroy is puzzled: "there are still drugs on the street and drugs that are getting through".

The current ACC published data of seizures of drugs and arrests of drug users and suppliers are more for publicity purposes than any real measure of effectiveness. For the most part they simply measure police activity. Large seizures, stable or reducing street prices, ease of availability – that is the current situation – are all indicators of a flourishing market and the impotence of the current approach.

The article also says that shortly "senior law enforcement officials will brief the Federal Government". Probably those officials will, as they have done in the past, ask for increased funding. They may promise, but they will give no guarantee of making a real difference. Currently, 70 percent of illicit drug expenditure goes to law enforcement and yet neither the ACC nor the government has any idea of the effectiveness of that expenditure.

It is now time to refer the matter to a body like the Productivity Commission which can take a broader, more objective approach and give better advice to the government.

B McConnell

Vietnam to grant Australian prisoners clemency

ABC, Mon Oct 13, 2008 6:00pm AEDT

Vietnam says it will grant clemency to two Vietnamese-Australians charged with drug trafficking.

Prime Minister Kevin Rudd has met his Vietnamese counterpart in Canberra today. Vietnamese Prime Minister Nguyen Tan Dung said his country would spare the lives of Sydney woman Jasmine Luong and New South Wales man Tony Manh.

Speaking through a translator, Mr Nguyen said the two Australians will not be executed. "Building upon the excellent friendship between our two countries and on humanitarian grounds, I have informed the Prime Minister that the Vietnamese President has decided to grant clemency to two Vietnamese-Australians charged with drug trafficking," he said.

Earlier this year Luong was ordered to face the firing squad in Vietnam, after an appeals court upgraded her life jail term for heroin trafficking.

An Australian of Vietnamese descent, she was arrested at Ho Chi Minh City's international airport as she tried to board a flight to Australia on February 13 last year.

Customs officials said they found the heroin in her shoes and luggage.

Manh was arrested in March last year with the heroin hidden on his body as he was about to board a flight to Sydney.

Officials had been concerned his guilty plea could complicate his efforts to have his death sentence commuted to life.

Danish prisons have been commended for their rehabilitation rates and unique approach to prisoner reform.

Credit: BBC Newsnight Sep 15, 2006

If you get a chance, have a look at the video download of a 15 minute BBC programme on the Danish prison system <http://video.google.com/videoplay?docid=750962580192066201&hl=en>.

It shows that there are indeed different ways to run prisons and that these are consistent with much lower rates of recidivism.

Presidential candidate Barak Obama supports needle exchange

Q: D.C. has the highest [HIV/AIDS] infection rate. How can we address that?

A: I think it is important that we are targeting HIV/AIDS resources into the communities where we're seeing the highest growth rates. That means education and prevention, particularly with young people. It means that we have to look at drastic measure, potentially like needle exchange in order to insure that drug users are not transmitting the disease to each other.

And we've got to expand on treatment programs. And all of that is going to cost some money and some time. But

again, if we think about the enormous costs of homelessness, or the enormous cost of HIV/AIDS, over the long term, as people visit emergency rooms, etc.

The more we are investing in that ounce of prevention the better off we're going to be.

Source: 2008 Politico pre-Potomac Primary interview Feb 11, 2008

An interesting interchange of published letters in the Canberra Times

Strip searching

I am concerned "that the ACT Government has legislated to allow routine strip searching in the new prison.

Previously this practice, which the Attorney-General himself describes as "humiliating", was permitted only in exceptional circumstances.

Speakers at forums organised this year by Christians for an Ethical Society highlighted that, if prisoners are to have any chance of rehabilitation, the ACT must do things differently.

A sentence is about deprivation of liberty, not of human dignity.

The Attorney-General stressed that the culture of the new prison would be a far cry from that of other Australian prisons. In our prison, wrongdoers would be treated as "people first".

The new legislation shows these words lacked substance.

I am unaware of evidence that random strip searching contributes to safer prisons.

There are studies, however, that show it further damages prisoners.

Strip searching is an instrument of serious mental harm, particularly of female prisoners, some 40 per cent of whom have been sexually abused as children.

How can prison guards who have been required to strip-search prisoners then be accepted by prisoners as anything other than authoritarian figures?

If inhumane prisons lead to greater re-offending, then the Canberra public will ultimately be the loser under this change of legislation.

H. McLaren, Christians for an Ethical Society

Jail concerns

I am confident all practicing Christians share the concerns expressed by H. McLaren, of Christians for an Ethical Society, about strip-searching of prisoners (Letters, October, 4).

However, it must be reasoned that Christian ethics extend to trying to prevent those in jail retarding their rehabilitation to normal life. In the case of drugs, of course, the appropriate ethical response extends to the health and wellbeing of those receiving prohibited items, and to those who may be introduced to health dangers in this way. And all this is to say nothing about the societal ethic requiring authorities to ensure law-breaking' does

not occur in a place intended to correct law-breaking habits.

Colliss Parrett, Barton

True Christian ethics

In his response to a letter from Christians for an Ethical Society (Letters, October 4), Colliss Parrett uses his version of Christian ethics to push his barrow of being drug-free regardless of the consequences (Letters, October 8).

Unlike Christians for an Ethical Society he seems to believe that Christians would approve of the most dehumanising, humiliating and degrading practice of strip-searching a woman prisoner, a woman who is most likely to have been sexually assaulted before entering prison and to have a mental illness.

Parrett believes it is OK to strip-search such a woman (and the Human Rights Audit on ACT Correctional Facilities tells us it can happen up to 10 times a week) in the vain hope that this will prevent drugs entering the prison.

He believes this, even though over a two-three year period in Queensland prisons between 42,000 and 43,000 strip-searches were carried out and only three items of contraband were found, none being illicit drugs.

Not only is the practice of strip-searching unlikely to detect anything of significance but it is most likely to undermine any restorative attempts, and will certainly exacerbate mental health problems. How can any Christian who supports this, claim to be ethical?

M. McConnell, Higgins

STRIP-SEARCHING WORKS

M. McConnell (Letters, October 10) berates Colliss Parrett for supporting the strip-searching of prisoners. He [sic] says that in Queensland, the strip-searching of 42,000-43,000 prisoners only turned up three items of contraband, none being illicit drugs. Seems to me this shows that strip-searching works - no one carried drugs because they knew they would be searched. Well done, Queensland.

Ivan Hoy, Kambah

Strip Searches and Drugs

Ivan Hoy may be a little premature in congratulating Queensland prisons and their practice of strip searching inmates because drugs still get into Queensland prisons (Letters 13 October).

Therefore others must be bringing the drugs in. So if he has such confidence in the de-humanising strip-searching practice would he also recommend it for all prison staff and any others who enter the ACT jail?

M McConnell, Higgins