

Families and Friends for Drug Law Reform

committed to preventing tragedy that arises from illicit drug use

PO Box 4736, HIGGINS ACT 2615, Telephone (02) 6254 2961

Email mcconnell@ffdlr.org.au


Web <http://ffdlr.org.au>

NEWSLETTER September 2010

ISSN 1444-200

NEXT Meeting

Thursday 23rd September
at 7.30pm

 **Guest:** Jude Byrne from the Australian Injecting and Illicit Drug Users League will be joining us.

Among other issues she will speak to us about the recent market research on attitudes toward injecting drug users. This research was carried out in the general population as well as among health workers. Come along and hear what Jude has to say.

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

October Meeting – Thursday 28th

Guest Speaker: Jason Morrissey, Comorbidity Project Manager at DIRECTIONS will speak about the SMART program and comorbidity issues.

Please keep this date free and come along to hear Jason and to join in discussion.

Meeting 7.30pm. Speaker 8.00pm.

REMEMBRANCE CEREMONIES



NEWCASTLE

Christ Church Cathedral, Church St, Newcastle

Saturday 25th September, 4.30pm

Supper follows the service

All Welcome. Further information: 0401305522

SYDNEY

Ashfield Uniting Church, 180 Liverpool Rd., Ashfield

Saturday 16 October, 6pm

All welcome. Enquiries 02 4782 9222

CANBERRA

Weston Park, Yarralumla, ACT

Monday 18th October, 12.30pm – 1.30pm

Light refreshments follow the ceremony.

All welcome. Further details on enclosed leaflet.

Editorial

Outside the law

Breaking news here in Australia is of a drug bust that went horribly wrong. Police raided a house in Bankstown NSW where it was thought to be a large quantity of drugs. Police were fired upon when they entered the garage and a police officer was wounded. He and a colleague opened fire and the police officer was fatally wounded in the head by a bullet from the second policeman's gun. At the time of the raid no drugs were found and two people were taken into custody.

The drug trade is conducted outside the law. There is no court to resolve disputes for those involved. Generally it is a matter of self protection hence the usual haul of weapons that accompanies drug busts. This situation was no different, the suspected dealer had a gun and used it to protect his trade.

This situation is replicated throughout the world but is no more stark than in Mexico. In that country it is three-way open warfare between two drug cartels and between the Mexican police or military. Over 28,000 people have died as a result of this war which shows little sign of abating. Indeed a recent report on the ABC 7:30 report says a Mexican cartel has infiltrated Australia.

Like any war there will be collateral damage – a euphemism that means the good guys kill civilians – and there will be deaths from friendly fire ie shooting one's own.

In this "war on drugs" there has been a well-worn track of thinking in the minds of those responsible for opposing any change to drug laws. The thinking is stuck solidly inside the square. There is very little thinking outside the square despite the mounting evidence that much of our present policies are counterproductive

Why the tools of economics are not called upon is a mystery. The driving forces in the drug trade are two-fold: addiction drives one element of the demand for the drugs, and the huge profits drive the supply of drugs. Surely it must be possible to undercut the huge profits through economic means that do not cause such tragic loss of life.

Polly and Me - a change in drug policy is needed

Letter sent to the ABC, Marion McConnell

The drama film 'Polly and me' shown on ABC TV on Thurs 9th September was a very good account of the tragic situation people can find themselves in when they become addicted to a drug like heroin. Even though the mother shown in the film obviously loved her daughter, the craving for the drug was too great to overcome.

But I was disappointed that the panel did not make any comment on the part played by our present drug policies.

Couldn't the outcome for this mother and daughter and the rest of society for that matter, have been much better if the mother had access to supervised doses of prescription heroin from a doctor. She then could have been referred to counselling and other support which was needed. Surely those who are severely addicted to a drug have a health problem and it should be treated as such. Knowing that they could be prosecuted or their child taken from them, those addicted to drugs are most unlikely to seek help and therefore continue to purchase their drugs from the most unsavory characters and prostitute themselves to get the money.

We must begin to look at overseas models which are shown to be working such as heroin on prescription.

Could you do a similar program showing a family who has had positive outcomes because of different policies such as heroin on prescription?

Trends in property and illicit drug crime around the medically supervised injecting centre in Kings Cross: An update

NSW Bureau of Crime Statistics and Research, Jacqueline Fitzgerald, Melissa Burgess and Lucy Snowball, Aug 2010

Aim: The Medically Supervised Injecting Centre (MSIC) opened in Kings Cross in May 2001. This paper examines whether there have been (a) increases in the volume of robbery, property crime and drug offences in Kings Cross Local Area Command, or (b) increases in the proportion of Kings Cross drug offences occurring in the immediate vicinity of the MSIC, which could be attributed to the MSIC.

Method: The volume of crime was indicated by the number of criminal incidents of robbery, property crime and selected drug offences recorded by NSW Police between January 1999 and March 2010. We computed the trends in these offences in Kings Cross LAC from May 2001 to March 2010 and compared the results to the equivalent trends for the rest of Sydney SD. Spatial analyses were used to determine whether drug arrests were concentrated around the MSIC site. Police recorded incidents of possession and dealing of narcotics, cocaine and amphetamines were geocoded and mapped with the results inferred by descriptive statistics and visual inspection.

Results: With a few minor exceptions the incidence of robbery and property offences have fallen in the Kings Cross Local Area Command since 2001. This pattern is consistent with the rest of Sydney. Of the six drug offences considered, five have been stable in Kings Cross since 2001. The exception was cocaine possession which increased in both Kings Cross and the rest of Sydney. The spatial analyses showed no pattern of increased drug offences around the MSIC.

Conclusion: No evidence was found that the MSIC has had a negative impact on robbery, property crime or drug offences in Kings Cross LAC.

Drug injecting room set to become permanent

ABC 15/9/2010

The New South Wales Government has announced plans to make the medically-supervised drug injecting centre at Kings Cross permanent.

The centre has been operating on a trial basis since 2001.

A review of the centre, commissioned by the government earlier this year, concluded it has successfully managed more than 3,000 overdoses and helped 12,000 drug users.

Premier Kristina Keneally says the government wants to provide more certainty for the centre because it has made a positive difference to people's lives.

"In an ideal world, the need for such a facility wouldn't exist," she said.

"The reality is different and the centre has provided help to people who are most at risk - particularly from overdose death, disease and street violence.

"It has also reduced the incidence of public injecting."

The Kings Cross Police Commander, Superintendent Tony Crandell says that while drug prohibition is not working, the centre has had a dramatic impact on drug deaths.

"Since the injecting centre my officers report upon those deaths infrequently," he said.

"Additionally I'm told by business owners and also residents of the area that the number of needles has significantly reduced in Kings Cross and that the amenity of the area has improved greatly."

Ms Keneally says there will still be extensive oversight of the centre if it becomes permanent.

"We will of course in formalising the facility ensure that it undergo regular statutory evaluations every five years," she said.

"The NSW Police Commissioner and the Director General of Health will also retain the authority to immediately revoke the centre's licence should it ever be necessary."

The centre's founding Medical Director, Dr Ingrid Van Beek has welcomed the proposal.

"It's particularly great that the work the staff have done there day in day out has finally been recognised," she said.

"These issues are too complex to be subject to party-politicking."

The Opposition Leader, Barry O'Farrell says he will allow a conscience vote on the proposal.

FFDLR Media Release 15/9/2010

Medically Supervised Injecting Centre to be a permanent Health Care Facility

A Significant Step Forward In Drug Policy

"What a great day", said Brian McConnell, President of Families and Friends for Drug Law Reform. "The NSW government has taken another courageous step and moved the status of the Sydney Kings Cross' Medically Supervised Injecting Centre from a trial to a permanent Health Care Facility".

The Centre has been in the trial phase for 9 years and during this time has undergone many thorough evaluations.

It was supported by a clear majority at the NSW Drug Summit held in 1999 and supported by both sides of politics.

Over those 9 years the Centre has provided a safe environment for drug users who would otherwise use the drugs in the backstreets and alleyways of Kings Cross and importantly the Centre is able to link the users to other health care services such as rehabilitation and the like. In doing this the centre has no doubt saved many lives.

"Members of Families and Friends for Drug Law Reform are especially excited because it shows that NSW politicians are putting the well-being and the life of drug users ahead of the 'tough on drugs' mantra", said Brian McConnell. "And this is most encouraging for families who so often feel the stigma and isolation which comes when a family member is caught up in addiction to illicit drugs".

"The ACT Government should take a lead from NSW and reopen the debate on a supervised injecting room and heroin on prescription. Both actions have been shown to save lives. Importantly also heroin prescription has caused drug-related crime to plummet."

Congratulations also to the wonderful staff at the MSIC, and especially the former director Dr Ingrid van Beek, who have undergone so much scrutiny over these 9 years but continued to offer a caring and practical service to many otherwise rejected people in our community.

Time to start thinking again on drug laws

Kenneth Davidson

Senior columnist at The Age, *SMH*, September 6, 2010

Huge profits ensure that new traffickers are always ready to fill any gaps.

THE report by *The Age* and *Four Corners* on a major drugs bust (code-named Operation Hoffman) by state police forces under the direction of the Australian Crime Commission was a cracking story. A fascinating cast of goodies and baddies was set against the background of a global drugs distribution chain, which was broken by following the money trail.

The conclusion was that even with regular disruptions to the supply chain and the operators being given heavy jail sentences, the extremely high profits are more than enough to ensure that new drug rings will step into the breach.

If interruptions to supply chains were working, we would see low availability of drugs and high prices leading to reduced consumption. Evidence from overseas - where the policy emphasis is on cutting supplies - shows that drugs are in fact more readily available, prices have fallen dramatically, the purity of hard drugs is increasing and the market is growing.

But the conclusion drawn by the crime commission from Operation Hoffman is that it needs more resources to follow the international money trail.

The 2008-09 Illicit Drug Data Report ramps up the rhetoric. The drugs of choice for today's young are amphetamines and ecstasy. The report states that amphetamines, even in small doses, can cause cardiovascular problems and convulsions leading to death. Long-term use can trigger violent behaviour, and structural and functional changes to the brain, leading to psychosis.

According to the commission, ecstasy (in high doses) can result in liver, kidney or cardiovascular system failure and death. Long-term use can cause paranoia, insomnia, nausea, hypothermia and severe hallucinations, and can damage cognitive and memory functions.

I am sure that this is true, but it should be kept in proportion. The damage done to individuals and the harm caused to society by these drugs (even the most lethal illicit drugs, such as heroin) is small compared with the harm done by legal drugs such as alcohol and tobacco.

According to a 2003 study undertaken for the British cabinet, and later published by *The Guardian*, heroin and/or crack users were responsible for the vast majority of the cost of drug-motivated crime, ecstasy was unlikely to cause significant health damage, and amphetamines had medium health risks.

Heavy use of amphetamines or ecstasy could affect users' ability to work and to care for others, but was unlikely to motivate crime.

Attempts at supply intervention should be concentrated on "hard" drugs, because heroin and/or crack users are the "high harm-causing users".

But as the British report said, even if supply interventions did successfully increase the price, the evidence was not sufficiently strong to prove that this would reduce harm. While shortages might drive some users to get treatment for their addiction, it might also induce some users to undertake more criminal activity to satisfy their addiction.

Let's put this into a historical context. Up until 1906, it was legal to import edible opium into Australia.

In a speech to the Lowy Institute, Alex Wodak, the director of alcohol and drug services at Sydney's St Vincent's hospital, quoted the 1908 annual report to the Commonwealth Parliament by the comptroller-general of customs, which said: "It is very doubtful if such prohibition has lessened to an extent the amount which is brought into Australia ...

"Owing to total prohibition, the price of opium has risen enormously ... the Commonwealth gladly gave up about £60,000 revenue with a view to a suppression of the evil, but the result has not been what has been hoped for. What now appears to be the effect of total prohibition is that, while we have lost the duty, the opium is still imported freely."

Victimless crimes - ranging from drugs to prostitution - are a sure-fire recipe for police and political corruption. Alcohol prohibition in the US led to corruption and organised crime.

Prohibition encourages consumers and suppliers to focus on drugs offering the greatest "hit" (and health risks) for users and the greatest profits for suppliers.

Greater expenditure on law enforcement, as advocated by the crime commission, goes against the trend in most

countries (including Australia), which sees illicit drugs as primarily a health and social issue.

As drug reform pioneer Wodak (who introduced the first safe, but illegal, injecting facility in Australia) argues, the war on drugs has failed comprehensively and the political elites know that prohibition does not work. It continues because it is politically popular.

According to Wodak, penalties for drug possession and consumption should be eliminated or reduced. He points out that resources allocated to high-cost but low-impact sectors such as customs, police, courts and prisons should be switched to low-cost and high-impact health and social programs.

Reforms would include regulation and taxing the sale of cannabis and possibly allowing the sale of some drugs in diluted small quantities, as was the case with edible opium before 1906, or cocaine in Coca-Cola before 1913.

Mexican drug cartel infiltrates Australia

By Tim Palmer for the ABC 7.30 Report

Australia's surge in cocaine use is being fuelled by highly sophisticated importations by one of the most brutal and powerful syndicates involved in Mexico's drug war - the Sinaloa cartel.

Police intelligence sources have told the ABC's 7.30 Report that around half the cocaine now entering Australia is being sent from Mexico, and that the notorious Sinaloa cartel is behind many of the shipments.

The Sinaloa cartel has had operatives in Australia for several years according to the source, and was behind a number of significant cocaine hauls intercepted by Australian authorities.

The drug lord at the head of the Sinaloa cartel, Joaquin "El Chapo" Guzman, was named in Forbes Magazine's richest 1,000 people in the world, and more recently listed by the magazine at number 41 in its list of the world's most powerful, ahead of Russian president Dmitri Medvedev and Apple's Steve Jobs.

He is Mexico's most wanted man and the US State Department has offered a \$5 million reward for his capture.

Born into poverty he bribed his way out of jail in 1995, avoiding extradition to the United States by days and has been on the run ever since.

Now at 55 he commands a personal fortune estimated at more than \$1 billion.

The Sinaloa cartel is one of the fiercest protagonists in the Mexican drug war which has seen more than 28,000 people killed since 2007.

The 7.30 Report has been told that intelligence from the United States Drug Enforcement Administration (DEA) identified links to Sinaloa operatives in recent Australian drug hauls and in some instances identified stamps marking the cocaine as Sinaloa markings.

While not naming any particular cartel as behind the importations to Australia, the CEO of the Australian Crime Commission, John Lawler, has confirmed to the

ABC that Mexico is now top of the list of embarkation points for shipping cocaine to Australia.

Mr Lawler said the scale and logistics involved in the operations intercepted by police point to high-level cartel planning.

"That activity of the sophistication and level were seeing can't be done other than by organised criminality," he said.

After a major seizure of 240 kilograms of cocaine in July, conducted by the Australian Federal Police, Customs and the NSW Police, NSW Detective Chief Superintendent Ken McKay voiced similar concerns saying, "...we don't get importations of this size by minor groups".

A 25-year-old Mexican man was among those arrested in that seizure. The ABC does not suggest the arrested man is connected with the Sinaloa cartel.

The quarter of a tonne of the drug was concealed in concrete pavers hollowed out with concrete glued over the top, then concealed in a much larger consignment. The instructions, written in code, on how to find the cocaine-filled pavers were etched into the pallets, directing the intended recipients where to look.

In another seizure the drugs were concealed in six massive steel die casts, weighing four tonnes.

According to the Australian Crime Commission, the much higher price of cocaine in Australia has made importations here highly profitable.

"If we have a kilo of wholesale cocaine in Colombia it's worth about \$2,100. If that cocaine is successfully imported into Mexico it's worth \$12,500. If that finds its way to the US it's worth \$28,500. But if it finds its way to Australia it's worth \$146,000 - an increase of more than 7,000 per cent in profit," Mr Lawler told the ABC.

The Mexican cartel's infiltration of Australia coincides with a huge surge in cocaine use.

Don Weatherburn of the NSW Bureau of Crime Statistics and research says recent figures are unprecedented.

"There's been a huge upsurge," he said. "Thirty-six per cent per annum possession arrests over the past five years - we're at record levels as far as the drug is concerned."

In June, the Australian Crime Commission board approved the use of coercive powers to investigate cocaine and the cartels behind its importation.

Meanwhile, the security situation in Mexico continues to deteriorate. In recent weeks 10 per cent of the country's federal police officers were sacked, and 50,000 soldiers deployed to join the anti-cartel campaign.

Earlier this month US Secretary of State, Hillary Clinton, said the Mexican drug syndicates were beginning to take the shape of an anti-government insurgency rather than just crime cartels.

In one of the worst recent atrocities last month, 72 bodies of slain migrants were found at a remote ranch in North Mexico. They are believed to be the latest victims of the Zetas cartel.

Last week Mexican authorities said they believed they had found the bodies of the two top ranking officials sent to investigate that massacre.