



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

committed to preventing tragedy that arises from illicit drug use

## NEWSLETTER

October, 2011

PO Box 4736  
HIGGINS ACT 2615  
Tel: 02 62542961  
email: [mccconnell@ffdlr.org.au](mailto:mccconnell@ffdlr.org.au)  
Web: [www.ffdlr.org.au](http://www.ffdlr.org.au)  
ISSN 1444-200

### NEXT MEETING

Thursday 27 October, 7.30pm

St Ninian's Uniting Church hall,

cnr Mouat and Brigalow Sts, LYNEHAM

Meetings are followed by refreshments and time for a chat.

**The AGM** and end of year BBQ will be held at Marion and Brian's home on Thursday 24 November. More details in November Newsletter.

### Public Meeting

Thursday 17 Nov 2011, 12:30pm

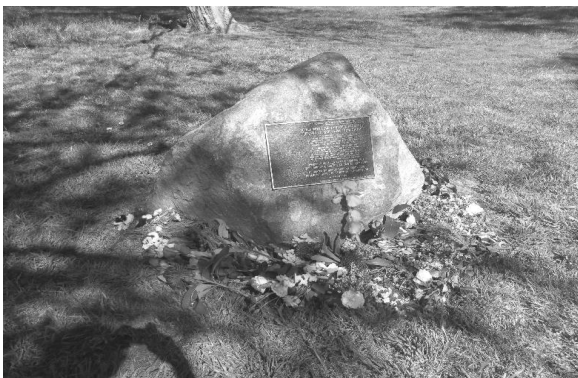
**What can we learn from the Portuguese decriminalisation of illicit drugs?**

**Speaker:** Dr Caitlin Hughes, Criminologist and Research Fellow at the National Drug and Alcohol Research Centre

**Where:** Reception Room, ACT Legislative Assembly, Civic Square, London Cct Canberra City.

### Remembrance Ceremony

Thank you to all those who helped make this ceremony another successful day. There were in excess of 100 people in attendance. We expect to put the speeches on our website soon.



### Editorial

Putting ideology above life.

This month the media headlines were about a 14 year old boy who was arrested for possession of a small amount of cannabis. The boy faces between 2 and 6 years in a Bali jail if diplomatic efforts are not able to have him released. But to the credit of the Australian Government it has pulled out all stops to assist. This is a welcome change from the previous government that did little for the Bali nine (and in fact was the cause of them being arrested in the first place) and did next to nothing for those imprisoned falsely in Guantanamo.

The story according to The Australian (10/10/11) began:

***THE 14-year-old NSW boy arrested in Bali last week for marijuana possession allegedly told police that he was "coerced" into buying the drugs.***

*As the boy yesterday endured his sixth day in police custody, it emerged that the teenager claimed he purchased the 3.6g of marijuana after the alleged drug dealer "pushed" him....*

There was no report of an arrest of the dealer who sold him the drugs even though reports would indicate that the deal was being closely watched by police. A few reports suggest that this may have been a "sting" operation:

***A MELBOURNE man holidaying in Bali believes he escaped a potential drug-bust setup on the same day a 14-year-old boy was arrested and jailed for possessing marijuana.***

*Just hours after the schoolboy was allegedly caught with 3.6g of marijuana and arrested, 25-year-old Ryan Shinn was harassed by locals trying to sell him a bag of the illegal drug.*

*Mr Shinn said the intimidating incident happened on the same road and less than 300m from where the teen was earlier arrested. (Herald Sun, 12/10/11)*

.....  
*Bali Nine lawyer Julian McMahan suspects a 14-year-old Australian boy being held in Bali for alleged drug possession may have fallen victim to a police sting operation.....*

*Julian McMahan told AM it is "quite likely" the boy was picked up during a sting.*

*"It seems to be what happens much of the time there,"*

he said.

*"People spot Australians or Europeans who want to buy a drug. They sell it to them and the police are watching and get involved very quickly.*

*"And the person who sells the drug has some kind of arrangement where they would do someone into the police - that is quite common." (ABC 7/10/11)*

Irrespective of whether the possibility of a sting is true or not the critical aspect is that a user was targeted by police. Users are soft targets.

On Monday night's Q&A program on ABC TV (10/10/11) Ron Merkel QC drew an analogy between refugee boat people, their smugglers and the war on drugs. He said: I get so disappointed when I keep on hearing that we have to have off-shore processing to break the people smuggling model. If that were really what it was all about rather than politics .... I've never heard a war on drug dealers by locking up the victims."

But that is exactly what is happening with this war on drugs. Some 80 percent of those arrested in Australia for drug offences are users.

Staying with Q&A for the moment, on the previous week's program (3/10/11) Jon Ronson, writer and television presenter and author of *The Psychopath Test* said that blaming the victim was an indication of psychopathy. Are not the users of the drug trade the victims and being blamed and subjected to harsh laws and punishment?

Perhaps this is institutionalised psychopathy. Or perhaps it is ideology. Whatever it is, we must rail against it and put human life and human safety above an ideology that says we must not use drugs (when we know it is hypocritical because we do not mean alcohol or prescription drugs) or we must be drug free (because being drug free for some cannot be achieved). In Ronson's words "to put ideology over life is a terrible thing".

## **Why are we blind to the drug war's mounting toll**

**Against all evidence, the 'just-say-no' crowd still rules the way, NEIL LADE writes**

Canberra times 17 October 2011

Let it go. Just let it go. But my brain is working overtime: active brain syndrome at 3am. My thoughts are flowing and crashing into a pit of darkness.

It's something that happens at various times a year, haunting again. This is one such time of year. Today, my wife and I will attend the ACT Families and Friends for Drug Law Reform's 16th annual remembrance ceremony "for those who lose their life to illicit drugs" at Weston Park, Yarralumla.

We've gone to most of these ceremonies ever since our elder daughter Mel died from a heroin overdose in March 1999. Each year becomes a little harder, or perhaps a little more futile, because nothing much changes - except the list of the dead grows longer. Don't get me wrong, it's a very moving ceremony: a mix of optimism and sadness.

There'll be different speakers to inspire and give some hope, about how Australia needs to treat drug abuse in a much more realistic

way, as a social and health problem, and that we must follow a different course, similar to successful drug programs in different parts of Europe.

But sometimes it's just seems pointless to reopen wounds. Why bother? It's all been said before - my words echo in my head. The passion for the cause has been replaced by frustration and pessimism. Nothing I do will bring Mel back to life. She was complex and extraordinary, heroin was just a small part of who she was, and I will never forget her.

But now, more than 12 years after her death, my hopes for drug-law reform have almost disappeared. Sadly, the "just say no" crowd still rules the way: prohibition, abstinence, law and order, a drug-free society. Addicts should just stop their self-destructive and selfish habits. And taxpayers shouldn't be forced to pour money into such losers. It's black and white to them. The same old condescending platitudes from the same old people will be trotted out: abstinence is the only course. Strange how they preach. The holier than thou way. The crime and punishment way. The cruel and unforgiving way. The no-hope way.

Drug abuse is not a one-size-fits-all issue. And there is no one-size-fits-all solution. What works for one might not work for another. Each individual needs to be assessed and be given a chance to follow a treatment that works for them. It may take years, and many lapses. It might not work at all. But keep them alive, make it safer, try to help, and steer them away from chasing the drug so they can lead safer, better and more productive lives.

People - especially young people -make mistakes in their lives. They should not be condemned to death or a precarious life for a habit beyond their control.

To break the cycle of use and abuse, radical steps and responses are needed to break the criminal networks that have no morals and are prepared to take risks because the profits are so huge. A wide range of measures is needed, including heroin-injecting rooms (similar to the very successful one in Sydney), safe and therapeutically controlled doses for users (coupled with counselling), better programs and different treatments, and big increases in the amount and types of counselling, education and rehabilitation services.

As a parent, there is only one real question to answer if your child is using heroin or another dangerous drug, or is an alcoholic, or is trapped in some sort of self-harming behaviour. Do you want her or him to be alive or dead? Of course you want them to be alive in the hope they can turn their lives around. You can't rehabilitate a dead person.

But it's not just the deaths - it's the pain, suffering, injuries, damaged people, high crime rates, corruption, family breakdowns, economic waste, stretched medical and ambulance services, stretched customs and police services. It's a puzzle why some people get through and others don't. But society should make it easier for people in trouble -especially with mental issues often triggered by drug abuse - and not keep kicking them down further when they're already down.

Mel said it better. She wrote to us just before she died, "I do know that problems need time to solve. You tell me constantly that things take time, but for me (and others) how much time do we have before it is the last time? Unlike other people with problems, we are pressured to solve them faster. A pressure for the most part which is justified, but the outcome is unrealistic."

**Neil Lade is a Canberra Times journalist**

## Supervised injection sites: Ideology comes with big blinkers

JEFFREY SIMPSON, Globe and Mail, Canada, Oct. 05, 2011

In the ongoing struggle between ideology and evidence within the Harper government, ideology too often wins.

The entire field of criminal justice features the government's determination to ignore evidence. Occasionally, the evidence is so incontrovertible, and the means for forcing it on the government so forceful, that the government has no choice but to adjust course and, in a few instances, to actually retreat.

So it will be with the supervised injection site in Vancouver's Downtown Eastside after the Supreme Court's unanimous support of the program's continuation and its utter rebuff of the Harper government's opposition to it.

The minister at the time of the government's appeal against supervised injections at the Insite clinic was Tony Clement, now under justified assault for boondoggle spending in his constituency surrounding last year's G8 summit in Huntsville.

Mr Clement, as the then-minister of health, tried to justify the unjustifiable in the face of overwhelming medical and scientific evidence about the nature of drug addiction and how to cope with it. He did the same routine in mid-2010, trying to defend the Prime Minister's decision to scrap Statistics Canada's long-form census in the face of overwhelming opposition from every knowledgeable Canadian in the field of statistics.

Mr Clement is now Treasury Board President, but he can look back and find the arguments he deployed in the drug-injection case utterly and unanimously shredded by the Supreme Court in a decision that should have surprised no one.

The trial judge and appeal court had also ruled in favour of the injection site's continuation as a place where addicts could get controlled access to drugs under medical supervision. It was a policy supported by medical associations, nurses, public health experts and those learned in the cruel maladies of addiction.

Against this sturdy wall of legal rulings, scientific evidence and expert opinion, the Harper Conservatives hurled their ideology, arguing that drug users should be weaned off drugs. Drug use was bad, and morality dictated that the goal of abstinence and recovery should prevail.

No expert would deny that, in the best of all worlds, weaning an addict from addiction is the most desirable outcome. Too often, the trouble is that addicts try and fail to quit many times. Alas, they're afflicted with a disease rather than a moral shortcoming. Chief Justice Beverley McLachlin, quoting approvingly from the trial judge, wrote that addiction is a "primary, chronic disease."

Of course, the Harper Conservatives' "tough on crime" crusaders insisted that the Criminal Code makes drug-taking a criminal offence. So drug users were not only morally

negligent, they were criminals, too.

Technically, drug users are criminals. But the Liberal government had granted an exemption from the criminal law to allow the injection site to operate, the theory being that controlled use under supervision would lead to less crime because addicts wouldn't be desperately seeking money to feed their addiction. And, of course, controlled access did less harm to the addicts than shooting up in back alleys with shared and dirty needles.

But the Harper Conservatives said they wouldn't grant an exemption, thereby threatening the injection site with closure. There the matter rested until the Supreme Court said that such a decision – which it described as "arbitrary and its effects grossly disproportionate – risked lives ("security of the person"). This is another way of saying that the minister (and the government) ignored evidence, or stared at evidence and willfully ignored it.

The exercise of ministerial discretion, the court said, must rest on "evidence" and the "principles of fundamental justice." It added: "There is ... nothing to be gained (and much to be risked) in sending the matter back to the Minister for reconsideration." Concluded the court: "On the facts as found here, there can be only one response: to grant the exemption."

These words are about as blunt as a court can use toward a government whose view of evidence is "arbitrary" and in whose hands decisions based on rights would be "risked."

## Gallup Poll: Support for Legalizing Marijuana Reaches Historic Threshold

### 50% of Americans Favor Ending Marijuana Prohibition

For the first time a Gallup poll has found that 50% of Americans support making marijuana legal. The poll indicates that only 46% oppose ending marijuana prohibition.

Public support for making marijuana legal has shifted dramatically in the last two decades, particularly in the last few years. Gallup has been asking Americans since 1970, "Do you think the use of marijuana should be made legal, or not?" Forty years ago support registered at 12%, rose to 28% percent by the late '70s, dipped slightly during the 1980s, and then rose gradually to 36% in 2005. The past six years, however, have witnessed a dramatic jump in support, with important implications for state and national marijuana policy. Majorities of men, liberals, 18-29 year-olds, moderates, Independents, Democrats, 30-49 year-olds, and voters in Western, Midwestern and Eastern states now support legalizing cannabis.

Ethan Nadelmann, founder and executive director of the Drug Policy Alliance, released the following statement:

The latest poll results point to the absurdity and even venality of persisting with harsh prohibitionist policies,"said Ethan Nadelmann. No other law is enforced so harshly and pervasively yet deemed unnecessary by so many Americans. Spending billions of dollars and arresting over 800,000 people annually for violating marijuana laws now represents

not just foolish public policy but also an inappropriate and indecent use of police powers to favor one side of a cultural and political debate.”

### **In Australia**

The 2010 National Drug Strategy Household Survey report:

- Only 35% supported possession of cannabis being a criminal offence, ie **65% opposed possession of cannabis being a criminal offence**
- 69% supported a change in legislation permitting the use of marijuana for medical purposes
- 52% supported regulated injecting rooms

Of all the drug offence arrests some 67% (57,170 people) were for cannabis offences.

### **The California Medical Association**

In 2010, the California Medical Association House of Delegates ordered the formation of a technical advisory committee to recommend policy on marijuana [cannabis] legalization and appropriate regulation and education. The CMA Legalization and Taxation of Marijuana Technical Advisory Committee found that the public movement toward legalization of medical cannabis has inappropriately placed physicians in the role of gatekeeper for public access to this botanical. Effective regulation is possible only if cannabis is rescheduled at the federal level.

It recommended:

- Reschedule`medical cannabis in order to encourage research leading to responsible regulation.
- Regulate recreational cannabis in a manner similar to alcohol and tobacco.
- Tax cannabis
- Facilitate dissemination of risks and benefits of cannabis use.
- Refer for national action.

More information:

<http://www.cmanet.org/files/pdf/news/cma-cannabis-tac-white-paper-101411.pdf>

### **Redefining Addiction - MJA Insight**

The American Society of Addiction Medicine (ASAM) grappled with this problem for 5 years before releasing its new [definition of addiction](#), which has stimulated interest from around the world with commentaries in [The Lancet](#), [Time](#) and elsewhere.

ASAM proposes that addiction is a primary, chronic disease of brain reward, motivation, memory and related circuitry. It is a chronic relapsing and remitting disorder that manifests in continuing use of substances or alcohol despite accumulating harm to the individual and to others.

Behavioural addictions such as disordered gambling are now included within this definition. A bio-psycho-socio-spiritual model is proposed, recognising the breadth of influences on drug-using behaviour beyond the direct effect of a substance or a behaviour on brain reward centres.

Addiction neuroscience has made many advances that support this “disease” concept. Addictive substances affect

the reward structures of the brain in both experimental animal models and humans, such that motivational hierarchies are altered and addictive behaviours supplant healthy self-care-related behaviours.

### **A Small Book About Drugs**

#### **-The debate we need to have about recreational drugs**

A book by Lisa Pryor. published by Allan and Unwin

An intelligent and personal look at recreational drug use that will forever change the terms of the debate about the use of recreational drugs.

Most people who use recreational drugs haven't had their lives destroyed, aren't living on the streets, and enjoy normal and unscathed relationships with families, friends and the world. So why is it that discussion about drugs and drug policy only reflects tragedy that ends with death, jail or addiction? Why is it that the only politically acceptable position on the use of drugs is one of prohibition?

With nearly a quarter of people in their twenties now trying ecstasy, and half dabbling with marijuana, in many families recreational drug use remains one of the last intergenerational silences left between baby boomers and their adult children. Lisa Pryor captures the zeitgeist [spirit of the times] in this considered yet punchy exploration of the real world of drug use today. It is the skewed nature of the debate, she argues, that has worsened rather than fixed many of the very real problems drug use can cause.

This is an intelligent and personal look at the complex issue of recreational drug use. It will change the terms of the debate forever.

Since graduating with a degree in law, Lisa Pryor has firmly established herself as an incisive and entertaining social commentator through her popular opinion column for the Sydney Morning Herald and her previous book, the cult hit *The Pin Striped Prison*. She is now studying medicine, inspired by a night in a hospital emergency ward researching this book.

#### **ACT Residents**

Don't forget to get signatures on the petition.

We will also have a small stall at City Walk near the fountain on Sat 5 and Thurs 11 November where people can also sign the petition for a rational evidence based debate in the ACT Legislative Assembly.

We plan to present the petition at the Thursday 17 November public meeting "**What can we learn from the Portuguese decriminalisation of illicit drugs?**"

**See enclosed invitation.**