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From: Inquiry into Drug Law Reform <[REDACTED]>
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Inquiry Name: Inquiry into Drug Law Reform

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SUBMISSION CONTENT:

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REFORMING DRUG LAWS CAN SAVE LIVES AND REDUCE TRAGEDY

Firstly congratulations on what I believe is the first Parliamentary Inquiry that uses the words Drug Law Reform.

My interest in our drug laws began back in 1992 when my son, at the age of 24, died from an accidental heroin overdose.

Two weeks before, he had overdosed near our home and had been revived by ambulance officers. This was the first my husband and I knew of his drug use. I immediately knew that the drug laws which treated heroin users as criminals was wrong. You see it was a time when police followed the ambulance to overdoses. After interrogating me at the spot where my son overdosed they continued their interrogation of my son at his hospital bed in an endeavour to discover who his dealer was. My son was frightened and discharged himself from the hospital, went on a holiday alone to get away from police, and overdosed again. This time there was no one to call an ambulance and he died alone in a motel room. What a difference it could have made if the police had not attended that first overdose and our son had been cared for by medical staff and we were given a chance to help him. I remember that night, all I wanted to do was put my arms around him and he was so thankful that we did not condemn him but rather wanted to help him. Our son was not a criminal. He was an excellent student, excelling in Mathematics and English, playing chess, winning the under 11 cross country championship, in the top 9% in the HSC and gaining a degree in Computer Science just 6 months before he died and many more accomplishments. He had everything to live for but a foolish mistake that probably gave him pain relief from relationship issues killed him. Were our government laws showing a duty of care here?

Some years later my late husband and I lobbied for the Heroin Trial which was to be a 6 months trial in the ACT to prescribe pharmaceutical heroin to severely addicted people who had tried and failed other options. What a lot of hard work and excellent research and many, many dollars went into this project. It passed the Ministerial Council on Drug Strategy and we were jubilant only to be hit a fortnight later by Prime Minister John Howard changing his mind and not allowing it to go ahead. Even today I wonder what a difference it would have made to today's drug scene in Australia with so many more and varied and more dangerous drugs appearing on our streets. Could taking the severely addicted people off the streets and away from selling to our kids to pay for their habit, have made a difference to the drug scene we are faced with today?

Australia's research was used in other countries that have implemented heroin on prescription with excellent outcomes. Shortly after the introduction of heroin on prescription in Switzerland Ralf Gerlach, Deputy Director INDRO eV commented: "Heroin maintenance programs lower the risk of overdoses and other medical complications as well as the motivation and need for addicts to commit crimes to support their habits. Addicts involved in such programs are more likely to maintain contact with drug treatment and other services, and more able and likely to stabilise their lives and become productive citizens."

Small steps are very hard to achieve and after more than 20 years of trying to bring a research and evidence based approach rather than a false moralistic approach to drugs one becomes very weary as yet another submission needs to be written.

Your TOR ask about the effectiveness of laws, procedures and regulations relating to illicit and synthetic drugs. The criminal justice system is not accomplishing what was expected when certain drugs were prohibited. Bigger and bigger drug busts are celebrated but it makes no difference to the availability on the streets. In fact it often means that suppliers look to drugs which are easier to smuggle and often these drugs are more potent than the previous ones. (Look at the concerns now for a very potent drug called carfentanyl.) Hence we see pills and synthetic drugs joining the better known drugs like heroin and marijuana at a terrifying rate. Not to speak of the sale of drugs through the internet. All because of the lucrative illegal drug market created by prohibition.

South Australia and the ACT have a system where, if some one is caught with a defined amount of drug for personal use the police have the discretion to fine them rather than charge them. This could be improved by encouraging police to use the fine system more often

Sniffer dogs at dance parties are counterproductive. They can cause young people to take all the drugs they have on them at one time for fear of the drugs being discovered by police and they do not stop young people from taking drugs to dance parties.. This practice has lead to deaths and it must be stopped and replaced with pill testing. This has been shown to be most effective in some European countries.

More supervised injecting rooms are needed. The Sydney injecting room has been very successful in treating people as human beings and giving them a chance at life. There hasn't been a death in the facility since its inception in 2001. The two doctors who have been in charge of this facility know that treating people as humans does more to improve their lives than treating them as criminals.

Parents first and foremost want their kids alive. They would prefer to have a drug taking child than a dead child. At least while they are alive there is hope and most will grow out of their drug taking years given half a chance. What could my son have achieved if only his condition had been treated purely as a health matter?

Governments must put life before being drug free. Prohibition has been a very destructive system and we must move away from it. There are ways to decriminalise drugs as has been done in Portugal. I do not want drugs sold like alcohol as many who oppose a change away from prohibition would want you to think. I want drugs controlled by governments not by ruthless criminals. Drugs should never be sold commercially with all the advertising that goes with it as alcohol is. This has been as disastrous at one end of the spectrum as prohibition has been at the other. We need to find the point of least harm. Prohibition of certain drugs has caused maximum harm for far too long.

I am a founding member of Families and Friends for Drug Law Reform but I contribute this submission in a personal capacity. I have posted today two complimentary copies of a book my late husband and I wrote commemorating 20 years of the group. I hope you will get the chance to look at it. It gives a fuller understanding of the tragedy of our present drug laws and the perseverance of members of this group to try and bring about change.

I thank you for the opportunity to contribute to this inquiry.

Yours sincerely

Marion McConnell OAM

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File2:

File3: