



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON THE DRUGS OF DEPENDENCE (PERSONAL USE)
AMENDMENT BILL 2021

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Submission Cover Sheet

Inquiry into the Drugs of Dependence
(Personal Use) Amendment Bill 2021

Submission Number: 16

Date Authorised for Publication: 16 June 2021

The Committee Secretary
Select Committee on the Drugs of Dependence (Personal Use) Amendment Bill
2021
Legislative Assembly for the ACT
GPO Box 1020, Canberra, ACT, 2601

**Submission for the Inquiry into the Drugs of Dependence (Personal
Use) Amendment Bill 2021**

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I would like to thank Michael Pettersson for introducing the Drugs of Dependence Amendment Bill to the ACT legislative Assembly this year. His introductory remarks in the Assembly in February this year show great insight into community attitudes and how the criminalisation of drugs simply makes things worse, not better for drug users and therefore the whole community.

I do not write this submission as a health or legal expert, but as an aggrieved parent who lost a son ten years ago to a drug overdose. In my experience it seems that drug users may be divided into two camps. There are those, like me in my youth, who briefly took drugs when young as a form of experimentation, rebelliousness and a desire to be cool. And of course it was fun, just as now, later in life I might occasionally enjoy the drug ethyl alcohol in moderation. But my son was in a second camp. Right from early adolescence he had mental health problems which were never resolved despite many years of visits to counsellors and psychologists along with a plethora of prescription drugs. He became addicted to heroin in his early twenties as the one drug that actually worked for him and gave relief from the debilitating anxiety that his brain always conjured up. He did have a six month stay at a therapeutic community, and wanted to try other centres, but it was hard to gain admission. His one alternative was methadone which helped him stay alive for a number of years, and the support of NA, but in the end died in a toilet in a hotel in Redfern, a victim of an inadequate health care system and a brutal criminal network. A tragedy that he was not at the Sydney supervised injecting centre where help would have been on hand.

An often used quotation is: “The only thing necessary for the triumph of evil is for good men to do nothing.” attributed to Edmund Burke. I am sure these days he would also include women. The drugs are not evil, taking drugs is not evil, – it is young people dying needlessly that is evil. And as a caring, and extremely well informed electorate, we have to take the very well researched steps to banish this evil.

The decriminalisation of the use of drugs may seem to be a very radical idea, but consider the changes that have happen with the decriminalisation of homosexuality. What once seemed normal in the past, in today’s society would be a complete anathema. It was as recently as 1973 that the Federal Parliament passed a motion decriminalising homosexuality but did not actually legislate. In hindsight it is easy to see the pernicious effects of cruel laws. Consider Oscar Wilde and Alan Turing for example. Would we have wanted Bob Brown in jail? I would like to think that in fifty years’ time – and hopefully much less - people would look back and wonder what on earth the populace was thinking in making drug taking a criminal offence just as today the death penalty for homosexuality is unbelievable.

The decriminalisation of possession of illicit drugs is extremely important, but it is only the first step in a long chain of actions that need to occur to remove the supply of drugs from the criminal element, who are only interested in profit. To leave the provision of dangerous chemicals in the hands of the unscrupulous is madness when we live in a society where the purity and dosage of all pharmaceuticals is highly regulated to protect the consumer. It is little different for foodstuffs. Besides the high risk to the user of illegal drugs there are the well documented effects of the ongoing exorbitant costs of maintaining a habit that lead to much petty crime. When the focus of your life is maintaining a habit there is no time left for actually improving your situation with a steady job, building healthy relationships and finding suitable accommodation. And if you fall into the second camp of being mentally unstable life becomes impossible – as it did for my son.

Each drug has to be considered in its own context. The change to the cannabis laws in the ACT in 2020 effectively takes that out of the hands of criminals – once one has seeds. The way alcohol is

controlled in Sweden via the Systembolaget makes a huge amount of sense¹. Limit purchase amounts, no special offers, and even no refrigeration to save energy! The UK has provided prescription heroin since the 1920s. It is still available and for some people it is the only answer. The alternatives of rehab and methadone do not work for some. I strongly recommend the reader look at the link to a Huffington Post article from 2016 written by a woman (an Australian) living in the UK who has turned her life around through the use of prescription heroin². It is so valuable to read a first hand account to fully understand the addicts experience. The ACT government is to be applauded through the use of pill testing at festivals. However, if we accept that MDMA will be used at raves surely it is logical that the drug is available in a pure and calibrated dose rather than the convoluted step of trying to find the impurities in criminally produced pills.

I realise that the last two paragraphs are somewhat outside the terms of reference of the committee but I feel that we really need to look very rigorously and unflinchingly at the reality of criminals and drugs and basically cut the illegal suppliers off at the knees by taking control ourselves. That way we protect our population, and reduce the costs to society.

The terms of reference for the select committee include researching best policy approaches, and no doubt other writers will talk about the experience of Portugal. I am sure the committee will hear from Marianne Jauncey and the lives she has saved. The quote I used above is to underscore the fact that there is a small, but vocal, section of the community that will oppose this bill. With all my heart I hope that the ACT Legislative Assembly has sufficient fortitude and courage to take the steps necessary to ensure that no new names are added to the remembrance ceremony held by Families and Friends for Drug Law Reform every year. Because, let us be clear, the legislation is about saving lives. The ACT has an opportunity to show the leadership that Australia so badly needs in drug law reform. I trust that this bill will be the start of a journey that takes us from the antiquated fumbling of outmoded thinking to the deliberations of a mature society dedicated to working with its youth on their journey to adulthood, and to providing the nurturing and support needed by those suffering the scourge of mental difficulties.

Peter Taylor

1 <https://en.wikipedia.org/wiki/Systembolaget>

2 https://www.huffingtonpost.co.uk/entry/heroin-prescription-diamorphine_uk_57fd2f6ee4b0430f66f67894