

**Did Australia21 get anything  
right?**

**The Case Against Drug  
Legalisation**

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# Analogous 'wars'

Australia21 tells us that the war on drugs has failed, but . . .

- The 'war' on drink driving has failed to eradicate it (and conceivably always will). So let's legalise drunken driving.
- The 'war' on rape has failed. Legalise it!
- The 'war' on stealing has failed. Legalise it!
- Policing seek to control these behaviours, not eradicate them
- **Therefore, Australia21's statement is meaningless**

# What war on drugs?

Australia's drug policy has been centred on harm reduction for 27 years

- It has supplied free needles for drug users
- Maintained users on methadone for up to 40 years
- Provided injecting rooms
  
- This is 27 years of facilitating drug use
- This could not possibly be construed as a war on drugs
- **Therefore Australia21's statement is further rendered meaningless**

The Howard Government's Tough on Drugs strategy of 1998 reduced **cannabis by 50%**, **speed/ice by 40%** and **heroin by 75%**, so why is Australia21 telling us that prohibition has only seen increases in drug use? It's simply not true. The introduced prevention element of the Howard Government at least showed cause for optimism.

Table 2.1: Summary of recent<sup>(a)</sup> drug use, people aged 14 years or older, 1993 to 2010 (per cent)

Drug/behaviour	1993	1995	1998	2001	2004	2007	2010	
Tobacco	29.1	27.2	24.9	23.2	20.7	19.4	18.1	↓
Alcohol	77.9	78.3	80.7	82.4	83.6	82.9	80.5	↓
Illicit drugs (excluding pharmaceuticals)								
Cannabis	12.7	13.1	17.9	12.9	11.3	9.1	10.3	↑
Ecstasy <sup>(b)</sup>	1.2	0.9	2.4	2.9	3.4	3.5	3.0	↓
Meth/amphetamines <sup>(c)</sup>	2.0	2.1	3.7	3.4	3.2	2.3	2.1	
Cocaine	0.5	1.0	1.4	1.3	1.0	1.6	2.1	↑
Hallucinogens	1.3	1.9	3.0	1.1	0.7	0.6	1.4	↑
Inhalants	0.6	0.4	0.9	0.4	0.4	0.4	0.6	↑
Heroin	0.2	0.4	0.8	0.2	0.2	0.2	0.2	
Ketamine	n.a.	n.a.	n.a.	n.a.	0.3	0.2	0.2	
GHB	n.a.	n.a.	n.a.	n.a.	0.1	0.1	0.1	
Injectable drugs	0.5	0.5	0.8	0.6	0.4	0.5	0.4	
Any illicit <sup>(d)</sup> excluding pharmaceuticals	13.7	14.2	19.0	14.2	12.6	10.9	12.0	↑

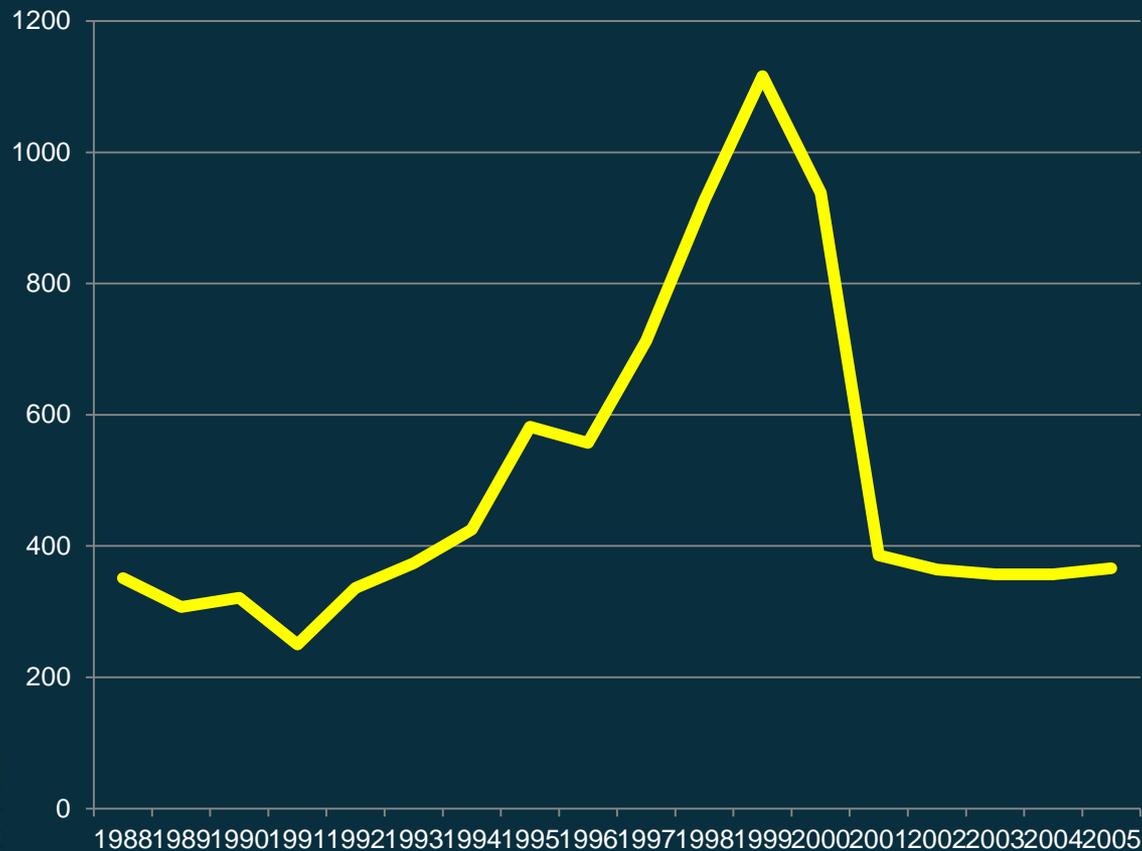
AIHW National Drug Strategy Household Survey 2010 p 8

<http://www.aihw.gov.au/publication-detail/?id=32212254712>

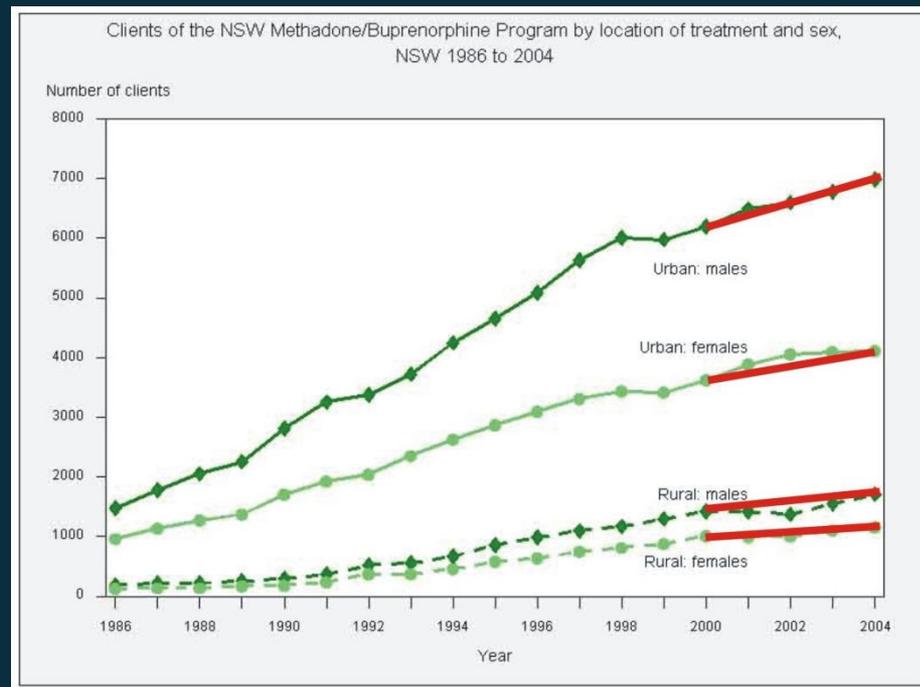
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Here are Australia's opiate deaths under a harm reduction focus since 1985. The steep drop in deaths in 2000 coincides with the heroin drought of the Tough on Drugs policy, ending 2007.

## Australian Opiate Deaths



# Australian Opiate Deaths



The graph immediately left shows the number of methadone places provided in NSW since 1986.

An article in the Australian claimed it was the expansion of methadone, not a prevention emphasis under Tough on Drugs, which cut opiate deaths in the year 2000 & thereafter.

Note that the rising provision of methadone coincides with rising deaths. Now what explains the divergence between the two graphs from 2000 on?

**It can only be the prevention emphasis, not harm reduction.**

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Australia21, in its report, said the following:

“The current policy of prohibition discredits the law, **which cannot possibly stop a growing trade** that positively thrives on its illegality and black market status.”

Australia 21, The Prohibition of Drugs is Killing And Criminalising Our Children And We Are All Letting it Happen p5  
[http://www.australia21.org.au/publications/press\\_releases/Australia21\\_Illicit\\_Drug\\_Policy\\_Report.pdf](http://www.australia21.org.au/publications/press_releases/Australia21_Illicit_Drug_Policy_Report.pdf)

**So let's test this statement against the evidence . . . (see next slide)**

This massive study below demonstrates there was almost entirely no illicit drug use in the United States from the beginning of drug prohibition in 1912 through to the 1960s. The survey asked various age-groups by what age they had started using various drugs. Note almost no illicit drug initiated before the mid-60s, demonstrating that prohibition's first 50 years of success does not 'discredit the law' or automatically 'create black markets.'

**TABLE 2—Percentages Using Alcohol, Cigarettes, and Other Drugs before Selected Ages, by Birth Cohort: 1991 through 1993 National Household Surveys on Drug Abuse (n = 87 915 Respondents)**

Birth Cohort	Age	Years Age was Attained	% Using (SE)						
			Alcohol, Any Use	Alcohol, Regular Use	Cigarettes, Any Use	Cigarettes, Regular Use	Marijuana	Cocaine	Hallucinogens
1919–1929	15	1934–1944	9 (1)	2 (1)	24 (2)	5 (1)	0 (*)	0 (*)	0 (*)
	21	1940–1950	63 (2)	27 (2)	64 (2)	38 (2)	0 (*)	0 (*)	0 (*)
	35	1944–1964	82 (2)	45 (2)	74 (2)	52 (2)	1 (*)	0 (*)	0 (*)
1930–1940	15	1945–1955	10 (1)	2 (1)	30 (2)	6 (1)	1 (*)	0 (*)	0 (*)
	21	1951–1961	66 (2)	31 (2)	71 (2)	43 (2)	2 (*)	0 (*)	0 (*)
	35	1965–1975	84 (1)	52 (2)	78 (2)	56 (2)	6 (1)	1 (*)	0 (*)
1941–1945	15	1956–1960	11 (1)	2 (1)	34 (2)	6 (1)	1 (*)	0 (*)	0 (*)
	21	1962–1966	73 (2)	33 (2)	75 (1)	47 (2)	6 (1)	1 (*)	1 (*)
	35	1976–1980	89 (1)	58 (2)	80 (1)	58 (2)	24 (2)	4 (1)	3 (*)
1946–1950	15	1961–1965	11 (1)	2 (*)	35 (1)	6 (1)	1 (*)	0 (*)	0 (*)
	21	1967–1971	76 (1)	35 (1)	74 (1)	43 (1)	21 (1)	2 (*)	4 (1)
	35	1981–1985	90 (1)	57 (1)	80 (1)	53 (1)	38 (2)	9 (1)	9 (1)
1951–1955	15	1966–1970	14 (1)	2 (*)	37 (1)	6 (1)	3 (*)	0 (*)	1 (*)
	21	1972–1976	82 (1)	42 (1)	72 (1)	39 (1)	40 (1)	6 (1)	13 (1)
	35	1986–1990	92 (1)	61 (1)	77 (1)	48 (1)	50 (1)	19 (1)	16 (1)
1956–1960	15	1971–1975	20 (1)	4 (*)	39 (1)	7 (1)	12 (1)	0 (*)	2 (*)
	21	1977–1981	85 (1)	49 (1)	74 (1)	39 (1)	53 (1)	13 (1)	13 (1)
1961–1965	15	1976–1980	25 (1)	5 (*)	41 (1)	8 (*)	17 (1)	1 (*)	1 (*)
	21	1982–1986	85 (1)	53 (1)	70 (1)	36 (1)	55 (1)	17 (1)	13 (1)
1966–1970	15	1981–1985	28 (1)	5 (*)	39 (1)	7 (*)	15 (1)	1 (*)	2 (*)
	21	1987–1991	86 (1)	54 (1)	70 (1)	33 (1)	51 (1)	16 (1)	12 (*)
1971–1975	15	1986–1990	33 (1)	6 (*)	37 (1)	7 (*)	13 (1)	1 (*)	2 (*)
	21 <sup>a</sup>	1992–1996	86 (1)	55 (2)	68 (2)	33 (2)	51 (3)	13 (2)	11 (1)

Age of Initiation <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1508375/pdf/amjph00013-0029.pdf>

## THE ALL-IMPORTANT QUESTION

- So let's now ask what has driven the growth of illicit drug use over the last 50 years
  - Prohibition or some other factor?
  - In the late 1950's luminaries of the counter-culture movement (Hippies/Beats) such as Allen Ginsberg and Timothy Leary promoted illicit drug use as a yellow-brick road to enlightenment
  - With artists in the music industry and other artistic fields powerfully and openly promoting drugs as cool and fun, and with organisations such as NORML (to normalise drug use and to wage war on prohibition now mobilised) . . . would this not be the obvious cause?
  - I note that on page p 14 that Australia21 says cannabis causes little harm, just as does NORML, despite literally thousands of journal studies showing the opposite
  - **Would not this promotion of drug use and undermining of the truth about drugs clearly be responsible for increased use?**
  - You know the answer and so do I
  - **Yet the Australia21 analysis ignores the obvious, making prohibition the scape-goat for the damage done by its adversaries**

# Australia – Recent Drug Use

Compare the legal drugs, alcohol and tobacco, with the rest:

- Alcohol - 81%
- Tobacco – 18% (from 55-60% in the 1960s)
- Heroin – 0.2%
- Cocaine – 2%
- Speed/Ice – 2%
- Ecstasy – 3%
- Cannabis – 10% (up from 9% in 2007)
- Prohibition works by keeping illicit drug use low, and if we had the same budget as the anti-tobacco campaigns have had we could reduce cannabis use by 2/3rds by correcting the misinformation put around by the pro-drug lobby.

# Taxing and Regulating?

Australia21 wants to tax and regulate ALL illegal drugs:

## The United States

- Alcohol - \$15 billion in tax vs \$185 billion in social costs
- Tobacco - \$25 billion in tax vs \$200 billion in social costs
- **Work it out for yourself**

## What are Australian's attitudes to illicit drug use?

Table 2.6: Approval of regular drug use by adults: proportion of the population aged 14 years or older, by sex, Australia, 2004, 2007

Drug	2004			2007			
	Persons	Males		Females		Persons	
	Approve	Approve	Neither <sup>(a)</sup>	Approve	Neither <sup>(a)</sup>	Approve	Neither <sup>(a)</sup>
	(per cent)						
Tobacco	39.3	15.8	23.2	12.9	21.9	14.3	22.5
Alcohol	77.0	51.7	32.0	38.9	35.5	45.2	33.8
Marijuana/cannabis	23.2	8.7	18.8	4.6	15.1	<u>6.6</u>	<u>16.9</u>
Pain-killers/analgesics <sup>(b)</sup>	8.0	11.5	14.9	9.4	11.8	10.4	13.3
Tranquillisers/sleeping pills <sup>(b)</sup>	5.0	4.8	14.7	3.4	11.2	4.1	12.9
Steroids <sup>(b)</sup>	2.2	2.3	8.7	0.9	5.4	1.6	7.0
Barbiturates <sup>(b)</sup>	1.2	1.3	7.3	0.8	4.5	1.0	5.9
Inhalants	0.8	1.0	2.2	0.7	1.7	0.8	2.0
Heroin	0.9	1.3	2.6	0.7	1.8	<u>1.0</u>	<u>2.2</u>
Methadone <sup>(c)</sup> or Buprenorphine <sup>(e)</sup>	1.1	1.1	4.2	1.0	3.0	1.0	3.6
Meth/amphetamine <sup>(b)</sup>	3.1	1.5	3.2	0.9	2.1	<u>1.2</u>	<u>2.7</u>
Cocaine/crack	2.0	1.8	3.7	1.0	2.3	<u>1.4</u>	<u>3.0</u>
Hallucinogens	2.7	2.1	6.3	1.2	3.5	1.7	4.9
Ecstasy <sup>(d)</sup>	4.2	2.5	5.6	1.5	3.5	<u>2.0</u>	<u>4.6</u>
GHB	0.9	0.8	3.6	0.7	2.0	0.7	2.8
Ketamine	1.0	1.1	4.4	0.8	2.5	1.0	3.4

(a) Neither approve nor disapprove.

(b) For non-medical purposes.

(c) Non-maintenance.

(d) This category included substances known as 'Designer drugs' before 2004.

(e) This category did not include buprenorphine before 2007.

Look at those figures on the previous slide . . .

**Do you think Australians want MORE drugs or LESS drugs?**

If legalising or decriminalising means more drugs then I think we know where Australians will sit on the issue once so informed

## **SO WHAT HAPPENS WHEN YOU DECRIMINALISE OR LEGALISE DRUGS?**

Alaska **legalised** cannabis 1975

By 1988 - 72% in year 12 had tried it – recriminalized 1992

California (Jan 1, 1975) **decriminalised** cannabis– 10 months after – 18 - 29 yrs' use up 15% (if tobacco smoking rose that much in 10 months we would freak)

Oregon (1973) **decriminalised** cannabis – same age group up 12 % after 12 months (US did not rise - see next slide for proof)

Table 2.1. Trends in Prevalence of Lifetime and Last Year Marijuana Use by Age<sup>1</sup> (NHSDA 1974-1996)

	1974	1976	1977	1979	1982	1985	1988	1990	1991	1992	1993	1994	1995	1996
	%	%	%	%	%	%	%	%	%	%	%	%	%	%
<b>Lifetime</b>														
12-17 years	23.0	22.4	28.0	26.7	23.2	20.1	15.0	12.7	11.1	9.1	9.9	13.6	16.2	16.8
18-25 years	52.7	52.9	59.9	66.1	61.3	57.6	54.6	50.4	48.8	46.6	45.7	41.9	41.4	44.0
26-34 years	-	-	-	45.0	51.5	54.1	57.6	56.5	55.2	54.3	54.9	52.7	51.8	50.5
26 + years	9.9	12.9	15.3	-	-	-	-	-	-	-	-	-	-	-
35 + years	-	-	-	9.0	10.4	13.9	17.6	19.6	21.1	22.2	23.8	25.4	25.3	27.0
<b>Last Year</b>														
12-17 years	18.5	18.4	22.3	21.3	17.7	16.7	10.7	9.6	8.5	6.9	8.5	11.4	14.2	13.0
18-25 years	34.2	35.0	38.7	44.2	37.4	34.0	26.1	23.0	22.9	21.2	21.4	21.4	21.8	23.8
26-34 years	-	-	-	20.5	21.4	20.2	14.2	14.4	11.6	11.5	11.1	11.5	11.8	11.3
26+ years	3.8	5.4	6.4	-	-	-	-	-	-	-	-	-	-	-
35 + years	-	-	-	4.3	6.2	4.3	3.7	4.2	4.6	3.8	4.6	4.1	3.4	3.8

- 'Turn a blind-eye' Netherlands – 1990s teen drug use the highest in Europe outside the liberal UK/Ireland for all drugs

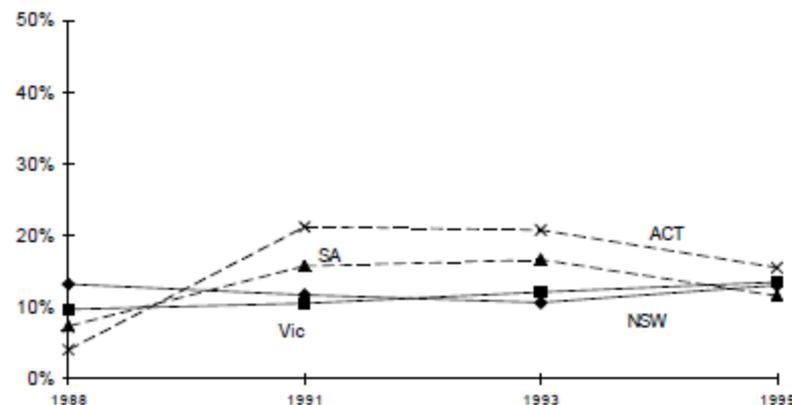
**Lifetime prevalence of use of different illegal drugs among 15- to 16- year-**

<b>SCHOOL Surveys Lifetime prev</b>					
	<b>Year</b>	<b>Sample</b>	<b>All illegal drugs</b>	<b>Cannabis</b>	<b>Sc</b>
<b>Austria</b>	1994	2250	9.9%	9.5%	
<b>Belgium (Fle.) (1)</b>	1996	2391	-	19.6%	
<b>Belgium (Fle.) (2)</b>	1998	9211	-	23.7%	
<b>Denmark (1)</b>	1995	2571	-	18.0%	
<b>Denmark (2)</b>	1999	1557	-	24.4%	
<b>Finland (1)</b>	1995	2300	5.5%	5.2%	
<b>Finland (2)</b>	1999	Preliminar	-	(10%)	
<b>France (1)</b>	1993	12391	15.3%	11.9%	
<b>France (2)</b>	1997	9919	27.5%	23.0%	
<b>Greece (1)</b>	1993	10543	4.5%	3.0%	
<b>Greece (2)</b>	1998	8557	11.4%	10.2%	
<b>Ireland</b>	1995	1849	37.0%	37.0%	
<b>Italy (1)</b>	1995	1641	21.0%	19.0%	
<b>Italy (2)</b>	1999	20000	-	19.0%	
<b>Luxembourg</b>	1998	660	-	18.5%	
<b>Netherlands</b>	1996	10455	31.7%	31.1%	
<b>Portugal</b>	1995	4767	4.7%	3.8%	
<b>Spain (1)</b>	1996	19191	29.6%	24.3%	
<b>Spain (2)</b>	1998	18348	33.9%	28.0%	
<b>Sweden (1)</b>	1997	5683	7.6%	6.8%	
<b>Sweden (2)</b>	1998	5455	7.7%	7.2%	
<b>United Kingdom (1)</b>	1995	7722	42.0%	41.0%	
<b>United Kingdom (2)</b>	1997	28756	39.8%	37.5%	

Australia – SA (1987) and ACT (1993) **decriminalised** cannabis – use went from negligible to almost double NSW and Victoria before matching those cannabis problem-States in later years (remember Donald Mackay?)

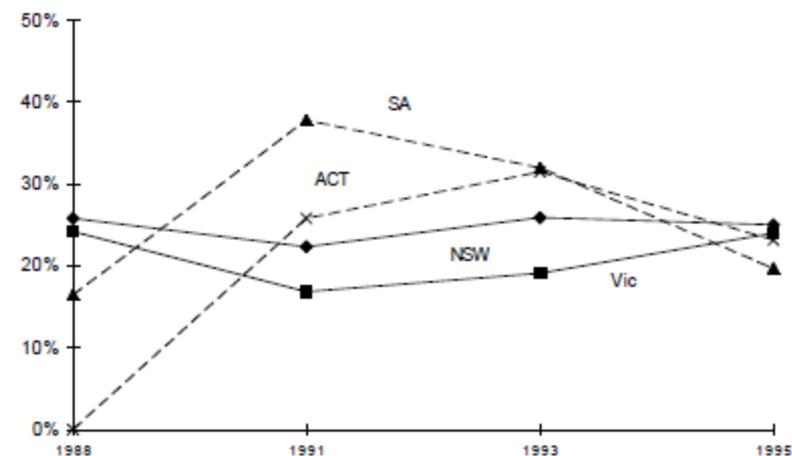
National Drug Strategy, Monograph Series No 31, Marijuana in Australia: Patterns and Attitudes (1997) p 53  
<http://www.health.gov.au/internet/main/publicshing.nsf/Content/phd-drugs-mono31-cnt.htm>

Figure 4.1: Used in the past 12 months for four jurisdictions

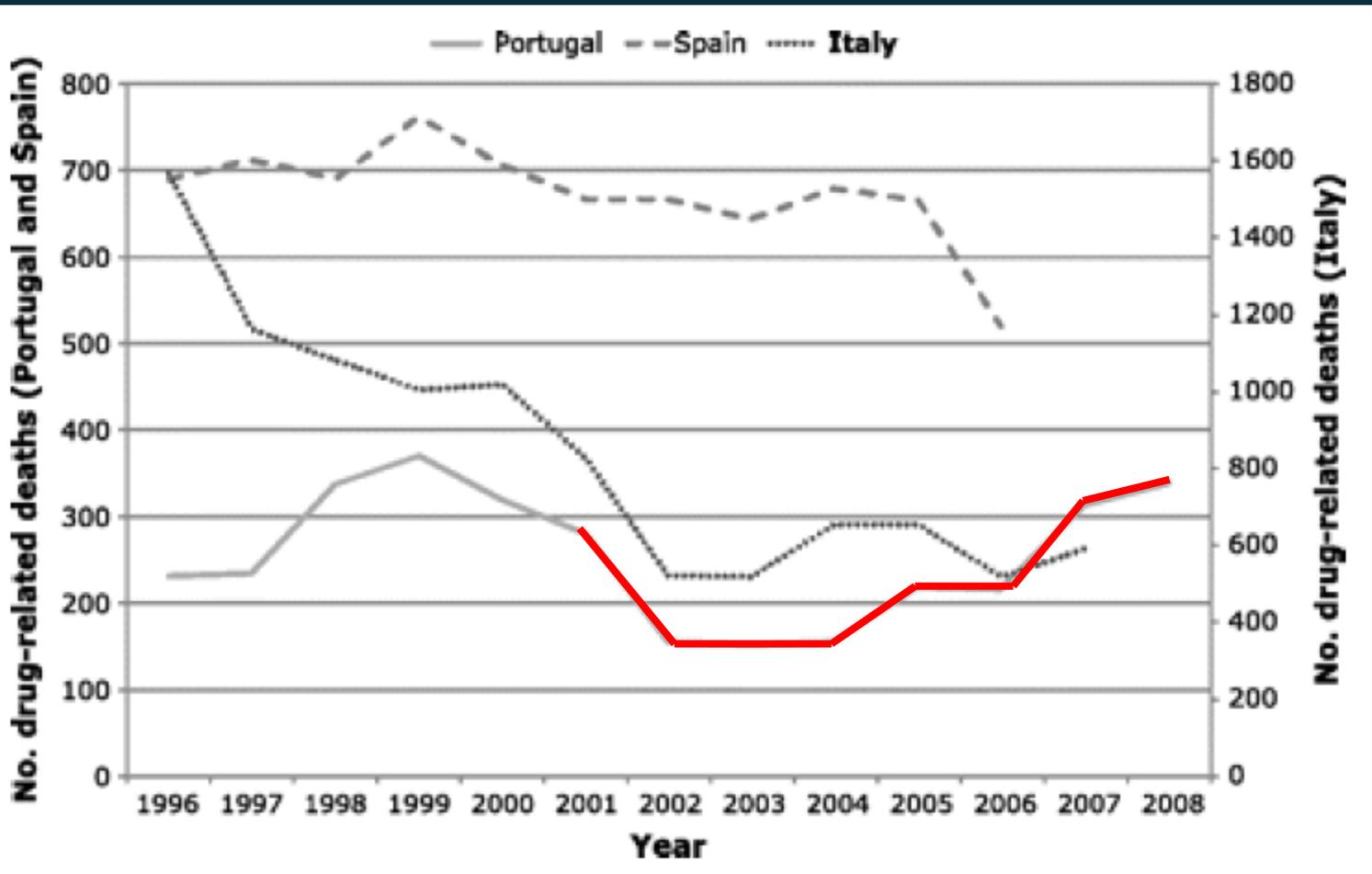


Source: NDS 1988, 1991, 1993, 1995

Figure 4.2: Use marijuana monthly or more often for four jurisdictions, 1988-1996



Source: NDS 1988, 1991, 1993, 1995; those who have never tried marijuana are excluded

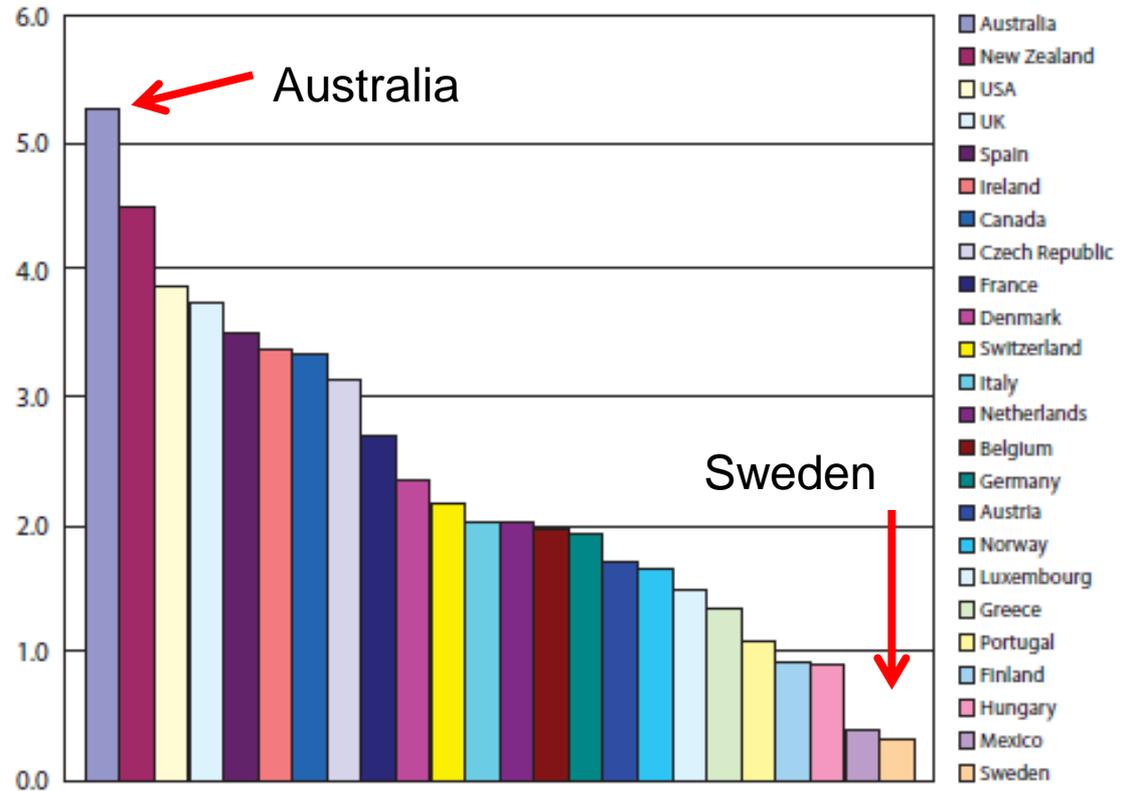


Portugal (2001) **deciminalised** all drugs – heroin deaths 280 in 2001, 314 in 2007 and approaching 340 in 2008 – elevated deaths = elevated heroin use  
 Cato Institute Report, “What Can We Learn From the Portuguese Decriminalisation of Illicit Drugs?”

## What will reduce Australia's drug use further?

- In the 1970s Sweden had the highest levels of drug use in Europe, but had the lowest levels of drug use in the developed world by the new millennium (see next slide)
- How did they achieve it?
  - A restrictive drug policy
  - Emphasis on rehabilitation of all problem drug users
  - Court-enforced rehab as against court enforced prison
  - Use still **criminalised to ensure users take rehab seriously**
- If Australia wants to follow best-practice, we need only follow Sweden

## OECD Countries – Cumulative Average of all Illicit Drugs Used United Nations 2004 Report



[Http://www.unodc.org/pdf/world\\_drug\\_report\\_2000/report\\_2001-01-22\\_1.pdf](http://www.unodc.org/pdf/world_drug_report_2000/report_2001-01-22_1.pdf)

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# The way forward ...

A Scottish study (McKeganey et al.) of methadone patients asked whether they wanted to stay addicted or get off drugs.

- 60% wanted to get off
- Australia leads the world in Naltrexone implant technology which acts like Narcan in the blood of a heroin user, neutralising its effect and reducing craving. Only one in 1800 users will die while implanted, while 16 in every 1800 will die while on methadone, (the alternative protective maintenance regime).
- **The Federal Government does not fund one implant**
- **Only one State government funds implants.**
- **YES, Australia needs changes to its Drug Policy – but legalisation is not an option**