

**Department of Chemistry, Materials and Forensic Science**

The Secretary  
Standing Committee on Family and Community Affairs  
Substance Abuse in Australian Communities  
Parliament House  
Canberra ACT 2600

8 June 2000

Dear Sir/Madam,

This is a brief submission to the Standing Committee on Family and Community Affairs inquiry into "Substance Abuse in Australian Communities".

Alteration of state of consciousness is a basic human desire for most humans which may be achieved in a number of ways:-

- \* physically, by promotion of an adrenaline rush, for example hang-gliding
- \* spiritually, by meditating, praying, fasting or other religious practices
- \* chemically, by use of a number of substances such as alcohol, nicotine, caffeine, cannabis, amphetamines, heroin and many other chemicals.

There are two important points to be made. Firstly, not all methods of achieving an altered state of consciousness are equally appealing to every human. Secondly, all methods may lead to either enrichment of, or harm to the practitioner/user.

For example, significant physical harm may result from hang-gliding, extended periods of religious fasting or from substance abuse.

Leaving aside physical and spiritual methods for altering one's state of consciousness, the obvious question is where to draw the line between substance use and misuse.

Unfortunately, in contemporary Australian society moderate recreational use of drugs such as alcohol, nicotine and caffeine by adults is seen by many as acceptable, whereas moderate recreational use of other substances is seen as intrinsically harmful.

Unfortunately also for historical reasons, recreational use of substances other than alcohol, nicotine and caffeine is a matter for the criminal justice system. This situation means that vast sums of money are wasted and continue to be wasted in attempts to use the heavy hand of the criminal justice system to curtail consensual adult activity.

Criminal sanctions, repression and threats of eternal damnation have never been able to eliminate consensual adult activity. Did laws against homosexuality do anything other than victimise people because of their sexual orientation? Was the Soviet Union able to prevent Christians worshipping their God? Were Christians able to prevent heathens worshipping idols?

Sadly for the Australian community, current recreational drug laws are no more effective and do nothing more than:-

- \* put vast sums of untaxed money into the hands of criminals
- \* criminalise otherwise law abiding people
- \* cause corruption of unscrupulous public officials and law enforcement officers.

Most recent data from the Alcohol and other Drugs Council of Australia (ADCA) [1] reported that:-

Drug use is omnipresent in Australian society. Caffeine is used by most Australians through the consumption of tea, coffee, cola drinks and chocolate. Half of the Australian population regularly consumes alcohol and 22% regularly use tobacco. Thirty five percent of Australians regularly use some form of pharmaceutical drug.

Illegal drugs are also being used by an increasing proportion of Australians. Cannabis, for example, has been used by more than 44% of the Australian population over their lifetime, and recently used by 21%. About half the population has used currently illicit drugs, including cannabis, at some stage during their lifetime.

The ADCA report clearly states that 50 % of the Australian population are either practising criminals or have engaged in criminal activity in the past. There is something wrong with the current criminal laws if 50 % of the population are unable or unwilling to comply with them.

Quite clearly, the eradication of drug use is not achievable and is not therefore a realistic or a sensible goal of drug policy. In particular the current expenditure of large sums of money on law enforcement and interdiction without any evaluation of its efficacy is a practice that would not be tolerated in any other sector of the Australian public sector.

In my opinion it is time for a radical re-think of so-called substance abuse. Efforts should be directed at helping those people who find themselves in difficulty as a result of over-use or misuse of any drug. This would best be achieved by a complete re-think of Australia's current drug laws. I enclose for consideration by the inquiry a copy of the Australian Drug Law Reform Foundation's "Ten Point Plan for Effective Drug Laws".

If I can be of any further assistance please contact me.

Regards,

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#### References

1. Drug Policy 2000: A New Agenda for Harm Reduction, Alcohol and other Drugs Council of Australia – consultation draft, 19 April 2000 - <http://www.adca.org.au/>

**THE AUSTRALIAN DRUG LAW REFORM FOUNDATION**

## **A TEN POINT PLAN FOR EFFECTIVE DRUG LAWS**

*Prohibition has not worked. It causes increased corruption, crime, disease and death. We aim to take the profit out of the illicit drug industry and effectively confront Australia's illicit drug problem. Therefore we advocate the following:*

- 1** Treat drug use as a health and social issue, not a law enforcement problem.
- 2** Maintain penalties for unauthorised, large scale (defined) cultivation, production, transport, sale and possession of all drugs.
- 3** Fund equally law enforcement, education and drug treatment.
- 4** Provide well funded, research based, effective, drug education for the community and schools to be developed by education and health professionals.
- 5** Remove criminal sanctions for the personal use of illicit drugs.
- 6** Regulate and tax the commercial production and sale of cannabis.
- 7** Expand drug treatment and needle exchange programs to meet demand and establish safe injecting facilities.
- 8** Adopt non-custodial sentencing options such as drug treatment, counselling or community service orders for those apprehended for minor drug related offences.
- 9** Trial and rigorously evaluate a wide range of treatment options including the medical prescription of heroin.
- 10** Expand Australia's successful harm reduction approach to drugs for the benefit and well-being of all members of the community.