

NEWSLETTER

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NEXT MEETING

Thursday 23 May, 7.30pm
St Ninian's Uniting Church hall,
cnr Mouat and Brigalow Sts, LYNEHAM

7:30pm Bill Bush: Report on Nimbin MardiGrass

GUEST SPEAKER

8:00pm Brent Beyer: The quest for answers:
Australia & US drug policies, observations, views &
experiences from working in the community sector.

*Meetings are followed by refreshments
and time for a chat.*

Editorial

Jails bursting at the seams

Are politicians serious about looking for alternatives to putting more people in jail?

If so they need to examine the prohibition drug laws.

State and Territory drug law changes have always ramped up the penalties, thus widening the net, reclassifying many practices from use to drug trafficking or production. For example in the ACT, growing one or two pot plants in the shower in the dead of winter, was once a minor offence but is now a serious offence attracting harsh penalties. All this ramping up contributes further to the workload and cost of police, courts, and prisons but does nothing to improve the real problem.

Drug cases overload the criminal justice system (CJS). Of all the arrests for drug offences, some 80 percent are of users. Over 60 percent of Australia's prisoners are incarcerated because of drug related issues. At costs of up to \$313 per prisoner per day it is a costly way to castigate use of some drugs.

Has it been effective? Use and availability of drugs is unchanged but now there is more use of designer drugs (ie so called legal highs) and prescription drugs. Any test of effectiveness demonstrates that financial and manpower resources are wasted. Contact with the CJS means users' lives are damaged more, sometimes more than by the drugs. And associated stigma creates barriers to help and treatment.

The solution? Ideally, regulate the drugs and their production and sale to: 1) take them out of the hands of criminals reducing the drug market and making the drugs less dangerous, 2) limit sales to mature people ie impose age limits, introduce user-registrations and other restrictions reducing the number of juvenile users, and 3) reallocate the savings to improve the effectiveness of health and social services including breaking down the barriers to treatment.

Nimbin MardiGrass 4 - 5 May - trailer of the report by Bill Bush

In a peaceful harmonious village of independent thinkers, once the enclave of the hippie, gradually losing ground to gentrification, Nimbin held its annual MardiGrass.

Featuring Michael Balderstone managing the show and maintaining goodwill with the parading six pack rugby scrum of police supervising the streets.

Impressive was the "After prohibition" forum and the speaker Kate Fairman looking forward to a better world.

Seriousness underlay the MardiGrass with many thoughtful participants - not the media portrayed image of the residents of this lovely village.

Bill Bush presents more at the FFDLR meeting.

Book Review

John Jiggins, *The killer cop and the murder of Donald MacKay*, (NIMM, West End, Qld., 2009) 253pp. Cost \$30. It can be ordered at drjiggins.com - Review by Bill Bush 29/4/13

Dr John Jiggins evokes for those of us who lived through the 1970s a shadowy string of personalities inhabiting a seamy side of Australia that our elders seemed reluctant to acknowledge existed. Donald MacKay was not of course shadowy: he was a fighter for justice and fearless exposé of corruption who met his end shot in the evening of 15 July 1977 in a dusty Griffith car park. The given wisdom was that he was executed because he was at the point of exposing a Calabrian criminal ring based at that Riverina town or, a ring engaged in large scale cultivation of cannabis crops. Mackay's murder and the subsequent investigation by police and royal commissions monopolised the attention of the media. I well remember the grainy front page photos of drug couriers, Isabel and Douglas Wilson, in the Melbourne evening Herald. Their bodies had been found in a shallow grave on the Mornington Peninsula. Police work was getting to the bottom of this nasty business. Indeed, admiration was ratcheted up when investigators announced they had their man and prosecutions were launched. In the process, of course, the reputation of the Calabrian community in Griffith was dragged through the dirt and an international manhunt was commenced for Robert Trimboli, painted as Mr Big of this nefarious criminal enterprise.

John Jiggins challenges all this. The story is not as it seemed.

The NSW Royal Commission headed by Justice Woodward of the NSW Supreme Court "put all the blame on the Italian-Australians...." (p.33). He reckoned that "an organisation centred in Griffith had planned and directed a commercial cannabis growing and distribution network. He named six men who were influential members of that organisation and said that

Donald MacKay was ‘probably’ disposed of by or on behalf of members of that organisation.” (pp. 33 – 34).

Jiggins reckons that the small-time Victorian “crim”, Jimmy Bazley, who was put away for Mackay’s murder, was implicated by a witness seeking to avoid prosecution while diverting attention from other big players. It is in this murky demi-world that Jiggins probes. The story he assembles challenges credibility. The big players were not the Riverina Calabrians who were indeed in the cannabis growing business but their market was the modest Australian one. It seems that Mackay stumbled on information that something much bigger was going on. This information threatened to reveal large scale shipments of drugs from Australia to the United States; the facilitation of this trade by the Nugan Hand Bank and the involvement in all this of a coterie of senior, corrupt serving and ex-New South Wales police with links to the highest levels of politics and commerce. Jiggins suspects that it was a couple of these corrupt ex-police, Detective-Sgt Fred Krahe and Detective Sgt Keith Kelly, who murdered Mackay.

The web of criminality and corruption does not end there. The illicit drug trade and supporting bank services by the Nugan Hand Bank were carried out with the knowledge and connivance of nothing less than the senior ex-operatives of the United States’ Central Intelligence Agency, the CIA.

On the surface all this may seem like the product of morbid fantasy. Indeed, Tony Reeves, a leading Australian crime reporter of the time, has commented that the book is “so rich in character and plot it would make a great crime fiction thriller but for one important fact – it’s all true.” With a deceptively light touch Jiggins has drawn together a surprising amount of detailed information accumulated and published principally in a series of reports of Royal Commissions and other enquiries that took place in the 1970s and early 1980s. These include the 1974 report of The Royal Commission of allegations of organised crime in clubs carried out by Justice Moffitt, the 1978 reports upon drugs prepared by Justice Woodward, a further report of 1980 into drug trafficking, the 1980 Royal Commission into drugs of the Commonwealth Government carried out by Justice Williams of the Queensland Supreme Court; the 1983 report of Justice Stewart into the Nugan Hand Group and the Nagle report of 1986 that enquired into the police investigation into the death of Donald Mackay. Information on the crooked state of the Australian body politic can be gleaned from these reports like so many tips of icebergs suggesting crime and corruption extending to far greater depths.

The CIA connection would be the hardest to believe were it not for the meticulous research and scholarship carried out by an American, Alfred McCoy, who wrote a book in 1980 on narcotics and organised crime in Australia. He followed this up with a monumental work entitled *The politics of heroin: CIA complicity in the global drug trade*. The Nugan Hand Bank was established by Michael Hand and Frank Nugan. Hand had been a contract agent working for the CIA with the Hmong army in Laos from where it is thought that he smuggled heroin to the United States in bodies of dead soldiers (p.58). In a pattern that was replicated in many other places including Afghanistan, the opium trade subsidised a secret War (p. 92). Frank Nugan was the son of a German, not Calabrian, migrant, who operated a fruit packing business in Griffith. The first president of this bank was no one less than a distinguished rear Admiral.

How did it come to be that all of these strings were not drawn together in the course of these well resourced careful inquiries?

Without the benefit of McCoy’s work and, one suspects, out of diffidence for Australia’s great and powerful ally, the United States, Justice Stewart took at their word the denials that the CIA would “get involved with such a shonky group as Nugan Hand” (p. 170). Stewart thus concluded that there was “no evidence of links with the CIA” (ibid.). Jiggins’ scepticism echoes that of Brian Toohey who wrote at the time that “far from being disproved, the extent of the [CIA] links was not investigated by Justice Stewart in any normal sense of the word.” (ibid.).

In the mid-1970s “Sydney became a favourite place for shipping drugs bound for America. . . . Because a load of cargo marked as coming from Australia aroused much less suspicion than one from Bangkok.” (p. 55). United States mobsters used Sydney as a trans-shipment point for drugs between the Golden Triangle and the US west coast” (p. 56). Between 1975 and 1978 Murray Riley, another retired NSW detective sergeant “emerged as a major trans-Pacific drug smuggler financed by Nugan Hand Bank.” (p. 56).

During this time the Australian drug scene was transformed. Criminals took over cannabis growing from the previous cottage industry of drug users. There were massive drug seizures and a “heroin plague.” (p. 57). There was the extraordinary spectacle of an arm of the United States promoting the drug trade, the country that has championed the prohibition of drugs and twisted the arms of governments around the world to follow a hard line. In truth, the American crusade against drugs always deferred to Cold War security considerations. American promotion of the drug trade in Australia went far beyond the well-known boost to drug use and availability incidental to United States service personnel in Sydney on rest and recreation leave from Vietnam. The top level of the drug trade in Australia was composed of CIA agents and ex-NSW detectives. “The size and sophistication of its operation,” writes Jiggins, was on a scale unimaginable in Australia. It was a creature of the US market, made in the US and with substantial involvement by the US mafia and US spies” (p. 57).

A telling piece of evidence that Jiggins stresses is the size of a cannabis plantation seized in November 1975 at Coleambally south of Griffith. It was “disproportionately huge – 25 times bigger than the previous Australian record seizure indicating that it was ordered for a market 25 times bigger” (p. 57) This can only have been the United States.

The story Jiggins tells is not just concerned with drugs. It strays into police corruption involving prostitution, abortion (still illegal) and gambling reform. All this struts a stage that Jiggins displays for us. And it rises above the world of crime. In the final pages he examines the swirling rumours concerning the role of the CIA in the fall of the Whitlam government and financial support for the National Party. The book ends with the speech of Whitlam in the House of the Representatives on 24 May 1977 calling for a Royal Commission on these matters.

The National Crime Authority was a fruit of the extraordinary flurry of judicial inquiries of the time and in particular of the Williams Royal Commission. This powerful anticorruption body – virtually a standing Royal Commission - was buttressed by complementary legislation of all States. The Howard government dismantled it after its director reported in 2001 that the growth of drug fuelled organised crime was threatening Australian society. In spite of concerted law enforcement effort:

“The reach of organised crime in Australia is pervasive, multi-faceted and carries enormous social and economic costs.

Significantly, the cost is not just in direct monetary terms but in terms of lost productivity, health, violence and well being. Another cost is the diminution of societal security, both in perception and reality” (p. 10).

The NCA Director concluded that “we have now reached the stage where the fight against organised crime will benefit from a whole of government approach” (p. 3).

There are limits to the amount of truth that politicians can bear or indeed that judicial enquiries are capable of eliciting. The ghosts of the 1970s that Jiggins portrays are still with us.

The relative dangers of drugs: What the science says (an extract)

<http://thomaskleppesto.tumblr.com/>

Cannabis is, relative to other drugs, one of the less harmful drugs. This may be hard to believe for some, because cannabis is one of the drugs that are highly politicized - misinformed policies and governments contribute a great deal to the wrongful assumptions and belief-patterns held in many societies. A common worry is that cannabis causes psychotic disorders and/or schizophrenia or that it is a “gateway drug” which leads to the abuse of more dangerous drugs. Both hypotheses have been put to the test:

There is indeed a correlational pattern between cannabis use and the development of psychosis (individuals with schizophrenic disorders are four times more likely to have smoked marijuana than the general population). This could mean, but not necessarily, that cannabis use causes psychosis - but correlation, importantly, does not imply causation. A Danish study found that individuals who were treated for post-marijuana smoking psychotic episodes had the same likelihood of having first-degree family members (mothers, siblings etc.) with schizophrenia as individuals who had been treated for schizophrenia itself (non-cannabis smokers). Those results suggest that cannabis can induce schizophrenia/psychosis in individuals that are genetically predisposed for developing the disorder, regardless of cannabis use. Arendt, one of the authors of the study, has commented that “these people would have developed schizophrenia whether or not they used cannabis”.

The gateway hypothesis is more controversial in the scientific literature. However, research on the gateway-hypothesis often suffers from the same flaws: a correlation between cannabis use and other drugs can be found, a possible causal relationship needs further scientific inquiry. Once again, the logical pitfall of the Post hoc ergo propter hoc fallacy must be avoided. Many cannabis smokers drank milk before they started smoking pot. Is there a causal effect? The reason why there is a relationship between cannabis smoking and other drugs (or indeed between the uses of several drugs in general) can be a result of genetic risk factors that contributes to increased risks for drug abuse in particular individuals. Humans with a stronger activation pattern in the brains reward system during intake of a drug have a susceptibility to drug abuse in general (interestingly, individuals that have a weak or absent activation in their dopaminergic reward systems when injected with alcohol are much more likely to be abstainers). This is why, most likely, that there is a correlation between cannabis use and other drugs, not because it is a “gateway” to the usage of several drugs.

It is important not to confuse illegality with dangerousness. The reasons why drugs are assigned particular legal statuses are mainly cultural and political in nature, not scientific. Now, does

it not make sense, given the scientific understanding of relative drug harm, to correspond a drug’s legal and social status with the harm one can prescribe to it? It is of a great moral concern if risks of harm on particular psychoactive substances and their legal status remain unrelated. A study comparing cannabis use in Amsterdam (where cannabis is decriminalized) and San Francisco (criminalized) found no evidence that criminalization of cannabis reduces use, or that decriminalization increases use. In other words, cannabis legal status seems to be fairly unrelated to the amount, and to which extent, people get high. Clearly, a legal system that regulates and taxes cannabis use (like alcohol), rather than imprisons and criminalizes its users, which by the way, uses ridiculous amounts of tax-payers money, makes more sense.

Imagine if your child were to try a mind-altering drug. Would you rather have your child use a drug which, compared with other drugs, are less likely to cause harm? If you are a person with a decently functioning moral-reasoning device, “yes” is probably your answer.

Budget 2013

Additional information on “Program 1.3 Drug Strategy” provided by Gino Vumbaca, Executive Director, Australian National Council on Drugs

Reduce harm to individuals and communities from excessive alcohol consumption and use of illicit drugs

Under the guidance of the National Drug Strategy 2010-2015, the Department will continue to work with jurisdictions and communities to deliver services and education initiatives promoting responsible alcohol consumption and reducing the use of illicit drugs. These include messages targeted at high risk groups such as young people and Aboriginal and Torres Strait Islander peoples.

Under the National Drugs Campaign, activities will be funded to educate and reinforce young people’s knowledge of the harms and risks of illicit drug use.

The Australian Government will promote evidence-based messages about the harms of drinking alcohol during pregnancy. These messages will complement other activities to reduce the prevalence and impact of Foetal Alcohol Spectrum Disorders in Australia. The Government has also committed to evaluate the voluntary alcohol industry labelling initiative warning of the harms of alcohol during pregnancy. The evaluation will be completed in 2013-14.

Through the Substance Misuse Service Delivery Grants Fund, the Government will continue to fund activities to promote and support drug and alcohol treatment services across Australia building the capacity of services to effectively identify and treat coinciding mental illness and substance misuse. The expanded rollout of low aromatic fuel to Northern Australia will also continue.

The Australian Government will commission a review of the drug and alcohol prevention and treatment services sector.

The review will aim to clarify the range of services currently funded; develop common understanding amongst governments and the sector of current and future service needs; and clarify the type and timing of drug and alcohol funding activities undertaken by governments. The review will be concluded in 2014 and its findings will inform the next funding round under

the Substance Misuse Service Delivery Grants Fund scheduled to commence in late 2014.

Through the Substance Misuse Prevention and Service Improvement Grants Fund, the Government will continue to invest in illicit drug and alcohol research. The non-government sector will also be supported to ensure a strong community voice on illicit drug and alcohol issues. Funding will also be provided for prevention and early intervention activities.

Program 1.3 is linked as follows:

This Program includes National Partnership Payments for:

- National coronial information system (agreement still being finalised at time of publication).
- Partnership payments are paid to state and territory governments by the Treasury as part of the Federal Financial Relations (FFR) Framework. For Budget estimates relating to the National Partnership component of the program, refer to Budget Paper 3 or Program 1.10 of the Treasury's Portfolio Budget Statements.
- The Department of Families, Housing, Community Services and Indigenous Affairs (Indigenous Capability and Development - Program 7.4); and the Attorney-General's Department (Indigenous Law and Justice - Program 1.5) for the Petrol Sniffing Strategy.
- The Treasury (Australian Competition and Consumer Commission – Program 1.1) for graphic health warning measures.

Program 1.3: Expenses

2012/13 236,998,000	2013/14 258,796,000
2014/15 241,636,000	2015/16 246,102,000
2016/17 250,773,000	

High risk implantable devices — establishment of a national patient register

This item is listed as providing 1.4m, 2.9m and 2.7m respectively for financial years 2014/15 to 2016/17.

Family Drug Support telephone volunteers needed

Are you interested in becoming a telephone volunteer? Family Drug Support is looking for people to help maintain its National 24hr Support Line. You can work from home at a time convenient for you - hours are flexible. No counselling skills or drug/alcohol experience necessary.

Excellent command of English language is essential. Access to a fixed land line is imperative.


Training course runs on Saturday 3 & Sunday 4 August at Canberra Hospital, Garran

For further details please contact Volunteer Manager 02 4782 9222/0416 212 426

Dutch tourist cannabis cafe ban leads to surge in dealing in the south

Dutch News, Saturday 11 May 2013, dutchnews.nl


The decision to ban foreigners not resident in the Netherlands from the country's cannabis cafes has led to an 'explosion' in drugs-related crime in the south of the country, the AD reports on Saturday.



Families and Friends for Drug Law Reform
invites you to a
PUBLIC MEETING
hosted by Brendan Smyth (MLA),
Canberra Liberals, Member for Brindabella
on
Wednesday 19th June 2013
12.30 pm
in the Reception Room, ACT Legislative Assembly
Civic Square, London Circuit, Canberra City
Topic:

**“How many cones? How many pills?
How many lines of coke?”**
**Estimating the size of Australia's market in illegal
drugs and its potential for raising revenue under a
regulated market**

Speaker:
Dr John Jiggins



Need a copy for your notice board? <http://www.ffdlr.org.au/forums/docs/Flyer%20John%20Jiggins.pdf>

The government's decision to turn the cafes into members' only clubs in the southern provinces last May led to a sharp rise in street dealing, the paper says. It bases its claim on police and city council figures.

In Maastricht, at the forefront of efforts to reduce drugs tourism, the number of drugs crimes has doubled over the past year while in Roermond they are up three-fold with at least 60 active street dealers, the AD says.

Dealers

People living in border areas report that drugs dealing has moved to other parts of their neighbourhoods and into residential areas.

Nevertheless, Maastricht is holding firm to the policy of banning non-residents from so-called coffee shops and has threatened several of the city's 13 cannabis outlets with a three-month closure because tourists were allowed inside.

Currently, coffee shops are licensed to sell small amounts of marijuana and cannabis for personal use. And while possession is not legal, the police turn an official blind eye to people with less than five grammes.

Officials in Amsterdam and many other towns have already said they will not implement the ban on tourists and will instead take advantage of the legal provision for a 'tailor-made' approach to the marijuana trade.

Drug Law Reform Australia inc

Greg Chipp, founder of the Drug Law Reform Party announced that he now has over 750 members, with 550 members confirmed on the electoral roll - well in excess of the 500 required by the Australian Electoral Commission.

He has applied for registration as a political party to the AEC. Registration will take up to 11 weeks.

"I would like to thank all our members and supporters for helping us achieve this amazing milestone," said Mr Chipp. "Thanks to you, we will have won the right to put the words 'Drug Law Reform' on 13 million ballot papers in September."