

Political Briefing

Media Briefing

Community Briefing

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Subject:

**Pill Testing – Harm
Reduction or Drug Use
Normalisation?**

**Careful Investigation
Required.**

Date: August 2019

Honorable Members of Parliament: Tasmania

Former Victoria Police Assistant Commissioner Noel Ashby, APM, a member of the Drug Advisory Council of Australia (DACA) executive, has repudiated claims by former Australian Federal Police Commissioner, Mr. Mick Palmer, APM, that pill-testing should be legalized.

Mr. Ashby, who has extremely broad operational policing experience in drug law enforcement and violent crime in Victoria, (much of it drug related), claims Mr. Palmer's view, while viewed as typically 'progressive', ignores the impact of illicit drugs on the Australian community.

Mr. Ashby does not accept the evidentiary based claims for pill-testing success by Mr. Palmer. Rather, he questions the evidence which he regards as being open to interpretation and categorised by selective claims of success.

Mr. Ashby also is concerned that the legalisation of pill-testing sends the worst message that authorities have surrendered to drug-barons and organised crime. He questions how the support of pill-testing by Mr. Palmer will reduce the incidence of drug-related crime in Australia. He also questions how every State and Territory government in Australia, and the Commonwealth Government, can approve of pill-testing as a viable public policy option, when their (various) criminal statutes criminalise such actions.

Mr. Ashby is also concerned that rogue cabals could penetrate pill-testing proposals and establish fronts for the distribution of drugs, rather than meekly accept that such regimes are incorruptible and always focused on community-best outcomes.

Mr. Ashby also asks, whether such ad-hoc, unregulated and uncertain arrangements for pill-testing ensures that those using illegal drugs, who may have consulted pill-testing tents and the like at festivals, public parks and public events, can guarantee that legal action against state and federal authorities will not occur as a consequence of governments surrendering to drug use by citizens, all the while keeping possession and use of drugs as crimes in law. In other words, what happens when a purportedly safe tested pill-test fails, and death or serious injury of a user occurs? Mr. Ashby says, one answer is certain; the drug-trafficker will still make their profit from the words, 'use' and 'abuse'. Those terms can only be applied to prescribed pharmaceuticals because they have a prescribed safe dose. I have asked each jurisdiction in Australia if the legal amount of alcohol when driving, up to 0.49, is considered safe for driving. All said no - they would not state that."

Media Liaison – Drug Advisory Council of Australia (DACA).

Every drug taking episode is a life and/or health threatening and harmful exercise – even more so if facilitated by community leaders. It is interesting to note that since 2007, when the incoming Rudd government chose to ignore the parliamentary report [‘The Winnable War on Drugs’](#), we have seen a further loosening of the already under-resourced demand reduction pillar of the national drug strategy. Even with the release of the new, fully sector/industry consulted and endorsed, [National Drug Strategy \(NDS\)](#) in 2017, which lauded the priority of demand reduction, supply reduction and also harm reduction, we continue to only give ‘lip service’ to the key pillars of this plan.

The latter, Harm Reduction, exists to assist those caught in the tyranny of addiction to be ‘safer’ whilst exiting drug use, but this is no longer how harm reduction is being used.

For multiple reasons, not least the efforts of pro-drug activists, this life preserving and drug use exiting pillar of the NDS has been hijacked! Harm Reduction was never to be used to assist those *courting a relationship* with addiction and/or dependency, by choosing to ignore both best practice and law, and permitting the taking of illicit drugs with impunity. However, that’s where this important pillar is now being deployed more and more.

Of course, the narrative around ‘life saving’ has nothing to do with drug use prevention, cessation or exiting of drug use, but very much now to do with simply ‘managing use’. The manufactured ‘inevitability’ mantras concerning youth and drug use that continue to fuel the ‘permissive’ narratives around illicit drugs are now governing the deployment of supposed ‘harm reduction’ mechanisms.

The public discourse, largely driven by a *one side only* reporting media, end up becoming part of the *consensus manufacturing* ‘story’ on illicit drugs in Australia. The dialogue commences with a ‘save our kids’ declaration (as if children were the ones at **adult** music festivals using drugs) and then trades on faux compassion as a license to further normalise drug use. We must keep in mind that it is adults – self-aware, product aware and disposable income endowed adults – who are not caught in the tyranny of addiction, but rather wilfully consenting to a pop-culture generated, ‘herd’ mentality hedonism, that are actively seeking out these illicit, and very dangerous substances, and wilfully consuming them for one purpose – to ‘enhance a party experience’. Stated candidly, that is what all this time, money, debate, angst and drama, is about!

These free-will and international and national law-breaking choices are being fuelled by a permissive narrative, that would never be permitted in the marketplace around tobacco, but we see is getting more and more of a ‘free pass’ with psychotropic toxins – illicit drugs.

So, what is the subtext of much of this new narrative, of which ***pill testing***, is rapidly becoming just another aggressive pawn?

Tom Percy QC, shone a light on this earlier in 2019 in his article [Why drug tests are a bitter pill to swallow](#).

The message implicitly conveyed by the availability of a pill-testing facility at entertainment venues is that it's quite all right to break the law and that you can do it with impunity, effectively with the blessing of the Government, which will not only test your illegal substances for you, but also give them back to you for your own use once they are certified to be OK.

The message this would send to drug dealers is equally obvious. They would no longer have to overcome any trepidation on the part of their potential clients as to what they were being sold, with the Government providing free quality-control for their product.

It has long been established that the answer to the drug problem is not in drying up supply through heavily penalising manufacturers and dealers, but rather in drying up demand.

If you can discourage enough people from wanting to use drugs, then you start to put the suppliers out of business.

The concept of facilitating (and, in effect, subtly encouraging) drug use by ensuring the safety of doing it runs entirely contrary to this critical strategy.

While any death through overdose or contaminated drugs is tragic and unnecessary, any perceived advantage achieved by testing pills at music festivals or nightclubs is a short-sighted pseudo solution to a complex and deep-seated long-term problem.

*If pill testing were to be implemented, **it would require some significant legislative changes** that would allow the proposed testers an exemption from the Misuse of Drugs Act, which makes it an offence either to come into possession of a drug or to supply it.*

Any testing employed by festival organisers would currently breach the law in both respects — by taking possession of the substance to test it, and by supplying it back to its owner.

While police obviously have an immunity in this regard, they don't have anywhere near the resources to conduct these tests and the question of who that authority might be extended to for the purpose of running music festivals is an interesting one.¹ (emphasis added)

It is this last legal insight that all policy makers, legislators and community leaders must be fully aware of and take care in considering.

Yes, the practical and ethical issues around this may be complex, but it is the legislative issue that tips the balance, and thus the one that the pro-drug lobbyists consider must be eroded or changed to further the cause of drug normalisation and legalisation. It is the breach of international drug conventions and the laws which they facilitate that the pro-drug liberalisers want to change.

It is here that the Trojan Horse strategy of the pro-drug legaliser is deployed. Sadly, this can be done under the guise of 'harm reduction'. The genuine drug hating harm reductionist, who wants the drug user to stop using (but be 'safer' in their continued use, *whilst exiting*) is largely unaware of this cynical collaboration.

No caring, health conscious, dignity protecting, agency enhancing and best practice focused community leader, parent or politician, believes our society and its young will be better off on drugs, or with easier access to drugs. So why are vehicles that do just that being considered?

So, due diligence is required by policy makers and culture shapers, to ensure that priority is given to better strategies to reduce harms – **the best being** to reduce demand and delay/deny uptake. Every other strategy is merely damage management and whilst important, should not be used as a vehicle to enable, equip, empower or endorse drug use.

We encourage all members of the Tasmanian Parliament to, at the very least, ask some hard questions – questions that our media refuse to ask about drug use of the pro-drug lobby groups, who are attempting to use pill testing as a vehicle to further normalise drug use.

Are you an illicit drug user? If so, have you sought assistance to exit drug use?

If not, then;

- *Why do you believe they are entitled to use illicit psychotropic toxins?*
- *What is informing the drug users' decisions to wilfully intoxicate themselves with these illicit drugs?*
- *What can reasonably be done to help the drug user make the best choice of not using?*
- *Why do you believe they should be given rights in contradiction of Federal and International agreements on illicit drug use?*

- *It is irrefutable that these psychotropic toxins are harmful on multiple levels, to both individuals and their wider community, so why has this become the 'cause' you want to invest in, and not homelessness, mental health issues, and youth unemployment, which drug use only worsens?*
- *The overwhelming data reveals that drug use reduces capacity, agency, dignity, responsibility, and care – how do you defend use in this context?*
- *Self-harming autonomy doesn't end with the drug user, so why do you think it is okay to diminish people and environments around you – even putting others health, safety and well-being at risk?*
- *What do you believe has contributed to the reality that the drug-user is now removing the safeguards incorporated into current drug policy and its interpretation?*

It is time that we do with the illicit drug issue, what we have done with the much tougher to shift, *tobacco problem*. We need to have **one voice, one message and one focus** on this – **QUIT**.

We may not be able to arrest our way out of the drug problem. We most certainly will not be able to 'treat' our way out either! We could in time prevent our way out – as Iceland have done through community support programs and complementary demand reduction legislation.

We will succeed in reducing the harms caused by illicit drugs if we use all education vehicles, including cognitive, affective and judicial domain educators to reduce demand, supply and harms. Legislation and education together can move the culture away from the damages and costs which will be incurred through policies liberalising illicit drug use.

What will only deepen the dysfunction, harm and damage in our society is the further liberalisation, normalisation and legalisation of illicit drugs.

Please find attached, the evidence-based review of Pill Testing proposals in our Report – ***Pill Testing: Russian Roulette as Drug Policy*** for your further perusal.

Also see [Pill Testing: Eight central issues for Australian Parliamentarians](#)

Secretary, for the Executive Committee

Drug Advisory Council of Australia Inc

References: 1 <https://www.perthnow.com.au/opinion/tom-percy/tom-percy-why-drug-tests-are-a-bitter-pill-to-swallow-ng-b881076933z>