

Agony over ecstasy is helping no one

Alex Wodak
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Last Friday night, Matthew Chesher, then a senior official of the NSW government and husband of a state minister, was observed by police to have allegedly purchased a tablet of ecstasy. Chesher immediately resigned. His wife issued a statement of regret while also strongly supporting her husband.

This is nonsense on stilts. Scarce police resources have been used for no benefit. These resources are now not available to follow up serious violent crimes. Somebody making an important contribution to government and his family has been made to suffer disproportionately.

We should not follow this anachronistic approach in Australia in 2011. Ten days ago I visited Lisbon, Portugal and saw the drug policy of the future.

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Portugal decriminalised low level consumption of illicit drugs in 2001. People found in the course of normal police work to be in possession of small quantities of illicit drugs now have their drugs weighed. If the weight exceeds statutory limits, the person is deemed a "drug trafficker" and is referred to criminal justice authorities.

If the weight is under statutory limits, the person is considered either a "recreational user" or an "addict" and referred for assessment to the Commission for the Dissuasion of Drug Addiction, part of the Health Department. Assessment takes a panel of two a couple of hours. Only nine staff are needed to service the entire Lisbon district (population about 1 million). Drug consumption and functional stability are assessed. Functional recreational users are given advice about staying out of trouble. Some are followed up in three to six months' time.

"Dysfunctional addicts" are referred for help - usually to drug treatment, but some also for healthcare, mental health services or employment assistance. This group is carefully followed up. Sanctions are possible but are rarely used.

The Portuguese argue that the increased funding for drug treatment since 2001 has been just as important as the decriminalisation of drugs. A favourable evaluation of this experience published by the Cato Institute, a US free-market think tank, received considerable international publicity.

Portugal's policy has been operated with little change for almost 10 years by centre-left as well as centre-right governments.

If Chesher had been caught with an ecstasy tablet in Lisbon rather than Sydney, this would have been treated as a private health matter. He would still be employed and

paying taxes. His family would have been spared considerable pain. Taxpayers would not have had their funds squandered.

A week ago I attended a meeting of the Global Commission on Drug Policy in Geneva. Members of the commission include the former presidents of Brazil (Cardoso), Colombia (Gaviria), Mexico (Zedillo) and Switzerland (Dreifuss); former US secretary of state George Shultz; former EU foreign secretary Javier Solana; executive director of the Global Fund for AIDS, TB and Malaria, Professor Michel Kazatchkine, and Sir Richard Branson of Virgin Airlines. Nine of the commission members attended the meeting.

The commission accepts prohibition has failed comprehensively. It called for an approach that, like Portugal's, treats drugs as a health problem. The Lisbon and Geneva meetings made it clear that significant international drug law reform is now inevitable and that global support for drug law reform is accelerating.

In the August 2010 federal election, for perhaps the first time in Australia, the two candidates for prime minister had admitted previous cannabis use. The US President has admitted previous use of cannabis and cocaine. His predecessor denied cannabis use but was caught on tape admitting it. The previous US president claimed to have smoked cannabis but not inhaled. In November, 46 per cent of Californians voted to tax and regulate cannabis. In Britain, it is estimated that about 50 million ecstasy tablets are consumed a year. Australia could not maintain police or military forces if all new recruits admitting previous illicit drug use were rejected.

It's high time we swept away our cant and hypocrisy on illicit drugs. Let's admit that most people taking illicit drugs do so because they enjoy the experience. Let's make low-level drug use a health and social issue and stop pretending it is a crime.

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