

Drugs – Clondalkin Report

The political response to the drugs issue illustrates all that is wrong with Irish politics – the same old, tired, response, which everyone working on the ground knows is outdated and ineffective, continues along its merry way. During the five years of the last Government, we had four different ministers with responsibility for drugs. At the last reshuffle of ministries, the Government forgot to appoint a minister with responsibility for drugs, and when reminded, they hastily nominated the Minister for Health – ensuring that, given the problems that exist within the health system, nothing would change. He then asked Aodhain O’Riordan to take the job and he brought, for the first time, a creativity and passion to the job – and promptly lost his seat!

Behind structures and policies lie attitudes. The dominant attitude of both the public and politicians is that those who use drugs– own fault. Even those in recovery are often seen as “damaged goods” though for me those in recovery are the real unsung heroes of our time as it is so difficult to overcome an addiction. I often ask myself if I had gone down that path, would I have the inner strength to overcome an addiction – and I am not sure what the answer would be!

One of the most important and striking conclusions that the report highlights is the following:

“little attention is paid to the role that Government decisions and policies play in shaping negative outcomes for people”

Instead of addressing the social, economic and cultural contexts in which drug misuse thrives, we “individualise” the problem. We see drug use as a consequence of some defect in the person who uses drugs and ignore the context in which they live. In communities like Clondalkin and many others in our urban areas, unemployment and poverty are a fact of life for so many. Drugs provide a “temporary vacation” from life. Many young people in these areas leave school early, despite being constantly told that if they do not achieve their Leaving Cert they will have no future. They quickly come to recognise that even if they do achieve their Leaving Cert, they still will have no future. In many areas, you can have your drug of choice delivered to your door quicker than a pizza – and it will be delivered to you by a 13-year old on a bicycle. This 13 year old needs no career guidance counsellor, he knows exactly what he wants to be when he grows up. At 13, he is earning more money than his older brother on the dole; as a member of the drug gang, even a minor member, he has a strong sense of belonging which teenagers need, he has status and a sense of power as no-one will cross him as they would then have to answer to the gang. At 13, he already has what most adults are working hard to achieve. But he wants more. He wants to be top dog. And to climb the ladder of status in the drug gang, he has to be more violent than anyone else. Violence is the currency that brings success. Little does he know that by 25, he may either be dead or serving a long sentence in prison?

Drugs affect everyone in society, not just drug users and their families and communities. It is estimated that 80% of all monetary crime is drug related – either to pay for drugs or to repay a drug debt. And the violence associated with drugs is increasingly putting innocent members of the public at risk. And it is only to get worse. Who would have thought, ten

years ago, that we would witness the level of violence that we have seen in the first months of 2016. Crystal meth is the new drug of choice for some drug users and will eventually be available everywhere in Ireland and it will destroy whole communities, as it has done in the US. And drug dealers are getting younger and more erratic and unpredictable. The older drug dealers will kill you for a reason; some of the younger drug dealers will kill you for making a wrong remark about their sister.

In 1998, a Japanese soldier was found hiding in the jungle. He had not realised that World War 2 was over. Forty-three years after the war had ended, he was still trying to avoid capture so that he could continue the fight. His predicament was so weird that every news media in the world covered the story.

However, no less weird is the war on drugs. The war has been over for twenty years and we have lost. But we continue to fight in the belief that the war still goes on and can yet be won. Over the last twenty years, we have spent billions of euros in trying to eradicate drugs, we have enacted tougher and tougher legislation, we have imprisoned tens of thousands of drug users. And the result? We have an increasing supply of an expanding range of drugs to an increasing number of drug users in more and more cities and towns of Ireland ‘Value for money’ is all the talk at the moment. Local projects and task forces are subject to endless evaluations to justify the funding they receive but no-one (except politicians) can justify the billions of euro we have spent on trying to eradicate drug dealing and drug usage as ‘value for money’.

Drugs are here to stay. We cannot control the supply of drugs – as long as you can buy a kilo of cocaine in South America for €700 and sell that on the streets of our cities and towns for €70,000, there will always be those who are willing to run the minimal risk of being caught. Each drug dealer who is caught and locked up is replaced by five others who are waiting in the wings. Like the Hydra of Greek mythology, when its head was chopped off, it grew five more heads. There are an estimated 20 major drug gangs in Ireland and the drug trade is estimated to be worth €1 billion per year. That means that, on average, each drug gang is taking in €1 million per week.

If we can do little about the supply of drugs, but can do something about demand. Treatment facilities are in short supply, long waiting lists exist in many areas, while in some areas no treatment services are available at all. I know some people who travel 50 miles every day to get treatment. Many people require residential treatment: they may be living in homes where other family members are using drugs; all their friends may be using drugs or they may be homeless. But residential treatment services all have long waiting lists. And residential aftercare services are almost non-existent. Indeed, what is the point in a homeless person bothering to become drug free when, after maybe three or six months of intensive work on their addiction, they will be given a bed in a homeless shelter full of drugs. In the 1977 Misuse of Drugs Act, some far sighted civil servant inserted a section which allows for judges to send a person to a custodial drug treatment centre, instead of sending them to prison. Almost forty years later, no such custodial treatment centre exists. Drugs have the potential to destabilise this country as the drug gangs have the money, and use the threat of violence, to corrupt the institutions of this state, as has happened in other countries. The failure to provide ‘treatment on demand’ for drug users may cost this country dearly in the future.

A 16-year old boy has been using cannabis for several years. He lives with his mother and eight-year old brother. He now owes several thousand euro to the drug dealers. The drug dealers have smashed his mother's windows on several occasions, walked into her house and robbed the TV and anything else of value. They accompany her to the post office each week to collect her social welfare and take it from her. They tell her that if she does not pay her son's debts they will petrol bomb her house some night when she and her children are asleep. She cannot take the stress anymore and has begun to self harm. Her eight-year old child is probably going to be taken into care as there is little food in the house and the electricity has been disconnected. Thousands of families around the country are living in fear and dire poverty, like this one.

Drugs have ravaged many families. They have killed thousands of young Irish people. Three times as many people die from drug related causes than from road accidents. Yet all the political attention and resources are focused on the latter. I regularly drive young people to the ferry and pay for their ticket to England, as they flee from the drug gangs to whom they owe money. Many young people have been seriously assaulted, assaults which are never reported to the Gardai or media out of fear of further retaliation. Young people, who begin experimenting with drugs, may find themselves quickly out of their depth, as their drug debts mount up. They are then forced, under threat, to sell drugs, or transport drugs or guns, to pay off their debt. They end up in prison serving lengthy sentences, as they are not savvy enough to avoid being caught.

This country requires a U-turn in our attitudes to drugs. The first, I believe, is that we have to ***abandon the distinction between legal and illegal drugs***. The biggest drug of choice in our society is alcohol and far more problems are caused to individuals, families and society by the misuse of alcohol than are caused by the misuse of all illegal drugs put together. The second biggest drug of choice in our society is prescription drugs, and their misuse is far more extensive than the misuse of illegal drugs. Far more medical health problems, and early deaths, arise from the use of tobacco than from any other single drug. To isolate illegal drugs, as if they were somehow a different species, is to suggest that those who use illegal drugs have a different motivation, and a different pattern of behaviour, to those who use legal drugs, and most of the evidence suggests that that is, in fact, not true.

Secondly, we need to make a ***distinction between drug use and drug misuse, whether legal or illegal***.

Just as most people use alcohol in a way that causes no difficulties for them or anyone else, most people who use drugs do so in a way that causes no difficulties for them (except perhaps health issues later in life) or for anyone else. Just as a small minority of people who use alcohol go on to misuse alcohol and become addicted, so a small minority of people who use drugs go on to misuse drugs and become addicted. ***A criminal justice response to drug use that is to the non-problematic use of drugs, is hopelessly disproportionate*** and arguably cause more harm than the use of drugs itself. It wastes enormous resources that could be better spent on treating those who misuse drugs and chasing major drug dealers. In 2014, in the District courts, 11,877 were prosecuted for possession of small amounts of drugs, 382 of them were sent to prison, 2,309 were fined (costing the State in Garda time trying – usually

unsuccessfully – to collect the fines) and 1,611 were placed on probation, again at considerable expense to the State. I have been in court with a young man who was charged with possession of cannabis to the value of €2; his case was remanded four or five times, meaning that the prosecuting Garda had to spend all morning in court waiting for the case to be called; the young man was given Free Legal Aid at the taxpayer's expense; the Judge asked for a probation report, at the taxpayer's expense, and although he threatened to imprison him, let him off with a warning. Prosecuting people for possession of small amounts of drugs is also counter-productive: it deters very few, introduces them to a criminal sub-culture and through the societal consequences of having a criminal conviction (difficulty of obtaining employment, difficulties of obtaining visas to travel and the labelling that a criminal conviction ensures) marginalizes people even more in their society and may push them into further criminal or drug-using activity.

How should we respond then to the misuse of drugs? Our response to the misuse of drugs has traditionally been determined by the distinction between legal and illegal drugs.

The misuse of *legal* drugs such as alcohol, nicotine or prescription drugs is considered primarily as a *medical and social problem* and dealt with accordingly. Even being drunk or stoned on tablets is not a criminal offence in itself, unless it occurs in public and presents a problem for others.

The misuse of *illegal* drugs is primarily dealt with as a *criminal justice issue*. Many people, myself included, cannot understand why possession of a small quantity of cannabis for one's own use is a criminal offence but possession of a large quantity of alcohol for one's own use is not. The use of cannabis will cause no harm to anyone except oneself, but the use of alcohol may cause untold harm to the person, their family, and their neighbours. Young people in particular consider society to be hypocritical when it criminalizes cannabis while making vast sums of money from the taxation of the much more problematic drugs, alcohol and nicotine.

Our response to the misuse of *all* drugs, legal or illegal, should be *a medical and social response*.

The essential argument is that our current reliance on criminal justice policies to reduce both supply and demand have failed and should be replaced by policies which minimise the harm which drug misuse causes to both individual and society. This entails taking the responsibility for drug enforcement away from the Gardai and Courts and transferring it to the Department of Health. It means "medicalising" drugs, not criminalising their users. It means focusing policy, not on the elimination of drugs, (which is recognised as an unrealistic objective) but on Harm Reduction (which is seen as realistic and attainable). It involves seeing drug consumption as a public health problem, not a criminal issue; it treats addiction as an illness, which requires support and treatment, and not as a badness which requires punishment. It sees drug misusers as vulnerable people in need of help, not criminal outcasts. It uses its resources to provide them with health professionals and counsellors, not lawyers. It frees the Gardai from having to invest heavily in tackling drug consumption, to focusing their resources on drug dealing.

This report by the Clondalkin Drugs and Alcohol Task Force is one of the best reports I have seen on the issue of drugs in society. Unfortunately, it is likely to join many other reports on a shelf gathering dust.