

INTER-AGENCY COMMITTEE ON DRUGS (IACD) MEETING

Minutes of the meeting held 5 March 2004, 9.00 am - 1.00 pm

1. Welcome, Apologies and Introductions

Attendees - IACD Agencies IACD Secretariat / Health (NDP Team)

Wendy Moore - ALAC
Chris Laurenson Acting Chair
Sandra Kirby - ALAC
Mathew Andrews - Corrections
John Parker - Corrections
Megan O'Brien - LTSA
Grant Stachan - LTSA
Colin Lee - Police
Michael Webb - Police
Douglas Hancock - Transport
Alison Stephens - Justice
Alice Letts - Pacific Island Affairs
Dave Bergan - Education
Cathye Haddock - Education (from 11.30)

Apologies

Mike McAvoy - ALAC
Terry Huriwai - Health
Abba Fidow - Pacific Island Affairs
George Smollet - Customs
Graeme Gillespie - Health
Monique Leerschool - Youth Affairs
Dave Negri - Customs

1. Matters Arising

The Minutes from the last meeting were approved.

2. Possible Alcohol Related Legislative Amendments

Police raised three possible legislative amendments for endorsement and referral to MCDP.

1. An amendment to s45 of the Summary Offences Act to preclude the return of alcohol to a young person, if he or she has been issued with an infringement notice under s38(3) of the Act.
2. Amendment to s272(3) of the Children, Young Persons and Their Families Act to remove traffic specific references, in order to remove

the non-payment of Liquor Infringement Notices from the Family Group Conference and Youth Court environment.

3. To extend the scope of the current definition of "infringement notices" under the Sale of Liquor Act 1989 to give frontline officers power to issue infringement notices for a wider range of offences.

While IACD members agreed that such amendments could be useful, it was insufficiently clear how the desired amendments promoted the National Drug Policy, including the minimisation of harm to youth. Police sought clarification about whether all future papers presented to IACD should have a section which explicitly linked the issues raised in the paper with the harm minimisation framework of the National Drug Policy.

Noted

1. That Police had identified a number of possible legislative amendments to strengthen its ability to enforce alcohol-related controls, especially relating to youth access to alcohol

Agreed

1. Agencies would send their views on the proposals to Police
2. That the issues raised be considered as an agenda item at the next IACD meeting from the perspective of the contribution they have to the National Drug Policy.
3. That all IACD papers for presentation to MCDP in future should include
 - (a) the reason for the paper
 - (b) how the proposal relates to the NDP.

3. Youth Binge Pattern Drinking & the Influence of Alcopops

Health distributed and presented two papers which had been requested by the MCDP at its 5 August 2003 and 2 September 2003 meetings. A suggestion that the specific issue of sweetened flavours needed to be addressed was noted.

Agreed

1. Health to liaise with ALAC and other interested agencies to finalise the papers for presentation to MCDP at its meeting on 23 March 2004.

4. Trans Tasman Harmonisation

Problems were identified relating to the differences between the Australian and the New Zealand advertising codes for alcohol. The Australian code is weaker than the New Zealand code. Harmonisation of codes could strengthen the Australian code but it could also weaken the New Zealand code. The New Zealand alcohol industry is supportive of a change while the Australian industry is against change.

Agreed

1. **No further action unless the MCDP instructs officials to continue.**
2. **A revised paper to be completed by Health following comment from ALAC and other agencies.**

5. Action Plan Update

Justice presented a draft Action Plan on Alcohol and Illicit Drugs Monitoring Report (6) Outstanding Projects for IACD consideration.

Agreed

1. Health to update the section on Community Action Programmes by Wednesday 10th March
2. That the amended paper be included on the agenda for the MCDP meeting on 23 March 2004.
3. That MCDP also be asked to authorise the placement of the Action Plan on Alcohol and Illicit Drugs on the NDP website

6. Analysis of decisions by the Advertising Standards Complaints Appeal Board

A paper on this issue was not available.

Agreed

1. ALAC to prepare a paper for next IACD meeting.

7. NDP Review Update

Health outlined progress so far with the review of the National Drug Policy.

Agreed

1. That the aim of the Steering Group be amended to read "to oversee the development of an updated National Drug Policy that is subsequently approved by Government."
2. That the tasks of the steering group, as presented by approved.
3. That the final draft will be circulated to all IACD members for comment.
4. That a meeting of the Steering Group be convened to consider the final report.

8. Illicit Drug Stocktake

Police presented a paper prepared, covering the trend towards synthetic drugs and diversion of precursor substances, how Police are controlling supply of illicit drugs and the opportunities, based on overseas approaches, that could be pursued.

Agreed

1. Agencies wishing to comment on the paper to do so by Wednesday 10 March
2. That the revised paper be approved for consideration by MCDP
3. That the secretariat would liaise with Hon Anderton's office to determine the appropriate MCDP meeting for this paper.

9. Cannabis Inquiry Report

Police reported on its progress in following up allegations of Police bias against Maori for cannabis offences, as reported by the Christchurch Health and Development. Police wished for more consistent outcomes, a more universal approach towards the diversion scheme. Police were half way through a 2 year national review of the Adult Diversion Programme.

Police had met with the study's authors and reported that:

1. the bias identified was thought to represent accumulated small biases, operating at the levels of public reporting, police management and practice and in the wider justice system.
2. Police would continue to maintain dialogue with Prof. Fergusson
3. Police were not planning further research on this issue but would update the IACD on any further developments or research into this area.

Noted

1. that Police had met with researchers from the Christchurch Health and Development Study to discuss the issue of Police bias towards Maori for cannabis offending, as identified in the Health Committee inquiry report, and also discussed the issue of ethnic bias across all offending;
2. that the researchers had concluded that the ethnic bias was probably the result of accumulated biases at the level of public reporting, Police management, and in the wider justice system;
3. that Police had considered a number of further studies to identify any source of the bias, and had found methodological limitations in all of them;
4. that Police was not planning to undertake further research on this issue, but would continue to keep IACD members updated on any relevant research or further developments in this area.

10. Police CDRP Bid

Police presented a paper which updated the IACD on Police progress in gaining funding for research on drinking and drugged driver control.

Noted

1. That Police's bid for CDRP funding for a multi-study research project on drinking and drugged driver control had been successful;
2. That Ms Michelle Gosse could be contacted at the Office of the Commissioner of Police if IACD members wished for further information on the CDRP bid;
3. That Inspector Dave Parsons could be contacted at the Office of the Commissioner of Police if IACD members wished to have more information about complementary projects on a specialised drug recognition training package, or a 'state of the nation' report on the issue of drug driving.

11. Summary of Changes to the Misuse of Drugs Act

Health provided an oral report on the proposed changes to the Misuse of Drugs Act

Supply Control

Presumption of Supply : The repeal of default presumption of supply quantities so that each drug can have an individual quantity assigned will require legislative change.

Powers of Customs and Police: Relates to changes in powers to effectively investigate and seize importations of precursor substances for the manufacture of methamphetamine, i.e. ephedrine and pseudoephedrine.

Problem Limitation

Possession of a needle and syringe: the defence for possession of needles and syringes will be moved from the health regulations to the MODA and the onus of proof will be reversed i.e. the prosecution will have to show that injecting equipment was not supplied by an NSEP. This is to remove some obstacles to the return of used injecting equipment. A paper investigating the cost and operational implications of providing injecting equipment free of charge has been requested by Cabinet. This will be circulated within other IACD agencies.

Customs noted concerns over the growing involvement of short stay students in the importation of precursor substances.

Noted

1. That changes to the Misuse of Drugs Act were proposed for 2004.

12. Drug Education Update

The Ministry of Youth Development were unable to be present. However it was noted that they had produced a draft handbook for school based drug education. Assistance with its development had been provided by an inter agency advisory group and comment on the draft was invited. The aim was to

identify and encourage evidence based best practice for drug education for young people.

MYD and Education were working together to ensure that resources were acceptable and useful to schools, that available programmes do minimise harm and that new resources worked with existing material. The booklet contained a checklist to help schools ensure that provider organisations deliver appropriate programmes. The devolution process left schools to make their own decisions as to whether programmes/organisations are useful or dangerous.

Accreditation of providers was not supported by Education - it was up to individual schools to apply the guidelines.

Noted

1. That the Ministry of Youth Development paper was on the MYD website.
2. That the Ministry of Youth Development wanted submissions from IACD members by 31 March 2004.

13. Land Transport Amendment Act

Transport advised of a proposal to amend the Transport Act in order to introduce an offence of being impaired while under the influence of illicit drugs. The MoT had assessed the Victorian model, which included roadside impairment testing including alcohol. In New Zealand however it is planned to test only for illicit drugs and the Victorian model may prove unsuitable as it would only capture 180 offenders overall. Research findings from ESR stated that most drivers tested who have THC in their systems have alcohol in their systems as well. The issue of the licit / illicit use of prescribed medications was raised.

Noted

1. That a Cabinet paper is being prepared to introduce an offence of being impaired while under the influence of illicit drugs.

14. Recidivist Drink Drivers

Health tabled a paper prepared by Andrew Bell, Regional Road Safety Co-ordinator for the Auckland Regional Council. The paper detailed issues relating to national coordination of Recidivist Drink Driving programmes. Feedback from LTSA was that the Land Transport Amendment Act should address these issues.

IACD members noted that Health had not recently provided treatment representatives at IACD meetings and that this frustrated the ability to have a well informed debate on treatment related issues.

Agreed

1. That a number of strategies were in place to address this issue including
 1. The CDRP project managed by Police
 2. Proposed amendments to the Land Transport Act relating to recidivist provisions
 3. Collaboration between Health and Corrections regarding treatment gaps for offenders
 4. The review of the National Drug Policy
 5. the Road Safety Strategy to 2010 which addresses drink driving.
2. That the Chair of IACD to request Health's Mental Health Directorate to participate in future IACD meetings where agenda items have treatment implications

15. Project to Change the Culture of Drinking in NZ

ALAC reported progress on the cultural change project on alcohol. The following points were made:

1. Inter Agency Working Group (IAWG) had been set up and had met twice.
2. ALAC wished to extend the Terms of Reference to enable the working group to remain together for the term of the project.
3. Research results on adult drinking had been released to promote knowledge of issues.
4. It would be important to decide what levels would be used to measure risky drinking.
5. The project would promote a change from a focus on total consumption to a focus on sessional consumption and decreasing risks/harms.
6. ALAC was committed to the project but hoped for buy in from other agencies.

Agreed

1. That ALAC would provide an updated document by 10 March, following consultation with Health and other agencies.

16. Proceeds of Crime

Justice advised that the Minister of Justice proposed to raise the issue of proceeds of crime at Cabinet. The Minister would be updating MCDP on possible changes to legislation to make it more efficient.

There had been a suggestion that monies collected from the Proceeds of Crime could be used for drug education rather than forming part of the consolidated fund. No firm estimate could be made as to how much could be collected, however it was noted that in New South Wales, with a population of 6 million, restraining orders to the value of \$26 million were imposed during 2002/03. It was intended to produce a Cabinet paper by June 2004, with a focus on enhancing the current regime and exploring possible civil recovery.

Noted

1. That the Minister of Justice would be reporting to MCDP on this issue.

17. Update on Smoke-free Environments Regulations

Health updated members on a project to amend the Smoke-free Environments Regulations 1999. Ratification of the Framework Convention on Tobacco Control creates a requirement to increase the size of health warnings. The review will also cover issues such as the use of misleading terms such as "light" and "mild" as the possible regulation of tobacco constituents.

Noted

1. That Health was in the process of conducting a review of the Smoke-free Environments Regulations 1999.

18. Methamphetamine Action Plan Update

Health presented an update on the methamphetamine action plan.

Agreed

1. That agencies wishing to comment should respond to Health by 10 March.
2. That the Action Plan Update, incorporating Agency comment would be approved for the MCDP agenda.
3. That Justice would include the Methamphetamine Action Plan in the Drug Action Plan.

19. Proposed Regional Seminars on Methamphetamine and other illicit Drugs

Health advised that the Associate Minister of Health, Hon Jim Anderton, was keen to develop a roadshow format including a Minister and Police and Health officials to promote actions on the methamphetamine action plan and other illicit drugs.

Members considered that there could be a number of difficulties with such an approach including: resource implications if there were a large number of meetings; and an unrealistic raising of expectations about the availability of a treatment service for methamphetamines. The committee suggested the principles of effective drug education should be followed, and questioned the focus on methamphetamine and not alcohol.

Agreed

1. Health to follow up with Hon Anderton's office.

20. Other Business

Police raised concerns that they were not given advance notification of the locations of the community action initiatives. Health explained that the Minister had been concerned about the impact of media coverage before CAPs had a chance to be operative.

A law enforcement group from the US (LEAP) Law Enforcement Against Prohibition is to visit NZ from 4th - 16th April. The group wished to meet with officials. Police had declined to meet with them and suggested they meet with agencies who administer the Misuse of Drugs Act.

Police asked when the results of the 2003 Illicit Drug Module of the Health Behaviours Survey would be released.

Agreed

1. Health to report back to the next meeting on the 2003 Illicit Drug Module

21. Agenda for MCDP meeting

Agreed

1. That the following items be included on the agenda for the MCDP meeting to be held on 23 March 2004.
 - Alcopops & Binge drinking
 - Harmonisation of Alcohol Advertising Standards with Australia
 - Culture change programme
 - Regional Seminars
 - Action Plans
 - Proceeds of Crime

22. Next meeting

The next meeting would be held at least two weeks prior to the next MCDP meeting after 23 March. The secretariat would liaise with members over the date.