

Why aggressive policing of simple drug possession needs to be kept on a tight leash!

Or

Further Adventures with Spot the Dog!

Are police biting off more than they can chew with increased use of sniffer dogs to target people for small scale possession offences? Timothy Moore of the Redfern Drug Policy Project examines the harms associated with the NSW Police services sniffer dogs campaign.

The use of sniffer dogs by the NSW police could be causing more problems than it solves.

The use of sniffer dogs to search NSW citizens for drugs in public spaces has increased significantly over the last year. The specially trained dogs enable police to search large numbers of people in public places and search people within venues.

It is unlawful for police to search someone without reasonable grounds. The use of sniffer dogs constitutes a search of all people to whom the dog is exposed.

It is unlawful for the police to detain citizens without reasonable cause. All citizens who are contained in a venue could claim that they have been detained unlawfully.

There are questions as to whether these breaches of people's civil liberties are justified. There is a real danger also that these policing tactics could have significant unintended negative consequences. These health and social consequences can result in costs to the community, harms to the drug users while not moving toward the goals of reducing the harm associated with illicit drugs.

The priority areas of policing should be set by the community. Policing and National Drug strategies both claim that their major focus of policing under the drug laws is on traffickers and dealers. It is a widely held view that targeting users of small quantities of drugs does nothing to decrease the number of drug users or the amount of drugs consumed. It may however,

have significant impact on the harms associated with the use of those drugs.

The police carrying out these searches are aware of the potential harms associated with their activities. After the recent raid on the exchange hotel in Oxford Street local area commander Superintendent Gary Hodsden told the Sydney Star Observer, (SSO.28/6/01) “ Obviously if you take the drugs, the dogs won’t be able to spot you but you are at serious risk if you take drugs all at once.” The Superintendent had witnessed this himself and went on to say that, “ On Saturday night when the lights went up, there were people throwing things on the floor and popping things in their mouths, but we as a service can only tell you that it is dangerous and will seriously risk your health.”

If injecting drug users are suspecting that they may be stopped and searched they are more likely to dispose of injecting equipment at the point of use rather than returning it to a needle exchange or chemist for safe disposal.

If people are fearful of carrying small quantities of drugs for their personal use they may feel impelled to use all drugs purchased at once, increasing the risk of death or hospitalisation through overdose.

If people are going to a dance party and are to take a drug like ecstasy they will often reduce the risks of harm by asking among friends for a type of pill with which they have experience. They are likely to buy tablets from a recommended source in small numbers for a group of people. The presence of the threat of a dog search can lead to people taking all the drugs they have on their person to avoid detection, even if this amount is far above what they might normally consume.

With other avenues removed and under the threat of dog searches at dance parties people can be thrown into the situation where they can only purchase drugs at the point of consumption. This leaves people without the benefits of knowing the tablet type or the supplier and deprives them of valuable and reliable information from friends about the affect, safety and prior experience with the drug.

For people who receive a criminal record for the small scale possession of prohibited substances it is unlikely to lead them to stop their drug use. People are more likely to stop their drug use when they grow out of it, get bored

with it or don't enjoy it as much anymore. Most people who use drugs are not dependent and purchase their drugs with wages earned legally.

For people who have a criminal record this can lead to decreased engagement with educational, travel and career aspirations, disrupt their family and personal relations and brand them with a record that may only further their engagement in the criminal environment.

With 68% of adults under 29 years of age having used cannabis enforcement of small scale possession laws criminalises more than half of a generation of young Australians.

Complaints or reports about sniffer dog activity can be made to Redfern Legal Centre [9698 7277, www.rlc.org.au] or to the NSW Council for Civil Liberties [9660 7582, www.nswccl.org.au]. These web sites also have information about your rights.

The considerable expense of these street level policing operations and the removal of peoples civil rights are unjustified in targeting possession offences. There is no link between the targeting of possession offences and reduced drug consumption or reduced crime. The harms associated with these operations to a majority of citizens makes them simply bad practice.