

July 15th 2019

## **An Open Letter to Taoiseach Leo Varadkar**

**Dear Taoiseach**

### **RE: WORKING GROUP ON ALTERNATIVE APPROACHES TO CRIMINALISATION OF POSSESSION OF DRUGS FOR PERSONAL USE**

We, the undersigned, are writing to you in relation to the Report of the Working Group on Alternative Approaches to criminalisation for possession of drugs for personal use. We are aware that a memo based on the recommendations of the Report will shortly be brought to Cabinet and we wish to express our concern at the indications that, while it will recommend a system for diversion to health services, which is very welcome, it will also recommend maintaining the criminal status of possession of drugs for personal use.

The terms of reference for the Working Group were drawn up in line with the key principles of the National Drugs Strategy *Reducing Harm Supporting Recovery*, which are based on a compassionate and humane approach to drug use and aligned to the public health goals of improving health and reducing harms caused by drugs. Indications are that the report of the Working Group will affirm the benefits of diverting people who use drugs from the justice system to the health system, as supported by the evidence base. The public consultation process carried out by the Working Group shows that the vast majority of respondents are of the view that criminalising drug use does not prevent or reduce drug use, a view that is strongly supported by the international evidence, and there is overwhelming support for change to the current approach to simple possession offences.

In this context, we are now seriously concerned at the indications that the Working Group is saying that while it recommends implementing a diversion approach, this should only be done if at the same time we maintain criminal status for possession for personal use and maintain the right to impose potential criminal sanctions on people who use drugs. We acknowledge and appreciate the work and commitment of the Working Group members, but we believe that such a recommendation is both contradictory and lacking in logic, in that it appears to say that we need to maintain criminalisation in order to implement a health-led approach, on the basis that the legal changes required to decriminalise possession for personal use would be too complicated.

If such a recommendation is accepted by government, we are effectively saying that we in Ireland are not capable of implementing a policy change that is evidence based, supported by the public and in line with our NDS, because the legal changes required may be too complicated. How many progressive policy changes might never have been made if that approach was generally adopted by government? It may be complicated, but does that mean it should not be done? Surely in a modern 21<sup>st</sup> century democracy we have the technical capacity to draft the legal changes that are required to implement the policies we believe are right?

All across Europe, and indeed further afield, people are looking to Ireland as a country that will continue to lead on progressive drugs policy and your own commitment to bringing about this progressive change is appreciated. As a society we are making significant steps forward in recognising and challenging drug-related stigma and the damage and despair that it causes for individuals, families and communities; it is simply unthinkable that we would now compound that stigma by making a

conscious decision, after due consideration, to maintain the ultimate stigma of criminalising people for what we accept is a health issue.

With this in mind, we are asking that you as Taoiseach will lead the government in welcoming and accepting the proposals to set up a model for referral to health and support services, but also show leadership by directing that the government's legal experts give further consideration to drafting the legislation required in order to remove the criminal status of possession for personal use.

Yours sincerely

- Anna Quigley, Citywide Drugs Crisis Campaign
- Fergus McCabe, National Community Rep
- Gerry Ryan, Tolka River Project (Community Based Rehabilitation Centre)
- Michael Egan, RADE (Recovery through Arts, Drama and Education)
- Susan Collins, Addiction Response Crumlin
- Teresa Weafer, RDRD (Ringsend and District Response to Drugs)
- Corrine Doyle, Pavee Point Drugs & Alcohol Programme
- Eamonn White, SWAN Family Support Organisation
- John Davis, Walkinstown Greenhills Resource Centre
- Sueann Moore, Ringsend Community Services Forum
- Maureen Penrose, Blanchardstown Family Support Network
- Marie Mc Kay, Dublin 15 Community Drug Team.
- Joseph Kearney, Tabor House Community Initiative
- Michael O'Sullivan, Drugs & Alcohol Task Force Community Rep
- Breda Fell, SER Family Support Network
- Arthur O'Donnell, Drugs & Alcohol Task Force Community Rep
- Tony Duffin, Ana Liffey Drug Project
- Susan Sargent, Drugs & Alcohol Task Force Community Rep
- Barbara Ozga, CKU Centre for Counselling and Therapy
- Maureen Walsh, Suir Family support group
- Ann Norris, Suir Family support group
- Margaret Long, Suir Family support group
- Rita Cook, Suir Family support group
- Catherine Ryan, Suir Family support group
- Raymond Farrell, Suir Family support group
- Brenda Farrell, Suir Family support group
- Sarah Brennan, Drugs & Alcohol Task Force Community Rep
- Derek McDonnell, Drugs & Alcohol Task Force Community Rep
- Aoife Frances, National Family Support Network
- Aisling Bruen, Inner City organisations Network
- Marie Hanlon, Brookhaven Family Support Group
- Dr Laura O'Reilly
- Brendan Magee Libertys Recycling Training & Development
- Patricia O'Neill, Drugs & Alcohol Task Force Community Rep
- Jay Collins, Community activist
- Joe Donoghue, Fatima Groups United
- Mick Mason, Ballyfermot Advance Project
- Gary Broderick, SAOL Project

- Dave Raftis, Drugs & Alcohol Task Force Community Rep
- Geraldine Dunne, Southside Travellers
- Jim Monaghan, Drugs & Alcohol Task Force Community Rep
- Nicki Jordan, TURAS Dundalk
- Nicola Perry, Community Response
- Amos Ngugi, Voice of New Communities
- Maria Finn, CASP
- Trevor Keogh, Turas Training, Canals Community Dublin
- Paula Kearney, SURI Action Group
- Grainne Foy, North West Inner City Network
- Dermot King
- Noeleen Jennings, Drugs & Alcohol Task Force Community Rep
- Jimmy Norman, ARC Under 18's Programme
- Lyndsey McCarthy