

A public health approach as a base for Drugs Policy: the Portuguese case

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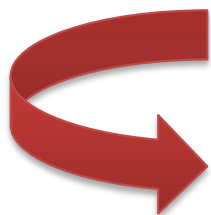
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DRUG USE AS A PUBLIC HEALTH ISSUE

- Historically two different and contradictory approaches:

- Drug use as a crime which is criminally punished.
- Addiction as a chronic health and behavioural condition requiring treatment and support. When people become addicted, they need treatment, not punishment. Drug addict is considered a sick person.



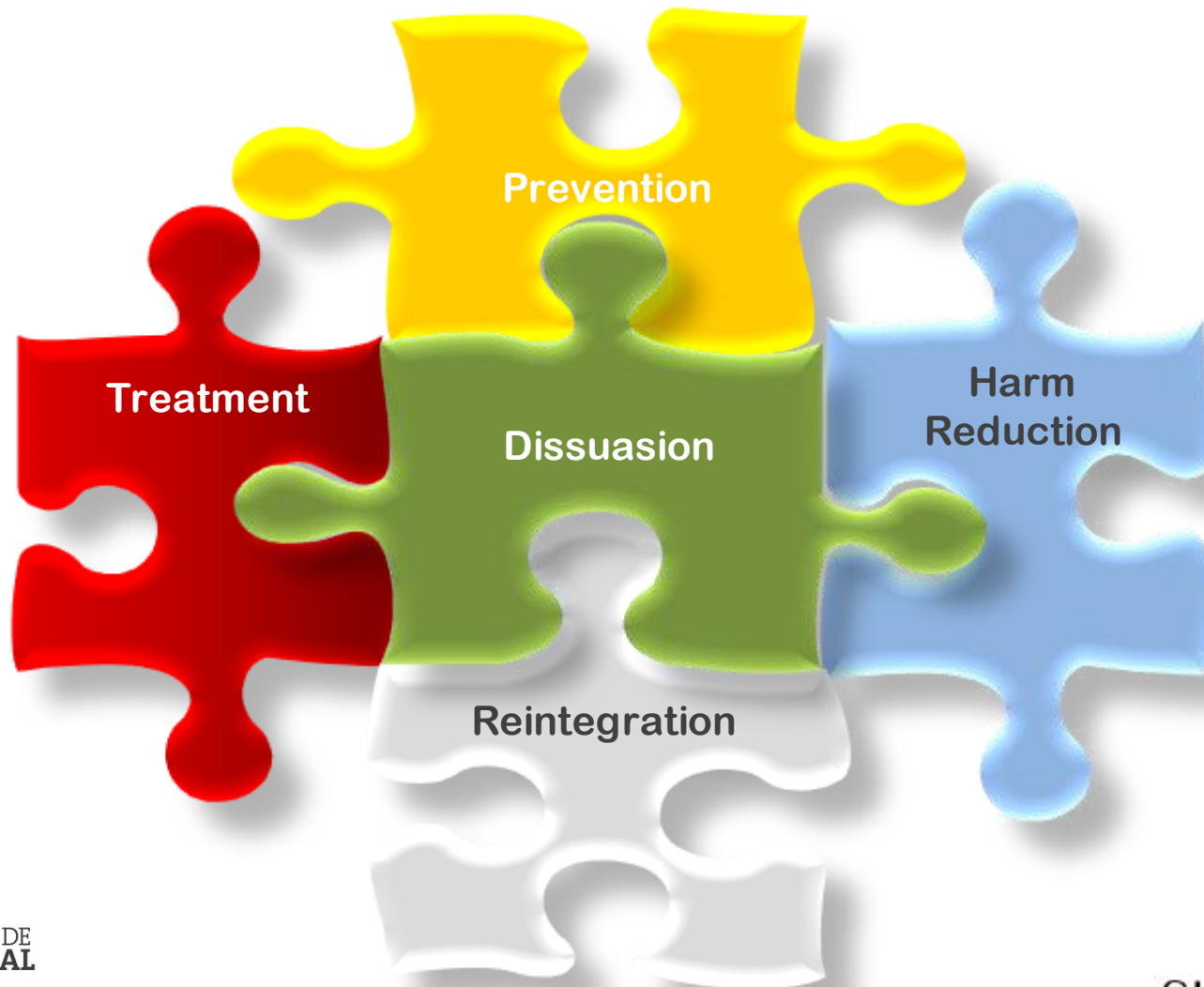
PUBLIC HEALTH APPROACH

Drug use is a public health issue, not a criminal one

Public health approach includes strategies that address the individual and the harm caused by drug use, within the context of community. Drug addicts need access to medical care, harm reduction services, housing and social services. All sectors of society are involved.

PORTUGUESE POLICY

Coordinated Public Health-oriented Approach Based On 5 Pillars:



KEY MEASURES

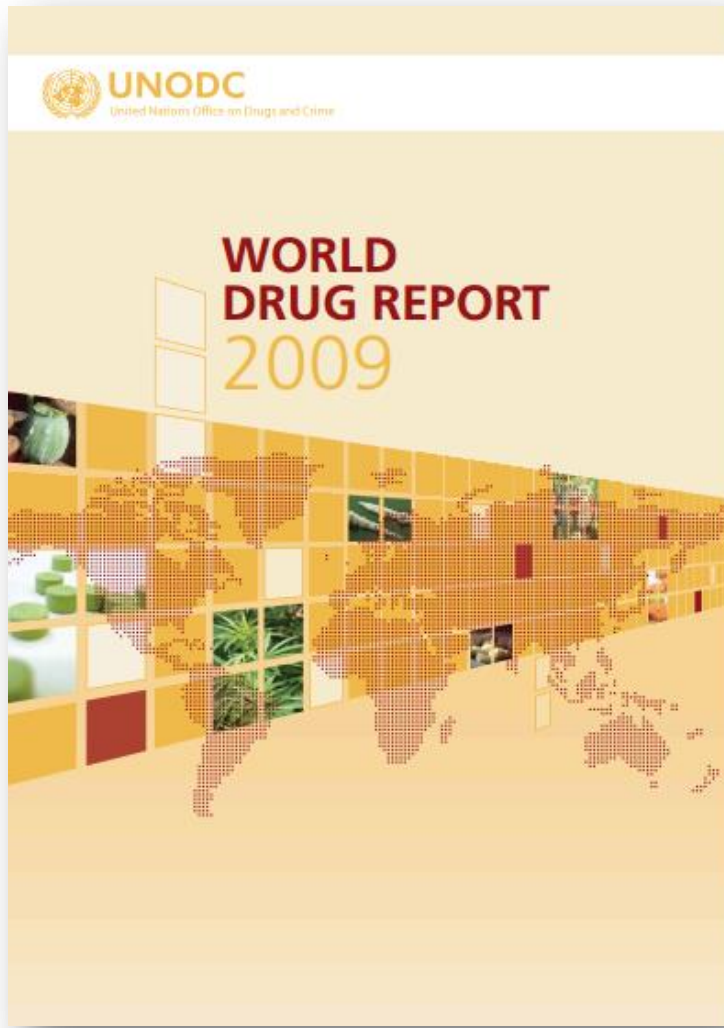
1. **Treatment** (treatment units network – Law 7/97)
2. **Innovative policies on harm reduction and public health based on the assumption that drug addict is a sick person :**
 - National Syringe Exchange Program (1993)
 - Network of integrated and complementary responses, public-private partnerships (1999/2004 - DL 16/99 and DL 72/99)
3. **Decriminalisation of Consumption** - Dissuasion
 - Creation of the Commissions for the Dissuasion of Drug Addiction (2000/2001 – Law 30/2000)
4. **Risk and Harm Reduction Network** (DL 183/2001)
5. **Demand Reduction** (2006/2007)
 - Integrated and Focused Responses
 - Centrality in the Citizen and Territory

A NEW PARADIGM

- Was approved in the Parliament a new legal framework (Law 30/2000); good social acceptance; huge public debate:
 - UN Conventions;
 - Drug tourism destination;
 - Early consumption;
- The need to liberate resources from the supply reduction to the fight against drug trafficking at large scale;
- Recognition that imprisonment of users has counterproductive effects;
- The new Law entered into force the 1st of July 2001 – 14 years



PORTUGUESE POLICY ON DRUGS:



World Drug Report 2009

"Portugal is an example of a country that recently decided not to put drug users in jail. According to the International Narcotics Control Board, Portugal's "decriminalization" of drug usage in 2001 falls within the Convention parameters: drug possession is still prohibited, but the sanctions fall under the administrative law, not the criminal law."

THE DISSUASION MODEL

Law No. 30/2000: the consumption, acquisition and possession for own consumption of plants, substances or preparations constitute an administrative offence and can not exceed the quantity previewed for individual use for a 10 days period. Exceeding this quantity, criminal procedures take place.

- The drug addict is considered a sick person in need of health care;
- The dissuasion intervention provides an opportunity for an early, specific and integrated interface with drug users;
- The dissuasion intervention is aimed and targeted to the drug users' characteristics and individual needs.

THE USE OF DRUGS IS STILL FORBIDDEN

Unlike models from other countries where “Drug Courts” were created with streamlined procedures under the Ministry of Justice, the Commissions for the Dissuasion of Drug Addiction privilege the health approach.

TEN DAYS MAXIMUM AMOUNT ALLOWED ILLICIT

Illicit Substance	Grams
Heroin	1
Methadone	1
Morphine	2
Opium	10
Cocaine (hydrochloride)	2
Cocaine (methyl ester benzoilegonine)	0.3
Cannabis (leaves and flowers or fruited dons)	25
Cannabis (resin)	5
Cannabis (oil)	2.5
LSD	0.1
MDMA	1
Amphetamine	1



DISSUASION OBJECTIVES

- To dissuade consumption – a “second line” for preventive intervention – the “yellow card”;
- Prevent or reduce the use and abuse of drugs;
- Ensure the health protection of users and the community;
- Guide drug users to more adequate responses regarding their personal situation;
- Release resources for the fight against trafficking and drug use related crime (acquisitive crime).

DISSUASION AS A TOOL FOR INDICATED PREVENTION



COMPOSITION OF THE COMMISSIONS (18 + 2 AUTONOMOUS REGIONS)

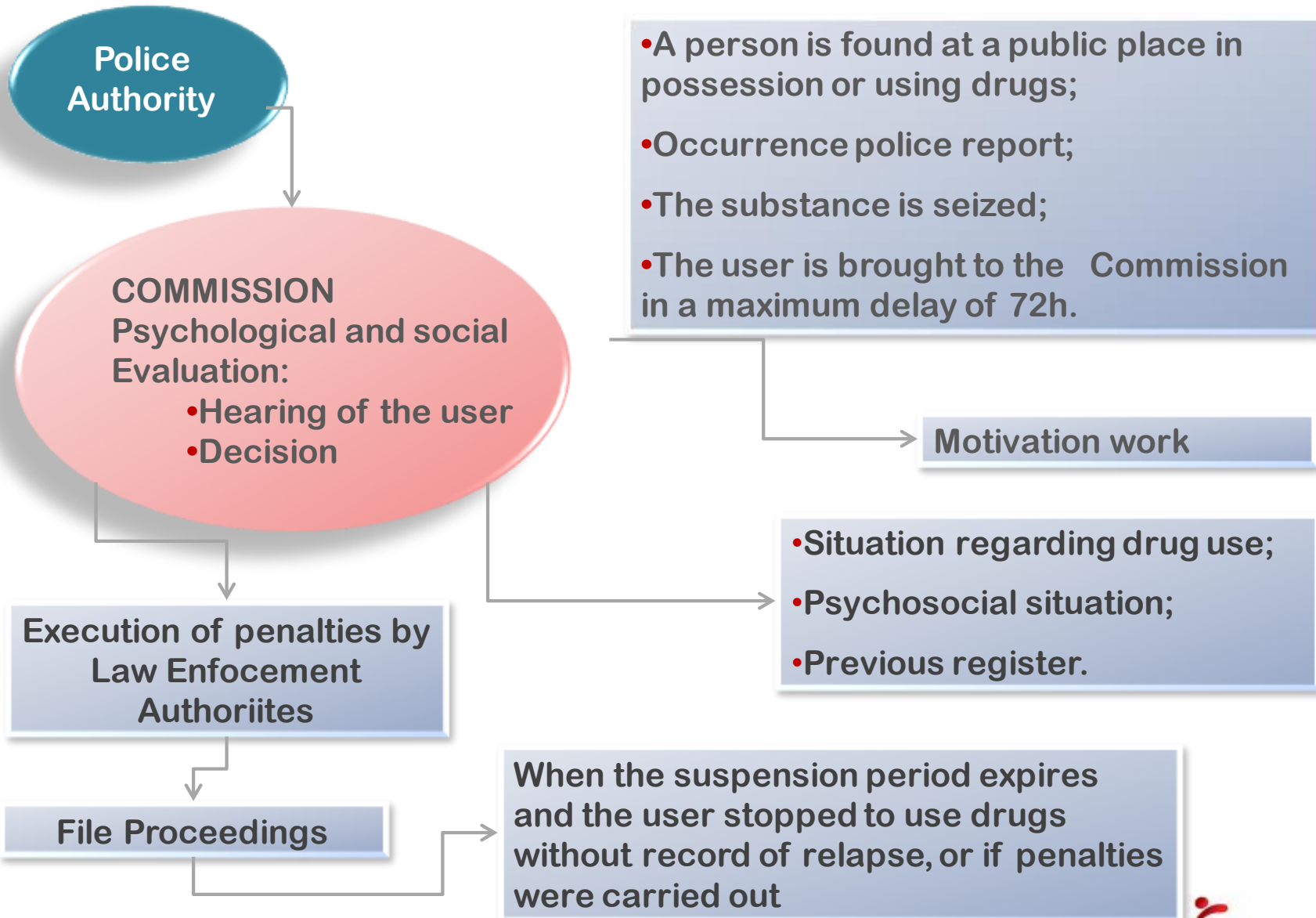
President and two other members

Appointed by the Minister of Justice and by the Minister of Health

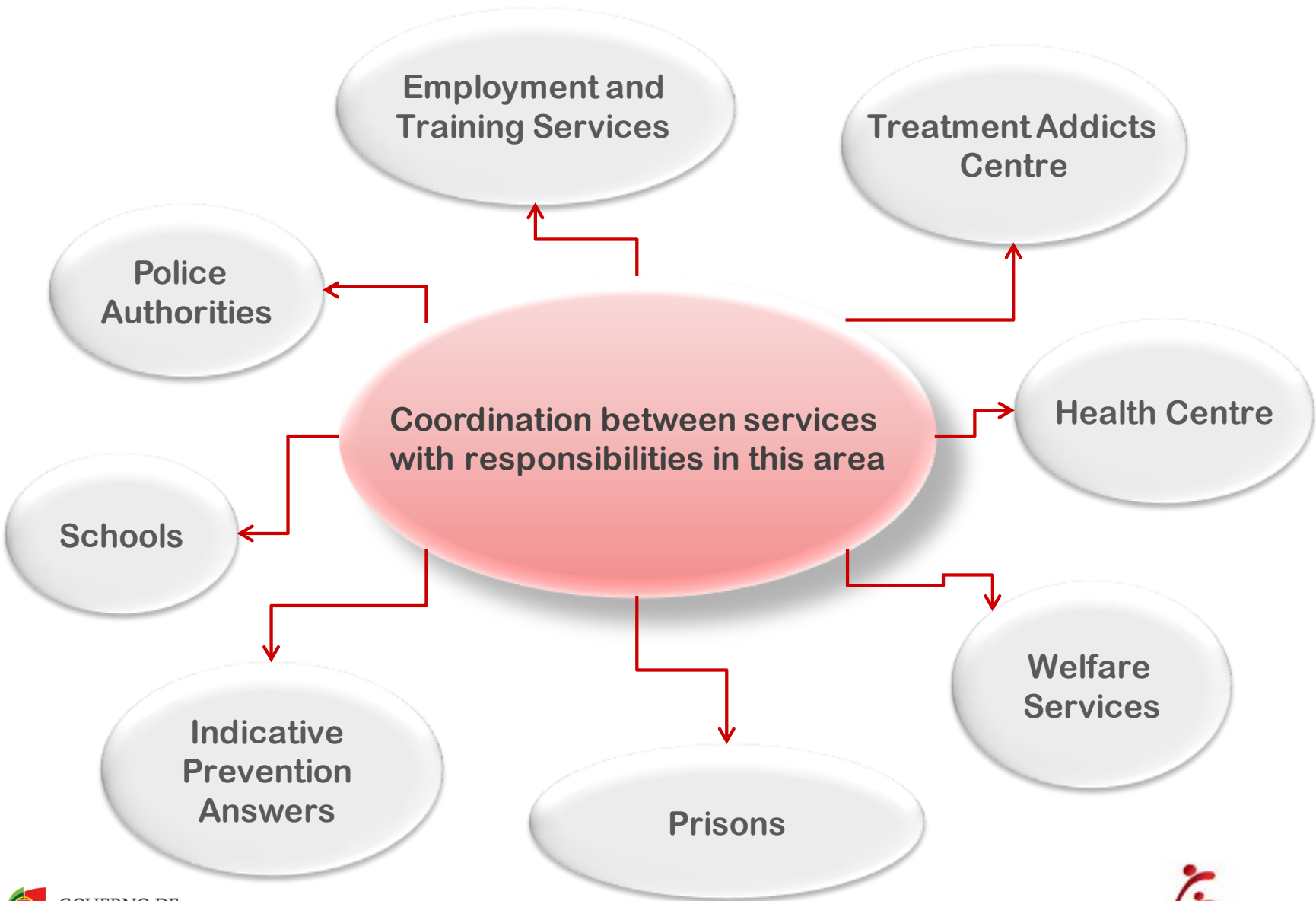
Multidisciplinary technical support team
Psychologists, Social Service Workers, Lawyers
and Administrative

Prepares a report with all facts and makes a previous evaluation that supports the decision
Evaluates Motivation of the user to undergo for treatment
Guarantees the function of the referral network .

PROCEDURE



NETWORK

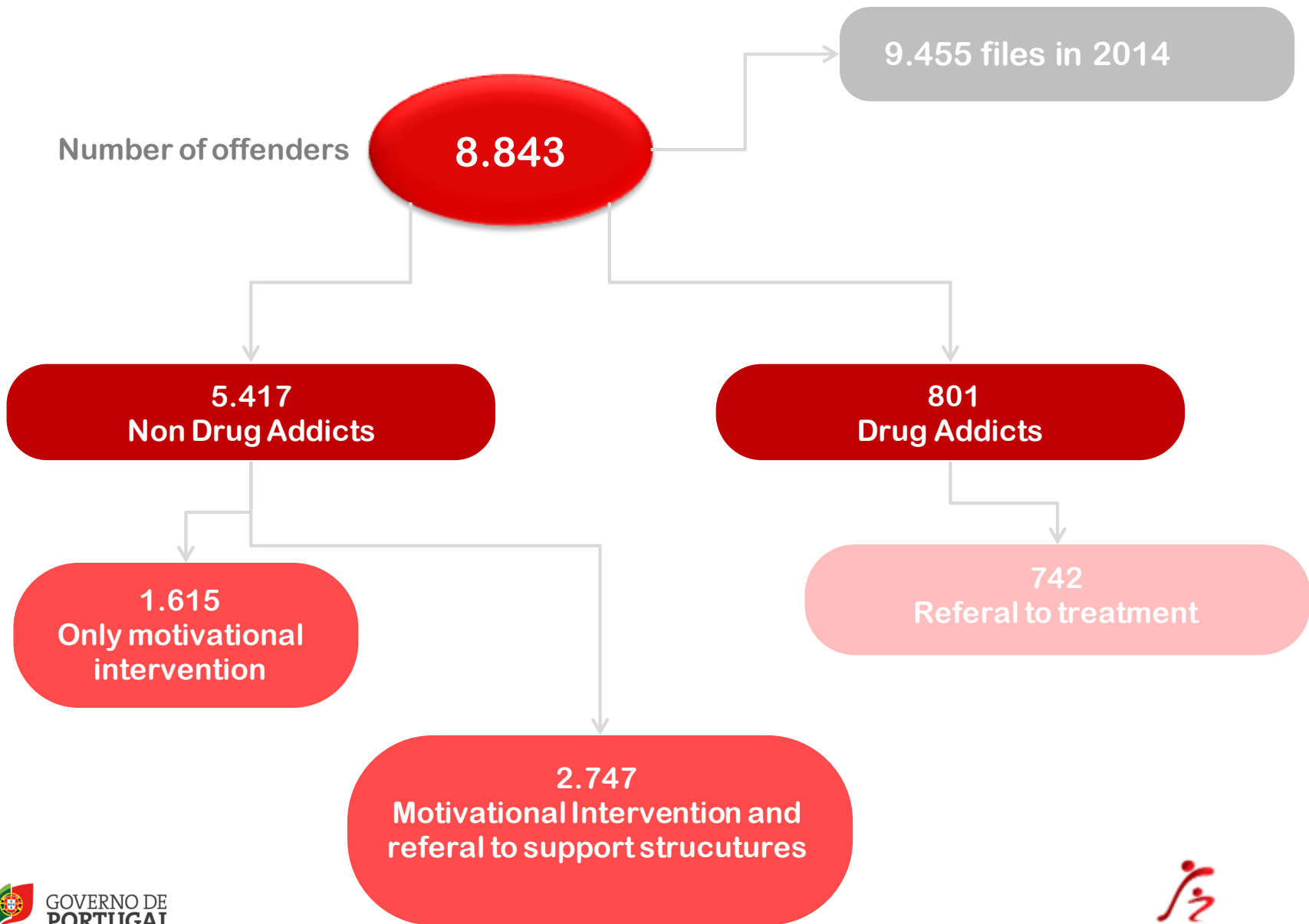


DECISIONS AND SANCTIONS

- Provisional Process Suspension;
- Periodic Presentation to the Drug Addiction Dissuasion Commissions;
- Warning;
- Community Service;
- Forbiddance of attending certain places;
- Apprehension of objects;
- Interdiction to travel abroad;
- Interdiction of receiving subsidies or other monetary social grants;
- (...)
- Monetary fee.

SOME RESULTS

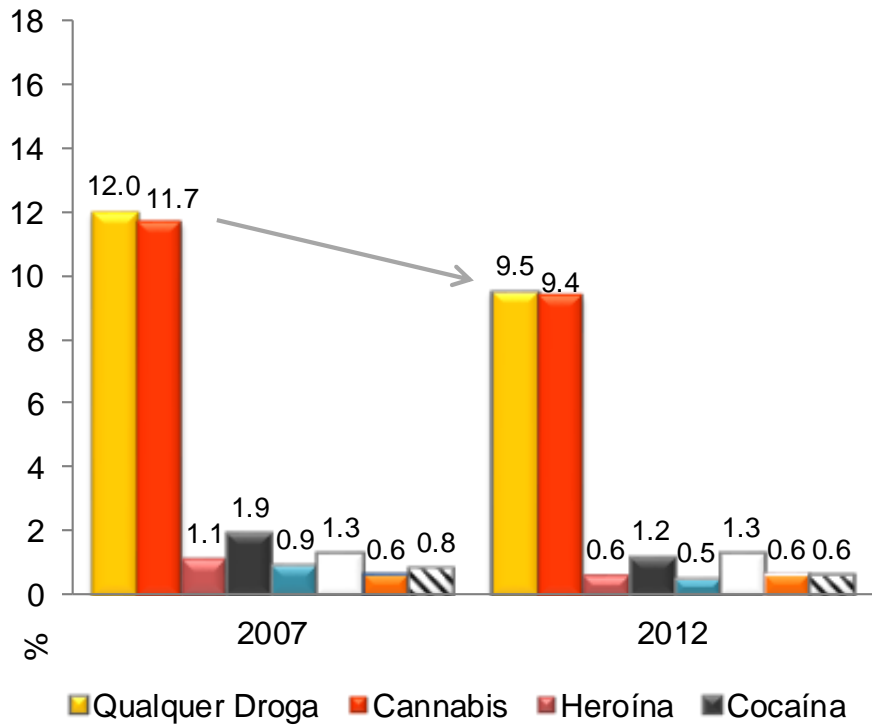
DEMAND REDUCTION: DISSUASION



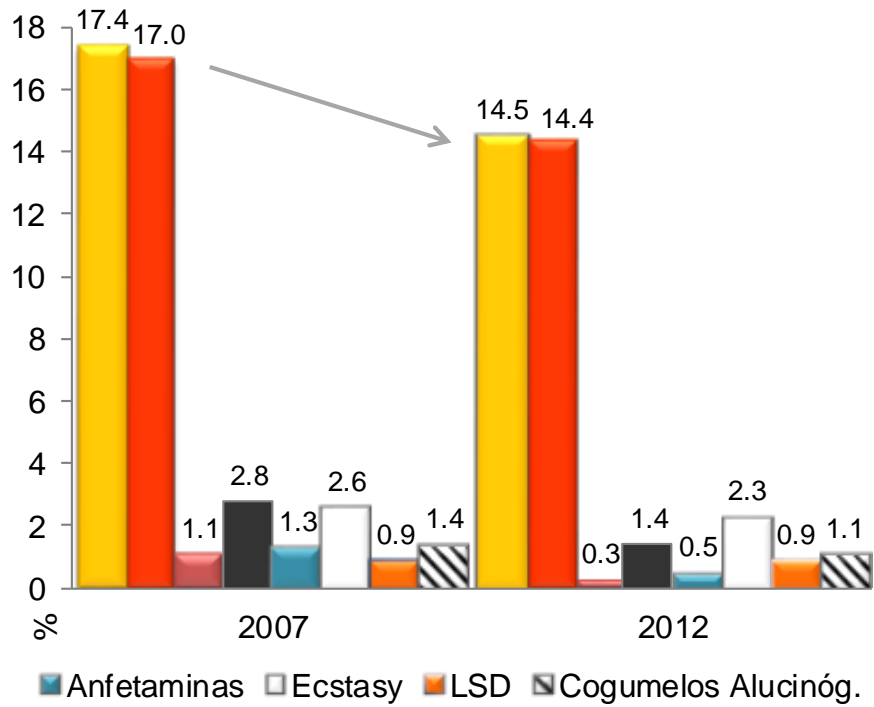
CONSUMPTION PREVALENCES ON THE GENERAL POPULATION

III NATIONAL ENQUIRY – GENERAL POPULATION: PORTUGAL 2012

Life Long Consumption Prevalences



Total Population (15-64 years)

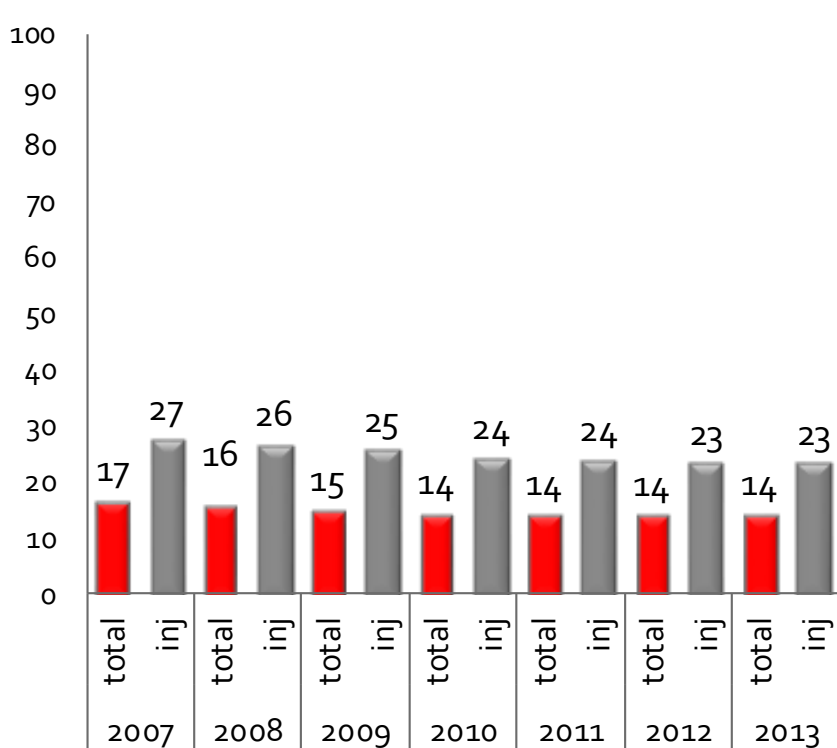


Young Adults Population (15-34 years)

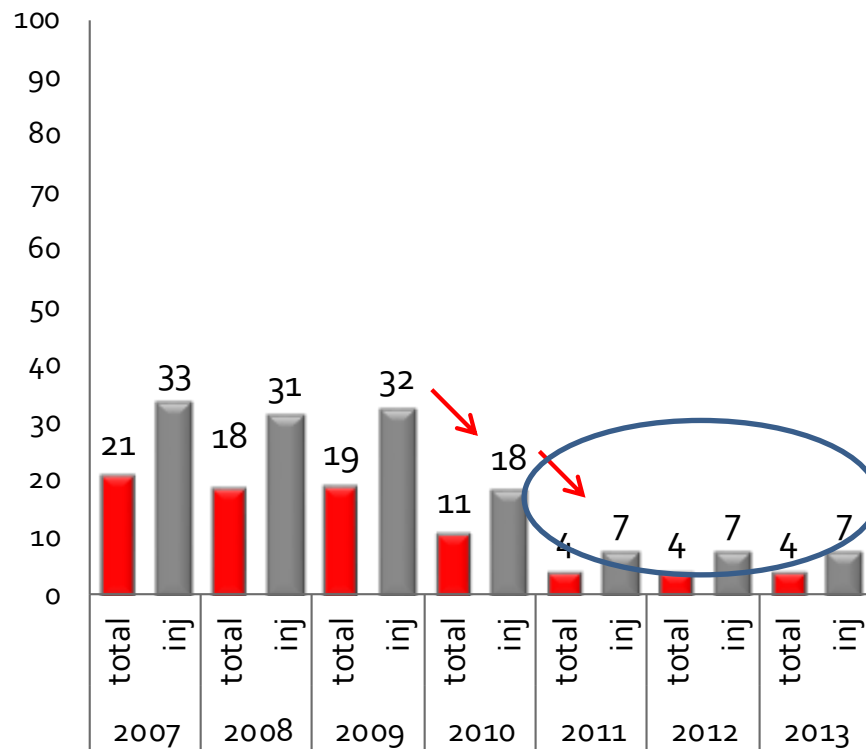


INFECTIOUS DISEASES/HIV

Public Network/Ambulatory Users in Treatment by Year

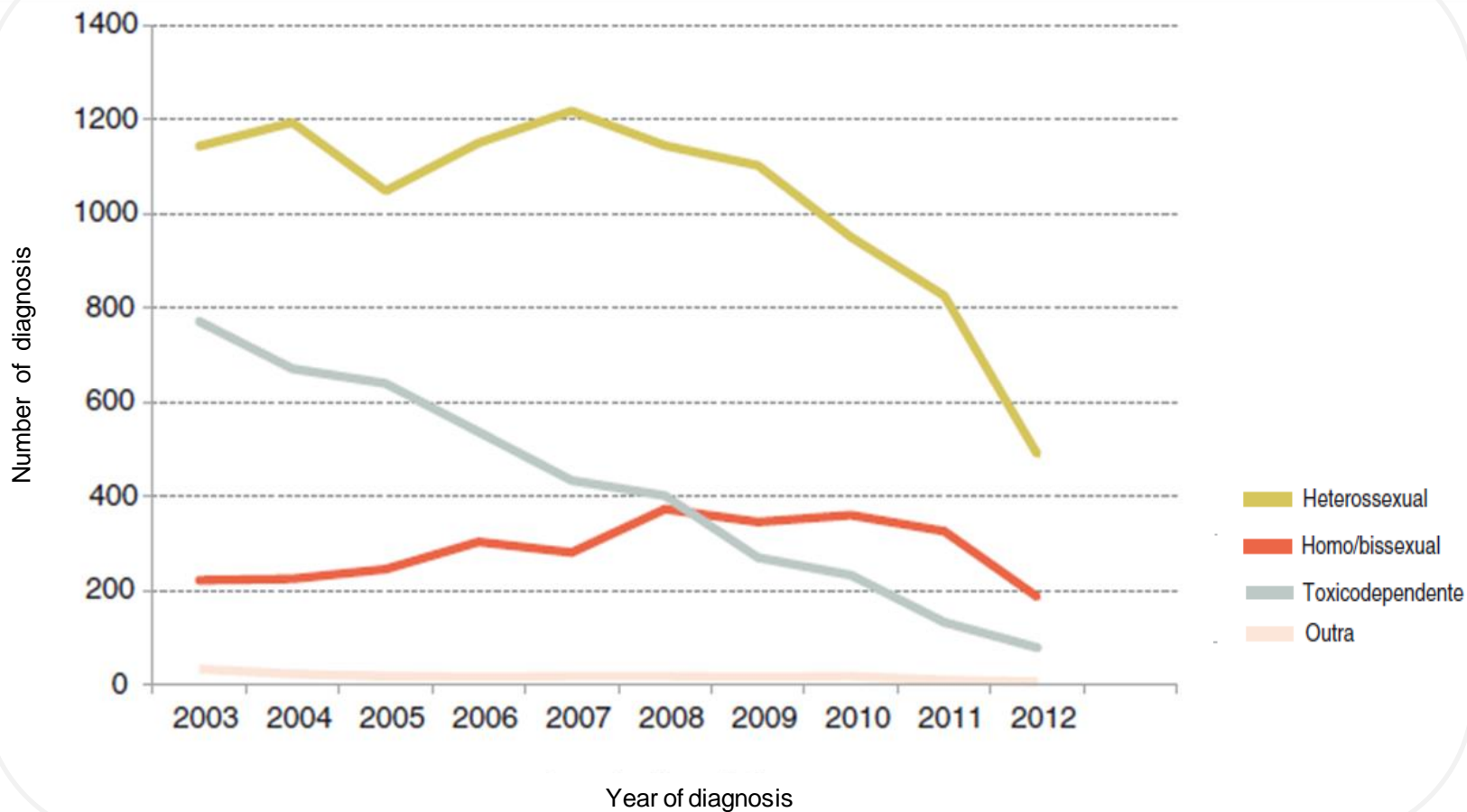


Prevalences: Total & Injectors



New Infections: Total & Injectors

DIAGNOSE OF HIV INFECTION BY CHARACTERISTICS OF SAMPLED POPULATION PORTUGAL 2003-2012



Source: Relatório Infeção VIH/SIDA: a Situação em Portugal a 31 de dezembro de 2012/INS/

TRENDS SINCE 2001

- Small decrease in reported illicit drug use amongst adults;
- Reduced illicit drug use among adolescents, at least since 2003;
- Reduced burden of drug offenders on the criminal justice system;
- Reduction in the prevalence of injecting drug use;
- Reduction in opiate-related deaths and infectious diseases;
- Reduced stigmatization of drug users;
- Increased efficiency of Police and Customs forces;
- Increases in the amounts of drugs seized by the authorities;
- Reductions in the retail prices of drugs.



IN CONCLUSION:

Scientific consensus that criminal sanctions are ineffective and counter-productive; they do nothing to address drug use consequences



Nowhere International Drug Conventions require that personal use should be criminalised

**DRUG POLICIES
SHOULD BE BASED ON HEALTH
AND NOT ON PUNISHMENT**

Thank you for your attention!

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