Prison Needle Exchange: Fact and Fantasy

John Ryan
In this presentation

- Explaining the setting
- Strategy and tactics
- Obstacles
- Toward ‘community public health’
- Summary and lessons learned
Dangerous it may be, but people still shoot up in prison

Desperate measures – injecting equipment confiscated in prison
Gruesome, but not a deterrent

“The blanket prohibition has made syringes a scarce, high-value commodity in prison ... Needles are routinely shared, sometimes between as many as 100 inmates. When blunt, it is not unheard of for them to be sharpened on prison walls” – Paul Smith (2007) Australian Doctor: Prison Health Special Report
Prisons are a state/territory responsibility

Little if any ‘binding’ guidance at the Federal level.
Strategy and tactics: Legal action or not?

- Anex formed Harm Minimisation in Prisons Committee
  - To provide technical and political advice

- Legal case prepared.
  - Leading QC and others ready. Remains an option. Therefore,

- Tactical decision taken to pursue advocacy in the
No small challenge

- United Nations Office on Drugs and Crime (UNODC) and World Health Organization (WHO) both advocate for needle and syringe exchanges for inmates.

- Only 60 prisons out of more than 10,000 worldwide have launched programs.

- Switzerland, Spain, Kyrgyzstan, Moldova, Romania and Luxembourg all have needle exchange programs in at least one prison. Germany ended six of its seven programs in the past decade.
Why the ACT, not Melbourne or Sydney?

- New ‘small’ prison premised on Human Rights principles

- Existing Labor Govt commitment to explore possible in-prison needle exchange.

- The Corrections Management Act:
  
  (a) detainees have a standard of health care EQUIVALENT to that available to other people in the ACT; and

  (b) as far as practicable, detainees are not exposed to risks of infection.

We argue the Govt is already in breach of its own laws.
A Chief Minister across the issues

Former Union official

Former Industrial Relations Minister

Still Health Minister

Knows the issues ... from the Public Sector Union ... open to advice.
Obstacles: Union defiant, Parliamentary opposition

Fight looms on jail needle plan

Legacy of prison guard death in Sydney.
Tactic: Re-position debate in ACT only


- Away from ‘soft on drugs’, and ‘drug-free prisons’.

- Toward ‘sensible, evidence-based public health’.

- Toward ‘all of community’ issue, supported across political spectrum.
Many active agencies

- Hepatitis Australia;
- Family and Friends for Drug Law Reform;
- CAHMA and other user groups.
Eminent Australians campaign

- Sir Gustav Nossal writes to eminent Australians.
- Access to whole new potential support base.

With conviction:
the case for controlled needle and syringe programs in Australian prisons

www.penington.org.au
No needle exchange in jail ‘risks staff safety’

Controlled needle exchange call

Risk seen to prison staff

STOP PRESS

CHANGE THE DEBATE

Prison staff needle stick peril

Research finds prison officers are at risk

NEW research suggests officers at Western Correctional Centre should be concerned. The research noted that Australian police forces had adopted some work practices to deal with accidental needle-stick injury risks — a significant needle-stick injury risk.

MICHHELLE PAINE

www.penington.org.au
Experts urge needle exchange program for jail

By Christopher Knaus

Calls for a trial needle and syringe exchange program to be introduced at the Alexander
international experience with prison-based needle exchange programs. Professor Puplick said that by providing a secure, controlled environment for needle use,

Eminent voices place the issue in the ‘middle ground’
Prisons shouldn’t incubate blood borne disease.

Without access to sterile syringes prisoners and staff are at risk of HIV and Hepatitis C before returning home to families and the community.

Controlled access to sterile needles and syringes can be implemented safely to promote our community’s health.

Canberra led the world with effective HIV responses. But we missed prisons. National health strategies now support needle exchange in prisons.

The respected Australians listed below believe that governments should allow trials of Needle and Syringe Programs in prison. Read the evidence and add your name at [www.anex.org.au/prisons](http://www.anex.org.au/prisons)

**Professor Michael Arps AO**, Adjunct Professor, Centre for International Health, Curtin University
**Professor James Angus, AO**, Dean of the Faculty of Medicine, Dentistry, and Health Sciences, University of Melbourne
**Dr Patricia Armstrong-Behn, OBE AC**, Managing Editor, Armstrong-Behn & Associates
**Greg Barnes**, Director of the Australian Lawyers Alliance, Michael Kirby Chambers, Hobart
**Professor Peter Bekeu AC**, former Chancellor, Australian National University, former Federal Minister for Health and Education
**Professor James Best**, Head, Melbourne Medical School and Professor of Medicine, Faculty of Medicine, Dentistry and Health Sciences, University of Melbourne
**Dr Neal Blackburn AC**, former Federal Health Minister
**Emeritus Professor Felix Brockman**, Pharmacology Unit, University of Adelaide
**Mr Bill Bowtell**, Director, Lowy Institute, HIV/AIDS Project
**Professor Murray Boyd**, Head, Laos Health Foundation Research Unit, Queensland Institute of Medical Research, University of Melbourne
**Professor Jonathan Carapetis**, Director, Menzies School of Health Research
**Associate Professor Shane Carter**, School of Medicine and Public Health, University of Newcastle
**Professor Suzanne Cory**, Walter & Eliza Hall Institute of Medical Research, University of Melbourne
**Professor Nick Crofts**, University of Melbourne
**Professor Ric Day**, Professor of Clinical Pharmacology, St Vincent’s Clinical School, University of New South Wales
**Emeritus Professor Dick Dometon AC**, Founding Director, Howard Florey Institute
**Professor Peter Doherty AC**, Nobel Laureate Professor, University of Melbourne
**Associate Professor Kate Dolen**, National Drug and Alcohol Research Centre
**Sister Helen Mary Dunn RSM AO**
**Associate Professor Brett Emmerson**, Executive Director, Royal Brisbane & Women’s Hospital, Medical Mental Health Services
**Professor Murray Ester AM**, Associate Director, Baker Medical Research Institute
**Associate Professor Gavin Fabiny**, Director of Neurosurgery, Austin Hospital

**Professor Geoff Farrell**, Chair of Hepatology at Australian National University, Head of Hepatology at Canberra Hospital
**Professor John Firth, AM**, Director of Medicine, Sir Charles Gairdner Hospital
**Professor Madeleine Gardner AM**, Professor of Urology, The University of Queensland
**Professor Paul Gambling**, Deputy Dean, Research, Professor of Immunology, Australian National University
**Professor Michael Good AC**, Chair, National Health and Medical Research Council
**Professor Paul Hober, President-elect, Chapter of Addiction Medicine, Royal Australasian College of Physicians
**Professor Margaret Hamilton AO**, University of Melbourne
**Mrs Janet Hodson AM AC**, Australian businesswoman
**Rt Hon General W E, Roger James AC AO MBE**, former President of the Returned Services League
**Professor Brian Kay AM**, Deputy Director – Queensland Institute of Medical Research, Queensland Tropical Health Alliance
**Professor Stephen Kent**, Head, HIV Vaccine Laboratory, Department of Microbiology and Immunology, University of Melbourne
**The Hon Duncan Kerr SC**, former Federal Minister for Justice
**Professor Michael Kidd AM**, Executive Dean, Faculty of Health Sciences, Flinders University
**Professor Susan Kippax**, Research Professorial Fellow, University of NSW
**The Hon Justice Michael Kirby, AC, CMG**, former High Court judge, UNDP Global Commission on HIV and Law, UNAIDS
**Reference Group on HIV and Human Rights
**Professor Justin L Beare**, Clinical Director, Internal Medicine Service, Royal Adelaide Hospital
**Professor Andrew Lloyd AM**, Director, Infection and Infection Research Centre, School of Medical Sciences, University of New South Wales
**Ms Annie Madden**, Executive Officer, Australian injecting and Illicit Drugs Users League
**Ms Wendy McCarthy AO**, Australian businesswoman
**Professor John McKenzie AM**, Head, School of Public Health and Preventive Medicine, Monash University of Medicine, Nursing and Health Sciences
**Ms Helen McNeill**, Hepatitis Australia
**Professor Lisa Maher**, National Centre in HIV Epidemiology & Clinical Research
**Professor Neil Miller**, Director, Siggles Miller, Professor of Psychology, Griffith University
**Emeritus Professor Jacques Miller AM AC**, Professor of Experimental Immunology, University of Melbourne
**Professor Adrian Minchin**, Professor of Social Health Medicine, St Vincent's Research Centre, Sydney Medical School, University of Sydney
**Dr Graham Mitchell AC**, Principal, Fourteenth
**Professor Bob McClure**, Chair of Global Health, University of Melbourne
**Professor Brian Martin**, School of Medical Sciences and Institute for Biomedical Research, University of Sydney
**Emeritus Professor Sir Gustav Nossal AC CBE DE, Department of Pathology, University of Melbourne
**Professor Kevin O’Dea**, Director, Samson Institute for Health Research, University of South Australia
**Professor Neil Parkhurst**, Deputy Vice Chancellor (Research), Griffith University
**Emeritus Professor David Pennington AC**, Chor, Bic 111 Australia Ltd
**Professor Chris Piegatto AM**, Former Chair, Australian National Council of AIDS, Hepatitis C and Related Diseases
**Dr Kate Race**, Senior Lecturer, Gender and Cultural Studies, SOFUM, University of Sydney
**Professor George Robson**, President of Faculty, Royal College of Physicians, London, Australian Faculty of Public Health Medicine
**Professor John Paul Seale**, Professor of Clinical Pharmacology, University of Sydney
**Dr Sepehr Shabir**, Director, Department of Clinical Pharmacology, Royal Adelaide Hospital
**Professor Sandy Sharron**, Centre for Indigenous Health, University of Queensland
**Anu Vai-Mari Niam Houde SM**, former Australian Defence Force Surgeon General
**Emeritus Professor Richard Smallwood AO**, University of Melbourne
**Professor Robert Stabile**, Vice Chancellor and President, Bond University
**Professor Jon Stanhope**, former ACT Chief Minister

**Associate Professor Janette Strijker**, Aboriginal Health, University of Sydney
**Professor Carla Trebilco**, Deputy Director, National Centre in HIV Social Research, University of New South Wales
**Professor Mark von Itzstein**, Director, Institute of Biodynamics, Griffith University
**Gino Vumbaca**, Executive Director, Australian National Council on Drugs Secretariat
**Emeritus Professor Ian W Campbell**, University of New South Wales
**Professor Jason White**, Head, School of Pharmacy and Medical Sciences, Division of Health Sciences, University of South Australia
**Dr Allen Wood AM**, Director General and Drug Services, St Vincent’s Hospital
**Dr Nicole Winchels DAM**, ACT Human Rights and Discrimination Commissioner
**Dr Marion Woods**, Senior Specialist Infectious Diseases and Director of Advanced Training (RACP), Royal Brisbane and Women’s Hospital

**Organizations that have supported a trial of NSP in prison:**
- Aboriginal and Other Drug Council of Australia
- Australian Drug Foundation
- Australian Federal of AIDS Organisations
- Australian Injecting and Illicit Drug Users League
- Australian Medical Association
- Australian Health Ministers’ Conference
- Australasian Society for HIV Medicine
- Australasian Therapeutic Communities Association
- Drug and Alcohol Nurses Association
- Hepatitis Australia
- National Centre in HIV Social Research
- Family Drug Support Australia
- The Pharmacy Guild of Australia
- Public Health Association of Australia
- Royal Australasian College of Physicians

**Authorised by A. Bar, AIDS Action Council of the ACT, 16 Gordon Street, Acton, ACT 2601 and J. Ryan, Anex, 5000 Nicholson Street, Finsley North, South Australia**
Aust Medical Association endorsement

The Australian Medical Association (AMA) has endorsed policy specifically supporting clinical trials.

The AMA believes, however, that the health and safety of corrections staff will best be preserved in the long term by the operation of a suitably controlled needle and syringe exchange program.

Yours sincerely

Dr Steve Hambleton
President
2 September 2011
Which model?...the tricky part...

Inside Information:
Prison Needle and Syringe Program Protocols
The director of the Human Rights Law Centre, Philip Lynch, said it was only a matter of time before a prisoner successfully sued a prison and government over exposure to infectious diseases.

The case comes as various peak health organisations continue to push for needle and syringe programs in prisons, including the Australian Medical Association, the Royal Australasian College of Physicians and Anex, a group working with Sir Gustav Nossal and Professor Doherty to reduce drug-related harm.

"AMA Victoria believes that prisoners should have the same access to healthcare as the general population," he said.
Moore review and ‘model options’

The head of Public Health Association contracted to develop protocols:

Preferred model was for:

“a contained NSP operated by outside agency within the prison’s Health Centre.”

In reality, like a ‘safe injecting room’ in prison where prisoners escorted by guards ........

Other option:

One-for-one exchange based out of the Health Centre, run by the Health Centre.
Pledge on election eve

Chief Minister announcement August 15, 2012.

“as a first step, detainees be given regulated access to sterile injecting equipment on a ‘one-for-one’ exchange basis with the medical officer having responsibility for the equipment exchange (as opposed to nursing staff).”

Opposition: Vote against it at Election!!!

Union: More moderate, then back against it.
Election result – Labor won

- NSP didn’t become a public issue.
- Opinion polling did not record needle exchange as an issue on voters’ minds.
On-going consultation

Part of Enterprise Bargaining consultations

Still union opposition ...

Do government’s govern???
ACT Chief Minister Katy Gallagher to resign, run for the Senate

Photo: ACT Chief Minister Katy Gallagher says she will stand down from the position of Chief Minister next Wednesday. (ABC News: Kathleen Dyett)
Corrective Services staff to vote on Alexander Maconochie Centre needle exchange program

Justice Minister Shane Rattenbury signs the deed of agreement with Community and Public Sector Union national president Alistair Waters. (1st April 2015)

Update

Development of Alexander Maconochie Centre needle-exchange scheme under way

The end is near?

- Right political environment
- An educated city
- Excellent Chief Minister
- Lot of it behind the scenes.
Coalition approach - local up to national

Issue can be re-positioned.

Little media interest elsewhere. Not a big deal in the media (a surprise to us).

THERE IS NO END
CONTACT DETAILS

John Ryan
Penington Institute
95 Drummond Street
Carlton Vic 3053
E: j.ryan@penington.org.au