

Avoiding paradigm drift – the value of human rights for grounding and guiding drug policy.

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Aim: To discuss the main policy 'regimes' that can be applied to drug use, the value of human rights as the overarching 'paradigm' grounding these regimes, and the current state of human rights in Australian drug policy.

Panellist 1: John Gobeil – Australian Injecting and Drug Users League (AIVL) for People Who Use Drugs (PWUD) Wellbeing, Health and Human Rights
Panellist 1 email: johng@aivl.org.au

Panellist 2: Jarrah Duckett - Peer Based Harm Reduction, WA
Panellist 2 email: community.development@harmreductionwa.org

Panellist 3: TBD – additional panellists are pending confirmation of APSAD attendance.

Panellist 4: TBD – additional panellists are pending confirmation of APSAD attendance.

Detailed Description of Topics to be Discussed:

The regulation of psychoactive drugs is complicated by the wide range of goals and values it must be responsive to, and the shifting realities of the world in which those drugs are used. The discussion for this symposium will be prompted by the following contention: that the multitude of psychoactive drug policies, laws, and frameworks can be grouped into four conceptual 'regimes': criminalisation, medicalisation, commercialisation, and socialization, and that human rights are best understood as the 'paradigm' guiding which regime should be enacted through drug policy. This contrasts with alternative paradigms such as puritanism, libertarianism, and neoliberalism. Understanding human rights as a paradigm to guide the development of law, policy, and public health intervention, rather than a regulatory regime itself, clarifies the nature and role of rights in drug policy and its potential for reducing harm at individual, socio-political, and structural levels. Human rights can structure a regulatory framework that provides a more permissive structure for many currently criminalised substances, while potentially also justifying more restrictions on currently widely available substances such as alcohol and tobacco. Such a framework can allow for restrictions on drug use without extending into puritanical or authoritarian regimes that only exacerbate drug-related harms. This symposium will also discuss the role of human rights in Australian drug policy currently, how it could be defined and contrasted against alternatives, and steps forward for legitimising a human rights paradigm within the AOD sector.

Discussion Section: The interactive components of this symposium will include question and answer sections with the panellists, and each panellist will be asked to close their speaking time with, and also prompts to elicit feedback from the audience such as:

1. Do you feel you have an understanding of what human rights are and the role this framework can play in AOD policy and interventions?

2. Does the policy regime structure (criminalised, medicalised, commercialised, socialised) make sense to you, or does it leave something out?
3. Are there examples in your work of where human rights are either promoted or overlooked?
4. If human rights is not central to drug policy in Australia, what are the roadblocks to establishing this paradigm?

Throughout the discussion the chair will take notes of key points and aim to summarise insights as they are generated and record them on the screen for the audience to review. Following this symposium the audience should have a greater understanding of how different policy 'regimes' regulate drugs, the role of human rights in drug policy, its current status in Australia with various real-world examples, and some ideas for future development of human rights as a paradigm.

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