

“When will it ever end?”
The Provision of Regulated Injecting
Equipment to Australian Prisoners

Michael Levy, ANU

22 July 1990

Geoffrey Pearce (died 1997), Graham Farlow (died 1990)

- ▶ Jones PD. HIV transmission by stabbing despite zidovudine prophylaxis. *Lancet* 1991,338: 884
- ▶ Dolan KA, Wodak A. HIV transmission in a prison system in an Australian State. *Medical Journal of Australia* 1999, 171: 14-17
- ▶ WorkCover NSW - NEVER investigated potential industrial manslaughter.
- ▶ “1500 pay tribute to fallen prison guard”. *SMH* 9 February 2007

1994

1st regulated exchange of injecting equipment in the world
at Hindlebank Women's Prison, Switzerland

Nelles J, Fuhrer A, Hirsbrunner HP, Harding TW. Provision of
syringes: the cutting edge of harm reduction in prison? Br
Med J 1998; 317: 270-273.

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2003

“Access to needles and syringes by intravenous drug
users”

Standing Committee on Health, ACT Legislative
Assembly, August 2003

ACT Human Rights Act 2004

19 Humane treatment when deprived of liberty

(1) Anyone deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.

2007

Human Rights Audit on the Operation of ACT
Correctional Facilities under Corrections Legislation

ACT Human Rights Commission, July 2007

Equivalence of Healthcare (p.4)

The ACT has a community-based needle and syringe exchange in order to minimise the harm of disease transmission through intravenous drug use. Numerous studies have demonstrated the efficacy of these exchanges in communities around the world, as well as prisons in some countries.

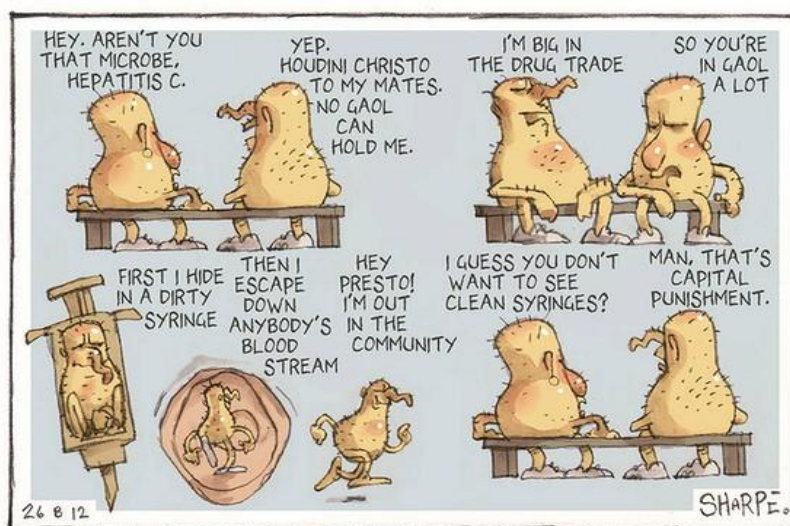
To deny protection against disease transmission in such a high prevalence and closed population in prison may be viewed as inhumane. The Human Rights Commission recommends that a pilot program for a needle and syringe exchange should be developed, with adequate consultation, for the AMC.



The Canberra Times - 2012

- ▶ 15 August, Chief Minister announces establishment of a needle exchange at the Alexander Maconochie Centre
- ▶ 16 August: John Ryan's op-ed: "Gallagher's minimalist needle model may work"
- ▶ 16 August: "Prison Guards still a 'barrier' to needle exchange"
- ▶ 19 November: Warning by guards on needle exchange

Canberra Times - August 2012



The Canberra Times - 2015

- ▶ October 4: Development of Alexander Maconochie Centre needle-exchange scheme under way
- ▶ October 18: Lack of prison needle programs a breach of human rights and international law
- ▶ November 21: The war on drugs has been lost around the world, Canberra is no different

The Canberra Times - 2016

- ▶ September 16: Guards vote down prison needle exchange, health advocates threaten legal action
- ▶ September 22: Canberra judge says prison needle exchange could ease infection problem
- ▶ September 24: Jail needle exchange veto shows unions 'dictating' public health policy: researchers
- ▶ Alexander Maconochie deserves a nobler legacy than a broken prison

The Canberra Times - 2017

- ▶ January 9: Calls for ACT to again lead prison syringe program debate reignited after AMA urges such initiatives nationally
- ▶ October 24: It's time to revisit the vision for the Alexander Maconochie Centre

ACT Corrections Management Act 2007

21 Doctors—health service appointments

- (1) The director-general responsible for the administration of the Public Health Act 1997 must appoint a doctor for each correctional centre.
- (2) The doctor's functions are— (a) to provide health services to detainees; and (b) to protect the health of detainees **(including preventing the spread of disease at correctional centres)**.

2009 - 2017

The testing programme for hepatitis C has identified 107 infections in 95 people, since the AMC was commissioned.

- ▶ 22 are considered to be 'in-custody' transmissions
- ▶ 41 are considered 'indeterminate' as to environment of transmission (either custody or community), and
- ▶ 44 were determined as 'in-community' infections.

- ▶ Since March 2016 - one in-custody infection

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Prevalence of Hepatitis C Infection

2010 - prevalence of HCV Ab - 48% (presumed PCR positivity ~35%)

March (actually April) 2016 - DAA treatments commenced

October 2016 - 20% PCR positive

In just less than 18 months, PCR positivity reduced from ~30% to

16

<3%

..... >90% reduction

17

So what about that Needle Exchange?

- ▶ Government commitment, supported by the Greens
- ▶ ACT Human Rights Commission support
- ▶ Australian Medical Association and Public Health Association support
- ▶ Mixed support from detainees
- ▶ Muted support from Non-Government Organizations
- ▶ Mixed messages from the *Canberra Times*
- ▶ Total opposition from prison officers, formalised through their Enterprise Bargaining Agreements, and subsequent vote

- ▶ Therapeutic prevention v harm minimisation

13/11/2017

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