

Injection Rooms in Prisons

Why not?

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A white paper challenging the current counterintuitive proposals to furnish correctional facilities with illicit drug injecting rooms

INJECTION ROOMS IN PRISONS

Several recent media releases¹ indicate that serious consideration is being given to plans for including 'safe' injection rooms in Australian prisons. The word 'safe' is placed in quote marks as the concept of injection rooms in any location are not by any description 'safe'. (The Oxford Dictionary defines safe as: “Rescue or preserve from or *from* danger or harm or discredit”)

At present injection rooms have been introduced in prisons in Switzerland, Germany, Portugal and Spain and are being considered for introduction in several other countries.

Imprisonment has traditionally been described (in most of not all western democracies) as a 'sanction of last resort'. The purpose/aims for placing offenders in prison include:

- punishment,
- deterrence (general and specific),
- incapacitation,
- retribution and,
- rehabilitation.

The issue of injection rooms in prisons needs to be considered in the context of why offenders are incarcerated and what the criminal justice system in particular and the community in general expects from the incarceration experience imposed on offenders.

Numerous surveys, over many years, have been undertaken to ascertain what the community expects from the criminal justice system in respect of those who have been found guilty of committing offences and incarcerated.

These surveys have included responses covering the full scope of the purposes of imprisonment as mentioned above, as well as concepts such as vengeance and torture, (which are not included by western countries as a purpose/aim of imprisonment) and at times include the opinion that those incarcerated for certain crimes should never be released,

The underlying question that needs to be raised is how it is expected that injection rooms will satisfy and fulfil any of the traditional purposes/aims of imprisonment.

Examining the recent media releases of the proponents that advocate the establishment of injection rooms in prisons, appear to support their position that these will assist in the rehabilitation of offenders, without actually using this terminology. While we do not understand the full impact of drugs on the psychological and physiological systems we do have an abundance of data indicating that among all of the other effects of drugs, the issue that they are addictive is not disputed. For years it has been contended that those who are addicted should be assisted to address their addictive behaviour and to that effect there have been many initiatives and programs focussed on that purpose. It is therefore difficult to understand and rationalise the introduction of so called safe injection rooms in prisons which in fact appear to have the opposite purpose, that is to support the addiction and associated behaviour that accompanies addiction.

The Oxford Dictionary defines the term 'rehabilitate' as, “restore to rights, privileges, reputation, or proper condition”. In the context of imprisonment rehabilitation has included programs, activities, experiences and opportunities to assist prisoners upon release to return to society with the capacity

¹ O'Farrell faces prison revolt on needles: Crikey.com.au; Heroin injecting rooms at prisons: Levi Fernandes; Support for prison NSP trial—but where? Sean Costello; Prisons will get drug-taking kits. Times on Line. 21 Sep. 2006

to live as law abiding productive citizens. Included are programs focussed on improving both the physical and mental health of prisoners. It is difficult, if not impossible to ascertain how injection rooms in prisons would assist in this quest.

It might be contended that prisons that have introduced 'safe injection rooms' have in effect, not only condoned and accepted addiction as a normal aspect of human behaviour, and have as a consequence introduced the means for such behaviour to be maintained, not unlike programs aimed at improving the educational, vocational, and physical/mental health of those who are incarcerated.

What needs to be included here is an examination of the underlying philosophical and ideological underpinnings of those who advocate this course of action.

Put in simple terms, it is the acceptance of, and support for, the policy of harm minimisation. This policy advocates and supports the notion that drug taking, not unlike a number of other behaviours that have been proven to be dangerous to both the individual in particular and society in general, needs to be understood and accepted. It is premised on the acceptance of the individual's right to this behaviour while taking the necessary steps to ensure that it does not exceed artificial and arbitrary guidelines. What is not mentioned or discussed is that the proposed substances to be injected (drugs) are illegal and that a considerable quantum of research exists indicating that these substances are dangerous to both the physical and mental health of those using them.

The Journal of Drug Policy and Practice in its critique of Canada's INSITE injection site states that harm minimisation (or harm reduction as it is often referred to) is based on;

“---an ideology viewing drug use as not only, as inevitable, but simply a lifestyle option, a pleasure to be pursued, even a human right.”

In effect, this view, as expressed by the above quote would indicate that the policy is 'values-neutral' which term is in fact and 'oxymoron'. The article goes on to state;

“The drug issue is replete with values and the need to find and express values. Harm reduction simply represents a set of values summed up as, 'There is no right or wrong choice, and your choice is your business. No one should tell you how to choose, and once you have chosen others should only be there to help reduce the consequences of your choice until, if or when, you choose to choose differently’”.

And further;

“This set of values is interwoven with libertarian ideology. It contrasts significantly with the values implicit in demand and supply reduction, which might be stated as, 'Certain choices are better than others'. To choose to get involved with drugs too often leads to trouble. Such choices affect not only the person but also his or her family, community and all of society.”²

When we consider the proposal by those who advocate the establishment of injection rooms in prisons we need to be aware that the underlying issues, are not restricted to the often stated reason(s) that as it is difficult (some indicate impossible) to create a drug free environment for prisoners then we should at least attempt to minimise the harm by providing so called 'safe' alternatives in the form of injection rooms, and that prisons need to take whatever decisions are necessary in order to protect the health of those incarcerated.

² A Critique of Canada's INSITE injection Site and its Parent Philosophy: Implications and Recommendations for Policy Planning: The Journal of Global Drug Policy and Practice. 17 Jan 2007

It is in effect stating that as we cannot control certain behaviours, in particular illegal, unethical, dangerous and destructive behaviours then we should at least attempt to minimise the harm these behaviours create. Thankfully, this philosophy has not yet been applied to ‘other’ behaviours which result in offenders being incarcerated such as paedophilia, incest, fraud, and embezzlement (the latter two often brought about by an addiction to gambling) to name just a few found in correctional environments.

The issue of reducing and minimising harm seems not to have been accepted in respect to smoking as many jurisdictions have now banned this behaviour. Apparently, choosing to smoke, a legal behaviour, has been determined to be a greater danger to the health and welfare of prisoners than the use of illegal, illicit addictive drugs, and as a consequence the philosophy of ‘choice’ does not apply. Some, if not many, would see this as a not only inconsistent, but an extreme irony.

To put it simply the introduction of injection rooms in prisons needs to be opposed as it is in the name of rehabilitation, condoning a behaviour that is both illegal and dangerous and not only promotes illegal and dangerous behaviours and practices but places prison staff in the unenviable position of being parties to what in the opinion of many, is tantamount to breaking the law, as well as endangering their safety.³

Further, we need to be aware of, and reject in both policy and practice the real ideological and philosophical premise on which this proposal is based: support for, and acceptance of, the concept of ‘if it feels good do it’ and in its place we need to promote and implement the moral principle of ‘you are responsible for the choices you make and their consequences’, if we are to be successful in eliminating illegal drug use not only in custodial environments but in society in general.

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³ In 1991 a New South Whales Prison Officer was stabbed with a blood filled syringe and subsequently died of AIDS.