

Submission on the Alcohol Mandatory Treatment Bill 2013

ANTaR

ANTaR appreciates the opportunity to comment on the Alcohol Mandatory Treatment Bill 2013 ('the bill').

ANTaR calls for the scrapping of the bill currently before the Northern Territory parliament. ANTaR believes that the bill fails in multiple ways to constitute an appropriate, evidence-based response to the need to address the unacceptably high numbers of chronically alcohol dependent adults in the Northern Territory. The following points summarise ANTaR's concerns with the bill.

- The bill was not developed in response to a proper scoping of the circumstances and needs of those targeted by the bill, nor of the evidence of the alternatives available to address chronic alcohol dependence.
- The proposed mandatory treatment regime will indirectly discriminate against Aboriginal people in the NT and appears to particularly target Aboriginal people from remote communities who visit centres and towns but cannot access or afford accommodation and are therefore more likely to drink in public places.
- The bill institutes a de-facto criminalisation of public drunkenness. Chronic alcohol dependence is a relapsing disease and as such should not be criminalised. Such an outcome is also contrary to the recommendations of the Royal Commission into Aboriginal Deaths in Custody and will lead to unnecessary interaction between Aboriginal people and police, and an increase in the number of Aboriginal people entering the criminal justice system. The NT already has alarmingly high rates of incarceration and over-representation of Aboriginal people in prisons.
- Available evidence suggests that mandatory treatment is not an effective way to address chronic alcohol addiction and will result in high rates of relapse. The system is likely to become a revolving door without long-term benefits ever being realised.
- The mandatory treatment regime does not take account of the health and wellbeing profile and particular needs of Aboriginal people targeted by the bill. Evidence suggests that many of those diverted to mandatory treatment will have experienced intergenerational and other complex trauma and/or have comorbid mental health conditions that are likely to be closely associated with alcohol misuse. Short-term involuntary treatment (3 months) will not be effective in dealing with these conditions and may in fact compound them.
- The mandatory treatment regime will not be cost-effective. The huge cost of the scheme (estimated at approximately \$80,000 per person) will divert scarce resources away from more appropriate and necessary evidence-based measures required to address the human and social costs of chronic alcohol dependence.

- ANTaR is concerned that the bill provides for the confinement of Aboriginal people within a treatment regime that is not culturally appropriate or culturally safe and that will deprive them of peer group, family, cultural and spiritual support. This will place them at risk of further harm, including the potential for re-traumatisation.
- The bill will result in an unwarranted increase in contact between Aboriginal people and police, against the recommendations of the Royal Commission into Aboriginal Deaths in Custody. It will place police in the situation of detaining inebriated individuals in police custody rather than delivering them to more appropriate sobering up facilities.
- The bill will result in the further stigmatisation of those targeted by the bill and entrench their disempowerment, discrimination and social exclusion. This goes against the express purpose of the bill to provide therapeutic benefit.
- The number of qualified practitioners required to staff a mass mandatory treatment program will have to be drawn from an already scarce supply and will result in a shortage of appropriately qualified practitioners available for voluntary treatment programs.
- The bill provides for the detainment of individuals for up to 13 days before they may be brought before a tribunal to establish whether they will be subject to mandatory treatment. This is an unacceptable deprivation of the liberty and rights of those who may be so detained.
- ANTaR is concerned at the grossly inadequate process and lack of sufficient time for proper consultation on the bill. The bill proposes a scheme of unprecedented nature, with significant implications for individuals targeted by the bill and for other programs and service agencies that work in related areas.
- Finally, ANTaR is concerned that the proposed mandatory treatment scheme will do nothing to address the broader circumstances of individuals and communities that are the underlying drivers of chronic alcohol and other substance misuse. These conditions include homelessness and lack of adequate housing, lack of basic services and community infrastructure, lack of adequate education, early childhood and family services, and lack of adequate measures to control the ready supply of alcohol that is fuelling dangerous levels of drinking in communities and urban centres.

ANTaR urges that this bill be withdrawn and that the Northern Territory Government commence a process of consultation with all stakeholders to develop a comprehensive, evidence-based policy approach to alcohol harms in the Northern Territory.

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Gary Highland
ANTaR National Director
Email: Gary@antar.org.au
Phone: (02) 9280 0060
PO Box 77 Strawberry Hills NSW 2012

David Cooper
ANTaR NT
Email: coopdave@gmail.com