

#### LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

## SESSIONAL COMMITTEE ON USE AND ABUSE OF ALCOHOL BY THE COMMUNITY

# INQUIRY INTO PUBLIC DRUNKENNESS IN CENTRAL AUSTRALIA — NOVEMBER 1995

REPORT NUMBER 7 MAY 1996

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## CHAIRMAN'S FOREWORD

Once again it was media headlines that resulted in the Committee receiving a reference from Parliament to inquire into a specific incident.

The issue of a large number of intoxicated persons being placed into protective custody in and around Alice Springs is not a new phenomenon, but the extraordinarily high numbers over the last two weeks in November 1995 were significant.

This report, if read in isolation, could be misinterpreted as portraying a new revelation as to the reason why there was the level of disruption in the community in the latter months of 1995. It does not attempt to reinstate the findings that have already been previously documented in one form or another.

There have been many departmental briefing papers and statements by individuals over the years alluding to the effect caused by visitors from remote communities on the social fabric of the permanent residents of Alice Springs.

The Committee has ensured that organisations, genuinely attempting to address the social disruption issues have been clearly identified. Where they have been able to provide a plan of action that contains clarity of purpose, the Committee is of the view that these organisations should be given every opportunity or its development and implementation.

The Committee has, however, taken the decision that the monitoring of results will need to be incorporated in a reasonable time frame. If there is reason to believe that the strategies are not achieving the level of success required to impact on the problem areas documented in the report, there will be a requirement for more positive action.

The report does not attempt to underwrite the value of the work and the commitment of individuals within the organisations who deal with the issues on a day-to-day basis, but the Committee must ensure that positive results flow from this inquiry.

As Chairman it has been of great benefit to be able to call on the breadth of experience the other Members possess and without the spirit of co-operation throughout the inquiry the Committee would not have been able to take the positive stand of attempting to bring to a head the issue of public drunkenness in Alice Springs.

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Hon. F A FINCH, MLA May 1996

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# ISSUES FLOWING FROM EVIDENCE AND RECOMMENDATIONS

An article appearing in the Centralian Advocate dated Tuesday 28 November 1995 indicated that in excess of 400 individuals in and around Alice Springs had been taken into protective custody by the Northern Territory Police over the week-end of 23-25 November 1995.

Whilst these statistics are abnormally high, they do not reflect what could be described as a change in the overall pattern of the unruly drunken behaviour in the Alice Springs CBD and the surrounding areas.

It is a known fact that excessive consumption of alcohol throughout the Northern Territory has been identified by the Government and the community as a major problem.

Comments made to the Committee indicated that itinerant drinkers from the Todd River tend to attract more attention as they are highly visible and as such are often cited as the primary cause of the anti-social behaviour not only in the Todd River area but also in the Alice Springs CBD.

In a submission to the Committee, the Northern Territory Police raised the issue that the same itinerant drinkers are seen by the majority of the stable population as only visiting the town. It is this term 'visitor' that became the lynch pin in most submissions presented to the Committee.

When appearing before the Committee, Assistant Commissioner Charlwood of the Northern Territory Police, was able to provide sufficient statistical data to show that the number of people taken into protective custody during the week-ends of Saturday 24 and Saturday 31 November was only an aberration of the weekly statistical trend over a 12-month period.

It is considered important by way of background to detail the protective custody apprehensions over the last four years:

1992/93		7 556
1993/94		9 959
1994/95		10 941
1995/96	(the progressive total for this financial year)	8 712

The Committee was advised that if the current trend were to continue, it was anticipated there would be in vicinity of 12 000 protective custody apprehensions during this financial year. Apart from an increase of 30% from 1992/93 to the 1993/94 statistics, there has been an increase of 9.8% from 1993/94 to 1994/95 and if the projected figure of 12 000 is reached this financial year, it will reflect a further increase of 9.6%.

The table of apprehensions for the months of October and November 1995 provided by the Northern Territory Police (listed below) was produced in order to show which community or area was considered to be their normal place of residence by those who had been apprehended.

Location	Total No. of Apprehensions	No. of First Time Apprehensions
31 Alice Springs	101	37
32 Todd River	12	0
33 Amoonguna	32	4
34 Areyonga	25	0
35 Docker River	13	1
36 Finke	10	0
37 Haasts Bluff	8	3
38 Harts Range	11	1
39 Hermannsburg (Ntaria)	164	7
40 Imanpa	0	0
41 Jay Creek / Iwapataka	23	0
42 Kintore	32	5
43 Kulgera	0	0
44 Napperby	15	0
45 Santa Teresa	108	2
46 Mt Liebig	4	0
47Mutitjulu / Ayers Rock	17	0
48 Nyirripi	2	0
49 Ti-Tree	17	1
50 Papunya	55	2
51 Maryvale / Titjikala	23	0
52 Utopia	11	0
53 Wallace Rock Hole	1	0
54 Willowra	11	2
55 Mt Allan	4	0
56 Yuendumu	92	12
57 Cattle / Outstations	13	1
58 Morris Soak	5	1
59 Namatjira Camp	4	0

# Community Database — Places of Origin October/November 1995

Location	Total No. of Apprehensions	No. of First Time Apprehensions
60 Basso's Farm	0	0
61 Charles Creek	22	1
62 Hidden Valley	18	2
63 Hoppy's Camp	3	0
64 Walpiri Camp	0	0
65 Old Timers	6	1
66 Goulders / Ilpiye	0	0
67 Little Sisters	10	2
68 Karnte Camp	3	0
69 Mt Nancy	5	0
70 Abbotts Camp	0	0
71 Trucking Yards	0	0
72 Whitegate / Motorbike	1	1
73 Woodyard	0	0
74 Larapinta Valley	13	0
75 Antheppe / Drive-in	1	0
76 Ilparpa	1	0
77 Pitchi Ritchi	0	0
78 Transient Camps	0	0
79 Hostels	0	0
80 Other NT Regions	46	5
81 Interstate	50	9
82 Amata (SA)	19	2
83 Fregon (SA)	1	0
84 Indulkana (SA)	2	0
85 Kalka (SA)	0	0
86 Mimili (SA)	0	0
87 Ernabella (SA)	30	5
88 Overseas	3	0
89 Caravan Parks / Motels	0	0
90 Unknown	99	11
TOTAL	1 146	118

It is clear from these statistics that only 10% of those apprehended over the difficult twomonth period considered themselves as permanent residents of Alice Springs. These figures must also question the perception that the cause of all the alcohol problems in the town is related to the town camps. Although there must be a clear distinction drawn between the permanent town camps and those established by transients.

Mr John Spink, Manager, Sobering-Up Shelter, Drug and Alcohol Services Association Alice Springs Inc. (DASA) was also able to provide statistical data to support the dramatic increase in the number of individuals using the facility during November and December 1995.

Mr Spink supported the Police in their findings that the majority of people utilising the Sobering-Up Shelter were not considered locals.

Since October 1995 until 26 February 1996 there were a total of 2 503 admissions to the DASA Sobering-Up Shelter. Of these, only 499 identified themselves as being residents of Alice Springs. The remainder, in the main, came from the four largest communities out of Alice Springs as follows:

Hermannsburg (Ntaria)	354	
Yuendumu	197	
Papunya	110	
Santa Teresa	217	
TOTAL	878	(35%)

Over 80% of those lodged with DASA Sobering-Up Shelter stated they normally resided in communities outside Alice Springs.

(Written Submission 165, Northern Territory Police)

Mr Spink also took the opportunity to brief the Committee on the operations of the Sobering-Up Shelter while providing a statistical profile of the individuals utilising the facility.

The following tables provided by Mr Spink shows that only 5% of the admissions used the facility in excess of 10 times a year. These would have to be considered the severe repeat cases of hard core drinkers. There has also been a dramatic decline in their numbers from 120 in 1993-94 to 79 for the 1995-96 year to date.

Mr Spink pointed out to the Committee that the reality is only 30% of all persons using the Sobering Up Shelter are admitted on three or more occasions throughout the year. When provided with this same information, the Tangentyere Council in their written submission used these figures to draw to the Committee's attention the fact that the balance of 'one off' admissions could not be considered local residents and individually could not be regarded as habitual drunks, but problem drinkers.

The following tables put to rest the myth of the revolving door syndrome associated with admissions to the Sobering-Up Shelter.

# 1993/94 Financial Year

No. of Admissions per Individuals	No. of Individuals	% of Individuals	No. of Admissions	% of Total Admissions
1	958	54.14	958	15.66
2	286	16.18	572	9.35
3	121	6.84	363	5.93
4	86	4.86	344	5.62
5	74	4.19	370	6.05
6	45	2.55	270	4.41
7	28	1.58	196	3.20
8	19	1.07	152	2.48
9	16	0.90	144	2.35
10	15	0.85	150	2.45
11-15	49	2.77	617	10.09
16-20	20	1.13	368	6.02
20+	51	2.88	1 613	26.37
TOTALS	1 768	100	6 1 1 7	100

## 1994/95 Financial Year

No. of Admissions per Individuals	No. of Individuals	% of Individuals	No. of Admissions	% of Total Admissions
1	965	56.70	965	19.08
2	268	15.75	536	10.60
3	131	7.70	393	7.77
4	77	4.52	308	6.09
5	49	2.88	245	4.84
6	41	2.41	246	4.85
7	30	1.76	210	4.15
8	21	1.23	168	3.32
9	16	0.94	144	2.85
10	20	1.10	200	3.95
11-15	37	2.17	474	9.37
16-20	23	1.35	406	8.03
20+	24	1.41	762	15.07
TOTALS	1 702	100	5 057	100

No. of Admissions per Individuals	No. of Individuals	% of Individuals	No. of Admissions	% of Total Admissions
1	974	55.66	974	19.76
2	282	16.11	564	11.44
3	144	8.23	432	8.76
4	110	6.29	440	8.93
5	51	2.91	255	5.17
6	33	1.89	198	4.02
7	29	1.66	203	4.12
8	22	1.26	176	3.57
9	13	0.74	117	2.37
10	13	0.74	130	2.64
11-15	39	2.23	497	10.08
16-20	21	1.20	372	7.55
20+	19	1.09	571	11.58
TOTALS	1 750	100	4 929	100

#### 1995/96 Financial Year - to 30 April 1996

The Committee was advised however, by Assistant Commissioner Charlwood that only individuals who were not likely to cause disruption were referred to the Sobering-Up Shelter. Troublesome individuals were taken immediately to the cells. It is within these admissions to the cells that the greater number of recidivists could reasonably be expected to be found.

The Committee recommends that Territory Health Services note the potential to identify these hardcore drinkers whether they be non-offending habitual drunks (Sobering-Up Shelter) or offending habitual drunks (Police cells). The Committee suggests that this identification process provides an avenue which could facilitate the introduction of an interception programme incorporating compulsory action including rehabilitation.

It could be considered that compulsory referrals is a drastic step, but the reality is the system of self-referral does not appear to be achieving the impact necessary to reduce the numbers of multiple users of the either the Sobering-Up Shelter or the Police cells.

Evidence presented to the Committee was that, in the Alice Springs area, there had only ever been three individuals put before a Magistrate by the Registrar of the Northern Territory Liquor Commission seeking an order under Section 122 of the Liquor Act. This particular legislative section refers to Prohibition Orders and is primarily aimed at prohibiting individuals from obtaining, being provided with or consuming alcohol. Section 122 was introduced to address the situation of identifying individuals, who were considered incapable of controlling their drinking habits to the stage where they became a physical danger to themselves and/or others within the community. The Chairman of the Northern Territory Liquor Commission was able to provide written documentation which highlighted the impediments encountered by the Liquor Commission in attempting to administer the section relating to Prohibition Orders. The Chairman advised the Committee that discussions had commenced between the Chief Magistrate and representatives of the Attorney-General's Department in an attempt to achieve a practical, workable solution.

The Committee is concerned that, in its current form, this particular parcel of legislation appears incapable of being administered in the manner which Parliament intended.

While meetings between the Chief Magistrate and representatives from the Attorney-General's Department may seek solutions to the civil libertarian issues and matters raised by Aboriginal Legal Aid's representatives, the Committee does not have any immediate proposals to take additional action in this matter.

In the event of a break-down in these discussions or the inability to successfully address all issues raised, the Committee will consider possible parliamentary intervention to revisit the particular parcel of legislation in order to find practical solutions.

It is the view of the majority of the Committee that there are individuals who would benefit from being placed on Prohibition Orders but only when this action forms part of a wider strategy addressing overall health aspects.

In trying to establish the reasons why there was this unprecedented increase in protective custody numbers, the Committee was referred to the Centralian Advocate dated Tuesday 21 November 1995 in which there were two articles highlighting the forthcoming social activities for the week-end of Saturday 25 November 1995.

The first article was a story on the 'Australian Music Day' to be held on Saturday 25 November at the Alice Springs Youth Centre. This event was billed as a "*a line up of Central Australia's best Aboriginal bands*". The article went on to say that "*bands from as far away as Ernabella and Pipilyatjara were making the trek to Alice Springs to appear in the concert. Performers included Black Storm, Rising Wind, Wakulyarri, Waren Williams, Amunda, Road Blok, Pukatja, Chrysoprase and others".* 

Another article showcased the 'Corkwood Festival'. This annual event presented by the Craft Council was set down for Sunday 26 November 1995 at the Anzac Oval. The festival advertised a new participant in "The Australians for Reconciliation Stall which will feature arts and crafts, paintings and bush tucker for sampling. The Australian Reconciliation also plans to have artists on site demonstrating their work as well as Aboriginal dancers."

These two events on the same week-end were possibly the catalyst for the increase in visitors to Alice Springs and while it certainly does not justify the unprecedented number of persons apprehended by the Police over the two week-ends, authorities can take some comfort in the fact that it does at least provide an explanation that could be attributed to the events of the week-end.

To assist the Committee in its information gathering process, a briefing session was held in Alice Springs, to which community-based organisations considered to have an affinity with Aboriginal groups were invited to attend, as well as organisations currently working in the area of community support.

All groups appearing before the Committee acknowledged that the week-ends of November were of concern but they were quick to point out that they must look towards longer term strategies if significant gains across the whole community were to be achieved. This commonality of purpose became the linking thread between most of the groups who appeared.

The Committee was able to establish very early in its investigation that the issue bringing this matter to the attention of Parliament was only seen by the community-based groups as playing a small part in the larger overall picture. The Committee, while obligated to investigate and report back on the events of the last two week-ends in November, recognises the concerns of these groups for the Committee not to become caught up in allowing a narrow focus to apply to the investigation. The Committee was able to gain valuable insight into the day-to-day workings of the dedicated individuals as they sought to address the issues of substance abuse, related violence and community disruption.

Mr Geoff Shaw, OAM, General Manager, Tangentyere Council, in presenting a submission stated:

To avoid getting bogged down in these issues, Tangentyere Council urges the Sessional Committee to employ a pluralistic framework which commends many types of anti-alcohol initiatives and which acknowledges that Aboriginal people differ significantly in their This means that funding should be at a level that ensures a variety of interests. complementary programs.

Aboriginal people are frequently polarised in their approach to alcohol problems. Some favour total prohibition, whilst Tangentyere Council (after extensive research and work in this area) advocates a moderate, socially acceptable way of drinking, in Aboriginal controlled social clubs. It is therefore necessary for the Committee to accept the legitimacy of a variety of approaches. To do otherwise works in opposition to the principles of selfdetermination and thereby increases Aboriginal peoples 'feelings of powerlessness' which research (Brady, Brady & Palmer, RCIADIC, etc.) shows was the primary underlying cause of substance abuse amongst the Aboriginal population.

(Written Submission 162, Tangentyere Council Inc.)

The Tangentyere Council and the Tangentyere Night Patrol through their close liaison with all Aboriginal people either visiting or residing in and around Alice Springs were able to clearly demonstrate the social contact that is required by the Night Patrol in maintaining the necessary inter-action between the various permanent camps established throughout Alice Springs. The Committee recognises that it is the dedication of these workers that has ensured a good working relationship between the Aboriginal population, the Police, DASA, Neighbourhood Watch Groups and the community at large.

The experience of the Night Patrol is that the people who camp in the creeks and rivers around Alice Springs are:

- visitors from communities;
- people who have had to relocate for sorry business;
- semi-permanent residents (occasionally visiting communities for extended periods);
- people who have been evicted from Housing Commission properties; or .
- ex-town campers who may be rent defaulters or non-conformers to the rules on the town camps as prescribed by camp leadership committees.

If there is an attempt to move these people on to other places the offered location is often the town camps. If people move into town camps this often results in overcrowding with a subsequent increase in unacceptable social behaviour difficulties.

Data collected by the Night Patrol indicated that of the 250-300 incidents per month they attended, alcohol was involved in at least 60% of all incidents. These figures do not take into account any preventative work undertaken by individual patrols.

With the Committee pursuing the visitors status the Tangentyere submission was able to provide additional information in that:

Statistical information has been collected from on-going research by the Tangentyere Council Social Behaviour (SBP) team.

The Social Behaviour Project (SBP) research indicates that a large number of incidents ranging from approximately 39%-45% (Note: there is always a large missing component in this field ranging from 17%-23%) that Tangentyere's Night Patrol responded to in June, July, August and September 1995 involved people not permanently resident in Alice Springs. From SBP's consultations we found that the vast majority of Aboriginal people came into Alice Springs to access a range of services, not available in communities, ie.:

- hospital;
- shopping, car parts;
- visit children at schools, ie. Yirara College, etc. and family members in prison;
- stay with dying relatives;
- football;
- back up families in dispute;
- respite from bush;
- sell paintings; and/or
- social activities.

In other words they seek to access services that residents of Alice Springs take for granted and alcohol is just one more commodity.

The duration of their visits to Alice Springs is often dependent on the availability of transport to and from their communities. People are often stranded in town for quite long periods of time. These people are economically disadvantaged. (Written Submission 162, Tangentyere Council Inc.)

The issue of people from remote communities being stranded in Alice Springs for one reason or another was seen as a further key issue by the Committee and it was considered a vital component that required addressing in any future strategies aimed at reducing the incidence of community disruption.

By reducing the incidents of people being stranded, it would mean that individuals would not be placed in an 'at risk' situation, which would then flow through to their immediate and extended family with the overall result of lessening the pressure of accommodation in town.

The information from SBP research, as well as the local experience of the Tangentyere Night Patrol, would indicate that the issue of restricted areas on remote communities is not the predominant reason people leave their communities to visit Alice Springs.

There are many additional, diverse, social and personal reasons which were put to the Committee over the course of its investigation. The desire to retain existing restricted areas (declared under the Northern Territory Liquor Act) is still strongly supported and consideration of any form of relaxation will be vigorously opposed by individual community groups.

The same issue of the relaxation of restricted area parameters is also raised later in this report when the introduction of licensed social clubs on isolated communities is discussed.

The Alice Springs Social Issue Working Group (ASSIWG) consists of the following departments and organisations:

- Tangentyere Council;
- Arrente Council of Central Australia;
- Central Land Council;
- Alice Springs Town Council;
- Northern Territory Police;
- · Pitjantjatjara Council; and
- Office of Aboriginal Development.

ASSIWG also directly supported the findings of the SBP research, but Mr Ken Lechleitner, the group's Aboriginal Liaison Officer, took the issue of problems associated with visitors from isolated communities further when he advised that:

The broad issue of social behavioural rules for Aboriginal bush visitors to Alice Springs is not a new phenomenon. Rules were set down by the Four Corners Council of town camp elders some years ago. Some 16 rules were made by the Council at the time which basically addressed, in their own terms, the following broad categories:

- People who should not come to Alice Springs.
- What people should do when they come to Alice Springs.
- When people should go home to their communities from Alice Springs.

In essence, the rules set down by the town camp elders addressed many of the issues currently being examined by the ASSIWG, and set down visiting protocols, both prior to departure, whilst visiting Alice Springs and for the return to home communities.

Whilst it can be said that the reasons and rules compiled by the town camp elders were clear in their mind when they set them down, and were also probably clear to the permanent residents, there is a body of opinion that holds that, consultations and implementation of the rules did not go far enough at the time, in carrying the message out to the bush communities, and explaining and agreeing on the protocols.

If this was the case at the time, then it would have been both difficult to expect visiting persons to know or understand what the visiting protocols were, and doubly difficult to enforce or police.

(Written Submission 158, Alice Springs Social Issues Working Group)

The ASSIWG has applied to the Northern Territory Government and has been granted approval under the 'Wine Cask Levy' for the introduction of an Aboriginal Warden Scheme. This scheme will be put in place by the Tangentyere Council. To ensure the same mistakes are not made as identified in the previous attempt:

The Social Issues Working Group Committee is seeking to provide a workshop or a forum of discussion on Aboriginal social issues, related to use and abuse of alcohol. The aim would be:

- (a) to coordinate a community approach in including all stakeholders (surrounding communities) in developing an agreed policy position, operational procedures and protocols for co-operation, with respect to reducing social dysfunction with overrepresentation of Aboriginal people being involved in anti-social behaviour, along with the use and abuse of alcohol;
- (b) for community members to have greater input in developing protocols and standards for people to follow, with education awareness behind the reasoning of establishing rules to live under; and
- (c) to develop culturally appropriate ways in enforcing protocols developed by members of the Aboriginal communities surrounding Alice Springs.

The joint community workshops objectives would provide:

- a greater awareness between cultures;
- an established agreement between remote communities and town members; and
- a set of visiting protocols or by-laws agreed upon by all stakeholders.

The outcome would be the birth of wardens to enforce the by-laws or protocols that have been bilaterally agreed upon, by Aboriginal communities and town key stakeholders, in preventing anti-social behaviour.

The warden's responsibility would be to ensure jointly agreed protocols are enforced with close liaison between the Alice Springs Town Council, the NT Police, the Tangentyere Four Corner Council and remote communities. The wardens would network in the following areas through:

- the establishment of formal links between community leaders of bush communities whose members visit Alice Springs on a regular basis;
- the identification of the major issues for all concerned parties;
- the establishment of agreed protocols within and between communities to address the wide range of issues and associated anti-social behaviours which may include illegal camping, littering, public drunkenness, etc.;
- the development of strategies to facilitate community and wider public awareness of the issues, programs, plans, protocols and agreements being developed and implemented;

- the establishment of effective communication and transportation links between communities and Alice Springs based organisation and agencies;
- the establishment of formal support for conflict resolution;
- the maintenance and enforcement of identified and agreed protocols including the shared responsibility between all levels of government and agencies to support and adhere to agreed protocols;
- the support of existing and emerging Aboriginal leadership roles; and
- the ongoing maintenance of public awareness of plans, strategies and programs implemented

(Oral evidence by Mr K. Lechleitner, Aboriginal Liaison Officer, Alice Springs Social Issues Working Group)

The Committee recognises the joint effort of all parties to ASSIWG and acknowledges the importance the Aboriginal Warden Scheme will play in the long term management and communication, not only with the permanent residents to the town camps, but more significantly with the remote communities. The Committee is of the view that, to date, the principal focus on community disruption has been directed in and around Alice Springs and, as such, too much attention has been drawn to the cause of the disruption and not the reasons why the disruption occurs.

The direction taken by the groups associated with ASSIWG is seen as a positive step in addressing the core of the problem in a calculated and practical manner.

The power of effective consultation with the remote area communities was brought home to the Committee when, at a recent 'Lightening Football Carnival' involving visiting teams from outlying communities, the Tangentyere Night Patrol invited other remote area night patrols to assist them in supervising the event.

This innovative move (which also included a number of concerned voluntary citizens) has been recognised as the reason why there were no reported incidents which impacted on the community while the carnival was in progress.

The Committee also sought advice from the Liquor Licensees Association and the Northern Territory Hotels and Hospitality Association who have adopted a joint approach to introducing measures they consider may have implications on the overall alcohol consumption within the town.

Licensees who are members of these two associations have agreed on a series of selfimposed trading restrictions. From early January 1996, all liquor licensees within the two associations will only sell a maximum of one four-litre (or bigger) cask of wine to any one person, and the sale of these casks will not be permitted before 4pm.

The Committee was advised that restrictions were continually discussed with representatives of the Northern Territory Liquor Commission, as all parties see this as a positive step towards addressing issues raised by the community at large.

When questioned about any adverse effects from the restriction of sales of cask wine, it was stated that there now appeared to be a shift back to ports and sherries in bottles as well as a marked increase in the purchase of heavy beers.

Assistant Commissioner Charlwood was also asked if the Police had experienced a shift in the drinking habits of those persons placed in protective custody. Mr Charlwood advised that it was still relatively early in the trial process to make a qualified judgement on any changes, but his officers had reported that there appeared to be a shift back to fortified wine in bottles and that there also seemed to be a greater number of empty spirit bottles around the various drinking locations.

The Chairman of the Liquor Commission was able to provide statistical alcohol litreage information for the calendar years 1994 and 1995. While these figures provided some insight into the overall consumption of alcohol across the Northern Territory, the information relating to the period in which the restriction in cask wine sales came into effect will only become available towards the latter part of this financial year.

As the method of collecting statistical litreage data is based on quarterly returns from individual licensees, meaningful comparisons between the quarters 1/1/96 to 31/3/96 and 1/4/96 to 30/6/96 will not become available until the first quarter of the 1996/97 financial year. The Committee will seek to obtain these comparison tables as a matter of course from the Chairman of the Liquor Commission.

The Committee is aware of the rationale and the history behind the fortified wine restrictions placed on liquor licensees in the southern region (refer to the statement tabled in the Legislative Assembly on 18 August 1992 by the then Chairman), and it will rely on the Chairman of the Liquor Commission to report back on any aspects that may impact on the implementation of these restrictions.

The issue of introducing social clubs on outlying communities drew a diverse range of comments. While the Alice Springs Town Council and the Northern Territory Police were prepared to foster a move to promote open discussion with remote communities on the issue, there were a number of individuals who were able to draw on their personal experiences to advise the Committee of the total rejection of such a move by the vast majority of community members. There were other witnesses who spoke of the requirement of additional clubs within Alice Springs to cater for the diversity of Aboriginal skin groups currently utilising the Tyeweretye Club.

The Committee is aware that the community at Santa Teresa is preparing a submission for a social club and will be lodging it with the Northern Territory Liquor Commission. A number of community-based individuals have stated that other groups within Central Australia have indicated that they are prepared to sit back and view the outcome of this particular licence application before consideration of any additional community-based social clubs.

Regardless of the information gathered by the Committee the final decision on licensed social clubs will be one taken by the individual communities. The Northern Territory Liquor Commission has the procedures in place to ensure that a decision on either the relaxation of restricted area legislation or the introduction of licensed social clubs is not made without adequate consultation across the whole community.

There were a number of occasions were the Tennant Creek licence restrictions were raised with the inference being that a similar exercise could be conducted in Alice Springs. The Committee is aware of the protocols and procedures adopted by the Northern Territory Liquor Commission over the last two years in ensuring total community input into the final decision-making process affecting Tennant Creek licences.

The Committee is of the view that the Tennant Creek experience was a unique set of circumstances and is not a role model that has direct portability to be taken and used successfully in another environment. The difference in population of the two communities is just one mitigating factor that could preclude any likelihood of success.

#### Summary

The Committee's opinion is that the events of late November were an aberration of the normal protective custodies experienced throughout the year, but in making this statement it does not accept that this ongoing problem should be allowed to continue unabated.

The investigation has highlighted the work of the individual organisations addressing the use and abuse of alcohol in and around Alice Springs and it is on their intimate working knowledge and experience that the Committee now draws.

The various organisations making up ASSIWG have been able to identify issues that the Committee consider are the fundamental factors which, if they are not addressed correctly, may result in no long term gain or change in the social disharmony currently being experienced in Alice Springs.

Many issues on 'visitors' were raised, and the Committee has been provided with overwhelming evidence that there has to be a move to decentralise a number of social activities as well as Government services.

Areas raised with the Committee comprise:

- Bush concerts (consider alcohol free functions);
- Local football competitions;
- Requirement for a broader talent identification scheme (football);
- Requirement for better community-based sporting facilities;
- Development of wet canteens;
- Local health and medical facilities, ie renal; birthing, post-operative and rehabilitation facilities;
- Alcohol rehabilitation services; and
- Education facilities.

While this list is by no means exhaustive, it does show the diversity of areas that will need to be considered if support is to be given to the groups currently working in and around Alice Springs and who are in their own way addressing the problems created by visitors from remote communities.

Each of the dot points raised above will require in-depth investigation of the feasibility of relocation to the communities.

The Committee noted a statement in the Centralian Advocate dated 9 April 1996 attributed to Mr Russell Naismith, President of the Central Australian Football League (CAFL) in which he advised that the CAFL have a three to four year plan already in place to move a football competition back out to the communities.

The League has submitted a five-year business plan to the Sport and Recreation Department and one of the major drives is the implementation of Australian Rules in the communities.

We are working on a transition period of three to five years. Properly grassed ovals need to be established, which will require a suitable water supply, and an administration established capable of running an Australian Rules competition under its own banner.

We have been in regular contact with the community competition representatives on the transition as well as on crowd behaviour."

The Committee recommends that all appropriate Government authorities re-evaluate any programmes they currently deliver with the view to prioritising a more significant shift to a decentralised approach.

The Committee understands that infrastructure, human resources and budget play an intricate part in any decisions-making process and in fact could inhibit the full delivery of a service at an acceptable level, and it may only be economically practical to offer a limited service as an interim arrangement.

The Committee is aware that for various reasons persons from remote areas are sometimes placed in situations where they lack the funds or physical resources to return to their communities after visiting Alice Springs.

In September 1995, the Committee was briefed by Acting Superintendent McCallum of the Queensland Police, Cairns, who outlined a repatriation scheme they had introduced which ensured that individuals who were released from prison, or through the courts system were provided with an authority to allow them to use public transport to return to their own communities.

Acting Superintendent McCallum advised that without this Government sponsored support there would be individuals who would not have the resources to return home. Since the introduction of this scheme, the Cairns Police have experienced a reduction in the number of individuals who end up wandering the streets of Cairns City.

Acting Superintendent McCallum also spoke of an extension to the Scheme which was aimed at repatriating persons who, for various reasons, after visiting Cairns (ie, medical, personal, etc.) found themselves without funds to return home.

Although the criteria for considering a person acceptable under this scheme had not been finalised at the time of the briefing, the Committee was interested in the overall concept of the two programmes which were aimed at reducing the number of itinerants in and around the city centre.

The impact of itinerants in Alice Springs can be seen as similar to that in Cairns and repatriation was an issue raised a number of times with the Committee during this investigation. The experience in North Queensland has shown that the concept of such a scheme could have a positive impact on reducing the exposure of people from remote communities to the inherent difficulties of remaining in Alice Springs away from their own local community support.

The Committee was advised that the Tangentyere Council provide an emergency repatriation scheme, but the level of this service is restricted by funding. Mention was also made of an ATSIC sponsored scheme that was about to commence with a private operator providing the transportation. This service was intended to be a user-pay service.

Critics of these schemes may well question the danger of them being abused and becoming a 'free ticket home'. Without reasonable guidelines there would be an inherent danger of abuse.

The Committee recommends that Government consider the prospect of introducing a repatriation scheme, where persons from remote communities are released from the penal, courts or health systems. There will need to be a built-in eligibility criteria, where there is unquestionable proof that the person does not or cannot find the resources to return to his/her own outlying community.

Any extension of such a scheme could be considered to be a community responsibility, although the option to argue this point should be left open until thorough examination of the overall concept of the introduction of an initial repatriation scheme has been completed.

While the Committee has been thoroughly briefed on strategies upon which the various groups are embarking it has been impressed with the sincerity and motivation of individuals who are responsible for implementing them.

Unfortunately, there are no guarantees that a level of success, which will meet the expectations of the community, can be achieved. Sheer hard work and dedication can sometimes be thwarted by the adversity of the situation.

The Committee considers that action taken to date by the various organisations is positive and should be permitted to run its course. In accepting this the Committee is also of the opinion that it is now time to take a more assertive stand if the strategies do not work.

There will need to be a requirement for a reasonable timeframe and a monitoring process to measure success, but these issues can be addressed by relevant authorities assisting the community-based organisations.

In making this statement, the Committee will leave open the option for it to review at any time the progress of groups who appeared before it with a further option to provide Government with recommendations considered necessary to address any areas of concern.

Throughout this inquiry, the principal focus of the Committee has been in and around Alice Springs. As a result, there has not been the opportunity to comprehensively canvass the outlying communities and the Committee will, at a later date, be seeking the views of Local Government entities in these various communities. This Committee is of the firm belief that Alice Springs acts as a catchment area for groups of people as far away as Marla in South Australia and Warburton in Western Australia. In making this statement, the Committee intends to approach Local Government authorities throughout these areas as well as those within the Northern Territory as part of the on-going Terms of Reference.

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## Recommendations

The Committee recommends that ----

- 1 Territory Health Services note the potential to identify these hardcore drinkers whether they be non-offending habitual drunks (Sobering-Up Shelter) or offending habitual drunks (Police cells) [see p. 6].
- 2 all appropriate Government authorities re-evaluate any programmes they currently deliver with the view to prioritising a more significant shift to a decentralised approach [see p. 15].
- 3 Government consider the prospect of introducing a repatriation scheme, where persons from remote communities are released from the penal, courts or health systems [see p. 16].

# CHAPTER T --- THE COMMUTEE

## PART A: THE COMMITTEE AND THE PROCESS OF TAKING EVIDENCE

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# PART A: THE COMMITTEE AND THE PROCESS OF TAKING EVIDENCE

# CHAPTER 1 — THE COMMITTEE

#### 1.1 Establishment

The Sessional Committee on Use and Abuse of Alcohol by the Community was established by resolution of the Legislative Assembly on 23 November 1989. This was a result of an initial motion of the Member for Macdonnell (Mr Bell) on 18 October 1989, amended by subsequent motion of the then Minister for Racing and Gaming, the Hon F A Finch.

As a Sessional Committee it ceased to exist with the prorogation of the Sixth Assembly on 17 May 1994, and was subsequently re-established on 27 June 1994.

On Wednesday 29 November 1995, the Leader of the Opposition, Mr B R Ede, MLA, moved that the Sessional Committee on Use and Abuse of Alcohol by the Community inquire into the continuing disruption to community life in Central Australia associated with a high level of public drunkenness during November 1995 and report to the Assembly before 14 May 1996.

## 1.2 Initial Terms of Reference

The Terms of Reference are shown at Appendix 1.

## 1.3 PROFILE OF COMMITTEE MEMBERS

# The Hon F A FINCH, MLA — Chairman

Country Liberal Party Member for Leanyer First elected 1983 Minister for Health Services Minister for Public Employment Minister for Liguor Commission

## Mr PF ADAMSON, MLA

Country Liberal Party Member for Casuarina First elected 1994 Deputy Chairman of Committees Other Committees: Environment, Privileges, Subordinate Legislation and Tabled Papers

## Mr NR BELL, MLA

Australian Labor Party Member for Macdonnell First elected 1981 Opposition Whip Shadow Minister for Health and Community Services, Liquor Commission and Attorney-General Other Committees: Privileges, House, Subordinate I

Other Committees: Privileges, House, Subordinate Legislation and Tabled Papers

## Mrs L M BRAHAM, MLA

Country Liberal Party Member for Braitling First elected 1994 Deputy Chairman of Committees *Other Committee*: Public Accounts

## Mr MJ RIOLI, MLA

Australian Labor Party Member for Arafura First elected 1992 Chairman of Committees *Other Committees*: Publications, Environment

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## 1.4 Functions

As a committee of the Assembly, the Sessional Committee on Use and Abuse of Alcohol by the Community derives its authority from the Commonwealth Northern Territory (Self-Government) Act 1978 and the Legislative Assembly (Powers and Privileges) Act. It was appointed for the duration of the present Assembly, with no fixed time limit on its investigation.

In undertaking its inquiry on behalf of the Assembly, the Committee is empowered to:

- send for persons, papers and records;
- sit in private or public session;
- sit during any adjournment of the Assembly; and
- adjourn from place to place.

It also has leave to:

- report from time to time its proceedings and the evidence taken;
- make any interim recommendations it deems fit;
- publish information pertaining to its activities from time to time; and
- publish from day to day such papers and evidence as may be ordered by it.

The Committee is required, unless otherwise ordered by it, to publish a daily *Hansard* of such proceedings as take place in public; an annual report is to be made to the Assembly of its activities.

#### 1.5 Charter

The Committee's initial Terms of Reference provide for it to inquire into all aspects of alcohol consumption in the Northern Territory, in terms of the Territory's demographic, industrial, ethnic and socio-economic characteristics of the population, with a view to identifying the factors contributing to the higher per capita consumption rate experienced.

Included in this are the issues of accessibility and availability of alcohol, incorporating the number and types of licensed outlets and their location, as well as other regulating influences on a community's ability to access and/or consume alcohol.

Its charter allows it to investigate social and economic consequences of current patterns of consumption, and assess the services which are presently available to deal directly or indirectly with the consequences.

It can make recommendations for appropriate policies and services to prevent or treat alcohol problems in the Northern Territory.

# CHAPTER 2 — THE TAKING OF EVIDENCE

#### 2.1 Role of Committees

The purpose of committees is to undertake those tasks which the Assembly as a whole is not well suited to perform—investigating, hearing witnesses, examining evidence and drawing reasoned conclusions. They provide for greater mobility in investigations and a less formal process in eliciting information from the community.

## 2.2 Process of the Committee

The collection and assessment of information is undertaken in a number ways. The Secretariat is proactive in some areas, identifying and researching specific issues, but importantly ensuring that information on the Committee and its purpose is widely disseminated throughout the community.

From this flows community input in the form of oral or written submissions. This provides the Committee with the information on regional or other specific aspects of its investigation, and the ability to examine the evidence, calling witnesses as required for further briefings or public discussion.

While the Terms of Reference empower the Committee to summons a person to give evidence and be examined, in most cases witnesses appear on a voluntary basis.

## 2.3 Meetings and Hearings

Meetings and hearings are in one of the following formats:

# 2.3.1 • Deliberative Meetings

These are the formal process of the Committee's decision-making, allowing it to discuss and resolve matters of procedure and administration, as well as decide on policies relating to its role.

Deliberative meetings are always held in private and minuted.

## 2.3.2 • Briefings

The Committee may request the attendance of Government or other officials to provide information to it as part of a deliberative meeting.

Such meetings are not open to the public and are usually recorded. Depending on the nature of the information, transcripts may be confidential.

### 2.3.3 • Public Hearings

Public hearings are held to promote the open nature of the Committee's inquiries, allowing members of the community to observe the workings of the Committee and participate as required.

These are open to any member of the public, including media representatives who, unless ordered otherwise by the Committee, may report any public session. The facility does exist for a witness to request that evidence be given *in camera*. The Committee may decide on this, subject to the Assembly's ability to overrule its decision.

Forthcoming public hearings are advertised in the local media and relevant organisations and persons invited to attend and present either oral or written submissions, or both.

Public hearings are recorded and transcripts of proceedings produced by the Hansard Unit.

### 2.3.4 • Public Meetings

These may be in two forms. First, as a public forum to allow for open exchange of information between members of the public and the Committee, these are useful in keeping the public informed of the Committee's activities as well as providing the Committee with an overview of a particular community or issue. These can be recorded, the transcript providing reference material only to the Committee.

The second form is usually utilised as a means of taking evidence in situations where formal recording would be technically impractical or not conducive to information being provided to the Committee. In such cases a written record of the meeting is taken, with minutes produced for confirmation by the participants and the Committee.

## 2.4 Written Submissions

Written submissions may be presented for the Committee's consideration at any stage or as a prelude to an oral submission. The Committee may decide to invite persons who have submitted written material to appear before it to provide further information or clarify points made.

## 2.5 Sub-Committee of the Committee

To facilitate the broadest possible consultation with communities throughout the Northern Territory, the Committee resolved that for the purpose of conducting hearings and taking oral submissions, any three members of the Committee would constitute a sub-Committee.

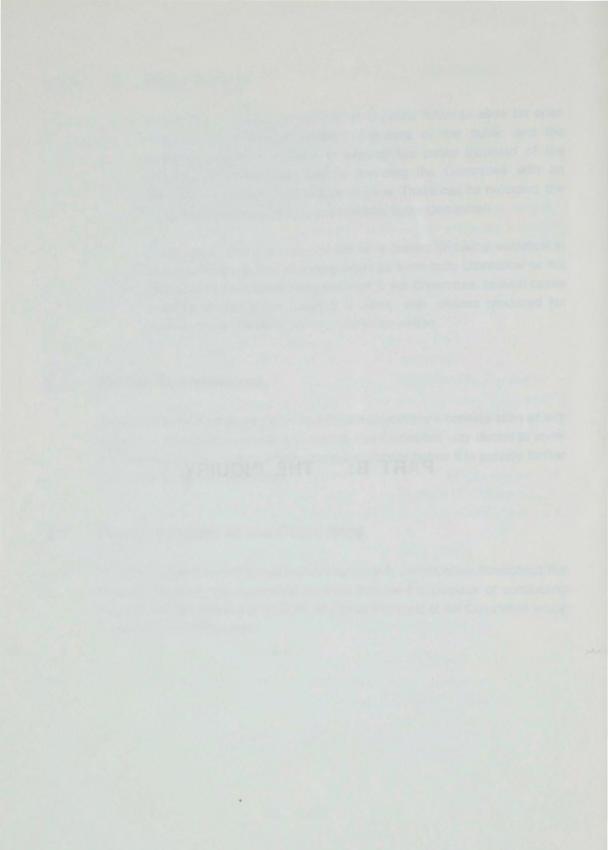
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#### PART B: THE INQUIRY

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# CHAPTER 3 — REFERENCE

#### 3.1 Motion

On Wednesday 29 November 1995, the Leader of the Opposition, Mr B R Ede, MLA, initiated a motion which was subsequently amended by the Minister for Health Services, the Hon F A Finch, MLA.

The final motion moved that ---

- (1) this Assembly refers to the Sessional Committee on Use and Abuse of Alcohol by the Community, for its inquiry and report, the continuing disruption to community life in Central Australia associated with a high level of public drunkenness, in particular:
  - investigate the patterns of visitation, consumption of alcohol by non Alice Springs residents and the reasons that underlie those patterns, eg reported drunkard behaviour from 24-27 November 1995;
  - (b) investigate and examine community initiatives to ameliorate the effects of anti-social behaviour associated with alcohol abuse by visitors to town;
  - (c) examine the impact of dry areas on urban communities; and
- (2) the Committee report to the Assembly before 14 May 1996.

On a motion by the Chairman, an extension of time was granted to the Committee to table the report during the sittings commencing 14 May 1996.

# CHAPTER 4 — ACTIVITIES OF THE COMMITTEE

#### 4.1 Advertising

As a first step, notices were placed in the Centralian Advocate notifying the public of the inquiry.

#### 4.2 Written Submissions

Thirteen written submissions have been received as a result of the invitation by the Committee through the media.

A complete list of submissions appears at Appendix 2.

#### 4.3 Briefings

The Committee commenced its inquiry by inviting interested parties to give evidence at a briefing in Alice Springs on 3-4 April 1996. In order to complete its inquiry, the Committee was briefed by the Chairman of the Northern Liquor Commission on 15 May 1996.

# APPENDICES

CHAPTER A -- ACTO THE COMMUTIEE

## **INITIAL TERMS OF REFERENCE**

WITIAL TERMS OF REFERENCE

# INITIAL TERMS OF REFERENCE

as contained in the resolution of the Legislative Assembly on 4 December 1990

#### That-

- A Committee to be known as the Sessional Committee on Use and Abuse of Alcohol by the Community be appointed.
- 2. The Committee be empowered, unless otherwise ordered, to inquire into and from time to time report on:
  - (a) current trends in alcohol consumption in the Northern Territory and, as far as possible, differences in consumption patterns based on regions, age, sex, other demographic characteristics and ethnic factors;
  - (b) the social and economic consequences of current patterns of alcohol consumption with special reference to the well-being of individuals and communities and to the demands placed upon Government and nongovernment services;
  - (c) the services currently available within the Northern Territory by both Government and non-government agencies to deal with issues directly or indirectly related to alcohol consumption;
  - (d) factors which directly affect the level and nature of alcohol consumption in the Northern Territory community or parts of that community, including, without limiting the generality of the foregoing:
    - the accessibility/availability of alcohol within communities including the number of outlets, nature of licences and proximity of geographic location;
    - (ii) the demographic, ethnic and industry structure of the Northern Territory; and
    - (iii) the correlation between socio-economic conditions and alcohol consumption; and

- (e) appropriate policies and services for the prevention and treatment of alcohol problems in the Northern Territory.
- 3. The Committee be empowered to send for persons, papers and records, to sit in public or in private session notwithstanding any adjournment of the Assembly, to adjourn from place to place and have leave to report from time to time its proceedings and the evidence taken and make such interim recommendations as it may deem fit, and to publish information pertaining to its activities from time to time: the Committee shall make an annual report to the Assembly of its activities.
- 4. The Committee be empowered to publish from day to day such papers and evidence as may be ordered by it, and, unless otherwise ordered by the Committee, a daily *Hansard* be published of such proceedings as take place in public.
- The Committee be empowered to consider, disclose and publish the Minutes of Proceedings, evidence taken and records of the Committee on the use and abuse of alcohol in the previous Assembly.
- 6. The foregoing provisions of the Resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

WHILLER SUBLISSIONS

APPENDIX 2

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Submission No.	Date Received	From	
156	27.3.96	Alice Springs Sobering-up Shelter (DASA)	
157	28.2.96	Northern Territory Police	
158	26.3.96	Alice Springs Social Issues Working Group	
159	3.4.96	Public Health Association of Australia	
160	3.4.96	Alice Springs Sobering-up Shelter (DASA)	
161	3.4.96	Alice Springs Social Issues Working Group	
162	3.4.96	Tangentyere Council Inc.	
163	3.4.96	Alice Springs Town Council	
164	3.4.96	Northern Territory Liquor Commission	
165	24.4.96	Northern Territory Police	
167	15.5.96	Northern Territory Liquor Commission	
167	15.5.96	Northern Territory Liquor Commission	
168	15.5.96	Northern Territory Liquor Commission	

# ORAL EVIDENCE

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## ORAL EVIDENCE

#### Date/Place

3 April 1996 Alice Springs

#### Witnesses

LIQUOR LICENSEES ASSOCIATION — Mr G Curnow, President NT HOTELS AND HOSPITALITY ASSOCIATION — Mr D Koch, Representative

#### ALICE SPRINGS SOBERING-UP SHELTER (DASA) — Mr J Spink, Manager

TYEWERETYE CLUBS INC. — Mr B Ferguson, Manager

#### ALICE SPRINGS TOWN COUNCIL

- Mr A McNeill, Mayor
- Mr A McGill, Town Clerk
- Mr P Carr, Director Statutory Service

ALICE SPRINGS PEOPLE'S ACTION GROUP — Mr J Tubbenhauer, Convenor — Ms E Williams, A/Co-ordinator

#### ALICE SPRINGS SOCIAL ISSUES WORKING GROUP — Mr K Lechleitner, Aboriginal Liaison Officer

#### Date/Place

3 April 1996 Alice Springs

#### Witnesses

TANGENTYERE COUNCIL INC. — Mr G Shaw, OAM, General Manager — Mr M Bowden, Manager, Community Services TANGENTYERE NIGHT PATROL — Ms R Forrester, Co-ordinator

#### 

— Ms N Kantjujuni

4 April 1996 Alice Springs

15 May 1996 Darwin NORTHERN TERRITORY POLICE — Mr G Charlwood, Assistant Commissioner

NORTHERN TERRITORY LIQUOR COMMISSION — Mr J V Maley, Chairman



Inquiry into Public Drunkeness in Central Australia – November 1995