



PO Box 175,  
CEDUNA SA 5690  
Telephone 08 8625 3407  
Facsimile 08 8625 3435  
Email [council@ceduna.sa.gov.au](mailto:council@ceduna.sa.gov.au)  
[www.ceduna.net](http://www.ceduna.net)

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2 April 2014

Mr Peter Banson  
Secretary  
Standing Committee on Indigenous Affairs  
PO Box 6021  
**CANBERRA ACT 2600**

Dear Peter

### **Submission to Committee Inquiry**

Council is in receipt of your email of 3 March 2014 inviting Council to make a submission to the House of Representatives Standing Committee on Indigenous Affairs inquiry into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities.

Please find attached a submission from the District Council of Ceduna providing views on a number of the Committee's Terms of Reference, for the Committee's consideration.

If you wish to discuss this matter further please do not hesitate to contact me at your convenience on (08) 8625 3407.

Yours sincerely

G.M. (Geoffrey) Moffatt  
**CHIEF EXECUTIVE OFFICER**

(Encl)

## **House of Representatives Standing Committee on Indigenous Affairs.**

### **Inquiry into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities**

#### **Submission by the District Council of Ceduna, April 2014.**

This submission provides an outline of issues relating to indigenous people suffering from the misuse of alcohol in Ceduna, South Australia, including drinking to excess, sleeping rough, domestic and public violence and harmful public behaviour, and the resultant impact on the wider community.

#### **Background and History of Alcohol Misuse and Impacts in Ceduna**

The District Council of Ceduna is the most Western Local Government area of South Australia, and is one of the most isolated and remote Councils in the State. The town of Ceduna is located on the Far West Coast of South Australia, 780 km by road from Adelaide and 1,900 km from Perth, and has a population of 3,480 people (ABS 2011).

The District Council of Ceduna has been attempting for many decades to address a significant range of issues within the community arising from the misuse of alcohol, mainly by indigenous people who do not normally reside in the Ceduna area and do not have permanent or long term accommodation in Ceduna.

While Ceduna is a regional service centre for a range of health, social and business services for people residing in outlying communities including Yalata, Oak Valley and Koonibba, it has also become a destination for indigenous people from these and other communities further North including the Anangu Pitjantjarra Lands, to obtain alcohol. The possession, consumption, sale or supply of alcohol is prohibited at the Yalata and Oak Valley Communities.

Historically, Ceduna has offered a readily available supply of alcohol, particularly low cost bulk wine and fortified wines, typically consumed in volumes which are harmful to an individual's health and gives rise to sleeping rough, domestic and public violence and harmful public and antisocial behaviour.

The Ceduna Community has been trying to address the problems of indigenous people sleeping rough for the purpose of obtaining and consuming alcohol for many decades.

In an attempt to address the range of problems experienced by both the individuals misusing alcohol and the community at large, the Ceduna Community have implemented the following initiatives over a number of years, some of which were Australian firsts -

1. A Social Services Committee involving a range of health and social service providers (now discontinued)
2. Dry zones encompassing the towns of Ceduna and Thevenard first implemented in 1988.
3. Development of the Transitional Accommodation Facility 2004 to provide safe short term accommodation for transient visitors.

4. Various voluntary Alcohol accords and liquor license restrictions at licensed premises.
5. Introduced Community Safety and Security Patrols in early 2008.
6. Development of the Ceduna Alcohol Management Plan in 2011.
7. Introduced the Yalata Bus service to provide safe transport between Yalata and Ceduna.
8. Introduced Closed Circuit Television monitoring and recording system in and around the Ceduna CBD.
9. Operated the Ceduna Youth Centre (now discontinued).
10. Conducted a Youth Audit Study and Report.
11. Implemented Sport and Recreation programs.
12. Introduced the ID-Tect System to manage alcohol sale restrictions and licensed venue barring orders.
13. Consistently promoted and participated in processes to improve the health and wellbeing of individuals misusing alcohol and the impacts on the balance of the Community.

The deaths of 6 indigenous people associated with alcohol misuse and sleeping rough was the subject of a Coronial Inquest by Deputy State Coroner Schapel in 2011, resulting in a series of recommendations directed to the South Australian Minister of Health, the South Australian Minister for Aboriginal Affairs and Reconciliation, the Federal Minister for Health and Aging and the Federal Minister for Indigenous Health, in addition to a range of State and Federal Government agencies and organisations.

The first of the recommendations was –

“that the Commonwealth, State and relevant local Governments recognise that chronic ill health and alcohol abuse poses a serious threat to the wellbeing and functionality of traditional Aboriginal communities and that it poses specific threats to the health and longevity of the individual members of those communities”

The Inquest Report contains a further 6 sets of recommendations which the District Council of Ceduna strongly supports.

*(A copy of State Deputy Coroner Schapel's Inquest Report is attached for the Committee's information and reference).*

As a result of the report, the Federal Government has implemented some strategies and provided funding to facilitate some of the recommendations. This includes expanding the capacity of the Sobering Up Unit (SUU) to 21 beds, available 7 days a week and a Drug and Alcohol Day Centre to provide diversionary opportunities and activities for people suffering from alcohol misuse.

A further “Breaking the Cycle” report and strategy has been prepared in early 2013 by the Ceduna Aboriginal Corporation in collaboration with a wide range of stakeholders, and implementation of the strategy has commenced with funding from the Department of Social Services.

## **Current Situation**

Despite the initiatives implemented to date, the current situation in Ceduna is considered by many in the community as the worst it has ever been, with increased numbers of people gathering in the Ceduna area predominately in order to purchase and drink alcohol, evidenced by an escalation of personal harm, violence and disruptive behaviour in and around the town.

The following data pertaining to occupancy of the Sobering Up Unit (SUU) demonstrates the level of alcohol misuse by individuals during the month of March 2013 :

- The unit has 21 beds giving a maximum potential of 651 bed nights for the month.
- A total of 584 bed nights were used for the month equating to 89.7% occupancy.
- Breath alcohol readings were registered as 0.40, which is as high as the machine measures, while many readings were in the 0.30 to 0.40 range.
- Place of Origin or residence data collected confirmed that many of the drinkers come from the nearby Yalata community.

This data provides an alarming snapshot of a tragic situation which is ongoing within the Ceduna area, and the predictable tragic loss of life and reduced life expectancy of Aboriginal people is a grave concern to the communities of Ceduna and the outlying areas.

The Ceduna community also suffers considerably by consequential damage to the local tourism industry. The Ceduna Business and Tourism Association has estimated that this costs us approximately \$1.5 million per annum in lost business.

Tourists and visitors are alarmed by the violence and disruptive behaviour in and around the town of severely intoxicated people and frequently choose not to stay in Ceduna.

As an example, the Ceduna Mayor witnessed two cars of visitors being unintentionally caught up on the fringe of a violent drunken incident at a Ceduna Service Station, who left town without even filling up with fuel. The Mayor overheard one of the drivers say "I do not know whether I have enough fuel to get to the next town, but let's get out of this hell hole."

The Community of Ceduna suffers the costs associated with trying to manage the various issues associated with people misusing alcohol, including litter, anti-social behaviour and trying to reduce the harm done to the economic fabric of our town. The estimated cost of this is approximately \$400,000 per annum in direct expenditure by the District Council of Ceduna, which is not supported by any Government funding other than a small adjustment to Council's untied Annual Local Government Grants Commission Grant. The balance is met by ratepayers.

The Ceduna Community Safety and Security Patrol costs Council more than \$250,000 per annum. Council has not received any assistance from the State or Federal Government for this initiative despite numerous requests. This service has saved many Aboriginal lives through intervention to obtain emergency medical help and by removing intoxicated people from roadways, including the Eyre Highway. The patrol officers frequently stop traffic to avoid imminent fatalities.

Despite the many services provided by Council through the Community Safety and Security Patrol contractors to support and protect Aboriginal people from harm, Council receives little acknowledgement for this help and are frequently criticised for this initiative.

Council recently played a major role in introducing the ID-Tect System, assisted by funding from the (then) Federal Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA) on behalf of the Australian Government.

This system, installed at all establishments licensed to sell liquor for consumption off premises in Ceduna, Thevenard and Smoky Bay facilitates compliance with the liquor sale restrictions currently in operation in Ceduna and Thevenard under a voluntary Liquor Licensing Accord between the Office of the Liquor and Gambling Commissioner, Licensees and the District Council of Ceduna.

Under the Accord provisions, licensees are required to restrict the sale of all cask wine (including fortified wine) for consumption off licensed premises, to one cask of not more than two (2) litres capacity, per person, per day.

The ID-Tect system requires all persons purchasing take-away alcohol to produce an approved form of Photographic Identification, which is scanned by the system and identifies if the person has already purchased a 2 litre cask of wine on that day, either at that premise or at any of the other licensed premises. If the person has already purchase a 2 litre cask on that day, the licensee is prohibited from further sales of cask wine until the following day, thus reducing the volume of wine available for consumption by that individual.

The ID-Tect system also enables the licensee to enforce Licensee Barring Orders and Police Barring Orders applying to individual persons. The most common Barring Orders issued in Ceduna are generally referred to as a 'Welfare' Barring Order.

Welfare Barring Orders are issued by the licensee, or more commonly by the South Australian Police, on the grounds that the welfare of the person, or the welfare of a person residing with the person, is seriously at risk as a result of the consumption of alcohol by the person. (Section 125(1)(aa) and 125B(1)(e) of the Liquor Licensing Act 1997).

There were recently 90 individuals in Ceduna subject to Welfare Barring Orders.

The initial results of the ID-Tect initiative were outstanding, evidenced by a 50% reduction in assaults, a 60% reduction in police calls to attend disturbances at the Ceduna Transitional Accommodation Facility and an 80% reduction in ambulance calls.

The effectiveness of the system has now unfortunately been reduced as individuals have found ways to circumvent the alcohol sale restrictions, mainly by getting other people to make purchases on their behalf, enabling them to purchase (and consume) volumes of alcohol in excess of the intended daily personal limitations. Despite this compliance avoidance, the ID-Tect initiative is largely effective and should be maintained. The Liquor Licensing Accord members continue to try to identify ways to overcome the avoidance of the alcohol sale restrictions by individuals.

The practice by individuals of getting other people to make purchases on their behalf has now become a common practice and is significantly eroding the effectiveness of the alcohol sale restrictions and other initiatives implemented to reduce the misuse of alcohol in the Ceduna Community.

By way of example, in one recent case a local person was given \$100 to purchase a carton of beer (worth around \$40) and told to have the change as a 'reward'. This of course is unlawful but almost impossible to prove. In some cases no 'profit' is involved, or other individuals (including tourists) are harassed to buy the alcohol on their behalf.

Mayor Suter recently asked an indigenous person known to him (who regularly misuses alcohol), "how much of your pay (benefits) do you spend on grog?" The answer was words to the effect of "all of it, because I do not pay for accommodation or food as this is provided to me by the Transitional Accommodation Facility, the Day Centre and the Sobering Up Unit".

While the basic support services provided by the Transitional Accommodation Facility, the Day Centre and the Sobering Up Unit are essential, and the amount provided to individuals through centre-link benefits is not enormous, individuals effectively have a much greater level of 'disposable' income to enable them to purchase unhealthy volumes of alcohol.

The net effect is that while people who suffer from misuse of alcohol in the Ceduna Community have disposable income available for the purchase of alcohol, they will find ways to circumvent initiatives implemented to reduce the availability of damaging levels of alcohol, and the subsequent harm to both the individuals, their families and the community will continue.

### **Income Management as a means to reduce the harm**

The District Council of Ceduna has concluded that the implementation of a system of mandatory Income Management for recipients of Centrelink Welfare Payments, in situations where the welfare of that person or their dependants is seriously at risk as a result of the consumption of alcohol, must be fundamental intervention strategy.

Council believes that the issuing of a 'Welfare' Barring Order or the provision of repeated Sobering Up Services to an individual would be a reasonably conclusive indicator that the welfare of that person, or their dependants, are seriously at risk as a result of the consumption of alcohol.

The application of mandatory Income Management to individuals in these circumstances would ensure that only a limited component of income is available to those individuals for the purchase of alcohol, irrespective of community wide restrictions on alcohol sales, or creative ways to overcome the avoidance of the alcohol sale restrictions by individuals.

Voluntary Income Management should also be made available for individuals who, on their own assessment, believe that they would benefit from assistance of this form, for whatever potentially harmful reason or cause.

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District Council of Ceduna, April 2014.

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This would help to reduce the potential stigma associated with Income Management and the automatic association with the misuse of alcohol.

After decades of active involvement in trying to address the personal harm, early deaths, violence and antisocial behaviour in Ceduna resulting from the misuse of alcohol, Council believes that the mandatory application of Income Management for individuals at risk from the consumption of alcohol would be the most effective and probably the only remaining intervention available to manage the misuse of alcohol in Ceduna.

The District Council of Ceduna makes this submission to the Standing Committee on Indigenous Affairs and respectfully seeks the Committee's support for the implementation of targeted mandatory and voluntary Income Management in Ceduna for people who are seriously at risk as a result of the misuse of alcohol.