



26 September 2019

Committee Secretary
Senate Legal and Constitutional Affairs Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

By email to: legcon.sen@aph.gov.au

Dear Committee Secretary

Re: Inquiry into the Social Services Legislation Amendment (Drug Testing Trial) Bill 2019

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) welcomes the opportunity to contribute to the Senate Legal and Constitutional Affairs Legislation Committee's Inquiry into the Social Services Legislation Amendment (Drug Testing Trial) Bill 2019 (the Inquiry).

The RANZCP is the principal organisation representing the medical speciality of psychiatry in Australia and New Zealand and is responsible for training, educating and representing psychiatrists on policy issues. The College has more than 6500 members, including more than 4900 qualified psychiatrists and over 1500 associate (trainee) members. The RANZCP is guided on policy matters by a range of expert committees, such as the Faculty of Addiction Psychiatry, which are well-placed to provide advice in relation to the drug testing trial proposal that is put forth in the Social Services Legislation Amendment (Drug Testing Trial) Bill 2019 (the Bill).

The RANZCP has continuously been active in policy discussions surrounding this issue. In August 2017, the RANZCP provided a [submission](#) to the previous Inquiry into the Social Services Legislation Amendment (Welfare Reform) Bill 2017. The RANZCP made another [submission](#) in April 2018 with respect to the Inquiry into the Social Services Legislation Amendment (Drug Testing Trial) Bill 2018. Both bills proposed a drug testing trial in almost identical terms to the current Bill. The concerns that the RANZCP addressed in its 2017 and 2018 submissions hold true in the context of the current Bill. Also relevant is the RANZCP's recent [submission](#) to the Inquiry into the adequacy of Newstart and related payments, which sets out the RANZCP's concerns about the vulnerability of welfare payment recipients and the link between mental illness, welfare payments and unemployment more generally.

The explanatory memorandum to the Bill sets out that 'the aim of the [drug testing trial] is to improve a recipient's capacity to find employment or participate in education and training by identifying people with drug use issues and assisting them to undertake treatment'. While the RANZCP strongly supports people receiving treatment and accessing support services to address drug addiction issues, the RANZCP does not consider that drug testing welfare recipients is an appropriate way to support people experiencing addiction or substance use issues. As such, the RANZCP does not support the drug testing trial regime established by Schedule 1 of the Bill and has consistently voiced this opposition in its previous submissions in 2017 and 2018.



The RANZCP considers that the proposed drug testing program lacks an evidential basis. Firstly, there is no conclusive evidence that mandatory drug testing of welfare recipients delivers any benefits such as deterring recipients from drug use, increasing levels of employment or reducing welfare spending [1]. In fact, drug testing and the cancellation of welfare payments on the basis of a positive drug test result may have negative effects for both recipients and society more broadly, including 'increased poverty, crime, and homelessness, and...high health and social costs' [1]. Secondly, the notion that illicit drug use is higher amongst the unemployed population and that this results in lowered employment capacities is unfounded [1]. Thirdly, the proposed program conceived of substance use disorders and addiction through a 'choice' lens, which does not take into the medical reality of addiction and the nature of drug dependence [1]. Fourthly, punitive or coercive addiction treatment methods, such the proposed program, are less successful in meeting treatment goals than rewards [1]. The RANZCP therefore believes that the proposed program is ill-founded and lacks evidence and on that basis should not proceed in the event that it causes further harm to an already vulnerable population of Australians.

In addition to a lack of evidence backing the program, the RANZCP believes that the program will not assist in the genuine diagnosis and treatment of those with addiction and substance use issues. We emphasise that mandatory drug testing of Newstart and Youth Allowance recipients will not identify or diagnose addiction issues, or other health issues including mental illness, which may be contributing to drug use. It also does not illuminate other medical or socio-economic issues which may bear upon the person's substance use behaviours. The RANZCP encourages the Australian Government to invest the substantial funds allocated to this program, which are estimated to be \$5.6 million and between \$500 and \$900 per person per test [2], into addiction treatment services, as current addiction services cannot address the high demand [3]. By increasing access to such services, those experiencing substance use disorders would have an increased ability to seek and receive treatment, recover and return to employment. Adding additional conditions to the access of welfare payments may increase stress for those with a mental illness, exacerbate their condition and require further treatment [4], which may keep them out of employment longer and may therefore be counterproductive to the program's objectives.

The RANZCP is also concerned about the effect that this proposed program would have on the mental health of welfare recipients and their families generally. Unemployment alone is associated with poorer mental health and psychological well-being and an increased risk of depression, anxiety and suicide [5] and mental illness and substance abuse often co-occur [6]. In addition, requiring recipients to undergo drug testing may result in humiliation or belittlement of the recipient [1]. This program will likely exacerbate the stigma associated with both substance use and receiving welfare payments, possibly causing recipients further humiliation and distress. Undertaking drug testing imposes a further condition on recipients, and may make it more difficult for recipients to manage everyday demands, particularly those who may be mentally ill or be caring for a mentally ill child. The RANZCP urges the Australian Government to consider the social and health impacts of this proposed program on an already vulnerable population, particularly where this trial, unlike other trials has not been through an ethics approval or similar process [7].



The RANZCP would be very willing to provide further information to the Inquiry as it moves forward. Please contact Ms Rosie Forster, Executive Manager, Practice, Policy and Partnerships Department via [REDACTED] or by phone on [REDACTED] should you have any queries or wish to request further information.

Yours sincerely

/Associate Professor John Allan
President

Ref: 1544

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