

**OFFICE OF THE
INTERIM ADMINISTRATOR**
City of Logan

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24 September 2019

Senate Community Affairs Legislation Committee
Parliament House
PO Box 6100
CANBERRA ACT 2600

Dear Sir/Madam

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (DRUG TESTING TRIAL) BILL 2019

Thank you for the opportunity to provide comment on the *Social Services Legislation Amendment (Drug Testing Trial) Bill 2019* (the bill).

Introduction

The City of Logan is one of the three sites proposed for the two-year trial involving mandatory drug testing for new recipients of Newstart Allowance and Youth Allowance. Logan City Council continues to hold the position that the City of Logan be suspended as a trial site.

Since the trial was first proposed for Logan in 2017, Council and the Logan: City of Choice Leadership Team, a group of community thought leaders that includes representatives of all three levels of government as well as non-government and community sector, have been working with the local drug and alcohol support services sector, to understand the challenges people with addiction issues face in our community, and the impact this trial would potentially have on them.

Many experts believe the proposed trial as it currently stands is unlikely to deliver the desired outcomes, and would instead result in negative unintended outcomes including:

- increased crime and mental health problems
- financial hardship
- stigma and marginalisation.

Critically, the sector has overwhelmingly expressed concerns about the lack of resources, long wait lists and the extremely high level of unmet demand for treatment services Australia-wide, including in the City of Logan. These shortages are compounded by the fragmentation of the sector. There is also a recognised need within the sector to reduce discrimination against people with addiction challenges. The *Drug Testing Trial Bill*, if passed, will have the opposite effect.

In June 2018, Council and the Logan: City of Choice Leadership Team developed a position paper in consultation with local sector experts, which was sent to the then Minister for Social Services, the Hon. Dan Tehan MP. This position, further advocated during meetings with Minister Tehan in the same month, was underpinned by a number of proposed improvements to the trial model (at that time proposed under the *Social Services Legislation Amendment (Drug Testing Trial) Bill 2018*).

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Council notes the new bill (2019) further articulates the types of drugs to be tested and now includes cocaine and heroin, and that the provision that recipients repay the cost of positive drug tests has been removed (unless a re-test is requested by the recipient). However, the significant changes previously proposed to the government are not reflected in the new bill. These again are outlined below, and continue to reflect Council's position, should the trial proceed.

Availability of treatment services

The Federal Government has again indicated there will be a \$10m dedicated treatment fund to support jobseekers in the drug-testing trial across all three locations.

The bill (2019) itself acknowledges issues with the availability of treatment services, and that this fund may not overcome shortfalls:

Where treatment is not immediately available, recipients will be required to take appropriate action such as being on a wait list to satisfy part of their mutual obligation requirements.

This means a number of jobseekers who have returned a second positive test and are on income management could spend extended periods of time on waiting lists, and not receive the treatment they need - which contravenes the intent of the bill.

Health experts have also indicated an extra \$1.2 billion nationwide annual funding is needed to help the 200,000 Australians with addictions.

Before implementing any drug testing trial, Council requests the Federal Government address the existing shortfall in Logan for services including:

- number of treatment places (service provision)
- withdrawal management services (residential and non-residential support)
- treatment responses tailored to individual need, including youth specific
- counselling and support workers
- broader programs offering integrated, holistic support.

Council requests consideration also be given to investing funds in the following:

- increased case management capacity to enable holistic treatment plans that take into account challenges including homelessness, domestic and family violence, mental illness and financial management
- upskilling professionals across the social services sector, including non-government and government (particularly Centrelink staff) to ensure they are equipped to provide clear information about:
 - the drug trial and options if selected for random test
 - potential ramifications of returning a positive test
 - the nature of informed consent.
- enhanced skilling and resourcing of GPs and other practitioners in understanding appropriate referral pathways at grassroots level for problematic drug use.

Improving the trial delivery model

As mentioned above, Council's position is for Logan to be suspended as a trial site. However, should the trial go ahead, Council calls on the Federal Government to ensure it is as effective as possible. Based on expert advice, Council and the Logan: City of Choice Leadership Team believe the delivery model for the pilot would better achieve the trial outcome aims by:

- allowing for voluntary participation and support options
- bringing forward intervention and treatment support if the recipient fails the first drug test
- incorporating a holistic approach to help people overcome barriers to employment (including support around domestic and family violence, mental health issues and homelessness, financial management etc.)
- providing incentives for welfare recipients to complete treatment programs
- providing incentives to stay on treatment plan and cease problematic drug use.

	Current	Proposed
Prior to first test/those not tested	The proposal is silent on the capacity for voluntary participants to access new treatment services.	Voluntary participants allowed to access new treatment and support services without having to undergo drug testing or income management.
First test	<p>Fail test:</p> <ul style="list-style-type: none"> • Go on income management • No assessment, counselling or treatment. <p>No support services offered.</p>	<p>Fail test:</p> <ul style="list-style-type: none"> • Go on income management. • Assessment by medical professional to determine if treatment is required. • One-on-one counselling to identify other necessary support including: <ul style="list-style-type: none"> ○ financial management ○ housing ○ employment/training ○ domestic and family violence intervention. <p>Provide opportunity for the client to voluntarily bring together any other agencies they are involved with, to provide a holistic approach to helping them move beyond problematic drug use and into employment.</p>
Second test (25 days later)	<p>Fail test:</p> <ul style="list-style-type: none"> • Referred to a contracted medical professional for assessment. • If required, must undertake treatment activities 	<p>Fail 25 day test:</p> <ul style="list-style-type: none"> • Continue with the above treatment and support plan. • The client is tested again at completion of treatment. • If they pass that test, they are released from income management. <p>Pass 25 day test:</p> <ul style="list-style-type: none"> • Release from income management • Undergo re-test within three months to check progress.

Method of testing

Based on expert opinion, Council requests the trial use saliva testing (rather than hair follicle or urine sample). This method is more likely to detect a current and immediate influence of drugs, which would be an indicator that person's drug use is hindering their employment opportunities.

Evaluation

Effective evaluation of the model will be critical in determining if it should be expanded beyond the trial period. While the new bill (2019) indicates there will be a comprehensive evaluation of the trial to determine which aspects have been successful, there has been no detail around the methodology to date.

Council requests the following measures be among those included in the evaluation framework:

- success rate in welfare recipients moving into sustainable employment
- success rate in stopping individual's problematic drug use
- success rate in achieving outcomes for the recipient's children and other family members
- feedback from case management/support providers on wider impacts of income management
- impact on those who refuse drug test and/or drop out of the welfare system (via support services providing emergency accommodation, food relief etc.)
- impacts on levels of crime and homelessness.

Based on expert opinion, Council also believes it would be beneficial for evaluation purposes if recipients are able to voluntarily enter into treatment and income management, to provide a comparison in terms of outcomes.

Senate Community Affairs Legislation Committee (45th Parliament) recommendations

Following the 2018 inquiry into the *Social Services Legislation Amendment (Drug Testing Trial) Bill 2018*, the Senate Community Affairs Legislation Committee (45th Parliament), recommended the following:

- that the Department of Social Services establish and publish the evaluation strategy of the drug testing trial prior to the commencement of the trial
- that the Department of Social Services publish the outcomes of the drug testing trial after it has been completed.

Council requests these recommendations be implemented, should the trial proceed.

In summary

Council supports accountability in the allocation and use of public funds. These issues are complex and combating drug addiction requires a continuing collaborative approach across all levels of government, medical practitioners, other organisations in this sector and the community.

On this basis, Council's position remains that the City of Logan be suspended as a trial site.

Should the Federal Government proceed with the trial, Council requests the government:

- deliver a model that provides a more holistic approach to supporting people with drug addiction issues (see recommendations on page 2 of this submission)

- publish the evaluation strategy of the drug testing trial prior to the commencement of the trial, as per the Senate Community Affairs Legislation Committee recommendation, and consider the evaluation measures proposed in this submission (see page 3)
- address existing shortfalls in drug addiction services in the City of Logan (see above on this page)
- consider the recommendations (on this page, above) regarding investment of the \$10m dedicated treatment fund.

Thank you again for the opportunity to make this submission.

Yours sincerely,

Tamara O'Shea
Interim Administrator, City of Logan