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Senate Community Affairs Legislation Committee
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Dear Sir/Madam

INQUIRY INTO THE SOCIAL SERVICES LEGISLATION AMENDMENT (DRUG TESTING TRIAL) BILL 2018

Thank you for the opportunity to provide comment on the *Social Services Legislation Amendment (Drug Testing Trial) Bill 2018* (the Bill).

The Bill provides for a two year trial involving mandatory drug testing for 5,000 new recipients of Newstart Allowance and Youth Allowance in three locations: Canterbury-Bankstown (NSW), Mandurah (WA) and Logan (QLD). The Department of Social Services has stated that the locations were chosen by taking into account the available data, as well as for their varying profiles. These locations are noted to not necessarily be the locations with the highest number of welfare recipients or incidence of drug use.

The stated aim of the 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'.

Proposed drug testing trial locations



Background

The drug testing trial was initially proposed as part of the *Social Services Legislation Amendment (Welfare Reform) Bill 2017*. The Federal Government also committed to providing \$10 million as part of a dedicated treatment fund.

As part of the *Social Services Legislation Amendment (Welfare Reform) Bill 2017*, strong concerns by the medical community and experts working in the sector were raised during the Senate hearings (Community Affairs Legislation Committee). Many addiction medicine experts stated the proposed trials as crafted were unlikely to have the impact being sought and would instead result in negative unintended outcomes rather than behavioural change. Likely unintended outcomes included increased crime, mental health problems, financial hardship, stigma, marginalisation and a shift to more harmful substances which cannot be detected. It was also raised that there is no evidence that punitive measures are successful in combating addiction, which is a complex mental health disorder. Another key concern raised was the lack of resources, long waiting lists and the extremely high level of unmet demand for treatment services Australia-wide.

In September 2017, a letter from the Logan City of Choice Leadership Team was sent to the Hon Malcolm Turnbull MP, urging the suspension of Logan as a trial site, pending thorough consultation and engagement. Logan City Council also met with Ministers, Senators and Independents in Canberra to raise concerns regarding the trial, particularly as there was no local consultation prior to the announcement. In December 2017 it was announced that the drug testing trial component of the *Social Services Legislation Amendment (Welfare Reform) Bill 2017* had been removed due to lack of Senate support.

In February 2018 the newly appointed Minister for Social Services Hon Dan Tehan MP re-introduced drug testing plans in the new *Social Services Legislation Amendment (Drug Testing Trial) Bill 2018*. The Bill has now been referred to the Community Affairs Legislation Committee for inquiry and report by 7 May 2018.

Availability of Treatment Services

The Federal Government has committed \$10 million for treatment support services in the drug testing trial locations. It is noted that how this funding amount was determined, how it is proposed to be spent and how it is to be distributed between the trial sites is unknown.

During the previous inquiry, the medical community has raised concerns that there already is a high level of unmet demand for services, resulting in people unable to undertake treatment, or are placed on long waiting lists.

Professor Alison Ritter, Director of the Drug Policy Modelling Program (DPMP) at the National Drug and Alcohol Research Centre (NDARC) at the University of New South Wales, stated that 'we're currently meeting about 50% of the demand... so we would need to double the treatment places in order to meet the current demand'. Professor Ritter also told the committee that she had requested the government to release detailed data showing the extent of unmet demand in each state and territory, however the data has not been released.

"Every year across Australia, between 200,000 and 500,000 people are unable to access the drug and alcohol treatment that they want and need. Meeting the current level of demand would require doubling treatment places in the alcohol and other drug sector."

Statement by the Alcohol and Other Drugs Peak Network, January 2017.

The Mid-Year Economic and Fiscal Outlook 2017-18 (MYEFO) included the \$10 million commitment for treatment support services for drug testing trial locations, subject to the passage of legislation. In January 2018, Council made a submission ahead of the 2018-19 Federal Budget, requesting the Federal Government, in consultation with local communities and medical professionals, considers providing the funding for the proposed additional services in areas identified as high-need, irrespective of whether the drug testing trials are passed.

It is unknown whether the proposed \$10 million funding commitment will be adequate for the trial sites. In relation to the recent welfare reform, the government committed to \$20 million for methamphetamine

rehabilitation facilities in South Australia and an additional \$20 million for doctors and allied health professionals in regional and remote areas to access professional development and specialist skills in addiction. It is unclear how these funding amounts were determined to deal with the impacts of the legislation amendments.

Half of the total trial participants (approximately 2,500 out of 5,000 people) are expected to undertake testing in the City of Logan. Local level data is not available and further work is required to determine the existing capacity of services across the city, as overall nation-wide statistics suggests that we are currently not catering for the existing demand. The Department of Social Services has previously indicated that they do not have specific data on waiting lists for drug treatment services in the three trial sites before they were chosen.

Logan City Council's position

Council recognises that drug abuse and addiction are a national problem, which need serious solutions to address the entire problem. Many social issues exist alongside substance abuse such as poor mental health, violence, unemployment and crime. These issues are complex and providing a solution requires detailed thought and comprehensive understanding of the issues.

Council supports accountability in the allocation and use of public funds and is not condoning the inappropriate use of welfare. However, combating drug addiction requires a collaborative approach across all levels of government, medical practitioners other organisations in this sector and the community.

Council is advocating for thorough consultation and engagement before commencement of the trial. While discussions have commenced, comprehensive consultation with local service providers and the community has not been conducted. It is paramount that if the trials do go ahead, adequate services are provided in the local community, given there is already existing unmet demand across Australia. More details of the proposed trial is also needed, such as:

- financial impacts and cost of conducting the trials;
- extensive analysis of existing services, capacity and waiting lists within each local area;
- the methodology behind the \$10 million in funding;
- demonstration of how funding will be sufficient for existing and additional demand;
- spending and distribution of funding across the trial sites; and
- monitoring and evaluation measures.

Council believes there is further work to be undertaken to be able to proceed further with the trials, in light of these outstanding questions, concerns raised by the medical community, lack of consultation and lack of evidence about the effectiveness of similar measures internationally.

Council is dedicated to every member of the community and wants to see sustainable outcomes implemented in the city. Council would like to work with the Federal Government to develop solutions to these challenges that focus on prevention, education and intervention and welcomes resources and contribution to our community in addressing challenges. Above all else Council seeks collaboration, consultation and commitment to addressing issues in a holistic manner.

Yours sincerely,

Cr Trevina Schwarz, Acting Deputy Mayor
Logan City Council