

Submission to the Senate Community Affairs Legislation Committee's Inquiry into:

The Social Security Legislation Amendment (Debit Card Trial) Bill 2015

Introduction

The *Social Security Legislation Amendment (Debit Card Trial) Bill 2015* (the Bill), has been referred to the Senate Community Affairs Legislation Committee for inquiry and report.

The Bill introduces a trial phase of cashless welfare arrangements and a cashless debit card, in response to a key recommendation from Mr Andrew Forrest's Review of Indigenous Jobs and Training.

The primary objective of the trial is to test whether restricting discretionary cash can reduce the overall social harm caused by welfare-fuelled alcohol, gambling and drug abuse, particularly against women and children.

Ceduna in South Australia (SA) has been nominated as the first trial site for the cashless debit card and has received strong support from the community.

Under the trial, 80 per cent of payments received by people on a working age welfare payment, will be placed on the cashless debit card. A person will not be able to use this card to access cash or use it at liquor and gambling outlets.

Recognising that people need some cash for minor expenses, the remaining 20 per cent of payments will be available for use at the person's discretion. The 20 per cent ration is supported by the Ceduna community.

Background

South Australia's *Liquor Licensing Act 1997* (the Act), regulates the sale, supply and consumption of liquor in the State.

The Liquor and Gambling Commissioner (the Commissioner) is responsible to the Minister for Planning for the administration of the Act.

The town of Ceduna is located on the West Coast of South Australia (SA), approximately 780 km from Adelaide.

There have been ongoing issues in relation to excessive alcohol consumption and alcohol misuse in Ceduna and remote Aboriginal communities such as Yalata, Thevenard and Oak Valley.

Coronial Inquest

In 2011, the Deputy Coroner delivered findings in the 'Sleeping Rough' Coronial Inquest.

The Inquest related to the deaths of six Aboriginal people between 2004 and 2009 in and around Ceduna, all of which were alcohol related.

The Deputy Coroner made a number of recommendations relating to health care, rehabilitation, support services and alcohol supply.

The recommendations specifically relating to the supply of alcohol stated that the supply of alcohol to members of transient Aboriginal Communities in Ceduna, should be reduced by employing one or both of the following strategies:

- prohibiting within the region, the sale of certain identified kinds of alcohol including fortified wines such as port casks, as well as cask wine; and
- that greater resources and effort be provided to address the supply and sale of alcohol to transient Aboriginal people in Ceduna and remote communities of Yalata and Oak Valley.

Current Liquor Restrictions in Ceduna

Under the Act, the Commissioner has the ability to impose conditions on public interest grounds, to address a range of issues including public order and safety, public health (whether generally or in respect of particular groups or communities) and the welfare of particular groups or communities.

The Commissioner has been working closely with licensees, local police, the local Council and local Aboriginal communities, to look at options to address alcohol related issues in and around Ceduna.

The local Council and local Aboriginal communities support the development of measures to address the longstanding problem of alcohol misuse across the region, however, there is some disagreement as to the extent of those measures in the form of liquor restrictions.

As a result of negotiations with key stakeholders, restrictions have been put in place by agreement with licensees, including:

- the requirement for identification to be produced for all sales;
- the restriction of sales to one bottle of wine or port or one cask (no greater than 2 litre capacity) per person per day; and
- sales of casks or port not to occur prior to 11am.

Temporary Liquor Restrictions in Ceduna

In August 2015, additional liquor restrictions were temporarily put in place in Ceduna, to address increased incidents of public drunkenness and concerns for people's safety.

An influx of visitors to the area coincided with community members receiving their tax cheques and reconciliation payments, resulting in some alarming incidents being reported to the local police, including increased:

- incidents of public drunkenness;
- emergency department presentations due to alcohol related incidents;
- behavioural offences in the Ceduna CBD and at 18 Tank; and
- on-selling of alcohol.

A combined service provider response was implemented to address these issues and interim restrictions (in addition to the standard restrictions) on the sale of liquor, were put in place at Ceduna Foreshore, Thevenard Hotel, Smoky Bay Hotel and at other venues further East of Ceduna, including:

- the requirement for photographic ID to be produced to purchase alcohol for off premises consumption;
- no sale of alcohol for off premises consumption to anyone who resides at prescribed lands, namely APY areas, Yalata, Oak Valley and Tjuntjunjara;
- sale of wine in casks limited to one cask (no greater than 2 litre capacity) per person per day;
- no sale of port or fortified wine for off premises consumption; and
- sale of spirits for off premises consumption limited to a maximum bottle capacity of 750ml, with any purchase of two or more bottles requiring the purchasers name, address and ID to be recorded.

Discussion

The situation in Ceduna is complex and the liquor restrictions that have been imposed are only one measure in addressing the issues associated with excessive alcohol consumption and alcohol misuse across the region.

In cases where the safety and welfare of a person, their dependents and/or the community at large is threatened as the result of excessive alcohol consumption and alcohol misuse, limiting the income that is available to those individuals to purchase liquor, will contribute to a reduction in unacceptable levels of harm within the community.

Noting in particular, the recent events in Ceduna following people receiving their tax and welfare payments, the Commissioner supports the cashless debit card trial and is of the view that this will address some of the welfare-fuelled alcohol abuse that has been occurring in this particular area of SA.

Recommendations

It is recommended that consideration be given to the following:

- a coordinated review of the success of the trial in Ceduna should take place, involving the local Council, police, health and service providers, as well as members of the local Aboriginal Communities; and
- an analysis of alcohol sales data before, during and after the trial could be undertaken, to determine the impact of the trial on alcohol sales within Ceduna.

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