

Submission to the Senate Inquiry into the Low Aromatic Fuel Bill 2012

To the Committee,

The Mt Theo program based in Yuendumu NT has been operating for nearly 20 years. In that time we have grown from our origins as a community movement that succeeded in stopping petrol sniffing in Yuendumu to become a vital youth and social service agency that operates across four communities in the NT Warlpiri Lands. As the Senate Community Affairs Committee visited our program as a part of the last two Committee inquiries that looked at petrol sniffing, we will omit details in relation to the history and current work of our program in this submission.ⁱ As a general statement we do note that as a successful and internationally recognised project with many years' experience in the indigenous substance misuse field, we are in a position to comment with authority on the subject matter of this inquiry.

Use of Opal/Low Aromatic Fuel (LAF) and its effects

Opal fuel has now been used successfully in Central Australia since 2006; it has been used in all communities in our service region for most of this time. Opal has proven an effective measure in its own right though two other factors have also been important, they are;

- The degree to which complimentary measures such as youth programs and access to appropriate treatment have been put in place along with Opal
- How comprehensive the roll out is i.e. the degree to which standard unleaded fuel has been eradicated from a particular region

Across Central Australia the introduction of Opal fuel use was a catalyst for many youth breaking with sniffing and thus a change in youth culture so that sniffing was no longer an acceptable everyday behaviour. This provided an opportunity for youth and community programs to engage previously unreachable youth. The ongoing investment in youth programs through government funding initiatives such as the *Youth in Communities* Measure has for some sites meant that such youth have had access to basic but reliable ongoing youth services. Other sites have not had access to this funding and as a result youth service provision has remained patchy and needs to be addressed by service providers and policy makers with urgency.

Making the Opal roll out comprehensive still remains a challenge in Central Australia. A number of sites in the petrol sniffing strategy extended zone still refuse to use Opal fuel. Our program has particular concerns about two of these sites Ti Tree Roadhouse and Tilmouth Well Roadhouse. Mt Theo has provided rehab placements to young people who are sniffing in Ti Tree on a number of occasions. The availability of standard unleaded at Ti Tree Roadhouse was particularly problematic prior to the establishment of an alternative fuel source at the new store at Ti Tree which has an

Opal bowser. However the availability of standard unleaded at the roadhouse remains problematic.

At Tilmouth Well the decision by roadhouse owners not to use Opal undermines the Opal rollout in the Tanami region. We understand that it has been associated with ongoing sniffing in our neighbouring community of Papunya and that this sniffing has at times spread to Kintore community on the West Australian border.

We also understand that other sites in the region refuse to use Opal. Gem Tree, Mt Dare in South Australia, Urandangi in Queensland and Maryvale station continue to be resistant to Opal fuel.

Given the strong evidence and the experience on the ground, that:

- use of Opal fuel strengthens communities against petrol sniffing,
- all other retailers have made the responsible call and stock the fuel,
- the well-known impact that substance misuse is having on families and communities in the Central Australian region and
- the precarious situation of youth in our region,

we think 5 years has been long enough for this situation to continue. Studies provide evidence that there is no problem with Opal fuel, we have all used it for years with no negative effects on our vehicles, and the position of these few outlets is unacceptable.

The proposed legislation

We are not legal experts so are not in a position to comment on the legal detail of the bill. We do however understand and support the general approach of the bill, that is that the bill;

- develops legislation that can operated across state borders
- bans standard unleaded fuel from declared zones after conducting a fair and transparent process to establish the need for this
- can be used to place controls on the storage and sale of premium fuel

We are also happy that the proposed legislation supports the role of those retailers who have stocked Opal voluntarily for many years. We are thankful for the stance of these businesses and would hope that the proposed legislation would only apply to businesses that are refusing to stock the fuel.

The legislation appears to be supported by the key report into this issue. We understand that the DOHA commissioned report by the South Australian Centre for Economic Studies found that the Commonwealth does have the capacity to mandate the sale of Opal fuel and spells out a number of approaches to achieve this.

As mentioned above we support the idea of federal legislation on this issue. As with sniffing, the issue of standard unleaded supply from these outlets is not limited to the NT alone. Many Warlpiri families come and go across state borders, as does half the traffic down the Tanami Road (the road on which Yuendumu is situated). It would be a mistake to just develop mandating legislation in the NT; it would need to be able to work in WA, QLD, NT and SA. As a long term program we have witnessed the slow progress of a number of initiatives that have aimed to develop

harmonised cross-border state legislation, so would not expect that efforts to implement complementary state Opal mandating legislation would progress with the urgency that is required.

The idea of legislation that can be used to ban standard unleaded has merit both because it could address the existing gaps in the comprehensive roll out of Opal in the Central Australian Petrol Sniffing Strategy zone, but also because it will have a preventative effect. We know that Opal has proven effective, but also that a number of prominent retailers and suppliers use it under duress. There is no guarantee that retailers in Alice Springs and other locations will continue to use Opal indefinitely. If retailers in some sites choose to swap back to standard unleaded this would almost certainly lead to outbreaks of sniffing and associated trouble. As things stand if this happens there would be little that the government could do about it. The gains achieved to date through the roll out of Opal are crucial, but they are also fragile. The proposed legislation would be a good way to enhance and protect these gains.

Conclusion

It is fair to say that we stand at an important juncture in Central Australia, where a new generation of children in much of the region have grown up free of sniffing culture, however due to the irresponsible decisions of a few of retailers, sniffing culture appears to be once again rearing its head in some sites. We know from hard experience that sniffing, once established in an affected community can rapidly spread. Sniffing once accepted by a few as something that's too hard to deal with quickly becomes viewed this way by all. We stand at this juncture now in Central Australia but it seems to us that governments still have the capacity to act and there are still straight-forward steps that can be taken. We encourage the federal government to take a lead on this issue and for the various political parties to work collaboratively with them. Voluntary roll out of Opal has been a good thing, but the time has come to finish the job.

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10th July 2012

ⁱ For detailed information on the history and work of our program visit the "downloads" section at <http://mttheo.org/home/>