

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: 1.7 National Security and Criminal Justice

Question No. SBE16/030

Senator Lambie asked the following question at the hearing on 18 October 2016:

Senator LAMBIE: Ice is a highly addictive drug. If the kids are taking it at 12 or 13, I do not believe at the federal level we are being nearly proactive enough to do something about that.

Senator Brandis: I have got a little bit more information with some dates to put around this to show you how proactive the Commonwealth has been. On 8 April last year Prime Minister Abbott established the National Ice Taskforce to develop a coordinated national response to the ice problem. The task force publicly released its final report on 6 December 2015. COAG adopted a National Ice Action Strategy. All of the law enforcement options recommended by the National Ice Taskforce are being or will be implemented through that strategy, which was adopted on 11 December 2015. I should interpolate to say that, because this is a national strategy, obviously it involves the Commonwealth as well as state and territory governments, but from the Commonwealth's point of view over the next four years the Commonwealth Department of Health will deliver \$241.5 million in funding addiction treatment services, including ice addiction—that is not all for ice; it is for all addiction—and there will be an additional \$24.9 million to address ice use specifically at a community level.

Senator, you raised this issue with me in the Senate in the last sitting week, as I recall. The point I made to you then and I will make to you again is that there is no insufficiency in our laws in relation to prohibiting the importation, trafficking or supply of dangerous drugs, including ice. There are very strong laws with very strong penalties that deal with such matters. It is partly a health issue, partly a law enforcement issue and partly a community education issue. On each of those three fronts, through the National Ice Action Strategy, the government, in collaboration with state and territory governments, is addressing the problem.

Senator LAMBIE: How do you address it when you are the parent of a child who is 12 or 13—and you have no rights and they are running around in the streets? That is what I am asking you, because I do not see that the Ice Taskforce actually hit this section at all. That is the problem I am having—if they are running around in the streets and the parents have no rights. We are not leading by example here.

Senator Brandis: As I said, that is an issue I would be very glad to discuss with you. It is an issue that obviously raises a range of potential legal complications, including the rights and responsibilities of parents in relation to children, rather than merely issues of the treatment of the addiction. Let us have a conversation about that. I will get those from my department who are responsible for policy implementation in this field, and perhaps relevant officers of the Australian Federal Police, in to have a good constructive talk with you.

The answer to the honourable senator's question is as follows:

State and territory governments are responsible for the legal frameworks that govern the delivery of drug and alcohol treatment services in Australia, including any conditions or requirements for the involuntary rehabilitation of drug-dependent children.

Victoria, New South Wales and the Northern Territory have mandatory treatment for adults with drug and/or alcohol addiction. All Australian states and territories offer criminal diversion programs where some offenders are offered treatment for drug addiction, as an alternative to imprisonment or other criminal justice penalties.