



Government of Western Australia

Hon John Kobelke BSc DipEd JP MLA

Minister for Consumer and Employment Protection; Indigenous Affairs; Assisting the Minister for Water Resources;
Leader of the House in the Legislative Assembly

Our Ref: 0504028



Senator Claire Moore
Chair
Community Affairs Reference Committee
Parliament House
CANBERRA ACT 2600

Dear Senator Moore

I refer to your invitation to the Western Australian Government to provide a submission to the Senate Community Affairs Reference Committee's inquiry into petrol sniffing in remote Aboriginal communities. It is noted that the Inquiry has been suspended for three months, however the following preliminary comments in relation to the Inquiry's terms of reference are provided. Further comments may be provided when the Inquiry resumes next year.

(a) The effectiveness of existing laws and policing with respect to petrol sniffing in affected Indigenous communities.

Section 206 of the Western Australian *Criminal Code Act Compilation Act 1913* refers to the supply of intoxicants to people likely to abuse them.

“(2) A person who sells or supplies an intoxicant to another person in circumstances where the person knows, or where it is reasonable to suspect, that that or another person will use it to become intoxicated is guilty of an offence and is liable to imprisonment for 12 months and a fine of \$12,000.”

The Western Australian Government believes this is the appropriate legislative response to the petrol sniffing epidemic currently experienced in many remote Indigenous communities. That is, criminalising the act of sniffing petrol will do little to curb the activity. A preventative approach, coupled with treatment and support, is more likely to make impacts on the extent of intoxicant abuse.

Western Australia, in collaboration with the South Australian and Northern Territory governments, is also involved in a broad strategy designed to reduce the supply of petrol, alcohol and illicit substances into the cross-border central-Australian region through the use of intelligence gathering, education and enforcement strategies. This strategy is premised on the Australian Government funding the States for \$500,000 over a period of twelve months with the State and Territory jurisdictions contributing through the dedication of existing resources.

The strategy relies primarily upon the creation of a 'Substance Abuse Intelligence Desk' (SAID) based in Alice Springs with the creation of investigator and intelligence officer positions. The purpose of SAID will be to collate and coordinate intelligence holdings across jurisdictions which in turn will inform operational and tactical activities across the region. These activities will range from covert operations to high profile coordinated activities such as preventative and intelligence gathering strategies.

The supply reduction strategy is scheduled to commence on 1 January 2006 and continue for 12 months whereupon an evaluation of the strategy will be conducted.

Western Australia is also committed to increasing policing services in the central lands region. A Multi-Functional Police Centre (MFPC) has been established in Warburton, with another planned for Warakurna, a community located near the tri-state border. This will compliment other policing services in the cross-border region (Kintore, Mutitjulu in the Northern Territory and the Anangu Pitjantjatjara Lands in South Australia). It is expected these services, together with the introduction of the supply reduction strategy, will result in improvements in health and justice outcomes for people living in these remote areas.

(b) The effectiveness of diversionary initiatives and community level activities.

The effectiveness of diversionary initiatives in relation to petrol sniffing is difficult to ascertain due to the lack of evaluative studies done on the issue. Petrol sniffing in Aboriginal communities is a complex issue closely linked to the overall social well-being of communities.

Anecdotally, the provision of services such as a permanent police presence, youth workers, expanded health services, child protection workers and recreation officers has been associated with a reduction in petrol sniffing in the Balgo community in the Kimberley region.

It is also noted that the 11 Western Australian communities in the Ngaanyatjarra Lands have significantly lower levels of petrol sniffing than the central desert communities in the Northern Territory and South Australia. Again, the reasons for this are speculative, however it is widely believed that strong community governance arrangements are a significant factor.

(c) Lessons that can be learned from the success some communities have had in reducing petrol sniffing including the impact of non-sniffable Opal petrol.

As stated above, without specific evaluative studies, it is difficult to pinpoint key success factors in the reduction of petrol sniffing. However some remote communities have had success in reducing petrol sniffing. It is suggested that those communities have leadership skills at the individual or community council level capable of tackling the issue.

A proposed model for responding to volatile substance misuse in the Ngaanyatjarra Pitjantjatjara Yankunytjatjara lands is currently being developed by a multi-jurisdictional reference group. The model (currently in draft) will focus on the three key areas of supply reduction, demand reduction and harm reduction. The roll-out of Opal fuel in the cross-border region is a key aspect of supply reduction, as is the 'Substance Abuse Intelligence Desk' and associated policing activities. Demand reduction will focus on reducing the number of people wanting to sniff petrol by tackling boredom/risk-taking issues as well as community education and deterrence strategies. Harm reduction strategies will focus on early intervention, treatment, aftercare and respite issues.

Finally, it is widely believed that overcoming Indigenous poverty and community dysfunction, and installing effective community governance and leadership, will see a significant reduction in petrol sniffing in remote Aboriginal communities.

Yours sincerely



**JOHN KOBELKE MLA
MINISTER FOR INDIGENOUS AFFAIRS**

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