

## Tangentyere Council Inc.

PO Box 8070  
ALICE SPRINGS NT 0871  
Ph. (08) 8951 4222  
Fax (08) 8952 8521  
Email: tangentyere@tangentyere.org.au



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Mr Peter J. Jones  
Racing, Gaming and Licensing  
Northern Territory Treasury  
GPO Box 1154  
Darwin NT 0801

Dear Mr Jones

On behalf of the Tangentyere Executive Council, I am responding to the Discussion Paper on Public Dry Areas. The Tangentyere Executive Council comprises a representative of each of the eighteen Town Camps in Alice Springs that form the membership of Tangentyere Council. The Discussion Paper was considered at the Tangentyere Executive Council meeting on 1 August 2006.

The Executive Council has expressed the strongest concerns about the impact of the proposed legislation. In particular the Executive is extremely concerned that the effect of the law, if enforced, will be to push drinkers on to Town Camps as the only place that they are able to drink. Many of these people will be visitors from outside of Alice Springs. Many may have relatives in Town Camps who will find it difficult to turn them away, even if they are drunk and causing problems.

Tangentyere Council does not condone public drunkenness or criminal behaviour, and welcomes ways in which such behaviour can be minimised and the impact of such behaviour reduced to the greatest extent possible. We embrace initiatives by the Northern Territory government such as the establishment of the office of Alcohol Policy and Coordination and the Alcohol Framework, and in particular welcome the outlined intentions in the Northern Territory Government's Framework to undertake the following actions:

- *Early identification and treatment referral for people with drinking problems*
- *Providing support to families of drinkers to protect their money*
- *Establishing close and formal relationships between the Director of Licensing and Police for such things as intelligence-based approaches to illegal takeaway sales, harmful practices, etc*
- *Developing annual plans for random breath testing.*

Tangentyere Council, while strongly urging the government to take strong measures to assist in the reduction of harm through alcohol use, has a number of concerns to the proposed public dry areas legislation. These are outlined below.

## 1. Lack of effectiveness in reducing harm caused by alcohol.

Tangentyere Council has unable to identify any research that indicates that making public areas dry within a town (as opposed to dry remote communities) has been effective in reducing harm caused by alcohol. There has been substantial research that recommends reduction of supply measures, price disincentives, and responsible licensee practices as well as measures to encourage individuals to drink less and a range of assistance to those who drink harmfully. I refer in particular to the outline of local, national and international research by M. Brady and D.F. Martin in CAEPR Working Paper No. 3/1999, *Dealing with alcohol in Alice Springs: an assessment of policy options and recommendations for action*.

The most relevant research regarding a specific initiative of this type that we have found is the monitoring and evaluation of the central Adelaide dry area in. The report *Monitoring The Adelaide Dry Area: An Update* by Nichole Hunter, Brianna Kenneally and Joy Wundersitz, Office of Crime Statistics and Research, Department of Justice, which extends and updates the first monitoring report undertaken by that office for the Cabinet of the South Australian government. It is worth quoting their findings in relation to reduction of alcohol intake and offending behaviour:

*“While available databases are limited in their ability to assess the specific impact of the Dry Area Trial, the information examined offers little evidence of an overall reduction in public drinking within the Dry Area, with one possible exception. A reduction in public drinking does seem to have occurred in Victoria Square. Police despatch data suggests that after the introduction of the trial there was a decrease in the number of call outs to this location for ‘intoxicated/drugged’ behaviours, although numbers are very small. However, it is not possible to determine conclusively whether this is due to the Dry Area or other factors (eg. the removal of the public toilet block).”*

*“The quantitative data examined do not indicate any decline in recorded offending in the Adelaide CBD coinciding with the introduction of the Dry Area. However, both police dispatch and offences recorded data suggest a decrease in anti-social/criminal behaviour in Victoria Square following the inception of the Dry Area, with numbers remaining relatively low after that time. Anecdotal information provided by key informants consulted during the preparation of last year’s report suggested there may have been some displacement to the West Parklands/West Terrace area. While it is unclear whether these shifts are attributable to the declaration of the Dry Area, these findings are consistent with the feedback from key informants reported in the Plexus Strategic Solutions report (2003).”*

This report found little evidence that the Adelaide CBD dry area trial resulted in a reduction in drinking or in offending behaviour in the area overall. It does appear that there was some displacement from Victoria Square to other areas.

It appears from all research and evidence collected to date that making public areas dry within a town area is not a useful way to reduce alcohol intake or offending behaviour overall.

## 2. Displacement of drinking to Town Camps.

There is some evidence from the Adelaide trial that dry areas legislation does displace drinking to another area. This has the effect of removing the problem from the public eye and therefore reducing some of the public concern about the issue. However, in Alice Springs this may be at the cost of the burden of the problem being borne more heavily by residents of Town Camps.

Evidence from the CAEPR report (see above), is that, of 30 homicides between 1990 and 1996, 24 were committed by Aboriginal people to Aboriginal victims, 4 were by non Aboriginal people with non Aboriginal victims, one was by a non Aboriginal person to an Aboriginal victim, and one was by an Aboriginal person to a non Aboriginal victim.

This shows that majority of both perpetrators and victims were Aboriginal people. Non Aboriginal people were of no more risk from Aboriginal people than were Aboriginal people at risk from non Aboriginal people.

The evidence shows that most of these homicides were committed while under the influence of alcohol. Tangentyere Council is extremely concerned that the public dry areas legislation will push more drinking on to Town Camps where conditions are already overcrowded and stressful, and that this will lead to even greater crime and harm, by Aboriginal people, with Aboriginal people as victims.

In turn this will place greater stress on the emergency services of the Alice Springs Hospital, ambulance services and the prison system.

There is no mention in the discussion paper of the likely effect of pushing people into Town Camps to drink. There is no indication of any support to Town Camps to cope with this, even though here has been substantial publicity in recent months of the appalling living conditions, health status and the level of violence on Town Camps and elsewhere. It is hard to see that this legislation will do anything for this situation on Town Camps other than make it worse.

### **3. Local Alcohol Management Plan**

Tangentyere Council believes that the Alice Springs Alcohol Management Plan should be developed as a comprehensive, well researched and innovative document. It would appear that the proposed dry areas legislation pre-empts the development of the Plan.

### **4. Enforcement of existing legislation**

There area number of liquor outlets in Alice Springs which appear to supply alcohol to people fairly indiscriminately. As suggested by Brady and Martin (see above) a systematic and sustained policing of licensee selling practices with strong penalties for selling to those already inebriated would affect both problem outlets and problem drinkers, and not affect those drinking or selling alcohol responsibly. We welcome the Minister's press release expressing the intention of imposing harsher penalties on irresponsible licensees and hope that there will be sufficient resources allocated to enforce this meaningfully. We believe that that not all licensees exercise responsible practices for the sale of alcohol, both within licensed premises and as takeaways.

There is no reference in the discussion paper to the 2 kilometre law currently in place in Alice Springs. The main difference between that and the proposed amendments appears to be the introduction of a fine of up to \$500. We have been unable to find any systematic evaluation of the effectiveness of the 2 kilometre law. However, if it has been effective there would seem no need for this legislation. If it is not effective then it is difficult to see why this legislation would be effective. This legislation may however have the effect of putting more people in jail through failure to pay the fines associated with this legislation. This also puts more pressure on family members to pay the fines of relatives which then can impose further hardship on those not drinking, especially children.

## 5. Other measures

There is no discussion in the paper of how this legislation may link to possible complementary measures such as return to country programs, reduction of alcohol supply in Alice Springs and resources to support people on Town Camps to take greater control of drinking and of unwanted visitors or unwanted behaviour. Resources for patrols and related programs, both in Alice Springs and in remote communities are small. Additional community initiatives such as the Yarrenyty-Arltere Learning Centre would help to reduce substance abuse as has occurred at Larapinta Town Camp, by working with local communities to take control of their own lives and those of their families and their Town Camp community.

In a survey of town camp residents carried out by Tangentyere Council in 2003 about the trial alcohol restrictions, 67.1% of respondents were in favour of keeping or strengthening the restrictions (Tangentyere Council (2003) *A survey of the attitudes of Aboriginal town camps residents to the Alice Springs liquor licensing restriction*, : A submission to the NT Licensing Commission in conjunction with National Drug Research Institute and Centre for Remote Health, Tangentyere Council, Alice Springs,). Town camp residents, arguably the citizens most affected by alcohol misuses in the town, suggested a number of strategies including banning of two litre casks of port, spirits or higher alcohol content beverages. Aboriginal organisations also have worked over a long period of time for additional strategies to reduce availability.

Town Camp residents want strong assistance from the government that is effective in reducing the problems of alcohol that affect their lives in so many ways. However Tangentyere Council cannot support legislation that may have the opposite effect. We urge the government to avoid populist measures that have no record of achievement.

I trust matters outlined above will be strongly considered and thank you for the opportunity to contribute to this discussion paper.

Yours sincerely



William Tilmouth  
Executive Director