

Inquiry into the Decriminalisation of Certain Public Offences, and Health and Welfare Responses

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21 September 2022

Ms Corrine McMillan MP
Member for Mansfield (Chair)
Community Support and Services Committee
CSSC@parliament.qld.gov.au

Dear Chair

Inquiry into decriminalising public intoxication and begging offences, and health and social welfare-based responses

Mount Isa City Council welcomes the opportunity to make a submission to the Inquiry. The City of Mount Isa, with a population of around 20,700 (source: ABS Census, 2021), has an estimated gross regional product (GRP) of \$1.82 billion, is home to approximately 900 businesses and provides for around 11,750 local jobs (source: id consulting, 2022). Located 1,829km from Brisbane, and 883km inland from Townsville, Mount Isa, which is one of the largest local government areas in the world and a driver of the State economy, is the administrative, commercial and industrial centre for Queensland's North West.

Mount Isa is a regional hub for mining, health, education, sport, transport (including air transport), justice, shopping, State and Federal government departments and culture. In the midst of a boom period for mining, commerce, mineral exploration, real estate, and the development of large-scale regional projects, Mount Isa is also approaching an exciting 100-year milestone. Despite considerable longevity for a 'mining city', indications from record mining exploration and known resources suggests that, with the necessary enablers of economic activity and community wellbeing in place, the best is yet to come.

The economy of Mount Isa is underpinned by its mining industry, with other key sectors of employment including manufacturing, agriculture, construction, retail, public administration and safety, education and training and health care and community services. A top-ten producer of some of the world's most in demand minerals, Mount Isa's regional mines are helping solve the worlds carbon reduction targets through the production of copper, zinc, and a plethora of critical minerals.

Council notes that the terms of reference for the inquiry are as follows:

1. changes to legislation and operational policing responses to decriminalise the public intoxication and begging offences in the *Summary Offences Act 2005*
2. the compatibility of proposed legislative amendments, and health and social welfare-based service delivery responses to public intoxication and begging, with rights protected under the *Human Rights Act 2019*
3. the costs and benefits of responses to public intoxication and begging in other Australian jurisdictions

Correspondence

Chief Executive Officer
PO Box 815 MOUNT ISA QLD 4825
Visit 23 West Street, Mount Isa

ABN 48 701 425 059
Phone (07) 4747 3200
Fax (07) 4747 3209

Web www.mountisa.qld.gov.au
Email city@mountisa.qld.gov.au
 [MountIsaCityCouncil](https://www.facebook.com/MountIsaCityCouncil)



4. the health and social welfare-based responses to public intoxication and begging necessary to support legislative amendments, having regard to existing responses, such as diversion services
5. the impacts of decriminalising public intoxication and begging in rural and remote communities
6. the design of health and social welfare-based responses that are culturally safe and appropriate and informed by First Nations people, including Aboriginal and Torres Strait Islander health and legal services and also representative bodies for seniors and people with a disability
7. the appropriateness of other police powers and offences to ensure community safety and public order arising from public intoxication and begging, particularly in the context of events where there may be significant alcohol consumption
8. how existing public messaging on the harm of alcohol and other drugs, including alcohol-related violence, can continue to be reinforced following the decriminalisation of public intoxication, and
9. the appropriateness of repealing the 'Urinating in a public place' offence under the *Summary Offences Act 2005*.

Council is not in a position to provide feedback on all aspects of the terms of reference but will focus on a number of the key terms relevant to the Mount Isa set of circumstances.

As present Council is a destination for large numbers of transient people, predominantly from the Northern Territory. The transient people come to Mount Isa to access services and visit family. Unfortunately, there are large numbers of transient people that come to Mount Isa to purely access alcohol. This has been occurring for a long period of time. Many of these transient people can be found sleeping rough in the Leichardt River Bed. On any given night or day there are between 120-160 transient people in the Leichardt River Bed or the surrounds consuming significant volumes of alcohol from early in the morning to late at night.

The amount of rubbish that is generated and deposited in the River Bed is significant with Council spending over \$80,000 last year to pick up rubbish. It is noted that the River flows into Lake Moondarra in the wet season and becomes part of the water that services Mount Isa. There are real concerns relating to contamination.

In addition to the rubbish, which is predominately alcohol related such as bottles, casks and cans, there is a large amount of urination and defecation that occurs in the River and the surrounds. Council staff are consistently cleaning up human waste, used feminine hygiene products and toilet paper.

There are a number of agencies that seek to support those living rough, however Council is not aware of the success or otherwise of the services. Council officers have been informed that there are exceptionally high levels of domestic violence occurring in the River Bed, but this would need to be validated by the Queensland Police.

With regard to the Central Business District of Mount Isa, staff from the Parks and Gardens area are consistently cleaning the footpaths and roads of human faeces and urine marks. Additionally, the staff are cleaning up broken bottles, wine casks and cans every day.

In relation to public drunkenness or intoxication there are many individuals that pass out on the civic grassed area. Council officers call police on a regular basis to ask people to move on. Many of these people are unable to walk due to their level of intoxication. There are other persons often passed out in the streets or at the rear of the library.

There are only two external public toilets in the Central Business District and these are used consistently. It may be that Council seeks to upgrade one of these toilets in the near future or potentially close one due to safety issues.

Begging occurs at a number of sites around the Central Business District, but not in large numbers.

It is noted that a lot of our public intoxication issues are happening during the day in Mount Isa. This is making areas of the CBD and parts of Mount Isa unsafe during business hours and frightening away, families, children, shoppers and visitors to the city away from a CBD.

Council has expended significant funds on the Central Business District Masterplan and Council is attempting to transform the CBD into a vibrant area for residents and visitors to eat, shop and hang out. Council wants to see businesses stay in the CBD and encourage new businesses into the CBD, but this is threatened by the poor amenity of the area.

The current situation is not normal for Mount Isa and the funding coming in from the State and Federal government is not covering or addressing the impact of what is occurring in Mount Isa.

In regard to the terms of reference Council would like to make the following observations;

1. The decriminalisation of public intoxication is likely to have little impact on the current situation on Mount Isa except that it may remove more powers to move people on.
2. The decriminalisation of begging is likely to have little impact on the current situation on Mount Isa except that it may remove more powers to move people on.
3. The decriminalisation of urinating in public is likely to have little impact on the current situation on Mount Isa except that it may remove more powers to move people on.
4. More funding should be directed towards both existing detoxification centres and new centres should be potentially established
5. Funding should be made available to assist transient people return to country should they wish.
6. More funding needs to be provided to services to provide drug and alcohol counselling
7. More effective messaging is required in relation to responsible consumption of alcohol
8. Levels of funding provided to different agencies should be made public
9. Alcohol purchasing, in relation to quantum and accessibility, in Mount Isa needs to be reviewed as a matter of urgency
10. The true cost of maintenance that is required to be undertaken to remove human waste needs to be determined, as well as its impact and cost on ratepayers
11. Funding needs to be provided to clean and maintain the Leichardt River, especially as it feeds into the Mount Isa water storage
12. Funding for new toilets to accommodate transient people should be considered
13. Diversion services have not been entirely successful in the Mount Isa region
14. Public messaging is unlikely to change the current circumstances as the majority of the people are of a transient nature
15. Further cooperation is required from the Northern Territory Government to encourage people to return home

Council acknowledges the complexities of the current environment. Council will continue to work closely with the Queensland Police Service, local indigenous groups, the Chamber of Commerce and agencies involved to determine potential solutions to the issues that exist in the Mount Isa community.

In summary, Mount Isa City Council is not in favour of the decriminalisation of laws relating to public intoxication, begging and urinating in a public place.

Should you require further information or clarification please contact David Keenan, Chief Executive Officer, Mount Isa City Council on [REDACTED].

Yours faithfully,



Cr Danielle Slade
Her Worship Mayor of Mount Isa