



22 December 2015

The Research Director
Legal Affairs and Community Safety Committee
Parliament Ho
Brisbane QLD 4000
lacsc@parliament.qld.gov.au

To Whom It May Concern,

Thank you for the opportunity to provide a submission on the *Tackling Alcohol Fuelled Violence Legislation Amendment Bill 2015*. Please find our submission attached.

QNADA represents a dynamic and broad-reaching specialist network within the non-government alcohol and other drug (NGO AOD) sector across Queensland. We have 36 member organisations, representing the majority of specialist NGO AOD providers. This submission is made following consultation with QNADA members.

QNADA would be happy to provide further information, or discuss any aspect of this submission. Please don't hesitate to contact me at Rebecca.MacBean@qnada.org.au or by calling 07 3023 5050.

Yours sincerely

A handwritten signature in black ink that reads "Rebecca MacBean".

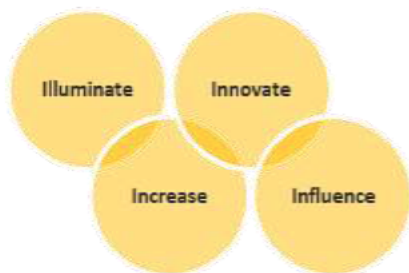
Rebecca MacBean
CEO



SUBMISSION – TACKLING ALCOHOL-FUELLED VIOLENCE LEGISLATION AMENDMENT BILL 2015

QNADA Vision

A cohesive, sustainable and high quality NGO AOD sector, that delivers the best possible outcomes for the Queensland Community. Four overarching strategies have been developed to support achievement of our vision



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This submission has been prepared by the Queensland Network of Alcohol and Other Drug Agencies (QNADA). The content of this submission is informed by consultation with QNADA member organisations providing treatment services in Queensland, as well as a review of research and other jurisdiction's legislation.

QNADA welcomes the move by the State Government to address issues of alcohol use in Queensland. Alcohol is the most commonly cited principal drug of concern for people seeking specialist alcohol and other drug treatment in Queensland.¹ Therefore, when considering alcohol policy, thought must also be given to improving access to treatment services for those experiencing problems related to their use. A recent review of the alcohol and other drug (AOD) treatment system in Australia found the system was underfunded when the relative burden of disease attributed to alcohol and other drug issues is considered, and suggested the funding could be doubled.² This is particularly true in Queensland, where the funding for specialist AOD services has occurred less in a planned manner than in response to public outcry over particular substances which have grabbed media attention at a point in time. While this response to alcohol fuelled violence is a positive step to address alcohol use concerns in Queensland, unless it is supported by the allocation of new, recurrent resources to expand access to services across all areas of prevention, support and treatment services it will do little to reduce the problem. Holistic, integrated and multi-service policy is required to ensure there is an effective response to alcohol and other drug use and treatment in Queensland.

Amendments to the *Bail Act 1980*

QNADA welcomes the amendments to the *Bail Act 1980* (QLD) which represent an opportunity for the justice system to implement a response more in line with the therapeutic models of AOD treatment. The amendments which provide the magistrate with discretion to include attendance at a DAAR course for any offence where the *Bail Act 1980* applies is a positive first step in engaging with people who may have an alcohol or other drug problem, without being limited to offences related to their alcohol or other drug use. Further, amending the current provisions to remove the mandatory requirement for a DAAR enhances the discretionary component for the magistrate, allowing them to treat each individual on a case-by-case basis.

Following on from this, QNADA supports the removal of the offence provisions for failing to complete a DAAR course. We believe burdening someone with an additional criminal charge for non-completion puts providers of DAAR courses in conflict with their organisational philosophy of supporting people out of problematic alcohol and drug use.. A recent study undertaken by QNADA for the Queensland Police Service found 98% of people voluntarily entering treatment had at least one prior interaction with the criminal justice system, primarily through the issuing of cautions from police or the courts.³ As such, these amendments represent an opportunity to assist people to seek help for their alcohol use.

¹ National Minimum Data Set, Queensland – 2013/2014

² Ritter, A., Chalmers, J & Berends, L. (2014) Australian alcohol and other drug treatment spending. Sydney: Drug Policy Modelling Program, National Drug and Alcohol Research Centre, UNSW

³ QNADA, Prevalence Study of Previous Interactions with the Criminal Justice System in those Entering Alcohol and other Drug Treatment (2014)

Delegating provisions to regulation

QNADA notes a number of the proposed provisions in the Bill are being delegated to regulation. It is proposed the content of the regulation will be decided after further discussion with key stakeholders. Items proposed for delegation including the types of drinks defined to be 'rapid consumption drinks' and 'premium spirits', as well as the volumes to be restricted. However, these components of the policy response have been identified as integral to addressing the issue of alcohol fuelled violence in Queensland. While delegating provisions of a more prescriptive nature to regulation provides for greater efficiency, particularly as a method to keep pace with new and emerging drinks, we note for policy to be effective, it needs to be transparent. The Government must ensure adequate stakeholder engagement occurs to represent the views of all parties. A failure to adequately prescribe these provisions will not reflect the intended policy response and will nullify any true response to tackling alcohol fuelled violence.