Dear Mr Riley,

RE: ALCOHOL POLICIES AND LEGISLATION REVIEW

Thank you for the opportunity for Territory Families to make a submission to the Alcohol Policies and Legislation Review. Territory Families deals with the impact of alcohol abuse on children and families, and the harm that it causes, though our responsibilities in the area of Child Protection, Youth Justice and Domestic, Family and Sexual Violence Reduction.

This review is an important part of the development and implementation of effective policies, legislation and interventions that will reduce the harmful effects of alcohol abuse.

Attached is a submission to the Alcohol Policies and Legislation Review from Territory Families. If you require further information or clarification of any points made in this submission please contact Ms Barbara Kelly, Senior Policy Officer, Policy, Performance and Strategy Division, by phone on 8924 4021 or email barbara.kelly@nt.gov.au.

Yours sincerely,

Ken Davies
Chief Executive Officer

July 2017
Territory Families Submission-Alcohol Policies and Legislation Review

Territory Families welcomes the opportunity to make this submission to the Review of Alcohol Policies and Legislation.

Territory Families works with families, individuals and stakeholders to create stronger communities where children experience safe, healthy and happy childhoods; women and men from all cultural and linguistic backgrounds have equal opportunities; and senior Territorians are appreciated and respected. Territory Families was formed in September 2016 by bringing together key program elements from five different agencies and the former Department of Children and Families. The portfolios encompassed by Territory Families include:

- Children and Families
- Youth Justice
- Youth, Multicultural Affairs and Seniors
- Seniors and Pensioner Concessions
- Domestic, Family and Sexual Violence Reduction
- Offices of Women’s and Men’s Policy, and
- Children’s Policy.

This submission focuses on three of the agency’s areas of responsibility-domestic, family and sexual violence reduction; child protection; and youth justice.

Domestic, Family and Sexual Violence Reduction

Alcohol continues to be one of the most observable and readily understood factors contributing to reported violence. In the Northern Territory, alcohol consumption, particularly excessive alcohol consumption is a strong situational risk factor in the occurrence of domestic and family violence, and especially as a contributing factor to serious harm and intimate partner homicides.¹

There has been a shift in our understanding of the nature and extent of the role alcohol and illicit substances play and the harm they cause in domestic (intimate partner) violence and family violence. Alcohol is understood to be one of a number of significant contributing factors but not an underlying cause. This shift in understanding is reflected in current domestic and family violence policies and strategies at a National, State and Territory level where alcohol management and the interaction between alcohol and domestic violence was not incorporated in any significant way into the implementation plan of the current Strategy.

While the findings of front-line services working with Aboriginal and non-Aboriginal women who experience and report abuse at the hands of their intimate partners indicate that alcohol is not always a factor, research and data drawn from police reports show that harm is significantly increased when the offender or both offender and victim are intoxicated\(^2\). Research also indicates that a close analysis of cases reported to police indicate the need to distinguish between family violence, which includes a broader set of kin relationships and intimate partner violence when considering prevention and response policies and strategies\(^3\). Understanding the impacts of gender norms, roles and stereotypes on women and men and how they work in families, intimate relationships and across all levels of society is also needed to inform both domestic and family violence reduction and alcohol reduction policies and strategies.

The implementation plan for the NT Domestic and Family Violence Reduction Strategy 2014-17 (‘the Strategy’) included only a minor mention of alcohol in the context of domestic violence. This involved NT Police monitoring recidivist domestic and family violence and sex offenders through the utilisation of alcohol protection orders, bail conditions and domestic violence orders. However, this reporting did not eventuate as the information was not readily available to Police.

Other aspects of the Strategy acknowledge the increased harm associated with alcohol use in relation to domestic and family violence. For example, networks were developed with relevant organisations to help inform an integrated response to domestic violence in the context of alcohol related harm. The regional local reference groups either have alcohol related organisations represented on the membership and/or alcohol related harm is a regular topic for discussion and action. The table below demonstrates the involvement of regional reference groups with alcohol related organisations and the subsequent prioritising of alcohol related harm as a discussion topic:

<table>
<thead>
<tr>
<th>Alice Springs Combined Reference Group</th>
<th>Members of the reference group:</th>
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<tbody>
<tr>
<td></td>
<td>• Alcohol and Other Drugs Services Central Australia</td>
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<tr>
<td></td>
<td>• Central Australian Aboriginal Alcohol Programmes Unit</td>
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<td></td>
<td>• Drug and Alcohol Association</td>
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<td></td>
<td>“Alcohol and Domestic Violence” is a formal standing agenda item.</td>
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| Katherine Local Reference Group (LRG) | Katherine Region Alcohol Group (KRAG) – this group was responsible for the implementation of the Katherine Alcohol Management Plan 2013-2016. This is a very high-level plan and does not discuss alcohol related domestic violence beyond a cursory mention of “families broken by violence”. KRG is not a regular member of the Katherine LRG but at least two LRG members are also members of KRG so there are strong connections between the two groups. Katherine LRG will have an opportunity to contribute to the development of the next Katherine Alcohol Management Plan if there are plans to renew it. |

<table>
<thead>
<tr>
<th>Tennant Creek Local Reference Group (LRG)</th>
<th>Member of the LRG:</th>
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<tbody>
<tr>
<td></td>
<td>• Barkly Region Alcohol &amp; Drug Abuse Advisory Group Inc (BRAADAAG)</td>
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<td></td>
<td>Alcohol has not been a formal agenda item, but has been a subject of discussion and action – e.g. the LRG agitated and followed up on the issue of a lack of any Sobering-Up Shelter for women where they could be safe in Tennant Creek. This issue was ultimately resolved by the Department of Health, due in part to the advocacy of the LRG.</td>
</tr>
</tbody>
</table>

\(^2\) Kerr 2016, A Descriptive analysis of the characteristics, seriousness and frequency of Aboriginal intimate partner violence in the Northern Territory, Australia: a strategy for targeting high harm cases.

\(^3\) Nancarrow 2017, Indigenous Family Violence Policing Conference 7-9 June 2017 Alice Springs: Legal responses to domestic and family violence: gendered aspirations and racialized realities
Child protection

The focus of the Third Action Plan 2015-2018 of the National Framework for Protecting Australia’s Children states that ‘there is a need to understand the prevalence of abuse and neglect concerning families impacted by disability, families from Culturally and Linguistically Diverse (CALD) backgrounds and new and emerging communities, and families dealing with mental health issues, alcohol and other drug misuse or domestic and family violence.’

Territory Families recognises that these factors can impact on families and create complex problems within families. Territory Families identifies alcohol misuse as a significant contributing factor to child abuse and neglect in the Northern Territory. This view is supported by a number of significant reports and reviews that have identified alcohol misuse as a critical factor impacting on the safety and wellbeing of children.

In 2007 the “Little Children are Sacred Report”, which inquired into the sexual abuse of Aboriginal children in the Northern Territory, stated that “alcohol and other drugs are having a massive negative impact on the social fabric of Aboriginal communities and contribute greatly to family and cultural breakdown. This ultimately results in an environment where children are unsafe.”

In 2010 the Growing them Strong Report –Promoting the Safety and Wellbeing of the Northern Territory’s Children also stated that that ‘parental substance abuse is associated with children having a greater likelihood of abuse and neglect and poorer trajectories within the child protection system.

Both reports came to similar conclusions regarding the impact of substance abuse on the wellbeing of children and has clear implications for child protection, that is, it consumes money that might otherwise be spent on food or other resources for children and families, it results in less awareness and reduced supervision and reduced protection of children by family members; it decreases ability to care for children when inebriated, and drinkers, while disinhibited, may consume food which might otherwise be intended for children; drinking while pregnant is associated with the foetal alcohol spectrum disorder and child cognitive impairment and alcohol misuse has a strong correlation with violence.

In 2015 the Legislative Assembly of the Northern Territory Select Committee on Action to Prevent Foetal Alcohol Spectrum Disorder (FASD) released its report ‘The Preventable Disability’. The report noted that:

There is presently no solid data indicating the number of children or parents diagnosed with FASD who come into contact with the NT child protection system and require out of home care. There is, however, strong evidence suggesting that FASD children are over-represented and exposure to alcohol increases the likelihood of entering care. Abuse and neglect due to parental alcohol abuse and hampered growth and development are the main factors behind this increased risk of contact. One 2014 study conducted by Prue Walker found that 86 percent of cases with children on child protection orders in the NT involve problematic alcohol abuse by one or more parents..... A further study by the NT Department of Children and Families (DCF) found that 6 percent of 230 children under review had a confirmed FAS diagnosis and one fifth were identified as prenatally alcohol exposed. In the same study, 63 percent of parents reported concerning alcohol use, with 50 percent of the children living in families with long term alcohol abuse problems.

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4 2015 Report of the Legislative Assembly of the Northern Territory Select Committee on Action to Prevent Foetal Alcohol Spectrum Disorder, The Preventable Disability
Territory Families data for the first quarter of 2017 recorded that 19.6 percent of all substantiated child abuse notifications identifies that the substantiation was linked to domestic violence and/or alcohol abuse. There is no data readily available on the notifications that were not substantiated and where alcohol abuse was a problem within the family.

**Youth Justice**

With the formation of Territory Families in September 2016 responsibility for youth detention was transferred from the Department of Correctional Services to Territory Families.

Research and anecdotal information suggests that a significant proportion of young people in detention will have had a substantial involvement with alcohol (and other drugs) either through their own use or their experiences of growing up in a family where alcohol misuse occurred. In a study conducted in 2005 by the Australian Institute of Criminology it was found that 71 per cent of youths used one type of substance regularly, and 29 per cent used more than one type regularly, in the six months prior to entering detention. In terms of types of substances regularly used 46 per cent used alcohol.

Territory Families operates a number of programs within the Youth Detention Centres that aim to directly and indirectly address alcohol and other substance misuse. These programs include the DAISY program delivered by Catholiccare that aims to support young people who are affected by alcohol and/or drugs; the Elders Visiting program which supports mental health, wellbeing and reintegration; and the CHART program which is a behaviour change program with modules that address drugs and alcohol.

Territory Families has also implemented a Youth Outreach and Re-engagement program with the training of specific Youth Outreach and Re-engagement Workers who will case manage and support young people at risk and young offenders prior to and throughout their contact with the justice system to ensure appropriate service responses are provided to meet the needs of the young people.

**Strategies that have been effective, and/or could be considered to reduce alcohol abuse and its consequences.**

**Family Safety Framework**

The Family Safety Framework is a key component of the NT Domestic and Family Violence Reduction Strategy 2014-17. It comprises an integrated, multi-agency approach to supporting victims (primarily women) and children at serious and imminent risk of death or serious injury due to domestic and family violence. The Family Safety Framework has helped to improve responses to the highest need victims. Since July 2014, over 460 high risk cases have been accepted and the families supported across the Northern Territory.

The 2016-17 review of the Family Safety Framework identified that alcohol overwhelmingly features as a contributor to the violence in referrals. As part of the review, stakeholders have also suggested that interaction between the Family Safety Framework and alcohol management policies be re-examined. Other contributing factors are present but they are less observable and understood.

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5 _ibid_, p67
Point of Sale Interventions (POSIs)

Anecdotal evidence from Police and Health Services suggest that POSIs have made a positive impact on reducing physical assaults, including in the context of domestic and family violence. However, this should be understood in the context of continuing significant under-reporting of domestic and family violence, especially non-physical violence. An effective response to domestic and family violence, as well as child neglect and abuse, requires a range of measures and strategies that address the context, causal and contributing factors more directly, and respond to the intersectionality of individuals and communities affected by domestic and family violence.

Permit systems – revocation of permits following alcohol-related domestic violence

Anecdotal evidence acquired during the 2016-17 review of the Family Safety Framework suggested that this permit system is being used effectively as a tool to help reduce harm to victims in the Gove PENinsular.

Community safety plans / alcohol management plans

The interests of the community are not necessarily the same as the interests of individuals who are subject to violence and abuse. Therefore, a community safety plan or alcohol management plan will not necessarily deal with the specific issues, contexts, causal factors and the needs of those who experience and suffer from domestic and family violence. This is evidenced in the current Katherine Alcohol Management Plan which barely mentions the impact of alcohol on domestic and family violence.

There needs to be better integration of community safety and alcohol management plans with domestic and family violence, child protection and youth justice and the means to measure how effective those plans are on reducing the alcohol-related harms. For example, of the 1000 people in the community of Alyangula, 300 signed an agreement to pursue the introduction of a liquor plan. Most of these signatories were from women. Police report the subsequent introduction of a permit system resulted in an 80 percent reduction of crime but did not specify the nature of the crime reduction and how it has impacted on domestic and family violence.

Prevention and Early Intervention

As a key part of the Reform Agenda guiding Territory Families there is a strong commitment to implementing prevention and early intervention services that will assist families to address the issues that are impacting on them, such as alcohol abuse, before they enter the child protection system. Territory Families has committed to reshaping our service delivery system in such a way that it will provide a greater focus on prevention and early intervention. This is being achieved through:

- Greater cooperation with the departments of Health and Education to strengthen the capacity for health and education services to provide targeted intervention services in universal services that are familiar to children and families, for example, schools,
- Co-locating family support services and providing wrap-around, intensive support to vulnerable families,
• The development of a ‘dual pathways’ which will provide an alternate pathway for connecting vulnerable families seeking support to those services they require while at the same time meeting our statutory responsibilities to intervene in those families where children are identified as at risk of serious harm,
• Providing additional funding to expand the scope and range of parenting and family support services.

Strategies that are required to reduce the abuse of alcohol and its consequences.

Regional variations

There are significant regional variations in the rates of alcohol use in crime incidents:

“In Alice Springs, Tennant Creek and Katherine the combined alcohol use of offenders in crime incidents is an average of almost 90 percent. The lowest percentage use of alcohol use by offenders is in the Remote North at 46 percent."

Therefore alcohol policy and strategies must consider regional variations, and not simply adopt a blanket approach that assumes similar drivers in alcohol related domestic violence across the Northern Territory.

Future Domestic and Family Violence and Sexual Assault Reduction Framework

• Commitment from whole-of-government.
• Prevention Framework that incorporates cultural change around alcohol-related harm.
• Regional reference groups who are supported to implement place-based prevention strategies and responses to domestic, family and sexual violence.
• Address under-reporting of domestic and family violence.

Whole of community response

Territory Families supports a whole-of-community response to change social attitudes to the use of alcohol and the harm associated with the misuse of alcohol, including in the context of domestic, family and sexual violence. This will include the involvement and participation from diverse community representation such as businesses and private sector (particularly those that sell or serve alcohol), multicultural leaders including representatives of male and female genders and the entire public sector.

Substance abuse and mental health

Although this review concentrates on alcohol it is suggested that it is also important to simultaneously consider other forms of illicit substance abuse that may also be present where there is alcohol dependency. For example, at times and in places where alcohol availability becomes restricted, other substances may be abused instead. It is suggested that mental health services also need to be considered in terms of providing support to people whose mental health has deteriorated due to addictive behaviours.