

VOLATILE SUBSTANCE ABUSE PREVENTION BILL QUESTIONS & ANSWERS

Q. Is Petrol Sniffing banned?

A. Yes. Police will have the power to seize volatile substances such as petrol, glue and paint where they suspect they are being inhaled, or abused. Police will also have the power to apprehend a petrol sniffer where they feel that they can be a danger to themselves or others.

Q. Will Petrol Sniffing be a criminal offence? Can a Petrol Sniffer be given a prison sentence?

A. No. We will not make Petrol Sniffing a criminal offence. There is no capacity for anyone to be convicted and given a jail term or a fine for sniffing petrol.

For people with a chronic substance abuse problem the legislation provides the capacity for courts to order compulsory treatment programs. If they fail to comply with the treatment, a Magistrate can issue a warrant to take them to the place of treatment. They will not incur a jail sentence for leaving a treatment program.

Q. Is it just Petrol Sniffing that is banned?

A. No. Abuse of other volatile substances such as glue and paint will also be banned. Chroming, which is the inhalation of spray paint, is becoming increasingly prevalent in urban centres including Darwin, will be banned.

Q. What damage does Petrol Sniffing cause?

A. Inhaling volatile substances has serious effects on health, particularly the brain and nervous and respiratory systems, leading potentially to death or permanent disability.

Q. How many sniffers are there in the Northern Territory?

A. Currently there is no means of collecting accurate data. However, it is estimated there are 350 volatile substance abusers throughout the Territory with 50 users considered to have a chronic dependency.

Q. Will this legislation reduce crime?

A. Yes. And it will reduce anti-social behaviour. To tackle substance abuse is to tackle crime. People under the influence of substances often commit crimes.

Q. When Police apprehend a sniffer, where do they take them?

A. Where Police or communities believe that a sniffer is a danger to themselves or others they have the capacity to take them to a place of safety. Ideally this will be the family but where this is not possible they will be taken to the safest possible place. In more remote areas the community plan will identify places of safety and Police or community members will have the capacity to take the sniffer to one of these. This is no different to the approach taken in relation to alcohol.

Q. Is it only the Police who can seize petrol or apprehend abusers?

A. No. The Minister has the power to delegate these powers to other authorised people. This approach is again consistent with existing practices in relation to alcohol.

Q. Who will be authorised persons?

A. Authorised persons will be appointed by the Minister and will be required to comply within specified guidelines.

Q. What is the additional \$10 million for?

- A. This \$10 million over five years will go towards treatment programs that support the legislation. The Parliamentary Committee into Substance Abuse tabled its final report and recommendations in October 2004. The Government has used this report to help determine how to best allocate the \$10 million.

We are looking at enhancing current services in both Alice Springs and the Top End to create safe environments, as well as support of four existing Outstation treatment facilities in Central Australia.

We will also establish four new Outstation facilities in communities of high need in other areas of the Territory.

The funding will also provide additional staff across relevant Government agencies, training and financial support for families of volatile substance abusers.

Q. What are the treatment programs?

- A. Treatment Programs may be attached to existing residential facilities in urban areas and Outstations in remote areas.

The programs will be implemented throughout the Territory and will involve isolating a user from substances and providing them with a supportive environment to help them to get back on track.

Q. What if a sniffer refuses treatment?

- A. The Government will work with families and communities to encourage voluntary treatment for chronic users. Where this breaks down, an application can be made to a court for a compulsory treatment order. Professional staff will work with the families to ensure that the course of treatment best suits them and the user. Where a compulsory course of treatment is not adhered to, support staff with the support of the court will intervene to encourage compliance. If a chronic abuser commits crimes that do carry prison sentences then that will be considered by a court. However the act of petrol sniffing on its own will not involve a prison sentence.

Q. If petrol sniffers have broken the law by committing a crime – will they be dealt with under this new legislation?

- A. No. If anyone has committed a crime – regardless of whether they are petrol sniffers – they will be dealt with under appropriate existing legislation.

Q. How will this legislation stop children from sniffing petrol?

- A. We are giving Police the powers they need to intervene. Police and authorised people will now have the power to take inhalants off users and to take users who have become a danger to themselves or others to a place of safety. In many instances this will be taking the person to their home.

Chronic users will also have to undergo compulsory treatment, and we are providing the necessary funds to provide a range of services to enable the Act to work.

The legislation will also crack down on people who sell or supply volatile substances to users. We take restricting supply so seriously that we are giving protection to informants.