Enough Is Enough

Alcohol Reform

Alcohol Reform Report
20 October 2011
Executive Summary

As part of the Territory 2030 commitments, the Northern Territory Government is committed to reducing the Northern Territory’s per capita consumption of alcohol, currently the highest in the country, to the National average.

A study led by the Menzies School of Health and Research and undertaken by the South Australian Centre for Economic Studies, deemed the social harms from alcohol misuse to cost the Territory community $642 million per year.

This equates to $4,197 for every adult Territorian, compared to $944 nationally, and includes costs of:
- hospitalisations for chronic health problems and injuries;
- alcohol-related violence victims and ambulatory costs;
- road accidents;
- policing alcohol-related crime and antisocial behaviour;
- courts and the correctional system; and
- impacts on the workforce such as absenteeism.

The ‘Enough is Enough’ Alcohol Reform provides a range of tools and services across the whole of the Northern Territory to improve our relationship with alcohol, and reduce the personal, social and economic costs that the misuse of alcohol brings to the Territory.

People who commit alcohol-related crimes will find they are unable to purchase takeaway alcohol when their ID is scanned at the point of sale (PoS), and will be blocked at the source by the Banned Drinker Register (BDR).

The electronic PoS scanners, operational in 162 licensed takeaway sites in Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs, as well as other outlets along the Stuart Highway, strengthen compliance and enforcement capabilities against the BDR and local supply restrictions. This reduces access to alcohol by problem drinkers and the availability of problematic products. The BDR applies across the Territory to prevent problem drinkers from simply moving to the next place in order to access takeaway alcohol.

As at 30 September 2011, 1,576 people were on the BDR and more than 3,500 purchases were declined in the first quarter of its operation.
NT Police are able to issue on-the-spot banning notices to prevent anti-social behaviour and crime within designated precincts, and for alcohol-related offences and infringements. People involved in alcohol related crime and anti social-behaviour will be held accountable for their actions.

People who are not committing a crime, but are repeatedly placed in protective custody for their own safety, will now experience a consequence and be provided with access to treatment and rehabilitation to assist them to break the cycle of alcoholism.

The Alcohol and Other Drugs (AOD) Tribunal and the Substance Misuse Assessment and Referral for Treatment (SMART) Court have been established to direct those into treatment that need it most. They support existing structures, and ensure streamlined and culturally appropriate processing of persons requiring mandated treatment and monitoring.

The SMART Court commenced operation on 1 July 2011. Forty-six people were referred for clinical assessment in the first quarter of the Court’s operation, 29 of whom have commenced treatment.

The AOD Tribunal Chair has been appointed as well as an Alice Springs based Deputy Chair. From 1 November 2011, the AOD Tribunal will hear self-referrals from those people who wish to place themselves on the BDR voluntarily, and will become fully operational by 1 January 2012.

Significant investment across the spectrum of treatment and rehabilitation services has occurred building their capacity to support the Alcohol Reform. Fourteen new residential treatment beds in Darwin support existing drug treatment services and increase capacity to meet existing and emerging demands. A further 10 new beds will be brought online in Alice Springs before the end of 2011.

Improved pathways have also been put in place for withdrawal clients from Emergency Departments to ambulatory services and Non-Government agencies. This has resulted in referrals to treatment or withdrawal occurring in less than three hours, where previously, it averaged eight days.

The ‘Enough is Enough’ Alcohol Reform addresses the social education, enforcement capability and treatment required to progress towards a healthier and safer Territory. Those who are unable to manage their behaviour when they have been consuming alcohol will be held accountable and directed towards appropriate rehabilitation and treatment.
Only three months in, and with some aspects yet to become fully operational, it is too early to gauge with certainty the success of the Reform. Nonetheless, early indications show promise with preliminary alcohol-related assault data showing a reduction in all major centres except Nhulunbuy.

The 'Enough is Enough' Alcohol Reform is a long term strategy aimed at breaking the cycle of problem drinking and the issues it creates by moving people into appropriate treatment and rehabilitation. It is in the coming years that the full effect of the Reform will be seen in health and crime data and impact on the Territory's per capita consumption.
Five Point Plan

The ‘Enough is Enough’ Alcohol Reform is a whole of government package targeted at problem drinkers, tackling the unacceptable social costs and high levels of alcohol-related crime and anti-social behaviour in the Northern Territory.

The Alcohol Reform as outlined in the Northern Territory Government’s Five-Point Plan includes:

1. **Banned problem drinker and mandatory alcohol treatment orders**
   Banning problem drinkers who cause harm to themselves and others in the community and triaging problem drinkers into appropriate treatment.

2. **A Banned Drinker Register**
   Enforcing bans through a BDR and through electronic scanners at point of sale in takeaway outlets NT wide.

3. **Alcohol Court reforms**
   A new Alcohol and Other Drugs (AOD) Tribunal to review and issue bans and treatment orders and a new Substance Misuse Assessment and Referral for Treatment (SMART) Court, replacing the Alcohol Court, to make orders for people who have been found guilty of a criminal offence related to alcohol or drug misuse.

4. **Increased rehabilitation services**
   Increased treatment services across the Territory, including bed based and outreach rehabilitation services, withdrawal services and services into remote communities.

5. **Awareness campaigns**
   Community education and awareness campaign targeted at helping Territorians to understand the reforms and comply with the requirements of the ID system.
Alcohol-Related Crime

The Alcohol Reform is targeted at reducing alcohol-related crime.

Preliminary data extracted from PROMIS reports a 15.5% reduction in alcohol-related assaults for the July to September quarter in 2011 compared to the same quarter in 2010.

Recorded Assaults from 1 July to end September Each Year by Region and Alcohol Involvement – PRELIMINARY DATA

<table>
<thead>
<tr>
<th>Region</th>
<th>2010-July and September</th>
<th>2011-July and September##</th>
<th>% Change between 2010 and 2011##</th>
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<tr>
<td>Darwin</td>
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<td>196</td>
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<td>71</td>
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<td>414</td>
<td>348</td>
<td>-15.9%</td>
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Extracted from PROMIS on 1 October 2011
1. Banned problem drinker and mandatory alcohol treatment orders

New legislation commenced on 1 July 2011 that established the structures and processes that underpin the Alcohol Reform

- *Alcohol Reform (Prevention of Alcohol-related Crime and Substance Misuse) Act*
  Through this Act, Banning Alcohol and Treatment (BAT) Notices are introduced. The AOD Tribunal is established to make orders aimed at preventing the misuse of drugs and alcohol, and to protect people from the harms that can come from such misuse. This includes creating the capacity for mandatory assessment and appropriate treatment orders to be declared for persons who are misusing alcohol and other substances.

- *Alcohol Reform (Substance Misuse Assessment and Referral for Treatment Court) Act*
  This Act creates a Court with enhanced powers to make orders, including treatment orders for persons who have committed alcohol-related crimes. The SMART Court replaces the former Alcohol Court and has a primary focus to reduce the criminal activity associated with misusing drugs and alcohol, and so increase opportunity for rehabilitation.

- Amendments to the *Liquor Act.*
  The Liquor Act amendments complement the other Acts by identifying offences that may lead to a person being banned, and making expectations of liquor licensees clear. It also clarifies offences and introduces penalties that relate to the seriousness of the offence.

This new legislative framework enables the Department of Justice (DoJ) and partner agencies including the Department of Health (DoH) and the NT Police, Fire and Emergency Services (NTPFES), to implement significant operational changes to reduce alcohol access for problem drinkers who cause harm to themselves and others in the community, and triaging them into appropriate treatment.

Under the Reform, banning and treatment orders can be applied through:

- Police-issued BAT notices;
- the courts;
- the AOD Tribunal; and
- the SMART Court.
2. A Banned Drinker Register

The BDR is linked Territory wide, preventing the sale of takeaway alcohol to banned persons. In regions such as Katherine and Alice Springs, local product restrictions continue to apply.

The BDR includes real time interfaces with the Integrated Justice Information System (IJIS) and the Integrated Offender Management System (IOMS). Banned drinkers are uploaded onto the BDR in real time with low levels of administrative burden on Police, Courts and Corrections workers. For the first time, court orders, and prohibition orders (such as those as part of a parole or bail condition) can be enforced at the point of sale, and therefore prevent sales of takeaway alcohol to a banned drinker Territory-wide.

The rollout of the BDR commenced in March 2011, and became live on 1 July 2011, with 145 PoS devices installed in 95 takeaway liquor outlets throughout Darwin and Palmerston.

A further 87 PoS devices have been installed in 67 takeaway liquor outlets in Katherine, Alice Springs, Tennant Creek and smaller premises along the Stuart Highway.

Another 28 sites are on track to have the systems installed in takeaway liquor outlets in remote areas off the Stuart Highway by the end of November 2011.

Areas which currently have electronic permit systems, such as Nhulunbuy and Groote Eylandt, will be the final premises to have the BDR installed. The current permit systems in use will continue to prevent banned drinkers from accessing takeaway alcohol.

Triggers for a ban and being placed on the BDR include:

- Repeat protective custody incidents (3 times in 3 months);
- High range and repeat drink driving;
- Repeat alcohol infringement notices;
- Alcohol-related offences such as assault;
- Domestic violence order breaches; and
- Knowingly supplying alcohol to someone who is already banned (secondary supply).
Figure 1: Persons on the BDR (data extracted from the BDR as at 30 September 2011)

There were 1,576 people on the BDR at the end of the first quarter (Figure 1).

Figure 2: People on the BDR for BAT notices by reason as at end of September 2011
(data extracted from LJS as at 30 September 2011)
At the end of the first quarter, 1075 people were on the BDR for a BAT Notice. Of these, 672 (63%) people were on the BDR for BAT Notice due to an apprehension for an offence, and 360 (33%) were as a result of protective custody incidents (Figure 2).

Of the 1075 on the BDR for a BAT Notice as at 30 September 2011:
- 760 people (71%) had received one BAT Notice;
- 150 (14%) had received two BAT Notices; and
- 165 (15%) of people had received three BAT Notices.

As at the end of September 2011, 104 (63%) people of the 165 in receipt of three BAT Notices had breached their third BAT Notice. The breach of a third BAT Notice results in an automatic trigger of referral to the AOD Tribunal. The AOD Tribunal will begin hearing and assessing referrals from the commencement date of 1 January 2012.

At the end of September 2011, 208 (31%) of people on the BDR due to a BAT Notice issued as a result of an apprehension had a principal offence reported at a location in the Alice Springs Region (Figure 3).
There were 3,503 PoS refusals during the first quarter. In August 2011, there were 1,342 total PoS refusals, 442 for prohibition because the person was on the BDR, and 900 for attempting to purchase above supply restrictions for particular products. For September 2011, there were 1,182 total PoS refusals with 485 of these being for prohibition and 697 for supply restrictions. (Figure 4).
3. Court Reform

The AOD Tribunal and SMART Court are designed to support existing structures, and create new streamlined and culturally appropriate processing of persons requiring mandated treatment and monitoring.

The AOD Tribunal became operational on 1 July 2011 to hear applications for review of BAT Notices and for administrative work around Alcohol Misuse Interventions (AMI).

The Chair of the AOD Tribunal (based in Darwin) has been appointed, and a Deputy Chair (based in Alice Springs) assists in delivering the Tribunal throughout the NT. Tribunal offices opened at Casuarina and work has now been completed for the Tribunal to operate at WestPoint in Alice Springs.

The first round of advertising for clinicians and the second round of recruitment for members to the AOD Tribunal Board has also occurred.

From 1 November 2011, the AOD Tribunal will commence hearing self referral applications from those who wish to place themselves on the BDR voluntarily. The AOD Tribunal will be fully operational from 1 January 2012.

The Substance Misuse Assessment and Referral for Treatment (SMART) Court commenced operating on 1 July 2011. Forty-six (46) people were referred for clinical assessment in the first quarter, 29 of whom have commenced treatment.
4. Increased Rehabilitation Services

The delivery of appropriate treatment and rehabilitation services is critical to break the cycle for problem drinkers and significant investment in alcohol and other drug treatment services has occurred. This includes:

- Fourteen (14) new residential treatment beds in Darwin to support existing drug treatment services;
- Ten (10) new beds coming online in Alice Springs before the end of 2011;
- Increased capacity to meet existing and emerging demands for residential treatment;
- Improved treatment pathways reducing the time to refer a person to appropriate treatment from in excess of 8 days, down to less than three hours; and
- Increased ambulatory interventions and support services such as case management and therapeutic interventions through the Safe and Sober Program in Alice Springs.

Training has been provided to health care centres throughout the NT to deliver AMIs, expanding the range of service providers able to deliver AMIs to people who have been banned from drinking alcohol.

DrinkLess resource packages have also been provided to 71 primary health care services across the NT.

DoH has also recruited an Aboriginal Medical Services Alliance NT (AMSANT) specialist position to work with Aboriginal Medical Services across the Territory to identify service gaps in remote regions and where new resources for treatment could be allocated.
5. Awareness Campaigns

The ‘Enough is Enough’ Alcohol Reform is supported by ongoing community education and awareness to promote safe and responsible drinking.

Prior to the introduction of the PoS scanners on 1 July 2011, a comprehensive communication campaign to assist Territorians and visitors understand the Reform was deployed through various media throughout the Territory; including newspapers, radio and television.

Brochures outlining key alcohol laws in the Territory have been distributed to tourism centres including caravan parks, information centres, and hotels/motels. ‘Talking posters’ aimed at raising awareness of the Reform amongst our remote Indigenous community have been installed in remote police stations, health clinics and shire offices.

Focus on effective communication aimed at increasing awareness for Indigenous communities, continues to be a priority.
SUMMARY

The ‘Enough is Enough’ Alcohol Reform is a long term strategy aimed at breaking the cycle of problem drinking and the issues it creates by moving people into appropriate treatment and rehabilitation. It is in the coming years that the full effect of the Reform will be seen in health and crime data and impact on the Territory's per capita consumption. Early indications show promise with preliminary alcohol-related assault data showing a reduction in the number of incidents across the Territory over the first three months of operation.

A whole of Government approach has seen successful implementation of the Reform delivering a comprehensive package across several agencies and Departments, to benefit Territorians. A strategic and combined delivery of enforcement capability, Court and Tribunal structures, health education and treatment efforts, are contributing to positive change in the NT's attitude to and understanding of, the potential harms of alcohol.