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Inquiry into the Inhalation of Volatile Substances - Response by Victorian Aboriginal Legal Service Cooperative

Victorian Aboriginal Legal Service congratulates the Drugs and Crime Prevention Committee for its thorough and detailed examination of this complex issue.

Victorian Aboriginal Legal Service wish to address three issues in relation to this matter which includes some introductory issues, the context in which the issue has emerged; and explore some primary, secondary and tertiary intervention issues.

Introduction and Context

The discussion paper highlights the enormous level of uncertainty around the issue of inhalation of volatile substances. There is uncertainty around how widespread the problem is, what would help reduce the problem and why incidence and patterns of use vary considerably over time.

One unique feature of this issue is that there are over 250 substances which can be used as inhalants. Many of these are readily available. There is also evidence quoted in the discussion paper that restrictions on one form of inhalant often leads to another inhalant being substituted. The sheer range of inhalants and the difficulty of restricting access to them means that inhalants are unlikely to be effectively restricted by relying on criminalisation or use of the criminal justice system.

The most likely penalties attached if VSA is criminalised (i.e. fines) will impact unevenly and disproportionately on children, juveniles and those already socio-economically disadvantaged. The impact of such legislation will only serve to exacerbate the economic marginalisation, poverty, and social marginalisation of Koori youth.

The other important issue is that colonisation is widely acknowledged to have weakened some aspects of indigenous culture and the cohesiveness of communities. This means that the process of preventing inhalant use by the indigenous community can often be difficult and requires time, money and perseverance. However there are many examples in Victoria and throughout Australia of communities who have worked together and been resourced to do this. They have in their respective communities achieved considerable success in reducing the harm associated with such drug use.

One area of concern VALS has is the way in which media stories have sensationalised the issue and focused on the Berry Street harm minimisation approach. Criticism of the Berry Street model in the media has tended to obscure the fact that efforts should be

focussed on how to better protect people from inhalant harm. It also fails to allow for closer analysis and debate on what strategies/approaches should be adopted. In the field, there is a degree of uncertainty as to how governments and community organisations should proceed with dealing with the use of volatile substance abuse and knee jerk reaction to media sensationalism is counter productive to finding meaningful solutions.

Primary Intervention

D'Abbs and Maclean (2000)¹ in their review of interventions to deal with petrol sniffing in Aboriginal communities use the concept of Primary, Secondary and Tertiary interventions to distinguish between the various form of interventions.

Primary prevention is focussed on trying to influence the setting and context of volatile substance abuse. This includes measures which address ways to strengthen the community such as better recreation, education and involvement of elders. They are not approaches focused on narrowly targeting the people inhaling volatile substances.

D'Abbs and Maclean state that legislative measures do not seem to reduce the incidence of petrol sniffing. They argue "Fear of incurring punishment for crimes does not seem to have a significant impact on preventing the practice...". However the writers note that there are conflicting views about the use of local by laws to curb these behaviours. Some people believe that criminalisation/or applying legal sanctions is useful while others believe that it has the effect of reducing a communities sense of responsibility for dealing with the problem.

The fact that there have a number of country areas where unemployment is high which have reported problems with volatile substance use highlights the need to put resources into primary intervention or primary prevention.

In this context VALS supports the recommendation of the Koori Solvent Abuse Working Group²:

To extend and develop Koori Specific youth clubs to provide structured activities that engage young people, enhance their self esteem and sense of community.

VALS would also support examination of Koori retention rates in high schools and use of TAFE with a view to identifying measures which might be taken to improve the retention rate or improve access to other relevant education programs.

Secondary Intervention

This is defined by d'Abbs and MacLean as measures directed at those who are already "chroming". It is focussed on the examination of the needs of those who are

¹ D'Abbs, P. & MacLean, S. (2000) Petrol Sniffing in Aboriginal Communities: A Review of Interventions (Cooperative Research Centre for Aboriginal and Tropical Health).

² Submission to the Inquiry into the Inhalation of Volatile Substances by the Koori Solvent Abuse Working Group (2002)

experimenting with inhalation of volatile substances; and the needs of their family and community. The writers place high emphasis on the role of community development to help communities clarify what needs to be done; and to support those communities in implementing those decisions. In their analysis of successful strategies in dealing with the problem of petrol sniffing, they found that the most successful strategies were those that were initiated by the community, which enjoyed widespread community support and involved strong participation of community members. They state that developing and fostering community cohesion and support for interventions is critical for the success of any campaign.

VALS does not condone the abuse of volatile substances and supports the development of culturally and community specific strategies to address the underlying issues which lead to the abuse, and for culturally appropriate responses to manage and respond to the problem of VSA. Consequently:

VALS recommends that any statewide strategy should be led and defined by the Koori local communities where inhalation of volatile substances is an identified problem area.

VALS recognises this is often a difficult process and requires ongoing funding support; but challenge Government to commit to the above principle.

Another area which needs attention is the area of training up and better resourcing of Koori Drug & Alcohol workers and programs. Presently, Koori Drug and Alcohol workers are expressing their concern of the increased demands put on them as a result of having to deal with community that are involved in poly-drug usage. There is concern that the current Drug and alcohol workers are not equipped to provide the specialist/expert support required when dealing with volatile substance users.

VALS supports the Koori Solvent Abuse Working Group recommendations :

To develop clinical protocols and guidelines on the treatment of solvent abuse for Koori D&A Workers, as well as Juvenile Justice Workers.

To provide adequate information resources in conjunction with specific training, on solvent abuse issues to Koori D&A workers

VALS supports the Youth Affairs Council of Victoria³ position that although Police involvement with young people inhaling volatile substances should be minimised, police are often the first people to come into contact young people and can assist in removing them from dangerous situations.

YACVic quote a rural area where Police take young people at risk to their place of residence and talk to the parents or guardians. YACVic advocate an approach based on

³ Submission to the Inquiry into the Inhalation of Volatile Substances by Youth Affairs Council of Victoria Inc. (2002)

the High Risk Adolescent Project which fosters collaboration with young people and support workers. Young people at risk who police encounter are referred to an appropriate agency with the young person's consent. This program is currently being run by the Shire of Campaspe.

VALS supports the need for Police to have specific training about how to deal with "chroming" and that Police need to be linked into broader community efforts to tackle the issue in a more holistic way. Intervention should be premised on treating this problem as a health and social issue, not a criminal one.

Tertiary Interventions are again an area where there is considerable uncertainty as to what is most effective. Nevertheless the importance of cultural appropriateness and specialist knowledge mean that a specialist Koori youth service should be established. How young people can and should be compelled to attend these residential facilities requires further discussion.

VALS supports the Koori Solvent Abuse Working Group recommendation that:

A Koori specific youth detoxification and rehabilitation residential facility be established. Further consultation should occur with community organisations and relevant stakeholders as to how young people will be referred/made to attend these to facilities.