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Mr Peter Banson  
Committee Secretary  
Standing Committee on Indigenous Affairs  
P.O. Box 6021  
Parliament House, Canberra, ACT 2600

10<sup>th</sup> April 2014

Dear Mr Banson,

**RE: Inquiry into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities**

On behalf of Leedal Pty Ltd, the Licensee of both the Fitzroy River Lodge and Crossing Inn we respond to the call for submissions in relation to the abovementioned inquiry.

We trust that the key issues raised in the attached submission will be treated with the high degree of consideration and urgency they warrant in order to address a number of disturbing alcohol-related trends in the Fitzroy Valley region of Western Australia.

In addition to lodging this submission Leedal Pty Ltd would welcome the opportunity to collectively discuss the issues raised and elements of proposed best practice solutions as a means of developing a positive, agreed way forward.

Yours sincerely,

Patrick Green  
Chairperson  
Leedal Pty Ltd

Trading As:

TARUNDA IGA, TARUNDA CARAVAN PARK, TARUNDA WHOLESALERS, FITZROY CROSSING LPO, CROSSING INN & FITZROY RIVER LODGE



# Standing Committee on Indigenous Affairs

Inquiry into the harmful use of alcohol in Aboriginal and  
Torres Strait Islander Communities

11<sup>th</sup> April 2014

Submitted by Leedal Pty Ltd



## CONTENTS

Executive Summary .....	2
Introduction & Background .....	5
Patterns of supply of, and demand for alcohol in different Aboriginal Communities, age groups and genders ...	6
Social and economic determinants of harmful use of alcohol across Aboriginal and Torres Strait Islander Communities.....	9
<b>Domestic Violence</b> .....	9
<b>Child / Youth Neglect</b> .....	9
<b>Less money for the family table</b> .....	10
Best practice treatments and support for minimising alcohol misuse and alcohol-related harm .....	12
Bibliography.....	14
Appendix 1 .....	15

## EXECUTIVE SUMMARY

Leedal Pty Ltd (Leedal), the Licensee of the Fitzroy River Lodge and Crossing Inn both of which are situated in Fitzroy Crossing, Western Australia lodges this submission to the *'Inquiry into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities'* for due consideration.

The specific issues to which this submission relates under the Terms of Reference are:

- Patterns of supply of, and demand for alcohol in different Aboriginal and Torres Strait Islander communities, age groups and genders
- The social and economic determinants of harmful alcohol use across Aboriginal and Torres Strait Islander communities.
- Best practice treatments and support for minimising alcohol misuse and alcohol-related harm

On 2<sup>nd</sup> October, 2007 the Director of Liquor Licensing for Western Australia imposed a series of alcohol restrictions in Fitzroy Crossing as a means of mitigating alcohol-related harm and associated issues / problems. Since this time, compliance with these restrictions has been strictly maintained by the Licensee of the Fitzroy River Lodge and Crossing Inn, however Leedal contends that the restrictions has given rise to a series of other disturbing trends and behaviours that need to be urgently addressed for the general well-being of the Fitzroy Crossing community.

The adverse impacts and disturbing trends that have emerged since the introduction of alcohol restrictions relate have affected the entire Fitzroy Valley Community. More specifically the introduction of alcohol restrictions has exacerbated social issues relating to:

- Domestic violence
- Child / Youth neglect
- Binge drinking
- 'Sly-grogging'
- The 'rabbit run'
- Lesser money for families to meet basic living needs

The liquor restrictions imposed by State authorities was considered to be the 'silver bullet' solution to alcohol-related problems. This submission draws attention to the fact that the restrictions have failed and like the Prohibition period in the United States in the 1920's, it has triggered the emergence of a whole new range of alcohol-related problems in the Fitzroy Valley.

The introduction of alcohol restrictions in Fitzroy Crossing has proven futile as demonstrated in the table below.

Problem	Strategy / Solution	Effect	
		Positive	Negative
Alcohol misuse	Liquor Restrictions imposed	Reported but unsubstantiated lesser incidence of domestic violence	<ul style="list-style-type: none"> <li>- Sly-grogging increase</li> <li>- Emergence of 'Rabbit Run'</li> <li>- Child neglect</li> <li>- Less \$\$ on / for the family table</li> </ul>
Domestic Violence	Liquor Restrictions imposed	Nil	Nil

When the current liquor restrictions were introduced they came with an undertaking that support services would also be implemented to deal with and treat community members who were in some way affected by alcohol misuse. This undertaking was clearly not followed through and as a result the affected community members from alcohol misuse face far worse conditions and circumstances today. The lack of support services for problems resulting from alcohol misuse are highlighted in the table below.

Effect / Issue	Support Services	Yes	No	Issue addressed
Alcohol misuse	Sober-up Shelter		X	No
	Rehabilitation Service		X	No
Sly-grogging	Stronger policing, targeting traffickers		X	No
Child Neglect	Increased DCP presence in Fitzroy Crossing		X	No
Less \$\$ on the family table	Increased DCP presence in Fitzroy Crossing		X	No
Domestic Violence	Women's support group		X	No
	Women's Centre adequately funded		X	No
Alcohol supply	Functional local Liquor Accord		X	No

There is no doubt that the introduction of liquor restrictions has adversely affected the supply of alcohol in the Fitzroy Valley and been the sole cause for the emergence of related disturbing practices and trends.

Leedal strongly believes the most prudent approach to addressing alcohol misuse in the Fitzroy Valley is to seek 'local solutions to local problems'. This is premised on the local community (all stakeholders) providing input and guidance to the development and implementation of solutions. This is considered a best practice approach based on principles that are publicly endorsed through the World Health Organisation.

The principles are:

- Community Driven Action
- Ongoing education regarding alcohol consumption
- Increasing the capacity of health and social welfare programs to deliver prevention, treatment and care for alcohol-misuse disorders and related problems
- Screening initiatives and brief interventions targeting hazardous or harmful drinking

The focus of this submission is not solely on the harmful effects of alcohol misuse but also draws attention to the causes of alcohol misuse. This includes new patterns of supply, binge drinking, 'sly-grogging' that have clearly emerged since the introduction of blanket take-away alcohol restrictions by State authorities.

The most disturbing aspect about the effects of alcohol misuse on the Fitzroy Valley community members is the lack of acknowledgement of the problem by relevant authorities and agencies. If these issues and associated community needs continue to be ignored the current trends and patterns of alcohol misuse can expect to worsen considerably.

## INTRODUCTION & BACKGROUND

This submission is lodged by Leedal Pty Ltd (Leedal) as the Licensee for the Fitzroy River Lodge and Crossing Inn, both of which are located in Fitzroy Crossing. Leedal is a Private Australian Company and the Trustee for the Fitzroy Crossing Trust. The Fitzroy Crossing Trust comprises the Indigenous communities of Junjuwa, Marra Worra Worra, Yiyili, Kadjina, Bayulu and Kurnangki, who are the Trust beneficiaries. Leedal Pty Ltd was incorporated in 1987.

Leedal is governed by a Board that comprises a nominated representative from each of the beneficiary communities, in addition to an independent Director. The Fitzroy River Lodge is owned (majority) and operated by Leedal in partnership with Indigenous Business Australia (IBA) and upholds strict corporate governance practices. The Crossing Inn is 100% owned by Leedal.

This response to a call for submissions in relation to the 'Inquiry into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities' is provided from the perspective of Leedal Pty Ltd, as the Licensee for the only two (2) licensed liquor outlets in Fitzroy Crossing.

In order to provide some context around the current ability to legally supply alcohol in Fitzroy Crossing, set out below is some background information relating to current liquor restrictions and subsequent impacts. Leedal strongly believes that recent efforts made to control the supply of liquor in the Community have proven futile and promoted the emergence of alarming trends and compounded a range of social issues.

Since inception, Leedal Pty Ltd has always espoused the need to responsibly monitor alcohol consumption in the Fitzroy Valley, so much so that this aspect remains embedded in the objects of the Company constitution.

On 27<sup>th</sup> September 2007, the Director of Liquor Licensing released his decision regarding the sale of take-away alcohol in Fitzroy Crossing. It was his finding that as of 2 October 2007 the following restriction would be imposed for six months:

*'The sale of packaged liquor, exceeding a concentration of ethanol in liquor of 2.7 per cent at 20°C, is prohibited to any person, other than a lodger (as defined in section 3 of the Act).'*

On the 16<sup>th</sup> May 2008, following a review of the impact of the restrictions over a 6-month period, the Director of Liquor Licensing extended the restriction 'indefinitely' from 19<sup>th</sup> May 2008 with an annual review to test its ongoing effectiveness (Kinnane, 2010). Since the introduction of liquor restrictions, the Licensee of the Fitzroy River Lodge and the Crossing Inn has continued to work in a responsible manner with the Fitzroy Crossing community and local authorities / agencies in an effort to reduce the level of alcohol-related incidents and issues.

Leedal and its investment partner Indigenous Business Australia (IBA) take its statutory and regulatory obligations very seriously and have maintained compliance with the restrictions and associated requirements since their introduction, including the introduction of a security presence and screening process on the licensed premises.

When the current liquor restrictions were implemented the Licensee of both liquor outlets lodged a submission with the Director of Liquor Licensing expressing views and concerns regarding a number of factors that still remain current today. These aspects are discussed in more detail below in the context of the focus of this inquiry.

## PATTERNS OF SUPPLY OF, AND DEMAND FOR ALCOHOL IN DIFFERENT ABORIGINAL COMMUNITIES, AGE GROUPS AND GENDERS

The introduction of liquor restrictions in Fitzroy Crossing have been considered by authorities to be the primary means by which the supply of alcohol in Fitzroy Crossing can be controlled, which in turn will help to address the impacts of alcohol misuse.

Studies undertaken early after the introduction of liquor restrictions in Fitzroy Crossing looked at the impact (both positive and negative) of the restrictions in relation to alcohol-related incidents and associated problems. These reports quote statistics that indicate the implementation of liquor restrictions positively impacted Fitzroy Valley Community in a range of areas.

Leedal acknowledges there were some early positive outcomes achieved through the introduction of liquor restrictions however the liquor restrictions should not be considered a 'silver bullet'.

Reports produced through the WA Government Drug & Alcohol Office following the first two (2) years of the restrictions strongly support the view that the availability of alcohol through local outlets is not the sole cause of ill-health, anti-social behaviour, domestic violence and related issues in the Fitzroy Valley (Kinnane, 2010).

Kinnane's report surmises that at the end of the second year there was a clear increase in people presenting to the hospital with alcohol-related injuries. It is implied that the rise in reported alcohol-related violence was due to the impact of the 'rabbit run' (residents travelling to other towns to purchase alcohol), and an increasing volume of alcohol being consumed in Fitzroy Crossing (Kinnane, 2010).

To put the 'rabbit run' into context, for Fitzroy Crossing community members to purchase take-away alcohol they need to travel 518 km round trip to Derby; 790 km round trip to Broome; or 1298 km round trip to Kununurra. It is also highlighted in Walsh's article that 'sly groggers' could be taking up to a 200 km detour to avoid detection (Walsh, 2014).

The increasing frequency of the 'rabbit run' brings into question the overall effectiveness of the restrictions in the context of the broad community view that it has prompted the growth of an underground trade, otherwise referred to as 'sly grogging'.

This was evidenced by the increasing volumes of alcohol making their way into Fitzroy Crossing on a weekly and fortnightly basis and the resultant increase in alcohol-related anti-social behaviour and violence (Kinnane, 2010).

The liquor restrictions have clearly encouraged residents to travel to other towns to purchase take-away alcohol. Past statistics relating to this type of activity may not support this view but it is widely acknowledged that increasing amounts of alcohol are being brought into Fitzroy Crossing which has been highlighted recently through media reports. For example, Walsh states in his recent media article in the Kimberley Echo that since July 2013 there have been ten (10) prosecutions by police for 'sly-grogging' offences in Fitzroy Crossing. (Walsh, 2014)



This alarming trend continues today and it is noted in Kinnane's report that in some instances residents travelling to other towns to purchase alcohol had taken children out of school for the trip (Kinnane, 2010).

Importantly, the potential for this trend to emerge was identified by stakeholders and noted in correspondence received from the Department of Racing, Gaming & Liquor dated 28<sup>th</sup> July 2007 (Sargeant, 2007).

The introduction of more stringent liquor restrictions in Fitzroy Crossing in many ways reflects 'Prohibition'. It is well documented and generally accepted that Prohibition in the 1920's was not a successful strategy because it created a series of other social problems such as binge drinking, corruption and organized criminal activity.

The fact that current liquor restrictions in Fitzroy Crossing prohibit the sale of any take-away alcohol has created a new, growing supply chain in the form of 'sly-grogging'. Therefore, Leedal Pty Ltd contends that the restrictions have exacerbated issues relating to the supply of alcohol in the Fitzroy Valley through sly-grogging, which represents an uncontrolled environment (i.e. age groups accessing alcohol), facilitates binge-drinking and has contributed to ongoing domestic violence in the Fitzroy Valley Community.

Hanson (2013) notes that the per capita consumption of alcohol increased during Prohibition in the 1920's in the United States, according to the Federal Wickersham Commission. It increased over 500% between 1921 and 1929, according to a study published by Columbia University Press. It's important to point out that per capita consumption dropped dramatically between 1910 and the imposition of Prohibition in 1920. So Prohibition reversed a downward trend in alcohol consumption. (Hanson, 2013)

Hanson also comments that many groups around the world have learned how to consume alcohol widely with few problems, for example, the Italians, Jews, Greeks, Portuguese and Spaniards. Hanson believes the success of these groups has three parts:

1. beliefs about the substance of alcohol,
2. the act of drinking, and
3. Education about drinking.

Hanson cites the following analogy:

'Imagine if we handled driving education the way we do drinking "education." We would tell young people that driving is dangerous and kills tens of thousands of people each year, that driving requires physical skill, emotional maturity, knowledge of rules of the road, and practical driving experience. We would deny them the opportunity to obtain a driver learner's permit, to practice driving, and to become skilled and safe drivers. Then, on their 21st birthday, we would hand them car keys and tell them that it's safer to take public transportation but if they must drive, to be careful and try to avoid accidents.' (David J. Hanson, 2013)

‘But that’s exactly what we do with alcohol education and are surprised that we don’t get better results. We need to issue drinking learner permits, under strict guidelines, to promote responsible drinking behaviours among adults age 18-20.’ (David J. Hanson, 2013)

Hanson argues that if the goal of Prohibition was to increase heavy episodic (binge) drinking, increase the consumption of dangerous illegal alcohol, reduce public health, foster organized crime, promote corruption and encourage widespread disrespect for the law, then it was clearly a resounding success (David J. Hanson, 2013). Leedal strongly concurs with Hanson’s view.

Many parallels can be drawn between the Prohibition period of the 1920’s in America and the introduction of Liquor Restrictions in Fitzroy Crossing. Both initiatives were aimed at limiting the supply of alcohol and reducing consumption. However, as with the Prohibition period in America, the liquor restrictions have not had any positive impact on the patterns of supply of alcohol.

Instead, it has triggered a stark increase in the incidence of ‘sly-grogging’ and related problems such as binge drinking, public health issues (many of which go untreated / unaddressed), crime, disrespect for the law and child / youth/ family neglect (meaning less money on the family table).

The emergence of sly-grogging and related problems in Fitzroy Crossing has more recently been highlighted through media reports such as the article reported by ABC News on 14<sup>th</sup> March 2014 (Refer Appendix 1).

In the report Parke states that stamping out the black market is a daily struggle. Word gets around quickly when there is a carload of booze available, and the customers want the trade to continue. Family loyalty makes it difficult for residents of this tight-knit community to ‘dob in’ people they know are involved. The article also notes that the local Police Sergeant remains flabbergasted at the money being charged. The going rate, he says, is \$150 for a carton of beer. They've caught people selling \$6 bottles of wine for \$50. (Parke, 2014)

In summary, it is clear that alcohol restrictions are ineffective and those that are at the heart of alcohol-related issues, the problems drinkers, are not being targeted in terms of local support, services and education initiatives being put in place to counteract this ongoing trend. This point is highlighted by a recent death as reported by ABC News, where a 45 year old wandered away from friends while drinking on the banks of the Fitzroy River (ABC News, 2014). Alarming reports since from local Fitzroy Crossing community members have sadly pointed to this person being found with alcohol by his side.

## SOCIAL AND ECONOMIC DETERMINANTS OF HARMFUL USE OF ALCOHOL ACROSS ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES

The harmful effects of alcohol misuse are well documented and contribute to a range of disturbing social issues and trends in both Indigenous and non-Indigenous Communities. In the context of this enquiry Leedal believes the social and economic determinants of harmful use of alcohol primarily relate to the following issues:

- Domestic Violence
- Child / Youth neglect
- Less money for the family table
- Increased crime

### ***DOMESTIC VIOLENCE***

The report compiled in 2010 following the introduction of liquor restrictions notes that reported domestic violence increased during the second year of the restrictions. This trend was considered to be related to an increase in reporting of threats and less severe violence, as well as victims following through on complaints. (Kinnane, 2010) However this would appear to be an assumption or view of related stakeholders, rather than known fact.

The assumption that the liquor restrictions imposed has reduced the incidence of domestic violence is not supported by Leedal or recent findings.

The minutes recorded of a meeting of the Fitzroy Valley Futures, Justice & Community Safety Sub-Committee held on 12<sup>th</sup> November 2013 make reference to the following alarming statistic.

- From Nov 2007- Nov 2008 there were 127 reported cases of Domestic Violence.
- From Nov 2012- Nov 2013 there were 534 reported cases of Domestic Violence.

Again, this stark increase in reported cases is considered to be the result of more cases being reported however this can only be based on assumption rather than known fact.

Furthermore, Kinnane notes the increasing volumes of alcohol making their way into Fitzroy Crossing on a weekly and fortnightly basis and the resultant increase in alcohol related anti-social behaviour and violence (Kinnane, 2010).

### ***CHILD / YOUTH NEGLECT***

Leedal contends that the social and economic determinants of harmful use of alcohol relate closely to child / youth neglect.

Kinnane comments that the introduction of liquor restrictions in Fitzroy Crossing saw an increasing frequency of the 'rabbit run' (residents travelling to other towns to purchase alcohol) (Kinnane, 2010). This brings into question the overall effectiveness of the restrictions in the context of the broad community view that it has prompted the growth of an underground trade, otherwise referred to as 'sly grogging'.

The lack of consistency with the ongoing collection of statistical data against which the harmful use of alcohol can be measured is a major concern. The lack of data appears to have caused authorities to make many assumptions about the impact of liquor restrictions. Furthermore, it means they really have no way of knowing what the true impact may be.

Sources within the Fitzroy Crossing community report that the increasing frequency of the rabbit-run has subsequently resulted in the neglect of children and youth in the Fitzroy Valley. This alarming trend has been triggered by local residents travelling to other towns to purchase alcohol and taking their children out of school for the trip (Kinnane, 2010). In some instances it has been reported that guardians / parents have left children / youth in the care of other family members while travelling to other towns to purchase and/or consume alcohol.

Importantly, the potential for this trend to emerge was identified by stakeholders and noted in correspondence received from the Department of Racing, Gaming & Liquor dated 28<sup>th</sup> July 2007 (Sargeant, 2007).

Another disturbing aspect that highlights the social and economic determinants of the harmful use of alcohol is the increasing trend in criminal behaviour and activity by youth. Since the 1<sup>st</sup> January 2014 there has been:

- Three (3) break-ins at the Fitzroy River Lodge
- Three (3) break-ins at the Crossing Inn
- One (1) break-in at the Shell Roadhouse
- One (1) break-in at the Visitor Centre
- Three (3) break-ins at Ngiyali Roadhouse
- Three (3) break-ins at the Men's Shed. As recent as 14<sup>th</sup> March one utility and bus stolen with the utility being burned and the bus being recovered.
- Fitzroy Crossing District High School was broken into on 15<sup>th</sup> March in with over 20 windows broken, desks and chairs broken, fire extinguishers let off, etc. The Education Department ordered the school closed on Monday the 17th March.
- Tarunda IGA Supermarket – there have been over six (6) attempts to break-in at the back of Supermarket and smashing of the front security cameras.

The majority of these incidents related to youth in the town and there is a common belief amongst community members that youth are bored and parents are away in other towns getting what they can't get here in Fitzroy Crossing – take away alcohol. The ages of these youth range from 7 to 15 years of age. CCTV footage captured at Tarunda IGA Supermarket indicates these children being 'on the streets' at times of 3.30am and 4am. This begs the question as to how they could possibly participate in a full day at School the following day. The responsibility for these children clearly rests with the parents however they are not in town to fulfill their responsibility.

These are obviously highly disturbing emerging trends. While statistics may not be available to support the scale of the problem, if it is ignored for that reason it will only escalate, and the youth of the Fitzroy Valley will continue to suffer the effects.

#### ***LESS MONEY FOR THE FAMILY TABLE***

Leedal believes the practices that have clearly emerged since the introduction of liquor restrictions in Fitzroy Crossing, such as 'sly-grogging' and the 'rabbit run', have led to a disturbing trend of families having less money to meet basic living needs.

While there is limited statistical evidence to support this view recent media reports highlight the highly excessive prices residents are paying for 'sly-grog' being brought into the town (refer Appendix 1).

As a result, residents are sacrificing valuable, limited funds to meet basic living expenses (e.g. food, power etc) for the purchase of grossly over-priced alcohol that has been illegally brought into the town and sold within the community.

This claim is not made lightly and is the result of informal discussions within the community and feedback from local community members. Discussions with local community members indicate that historically weekly family budgets included an allocation (predominantly to the senior male/s of the family) for the purchase of alcohol at local take-away outlets. The balance of family income would be used to put food on the table and meet other basic living expenses.

However, with the emergence of 'sly-grogging' the family budget is now severely affected through paying highly inflated prices for alcohol. Consequently, the ability of families to meet basic living expenses is greatly reduced with the women and children being bearing the adverse effects.



## BEST PRACTICE TREATMENTS AND SUPPORT FOR MINIMISING ALCOHOL MISUSE AND ALCOHOL-RELATED HARM

When the current liquor restrictions were introduced they carried a pledge from stakeholders and regulatory bodies that additional support would be placed in Fitzroy Crossing to help affected individuals and parties deal with the consequences (not just the causes) of alcohol-related incidents and problems.

In the report prepared by Notre Dame University in 2010 for the Drug & Alcohol Office it was noted that there was a general sense that the town has taken on the restrictions, yet there has not been the expected follow through of additional services (Kinnane, 2010). Based on discussions within the Community and observations made in recent years, this issue remains current today.

The fact that restrictions have been implemented but the same problems and social issues exist supports the view that alcohol was not the sole contributing factor to the wide range of issues. The level of support services currently available in the Fitzroy Valley are not considered adequate. For example, despite the restrictions it is acknowledged that alcohol-related issues continue today therefore it defies belief that services such as the Sober-Up Shelter were closed prior to the restrictions being introduced.

The past activities of the Sober Up Shelter and the data gathered during its operations would provide an invaluable contribution to the development of meaningful programs to address alcohol-related issues. These statistics should be obtained and used as part of developing a better understanding of aspects at the heart of alcohol issues and identifying the best, most practical solutions.

It is also understood that funding for the Women's Centre is to be reduced which again is cause for major concern in light of current trends and circumstances.

Hanson presents a strong case in terms of demonstrating that denying access to alcohol (e.g. Prohibition) is not a reasonable solution to address issues relating to alcohol misuse (David J. Hanson, 2013). Leedal strongly concurs with this view and believes that best practice treatments and support for minimising alcohol misuse and alcohol-related harm should focus on policies espoused by World Health Organisation (World Health Organisation, 2010).

- Community Action - development of local solutions through a functional local Accord.
- Ongoing education regarding alcohol consumption – youth focused
- Increasing the capacity of health and social welfare programs to deliver prevention, treatment and care for alcohol-misuse disorders and related problems (e.g. reinstate the Sober-up Shelter, adequate funding for the Women's Centre etc)
- Screening initiatives and brief interventions targeting hazardous or harmful drinking

The notion of coordinated, agreed community action to address alcohol misuse is endorsed through the World Health Organisation (WHO) and is premised upon the development of local solutions to local problems (World Health Organisation, 2010). This concept moves away from authorities adopting a 'blanket approach' to addressing alcohol misuse and instead looks to treat problems using a more community targeted approach. In simple terms, local communities should be advising and directing policies and actions to be implemented by relevant authorities.

Ongoing education in relation to alcohol consumption must continue and be targeted towards at-risk cohorts. Of equal importance is the need to ensure that these programs are adequately funded and resourced.

The prevention of alcohol misuse is not the only aspect that should be the focus of this enquiry. The ability for community members, both those with alcohol misuse disorders and the affected members, to access health programs, support networks and care services is paramount to addressing all related aspects of harmful

alcohol misuse. Put simply, authorities cannot just seek to address the problems but must also place increased focus on addressing affected community members (e.g. women, children, families etc).

The final key aspect of in terms of best practice methods to minimise alcohol misuse are directly related to the supply of alcohol and addressing the disturbing practice of 'sly-grogging'.

Leedal believes that relevant authorities and agencies have adopted a 'head in the sand' approach to sly-grogging in order to avert public criticism about subsequent problems that have been caused by liquor restrictions imposed.

This will require an alternative approach to the practice of imposing take-away liquor restrictions and authorities having a clear 'political will' to introduce more stringent 'screening initiatives and interventions' in order to have greater control over the local supply of alcohol.

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## APPENDIX 1

### Sly grogging on the rise in Fitzroy Crossing

By Erin Parke

Updated Thu 13 Mar 2014, 2:42pm AEDT



**Photo:** Bottles of seized black-market liquor fill the back of a police van in the Kimberley. March 10, 2014. (ABC News: Erin Parke)

It is a hot, muggy day in Fitzroy Crossing, and local police officers are working up a sweat.

They are crouched in the police station car park, loading dozens of glinting black cans into a grill built into the ground.

A lid is placed on top and a mud-splattered troopie drives back and forward over the cans. There is a crunching noise and the sickly sweet smell of bourbon fills the air.

It is the smell of illegal alcohol which will flow down a pipe and into a garden bed where a decidedly tipsy looking mango tree is flourishing.

The can-crushing ritual is becoming increasingly common in this small outback police station, 2,500 kilometres north of Perth.

It is the only police equipment of its kind in Western Australia, installed to help police as they struggle to stem the flow of black market booze into the Central Kimberley.

## **Supply restricted to prevent binge drinking**

In 2007, alcohol restrictions were introduced in Fitzroy Crossing to try and bring down the high rates of public binge drinking, drunken assaults, and liquor-related presentations at the local hospital.

Local schoolteacher Marmingee Hand was one of the local women who lobbied for the change.

"The restrictions led to a significant drop in Aboriginal people sitting under trees drinking, and wandering around intoxicated seven days a week," she said.

**It's really having a devastating effect on our community...it's leading some people to go back to their old habits, the drinking and the fighting."**

Marmingee Hand

But she has watched the improvements be undermined by a flourishing black market trade, which sees would-be entrepreneurs travel hundreds of kilometres to towns like Broome and Derby.

They load up on booze and return to Fitzroy Crossing to sell it from parked cars and illegal home bottle shops.

"It's really having a devastating effect on our community, also having a huge impact on our kids learning at school. It's leading some people to go back to their old habits, the drinking and the fighting," Ms Hand said.

The officer in charge of Fitzroy Crossing police station, senior sergeant Andrew Stevens, and is unequivocal about the scale of the problem.

"It's the main cause of all our problems in town," he said.

"Alcohol is behind all the violence."

## **Black market alcohol sells for sky-high prices**



**Photo:** Kimberley police test a new device designed to destroy black market liquor in Fitzroy Crossing. (ABC News: Erin Parke)



Stamping out the black market is a daily struggle.

Word gets around quickly when there is a carload of booze available, and the customers want the trade to continue.

Family loyalty makes it difficult for residents of this tight-knit community to do in people they know are involved.

Sergeant Stevens remains flabbergasted at the money being charged.

The going rate, he says, is \$150 for a carton of beer. They've caught people selling \$6 bottles of wine for \$50.

Like any market, the rules of supply and demand prevail.

"The people who are selling the sly grog, they know the times people want it," he said.

"When the bottle shop is shut and the grog's run out, people will wander around just looking for alcohol, and so the sly-groggers will be selling it at all times of the morning."

Police say the link between the grog and the violence is devastatingly clear.

"When we get a notification that a car is heading this way with a bulk purchase of liquor, if we don't stop that car, we can expect a problem where it's headed that night, usually in the form of domestic violence and assaults and anti-social behaviour," Sergeant Stevens said.

"Because then those people will be up drinking all night, and they'll be up fighting once they get drunk."

### **Patrols started to stop sly grogging**

Local police officers have started conducting regular highway patrols, stopping and searching vehicles on their way into town to try and stem the flow of alcohol.

Photos from a bust last year show cartons of beer stashed in nooks and crannies of a battered four-wheel drive, with cans crammed into a tradesman's toolbox.

Despite their best efforts, police suspect they are intercepting less than half of the liquor that arrives.

**It's people making money from people who are dependent on alcohol, these people are alcoholics and will pay a huge price to get that grog.**

Marmingee Hand

Sergeant Stevens says his department has had six successful prosecutions in the past year, but it is tough going.

He says it is not enough to catch someone with crate-loads of booze in the back seat.

"You need evidence that they intended to supply it or sell it, and that's not always easy to do," he said.

"The people around here adapt very quickly and have cover stories, so we have to break those stories down and examine the finances and prove to the courts there was a definite benefit to those people for supplying that alcohol."

The police station storeroom is filled with alcohol confiscated ahead of pending court cases. It is not just your stereotypical green cans and red cans; there are crates of pink bubbly in the mix, too.

Much of it will end up watering the station mango-tree, thanks to the custom-designed can crusher out in the rear carpark. It is put into action once the court case is concluded and the evidence can be destroyed.

The officers seem a bit bemused by their role as destroyers of alcohol, and you get the impression they would rather not go through the smelly routine of crush and clean, crush and clean.

For Marmingee Hand, the stakes could not be higher. She teaches at a local specialist sports program for Aboriginal girls, and says it is clear when there is a fresh load of grog in town.

"We can see...when the alcohol is getting brought in, you can see people parked in strange places and people going to buy it, and then the fighting and playing up," she said.

"It's people making money from people who are dependent on alcohol, these people are alcoholics and will pay a huge price to get that grog."

"The community people here should wake up and help the police in regards to this."