



Dissenting Report — Mrs Julia Irwin MP, Ms Kate Ellis MP and Ms Jennie George MP

The inquiry process

Federal Labor committee members believe it is important that House of Representatives Standing Committee inquiries provide taxpayers with value for their money.

This inquiry and the report which has eventuated do not meet this basic test.

Four years ago, in August 2003 the House of Representatives Standing Committee on Family and Community Affairs finalised a report into substance abuse in the Australian community.

The Inquiry spanned sixteen months of investigation, received submissions from some 300 individuals and organisations, and the final report, *Road to Recovery*, contained some 128 recommendations.

It is difficult then to justify the cost of another inquiry covering similar subject matter within such a short space of time.

Road to Recovery detailed the experiences of parents dealing with a child with addiction to illicit drugs. One individual noted how her sister's addiction and prostitution in support of her habit *had torn the family to its heart*.

That family, along with many of the other interested people who gave testimony would be perplexed and disappointed that their very personal accounts of the terrible impact of illicit drug use detailed in the Committee's report did not warrant immediate action from the Federal Government.

In fact the Government's response to *Road to Recovery* was not tabled in the Parliament until August 2006; some three calendar years after the Committee

completed its work and just six months prior to the initiation of this Inquiry by the Chair of the Family and Human Services Standing Committee.

The absence of any substantial response to the initial inquiry and then such a hasty return to the same subject so soon after, demonstrates a profound lack of respect for the Australian families affected by illicit drug use and the professionals who help them and want their elected representatives to take decisive action.

It is important to also record Federal Labor Member's concerns at the conduct of the present inquiry. While many witnesses to the earlier inquiry were asked to present their views again, not all who did this were treated with respect by individual committee members.

Some experienced outright hostility because their expert views did not accord with the personal beliefs or political aims of those questioning them.

Such behaviour brings no credit to the committee process and puts at risk future inquiries which may rely on expert opinion to help shape future policies aimed at improving the health and wellbeing of Australians.

Inquiry findings

From its terms of reference, the Committee's inquiry and report might have been expected to deal with specific issues related to the impact of illicit drug use on Australian families.

Instead the inquiry has focused on attempting to legitimise the political stance of the Government. From the outset, (1.2), the Report's introduction takes its lead from a quotation attributed to the Prime Minister of 16 August 2007 which advocates the maintenance of a "zero tolerance approach."

In practice, there is a gap between Federal Government rhetoric, the conclusions its members reach in Committee processes, the services funded by the Government, and the National Drug Strategy adopted by the Council of Australian Governments. For example, the recent report of the Parliamentary Joint Committee on the Australian Crime Commission Inquiry into the manufacture, importation and use of amphetamines and other synthetic drugs in Australia recommended that in the execution of the Government's National Drug Strategy, harm reduction strategies and programs receive more attention and resources.

Labor members strongly condemn illicit drug use and support a "tough on drugs" approach as a means of protecting Australian families from the terrible consequences of drug use and abuse.

This is evidenced by a series of recent Labor policy announcements.

On 15 April 2007 Federal Labor committed to a National Strategy to crack down on methamphetamines or “ice.” This included:

- a ban on importing ice pipes and other drug paraphernalia and either further restrictions or a complete ban on sale of pseudoephedrine - a key ingredient of methamphetamine - over the internet; and
- the extension of the special reference to the Australian Crime Commission to conduct a national investigation into the criminals engaged in the manufacture, sale and use of methamphetamine.

On 24 June 2007 Federal Labor committed to boost Australian Federal Police numbers by 500 including tackling the importation of illicit drugs.

On 14 July 2007 Labor announced a plan to quarantine up to 100% of the income support payments of parents who are addicted to drugs and alcohol. This initiative recognised the need for a robust intervention to ensure payments to parents battling addiction are spent on their children.

Labor members support the aim of helping those who use to become drug free.

It must be recognised that illicit drug use and drug addiction in particular, can be complex.

Despite the best efforts of families, Governments and health professionals and community groups such as churches, a small number of people still engage in drug taking behaviour. This is a tragedy that families across the social spectrum face.

How best to deal with those who are resistant to intervention is not an easy task but society should not give up on trying to engage them in treatments that will see them become drug free and minimise the harm they do to themselves and their families.

Labor members believe that health professionals need to be able to use a range of intervention approaches and that these must be seen as part of a continuum that has freedom from drugs as an end goal.

Labor Members are concerned that the construction of many of the Committee’s recommendations are either flawed or deliberately worded to prevent acceptance by a reasonable person.

Labor supports a majority of the Report’s 31 recommendations.

However for the reasons described above, some cannot reasonably be supported or rejected in whole.

The following general observations are intended to inform an incoming Government of Labor Committee members views on some of the key issues raised in the report.

What works

The Committee's rejection of evidence-based analysis puts at risk the valuable work of government and non-government agencies which lead the world in addressing the health, social, economic and law enforcement consequences of illicit drug use.

In some cases the Committee's report even contradicts the Federal Government's August 2006 response to the *Road to Recovery* report. For example, the Commonwealth's response to *Road to Recovery* points to a recent review confirming the efficacy of Government needle programs while the current report seeks a review of the same.

The current report seeks to impose a one size fits all approach to the dispensing of methadone, despite the effectiveness of the current approach which relies on the professional judgement of qualified pharmacists.

It also advocates Government sponsorship of individual treatment options without normal tests of efficacy and cost effectiveness that are applied to all other medications.

Child protection

The report's approach to the protection of children is at odds with State and Territory child protection practice and inconsistent with the intent of current Federal Government welfare policy.

Government Committee members argue that addiction alone should determine whether a child is separated from their parent rather than the more robust test of the best interests and safety of the child administered in the field by a qualified child protection practitioner together with Police and doctors.

In practice, such an approach could place children at greater risk, as Dr John Herron, head of the Australian National Council on Drugs noted recently:

“Overcoming drug or alcohol dependencies is not an easy task, particularly when caring for children. Having a system that encourages treatment is far better for the children than a system that drives parents away from assistance for fear of being separated from their children.”

Labor members believe that a more robust approach is the one that operates currently in child protection systems in all jurisdictions where the best interests and safety of a child determines whether they are separated from their parents.

Further, the bipartisan commitment to quarantining of welfare payments of parents in contact with child protection agencies is intended to provide a corrective option for those with a drug or alcohol addiction to overcome their problems.

Other issues

Labor supports workplace based strategies that target illicit drug use. However, such initiatives must be cost effective for employers and be implemented with the cooperation of State and Territory Governments. Labor Members advocate the development of a strategy to target illicit and licit drug use in the workplace through the Council of Australian Governments.

Labor members note the Government's response to *Road to Recovery* endorses the role of the Australian National Council on Drugs in promoting appropriate media treatment and reporting of drug and alcohol issues. Labor members believe the Australian National Council on Drugs should be given a more formal mandate to develop national guidelines for the responsible reporting of these issues.



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