

Submission by the Darwin-based Network Against Prohibition to the Senate Community Affairs Reference Committee inquiring into petrol sniffing in remote Aboriginal communities.

Ten things you should know about petrol sniffing

By Gary Meyerhoff, September 5, 2005

As a former youth worker working over the mid to late nineties with a large number of chronic 'chromers', and a two-year stint facilitating an illicit drug program for the Danila Dilba Medical Service, I have a unique insight to the petrol sniffing issue.

According to the Concise Oxford Dictionary, petroleum is a: "hydrocarbon oil found in upper strata of earth, refined for use as fuel for heating and in internal combustion engines". So why on earth is the NT Labor Government seriously considering the prohibition of petrol in remote indigenous communities and just what is the "Volatile Substance Abuse Prevention Bill"?

According to the NT Department of Health and Community Services (DHCS), they have given up on addressing the petrol sniffing problem and they have turned to the 'justice' system for answers. You'll agree with their statement that: "Many of the causes of inhalant substance abuse, such as boredom and lack of employment and education options on remote communities, are not things which a health department is primarily responsible to change." Derr!!!

No guys, that's our – the people's – responsibility!

If the proposed 'Volatile Substance Abuse Prevention Bill' is passed; members of the NT police will have the power to seize substances such as petrol, glue and paint where they suspect they are being inhaled, or abused. They will also have the power to apprehend a petrol sniffer where they feel that they can be a danger to themselves or others.

For people with a chronic substance misuse problem the bill 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, but for how long that clause lasts remains to be seen.

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 sniffer commits crimes that do carry jail penalties, then that will be considered by a court

however the Government wants to reassure us by stating that an “act of petrol sniffing on its own will not involve a prison sentence.”

The NT Government is promising ten million dollars over five years to go towards treatment programs that “support the legislation”.

They have promised ‘treatment centres’ that will be set up throughout the Territory and will involve isolating sniffers from substances and "providing them with a supportive environment to help them to get back on track." There is scant if any detail.

The bill is also aimed at cracking down on people who “sell or supply volatile substances to users.” In true ‘war on drugs’ parlance, the FAQ information sheet put out by the NT Department of Justice (DOJ) states: “We take restricting supply so seriously that we are giving protection to informants.” There is no indication as to whether or not there will be a new offence of ‘petrol-trafficking’, let alone an indication of the number of litres of petrol considered a trafficable or commercial quantity under the threatened regime.

As an aside, the NT Police claimed in July 2004 that: “A 23-year-old man will face court following his arrest for allegedly supplying petrol to teenagers.” He was charged with “supplying a volatile substance.”

The Greens have called for a Royal Commission or Senate Inquiry into the issue but I fail to see how another inquiry can benefit anyone other than the legal eagles involved. Look at the Royal Commission into Deaths in Custody. Many of its recommendations are still ignored.

Take recommendation 143 for example: “All persons taken into custody, including those persons detained for intoxication, should be provided with a proper meal at regular meal times.” This is one example of a recommendation being ignored. It is breached every afternoon when Berrimah prison inmates are given a pitiful ‘breakfast’ that they are supposed to save until morning; the result being that the prisoners go without a decent breakfast. But I digress.

Some indigenous Community Councils and many Territory youth agencies have put in their two-bobs-worth. Their solution: ‘Opal’, BP’s ‘non-sniffable’ petrol. A lot of people are arguing that this should be introduced as the only petrol available in Central Australia. This would give BP a lovely monopoly.

BP of course, with a profit after tax of \$852 million in 2004, maybe isn’t as innocent as the company appears at first glance.

What would you expect from a corporation with a turnover last year in excess of 285 billion US dollars? You can bet your bottom dollar BP has the patent for Opal and they see this whole issue as a lovely revenue-raiser!

The BP website tells us: “Petrol sniffing has become a concern in outback communities in Northern Territory, South Australia and Western Australia and it is estimated that more than 1,000 people are affected by sniffing, which leads to permanent disability and premature death.”

The Australian National Council on Drugs (ANCD) is also on the bandwagon with regards to petrol sniffing. In a July 2005 media release, ANCD member and Chair of the National Indigenous Drug and Alcohol Committee (NIDAC), Associate Professor Ted Wilkes stated: “The ANCD has again heard about the extent and impact of petrol sniffing in Indigenous communities.”

Yes, petrol sniffing has “become a concern”, thanks to the ongoing alarmist and sensationalist media coverage of the issue - fuelled by the marketing and publicity people at BP’s Elizabeth Street offices in Melbourne.

Alice Springs Alderman and ‘Opal’ supporter Melanie van Haaren recently told ABC radio: “We are taking on a cause with enormous commitment and gusto.”

The ANCD are also backing Opal.

Commitment and gusto are admirable qualities. However, when deciding what to do about petrol sniffing, the fundamental principle you should keep in the back of your mind is that any ‘solution’ must reduce harm - not maximise it (The Concise Oxford Dictionary defines 'maximise' as: "increase or enhance to the utmost").

The following are some things you should consider when trying to address the issue of petrol sniffing in remote indigenous communities:

1. The criminalisation of petrol sniffing is just another bandaid that we would expect from those wound up in electoral politics. It takes the focus away from the root cause of the problem - the inherent structural racism faced by the Indigenous community in Australia and the reality of the poverty that some communities are forced to endure. As Major Michael Mori, the lawyer representing David Hicks said (referring to recent changes to the military tribunal faced by Hicks): “You can slap a new coat of paint on the outside of a house with broken foundations, but it doesn’t fix the problem.”

2. Together with the NT Government's 'war on longgrassers'. The criminalisation of petrol sniffing will further marginalise and criminalise a section of the community who are already targeted disproportionately by the 'justice' system. Young people and members of the indigenous community generally suffer an inordinate amount of police harassment and attention. The Territory's indigenous incarceration rate is higher than ever before. This can only increase under the proposed legislation. The recent establishment of the 'Remote Area Drug Desk' by the NT police Drug Enforcement Section is only compounding this.

3. It is public knowledge that Berrimah jail is well overcrowded. With the one hand, The Territory's Attorney-General, Peter Toyne MLA, says his department is working on alternatives to prison for non-violent crimes to ease pressure on the jail system – with the other hand they risk increasing the number of non-violent offenders in the prison system. This is typical of prohibitive approaches to substance misuse. It contradicts what Family and Community Services Minister Delia Lawrie has said. Delia claims: "part of that (our) approach is treating teenage substance abuse as a health issue not a criminal problem."

4. There are much cheaper alternatives to criminalisation. We must see the implementation of the full-range of youth services, crisis services, accommodation services as well as the mainstream youth services and drop-in centres. These are only bandaid solutions but surely we need a positive way for the government to spend its money instead of the zero-tolerance approach; and surely that is a saner way to expend money other than the illegal wars in Iraq and Afghanistan!

5. Prohibition has never worked and there is no reason to suggest that it will work in remote indigenous communities. It failed with Alcohol in the USA, it is failing now despite the US led 'war on drugs' and it even fails in countries such as Singapore and China, who execute people for possessing certain amounts of certain substances deemed illegal by the state. Why on earth would we want to increase the list of substances that we prohibit in vain? The stated aim of the NT Government is to: "To provide a strategic framework that reduces the occurrence of, and harm resulting from, petrol and other inhalant substance abuse in the Northern Territory". The prohibition of petrol and/or petrol sniffing will maximise – not reduce – harm.

6. Police aren't trained to deal with petrol sniffers and the jails have no facilities to cope with them either. Placing petrol sniffers behind bars is extremely dangerous and it flies in the face of the Royal Commission into Aboriginal Deaths in Custody. The seriously under-funded mental health system is already feeling the strain with a high burden of substance misuse in the Territory. The NT Government should be spending money on improving the Territory's mental health services rather than building more jails.

7. Despite all the hype - damage from petrol sniffing is reversible. A Northern Territory research centre has discovered the brain can completely recover from damage caused by petrol sniffing. Sheree Cairney, a researcher at the Menzies School of Health Research, told ABC radio in November last year that former petrol sniffers can regain the ability to concentrate, remember, learn and control emotions. Psychiatrist Rob Parker, who has been treating petrol sniffers for more than twenty years, says the research will provide an incentive for sniffers to stop. This is a far cry from the total social devastation focussed on by some parts of the media. As we know, the corporate media play an important role in diverting our attention from the genocide faced by Australia's indigenous community and the illegal Iraq and Afghanistan wars.

8. The responses to petrol sniffing reek of racism. Despite claims that the Volatile Substance Bill will target 'chromers' in the urban centres, it appears that 'as usual', people in remote indigenous communities are the target of the legislation. The Federal and State/Territory Governments are well aware that it is their policies of neglect and impoverishment that result in substance misuse in remote indigenous communities. The State's aim is to manage public perception until the next election, when whoever wins comes out with a whole raft of 'new' ideas. While the State looks like the good guy as it funds a series of bandaid projects, it uses issues like petrol sniffing to deflect blame for the impoverishment in remote communities. The blame is deflected firmly onto the community elders. The oppressor blames the oppressed for their own oppression. It is another diversion from the Federal Government's war on Iraq and Afghanistan, costing the taxpayer a whole lot more than the ten million they have committed for the introduction of 'Opal'.

9. The NT Police already have way too much power. With the 'drug house' laws, asset confiscation laws (supported by the Northern Territory News) and pending legislation targeting longgrassers, the NT Police have far too much power. They are even involved in writing legislation. In the past year, police have used their powers to seize 119 cars, the penalty for grog-running in the NT being automatic confiscation of the vehicle. This practice disproportionately affects remote indigenous communities and is another example of the racist application of laws in Australia's Top End.

10. The sad reality is that in the current climate, where the corporatists have free reign, close to nothing will be done to address the root causes of petrol sniffing. Remote indigenous communities are one of the key dilemmas faced by state officials. There is often limited transport in and out of the community, the services – including schools – are totally inadequate, the housing is overcrowded, there is no work. Alcoholism and in some cases violence and sexual abuse are rampant. There are no business opportunities... and when they come to one of the major centres we tell them: "no humbug" and order them "back to their country".

The Magistrates even 'banish' people to their communities. This only applies to indigenous people. Obviously I couldn't be banished to the UK (well, not easily). This is another example of the pervasive racism that has a stronghold in Australia's Top

End.

Rather than banish indigenous people from our midst and making them feel extremely unwelcome when they visit Darwin, Katherine or Alice Springs (or any other Australian town or city), we should put those pesky army helicopters, constantly flying overhead in Darwin, to good use. Maybe, we should evacuate people from remote communities such as Mutitjulu, especially if you accept that the root causes are never going to be addressed; not until we see a radical change in the way this country is governed.

This is the crux of the issue. As long as indigenous people are treated as second-class citizens, petrol sniffing and other substance misuse will continue unabated. Relegated to third-world conditions and no hope of making it in the white man's world, many indigenous young people out bush have no alternative other than wiping themselves out. They just want to forget. They're well aware that they are not welcome in town. There are no jobs for them, cheap housing is virtually impossible to obtain and they constantly face the threat of being sent 'home'. They know that the white man doesn't want them hanging around. Just as Lindsay Murdoch wrote in the Sydney Morning Herald last month, "out of sight, out of their minds."

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