

The Director
Standing Committee on Social Issues
Parliament House
Macquarie Street
SYDNEY NSW 2000

30th October 2003

WRITTEN SUBMISSION
INQUIRY INTO THE INEBRIATES ACT 1912

In memory of Wayne Douglas Jackson who passed away 28th May 2003
at the age of 49 y.o. due to a long battle with Chronic Alcoholism,
the father of our 9 year old daughter [REDACTED]

**1. The *Inebriates Act 1912* and the provision of compulsory
assessment and treatment under the Act;**

The Inebriates Act was first sought for Wayne approximately a year before he died,
there wasn't a real lot known about the Act at first. I spoke to a Lawyer who was
mistakenly under the impression that the Inebriates Act was no longer a current law.
So when initial attempts were made to use it, there was a large amount of uncertainty.
The local doctors were willing to sign it, but they also were unfamiliar with how it
actually worked.

The Inebriates Act was depicted by a Magistrate as being impossible, advising at
the time that a bed had to be found before they would grant the Order. There are no
beds in NSW that have a lock down unit or lock down Hospital or Detox facilities.

An appropriate lock down facility is required to go hand in hand with the
implementation of the Inebriates Act otherwise there is nowhere to administer
suitable care. The gap needs to be bridged, so as the Inebriates Act is a usable
recovery system again.

When a person is diagnosed with a terminal illness such as Cancer they know they still have a chance, as there are facilities that are set up to help. Alcoholism is a disease and when it is diagnosed as a being Chronic the Alcoholic knows deep down he has little or no chance, because there are no suitable facilities, and they have already lost any normal will to live and their instincts for survival are virtually nil.

This is the stage where recommendations for the Inebriates order should be commenced in conjunction with facilities that have the lock down capabilities, so a full recovery can take place.

2. The appropriateness and effectiveness of the Act in dealing with persons with severe alcohol and/or drug dependence who have not committed an offence and persons with such dependence who have committed offences;

The anguish and pain felt by the Chronic Alcoholic is beyond measure, but for the family of a Chronic Alcoholic, .. consider this.

- * Never truly knowing whether you or your children are safe within your own home.
- * Never knowing what emotional or physical pain may be put upon you or your children, at any time of the day or night.
- * There are many forms of torture and abuse that only the family of an alcoholic really knows.
- * At times this is not living, this a form of hell and for many there is just no escape.
- * There is no healing for these families and there appears to be no hope, there is only despair and suffering. Unless the alcoholic can make a recovery away from any access or consumption of alcohol.

Could you endure such conditions? The family of an alcoholic has no choice?

3.

If the Inebriates Act was able to be used, there is a chance for a full recovery.

Yes it should be against the law to drink yourself to death. Chronic Alcoholism is a form of committing suicide, it is a very clear,slow and costly use of the medical system.

The Inebriates Act would answer my question:

Why did the system stop me from helping Wayne?

It is illegal to commit suicide....

then why isn't it against the law to drink yourself to death?

3. The effectiveness of the Act in linking those persons to suitable treatment facilities and how those linkages might be improved if necessary;

With compulsory assessment and treatment under the Act, an Alcoholic would be physically and mentally cared for, just like in a Detox Facility but so they can't walk out, which would then progress to a lock down Rehabilitation Unit, without allowing them access back to the bottle shops and home delivery services that can be gotten to so easily, particularly with the frequency of licensed premises. Being able to purchase alcohol, would be removed and therefore would give the chance of complete rehabilitation without temptation in reach. So they can participate in life again without the false sense alcohol gives, and the depression it brings them.

I believe a mentor system would be of assistance to bring about a one on one confidence rebuilding system, with a counselor to rebuild their self esteem again

4. Overseas and interstate models for compulsory treatment of person with severe alcohol and / or drug dependence including in Sweden and Victoria;

5. Options for Improving or replacing the Act with a focus on saving the lives of persons with severe alcohol and/or drug dependence and those close to them;

The only improvement for the Act would be that when an Inebriates order is being lodged with the courts, rather than family member or friend, the police or an official court delegate, would be best to approach and pick up the Inebriate so as there are no misunderstandings about force or unlawful restraint. We were advised we had to bring Wayne to the court without any force, or we could be charged with holding him against his will.

The Act should not be replaced at all, just a link to a medical facility is all it needs to begin restoring good hard working people back into the community to enjoy their families and learn to live again.

6. Any other related matter.

The Inebriates Act needs an awareness campaign for Family Crisis Services, Womens, Mental Health Information Services, Rape Crisis Centres and Abused Women and Childrens Groups.