

**Submission  
No 30**

**INQUIRY INTO THE PROVISION OF DRUG  
REHABILITATION SERVICES IN REGIONAL, RURAL AND  
REMOTE NEW SOUTH WALES**

**Organisation:** Central West Cooperative Legal Service Delivery

**Date received:** 14 December 2017

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The Hon. Greg Donnelly  
Chair, Portfolio Committee No. 2  
Health and Community Services  
Legislative Council  
Parliament of New South Wales

Dear Mr Donnelly

## **SUBMISSION**

### **Inquiry into the provision of drug rehabilitation services in Regional, Rural and Remote NSW**

This submission is from the Central West Cooperative Legal Service Delivery (CLSD) Partnership – a coalition of legal and non-legal service providers in the Central West of NSW.

The Central West CLSD Region is based in Dubbo and includes the following towns: Bourke, Cobar, Nyngan, Warren, Narromine, Gilgandra, Coonamble, Walgett, Brewarrina, Lightning Ridge, Coonabarabran and Wellington.

The CLSD partners hold planning days every three years to develop the regional justice plan. At the planning day held on 31 October 2017 the partners resolved that the making of this submission was a priority in their three-year regional plan.

The following organisations have endorsed this submission:

- NSW Police Orana Local Area Command
- Legal Aid NSW
- The Aboriginal Legal Service (ALS)
- Western NSW community Legal Centre
- Dubbo Local Aboriginal Lands Council
- Wellington Information & Neighbourhood Centre
- Dubbo Neighbourhood Centre
- Leader In Development – Apollo House Community Centre
- Bila Muuji Aboriginal Health service Inc
- Wambool Aboriginal Suicide Prevention Team
- Orana Support Service

## **INTRODUCTION**

For many years Central West CLSD partners involved in the administration of the Criminal Justice System have been frustrated by the lack of drug and alcohol detoxification and residential

rehabilitation facilities available in the region. In 2013 the Local Court Magistrate sitting at Dubbo and other towns within the Region also expressed this frustration.

The lack of treatment facilities and the inability of accused persons to access facilities have long been identified by the partners as the priority concern of the group.

Accordingly in 2014 the partnership formed a working group to investigate the issue and the feasibility of establishing a residential rehabilitation facility near to Dubbo. This work led to a submission to establish such a facility to the then Deputy Premier and Member for Dubbo. At that time we identified appropriate premises and service providers who could have staffed a 30-bed facility at a cost of approximately \$2.5 m pa.

Dubbo in particular and many of the other towns in the Region experience some of the highest crime rates in NSW. The partners believe that these crime rates are closely related to drug and alcohol abuse.

We also believe that if these crime rates are to be addressed then residential detoxification and rehabilitation facilities must be placed in the region.

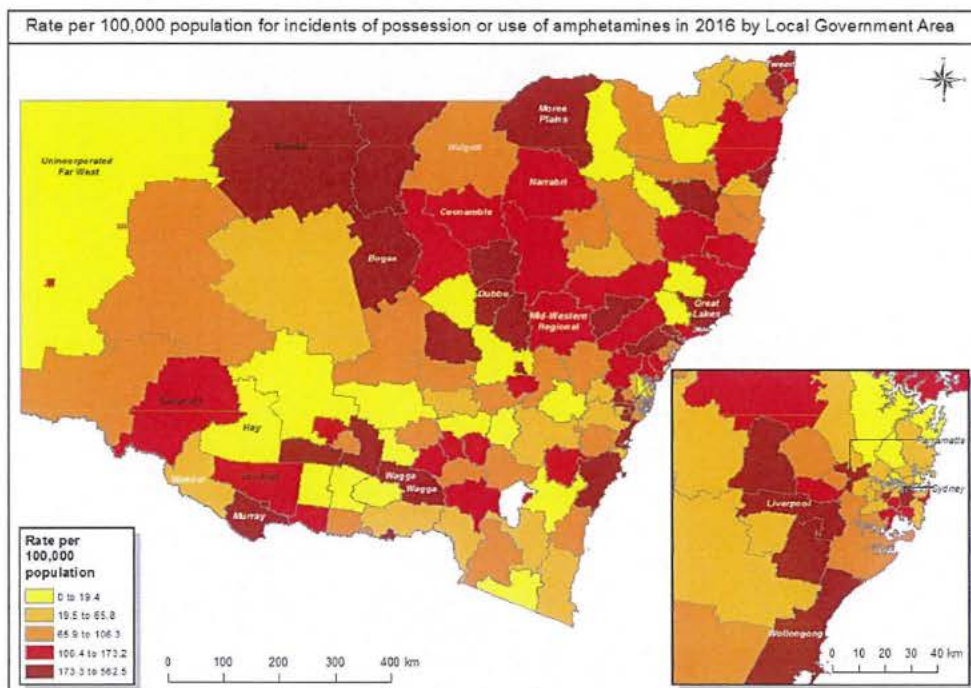
The Committee may be assisted by the comprehensive list and description of facilities in NSW prepared by the MERIT programme (Annexure 1)

We have chosen to focus on Points 1 and 9 of the Committee’s Terms of Reference.

**Alcohol and drug related crime in the Central West Region**

The rates of possession and/or use of amphetamines across the Central West Region are high compared to many other regions in the state. (Link to BOCSAR amphetamines map [http://www.bocsar.nsw.gov.au/Pages/bocsar\\_pages/Amphetamines.aspx](http://www.bocsar.nsw.gov.au/Pages/bocsar_pages/Amphetamines.aspx))

The map below shows the rate per 100,000 population for use/possess amphetamines offences recorded by the NSW Police Force by Local Government Area (council areas) in 2016.



## Data

- Rates of recorded crime (per 100 000 population) for Far West and Orana in the categories of domestic violence related assault, sexual assault, break and enter dwelling, break and enter non dwelling, motor vehicle theft, steal from motor vehicle, steal from dwelling and malicious damage to property are all over double the rate for NSW.<sup>1</sup>
- For the LGA of Dubbo the rates of recorded crime (per 100 000 population) in the categories of domestic violence related assault, robbery with a firearm, robbery, break into a dwelling, break and enter non dwelling, motor vehicle theft, steal from motor vehicle, steal from retail store, steal from dwelling and malicious damage to property are over double the rate for NSW.<sup>2</sup>
- The rate of **offenders** convicted of alcohol related assault (domestic violence) in the Dubbo LGA (157) is high compared to the NSW rate of 97.1.<sup>3</sup>
- The rate of **incidents** of alcohol related assault (non-domestic violence) for Dubbo is high (240.9) compared to the NSW rate of 134.3.<sup>4</sup>
- Dubbo is ranked 1<sup>st</sup> for Local Government area for steal from motor vehicle<sup>5</sup>
- Dubbo is ranked 1<sup>st</sup> motor vehicle theft for Local Government area for motor vehicle theft<sup>6</sup>
- Dubbo is ranked 3<sup>rd</sup> for Local Government area for steal from retail store<sup>7</sup>
- Dubbo is ranked 4<sup>th</sup> for Local Government area for break and enter dwelling<sup>8</sup>
- Dubbo is ranked 8<sup>th</sup> for Local Government area for steal from dwelling<sup>9</sup>
- Dubbo is ranked 9<sup>th</sup> for Local Government area for Robbery without a weapon<sup>10</sup>
- Dubbo is ranked 9<sup>th</sup> for Local Government area for steal from a person<sup>11</sup>
- Dubbo is ranked 9<sup>th</sup> for Local Government area for malicious damage to property<sup>12</sup>
- Dubbo is ranked 10<sup>th</sup> for Local Government Area for Assault non-domestic violence related<sup>13</sup>

### Why community based treatment is important for people who are involved in the criminal justice system

Notwithstanding the very high rates of drug and alcohol related crime courts in this region are unable to require accused persons and offenders to enter residential rehabilitation facilities because none are available.

We consider that the use of court orders which mandate treatment is a foundational strategy in addressing crime rates. Appropriate orders can only be made where appropriate facilities exist.

There is the evidence that community based sentences linked to treatment does provide better individual and community outcomes than imprisonment: see

<http://www.bocsar.nsw.gov.au/Documents/CJB/2017-Report-Intensive-correction-orders-versus-short-prison-sentence-CJB207.pdf>

<sup>1</sup> Bureau of Crime Statistics and Research Recorded Crime Statistics, Quarterly Update June 2017 page 8.

<sup>2</sup> Bureau of Crime Statistics and Research Recorded Crime Statistics, Quarterly Update June 2017 page 14.

<sup>3</sup> Bureau of Crime Statistics and Research, for the year ending June 2017

<sup>4</sup> Bureau of Crime Statistics and Research, for the year ending June 2017

<sup>5</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>6</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>7</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>8</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>9</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>10</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>11</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>12</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

<sup>13</sup> BOSCAR, (2013), 'New South Wales Recorded Crime Statistics'

The rate of imprisonment of Aboriginal people continues to increase. Between 2013 and 2016 the rate of imprisonment in NSW of Indigenous people increased by 25%; the Indigenous imprisonment rate in NSW is now 13.5 times higher than the non- Indigenous rate.<sup>14</sup> Again this is against a background of those persons abusing drugs and alcohol and detoxification and residential treatment programmes being unavailable to them and the Courts considering their cases.

We note that Justice NSW is currently reviewing the MERIT programme. The program is only available to persons who have been released on bail and have been charged with summary offences. In our view MERIT needs to be made available at all of the locations where a court sits in our region and to accused persons charged with Indictable Offences. Currently MERIT is only available to persons appearing before Dubbo and Wellington Courts.

### **The range and types of services including the number of treatment beds currently available in the Central West region**

The following are the only residential facilities in the Region:

1. Mac River, an eight bed facility for 13 – 18 year olds operated by Mission Australia in association with the Department of Juvenile Justice;
2. Orana Haven, an eighteen-bed facility for men only at Brewarrina.

The nearest other facilities outside the Region are:

1. The Lyndon Community operates the Lyndon Withdrawal unit and Wattle Grove Rehabilitation Centre at Orange. The Lyndon withdrawal unit is a twelve-bed detoxification facility for males and females. Wattle Grove Rehabilitation Centre is a sixteen bed residential facility for both men and women. They also provide an outreach service to Dubbo. They estimate that about 250 people from the Dubbo catchment annually seek drug and/or alcohol treatment and that this number is likely to rise. Notwithstanding that The Lyndon Community receives funding and support via the MERIT program they routinely decline to assess persons in custody for admission to their facilities.
2. Weigelli Centre is an approximately twenty bed residential alcohol and drug rehabilitation service for Aboriginal men and women and is located near the rural area of Cowra.

### **Restricted access to facilities**

Mental health services provided by Western NSW Local Health District are often denied to clients with ongoing drug or alcohol issues.

Once a person is in custody it is near to impossible for that person to arrange assessment for admission to any facility. This is because of limited access to phones for that purpose and as a consequence of the *Corrective Services Policy for Processing Court Requests for Alcohol and Other drug Residential Rehabilitation Assessment Reports* published 29.11.16 (Annexure 2)

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<sup>14</sup> Weatherburn D & Holmes J (2017) Indigenous Imprisonment – a closer look at the trend Bureau Brief 126 Sydney NSW Bureau of Crime Statistics and Research,

The lives of persons affected by drug and alcohol issues are often chaotic and disorganised. They do not routinely have access to phones, close family or support systems. Most facilities assessment procedures include a requirement for daily phone contact.

Aboriginal people are often reluctant to leave their country and community.

All these factors combine to severely restrict realistic access to effective rehabilitation.

## **Gaps and shortages in the provision of services including geographical, resources and funding**

The CLSD Program partnership has identified the following gaps in the region:

- No Hospital in the Region provides detoxification facilities;
- Apart from those listed above there are no other residential rehabilitation facilities;
- No 'co-morbidity' mental health/drug and alcohol service in Dubbo;
- No Drug Court or the detoxification and residential facilities which would be necessary to support a Drug Court;
- No access to the Parklea Correctional Centre Compulsory Drug Treatment Programme;
- No adequate or appropriate outpatient treatment options for many persons charged with criminal offences.

### **Detoxification**

Detoxification is a routine requirement prior to admission to all residential programmes and as noted above no hospital in the Region provides detoxification facilities.

### **Dual Diagnosis Services**

The association of drug and alcohol abuse with mental health problems is well recognised.

Notwithstanding this association mental health services and admission to Mental Health Facilities are often routinely refused to persons who are actively using substances but not assessed as being mentally ill pursuant to the Mental Health Act.

The partners are aware of many instances of persons being taken to the Dubbo Base Hospital's Mental Health Unit for assessment in the following circumstances:

1. By police pursuant to Section 22 Mental Health Act;
2. By police following upon a court order pursuant to Section 33 Mental Health (Forensic Provisions) Act;
3. Voluntarily often with the assistance of friends and/or family in situational distress and affected by drugs or alcohol requesting assistance.

People presenting in the above circumstances and with dual diagnosis issues are routinely assessed as not suffering from a mental illness and therefore not admitted. They are simply turned away as no detoxification or residential facility is available

### **Existing outreach services to remote communities**

The Royal Flying Doctors Service in partnership with Lyndon Community provides group and individual counselling service. There is one Alcohol and Other Drug Clinician and one Alcohol and Other Drug Community Engagement Officer.

Lyndon's In Community Dubbo service provides counseling, case management and group therapy to Dubbo and Wellington.

Sufferers of addiction frequently exhibit erratic behaviour and often experience disadvantage and geographical isolation.

As a result they require drug/alcohol and mental health services that proactively outreach into remote communities and offer assertive home-based and inpatient treatment.

Under the current 'hub and spoke model' services are concentrated in Orange.

This has effectively disenfranchised communities in the western region of NSW, who view Dubbo as their natural 'hub' in terms of transport and departmental services.

Many indigenous people from the region have relatives in Dubbo, and travel there to access a wide range of services.

The result of the Orange hub model means that patients finish rehabilitation in an unfamiliar city, head back to the environment where the problems manifested, then try to continue their recovery with little, if any, coordinated outreach support. This severely reduces the likelihood of long-term success.

### **CONCLUSION**

Lack of appropriate funding for drug, alcohol and mental health services in our region is contributing to the disproportionately high rates of crime and disadvantage suffered by the residents of Dubbo and other towns in the region.

A properly resourced detoxification service and rehabilitation facility based in Dubbo, and designed to cater to outlying communities, will reduce crime, lift the standard of living throughout the western region of NSW and help break the ongoing cycle of disadvantage.

This would result in safer communities and enable those with addictions and mental health issues to achieve long-term recovery and become important contributors to their towns, pursue employment opportunities, provide for their families, and create safe and positive environments for their children.

That a service centre the size of Dubbo – and the hub for the State's west – is yet to offer these therapeutic programs is inexplicable and is an ongoing source of frustration in our community.

Sharon Tomas  
Central West CLSD Coordinator