

Systemic Responses



Position Paper

The association between problematic alcohol and other drug use and contact with the criminal justice and child safety systems has been recognised and highlighted in many studies. It appears that many people engaged in the criminal justice or child safety systems, where alcohol and other drug use are present do not experience positive outcomes, suggesting the current system response can be improved. A refocussing of these responses to prioritise positive health outcomes is required, which must include increased investment in a diverse range of alcohol and other drug treatment options for individuals and families to increase protective factors and minimise the need for interactions with the criminal justice and child safety systems.

Criminal justice system

In Queensland, as in all states in Australia, there is a high prevalence of alcohol and other drug use among people who come in contact with the criminal justice system. A study of people detained in Queensland Police watch-houses found high rates of illicit drug use, with 73% of people testing positive to an illicit substance¹. Around one in five (23%) people detained in police watch-houses attributed their current charges to alcohol use and a third (35%) to their illicit drug use². There are also high rates of illicit drug use among those entering prison, with one survey finding that 64% of people entering prison had used an illicit substance within the previous 12 months³.

¹ Arie Freiberg et al., "Queensland Drug and Specialist Courts Review: Final Report," (Brisbane: Queensland Courts, 2016).

² Ibid.

³ Australian Institute of Health and Welfare. (2018). The health of Australia's prisoners 2015, Table of contents - Australian Institute of Health and Welfare. [online] Available at: <https://www.aihw.gov.au/reports/prisoners/health-of-australias-prisoners-2015/contents/table-of-contents> [Accessed 17 Sep. 2018].

The Queensland criminal justice system has been experiencing increasing pressures and demands across the system, including increasing engagement with people for illicit drug offences. The growth in the number of people coming into contact with the criminal justice system has far exceeded growth in the general population. Over the same period, there has been a reduction in the proportion of illicit drug matters resulting in a non-court action or diversion being taken by the police, while the overall use of non-court action for other offences remained stable⁴.

Child safety system

Parental substance use has been highlighted as a child protection concern in recent years, described as a “key risk factor” for child abuse and neglect. Research indicates families in which problematic alcohol or other drug use is a factor are more likely to come to the attention of child protection services, to be re-reported, to have children removed from their care, and to have them remain in out-of-home care for long periods of time, than are families with the same characteristics but no problematic substance use⁵.

It is important to understand that people who experience problematic substance use are often situated within a wider context of exclusion and disadvantage experiencing issues such as housing instability, poverty, low education and social isolation. Not all children whose parents experience problematic substance use will experience poor outcomes and not all people who experience problematic substance use will come to the attention of child safety systems. The extent to which people’s capacity is impacted is also influenced by the presence of protective factors (e.g. stable employment and housing)⁶.

Youth justice system

We note young people who encounter the justice system are just as likely to be victims of crime as they are to offend. They are more likely to experience multiple forms of disadvantage, together with trauma and problematic substance use. There are few opportunities available in Queensland detention centres for young people in custody to access holistic and integrated care, especially for those young people who are on remand, which is a missed opportunity to reduce the likelihood of reoffending.

There is a need to invest in adequate, timely and accessible support for young people who are experiencing a wide range of issues both in custody and in the community. By investing in community-based strategies we can reduce the number young people interacting with the youth justice system which we know provides a better social return on investment than youth detention. Where detention is the appropriate response, there is a need for detention centres and the broader youth justice system to work more closely with community-based support and treatment services.

⁴ Freiberg et al.

⁵ Taplin, S. and Mattick, R. (2011). Child Protection and Mothers in Substance Abuse Treatment. [online] National Drug and Alcohol Research Centre Available at: <https://ndarc.med.unsw.edu.au/resource/child-protection-and-mothers-substance-abuse-treatment> [Accessed 17 Sept. 2018].

⁶ Bromfield, L., Lamont, A., Parker, R. and Horsfall, B. (2010). The co-occurrence of domestic violence, parental substance misuse and mental health problems. NCPC Issues Paper No. 33 Available at: <https://aifs.gov.au/cfca/publications/issues-safety-and-wellbeing-children-families/introduction> [Accessed 17 Sept. 2018].

QNADA's position

It is our view that the evidence supports:

- new investment should prioritise protective responses rather than punitive responses and include a diversity of treatment options including harm reduction strategies. These options should be amenable to families and include residential and non-residential treatments available to those on remand and in prison.
- the best system responses include a multi-dimensional assessment capable of distinguishing between occasional substance use, problematic substance use and dependence so that treatment intensity is matched to need.
- increase the investment in treatment because it works. It has been shown to reduce consumption of alcohol and other drugs, improve health status, reduce criminal behaviour, improve psychological wellbeing, and improve participation in the community. Alcohol and other drug treatment also achieves positive outcomes for individuals and the broader community⁷.

⁷ Alison Ritter et al., "New Horizons: The Review of Alcohol and Other Drug Treatment Services in Australia," in Final Report (Sydney: University of New South Wales, 2014).