

Submission Inquiry Drug Law Reform



1 Law Reform, Road and Community Safety Committee

Port Phillip City Council is proud of its long term commitment working with our partners across local government, the Victorian Government, Victoria Police and alcohol and other drug treatment services to improve the health and wellbeing for everyone who lives, works and visits this important Victorian destination.

Council welcomes the opportunity to make submission to the Inquiry Drug Law Reform.

2 Demographic Snapshot of the City of Port Phillip

The City of Port Phillip is located on the northern shore of Port Phillip Bay, south of the Melbourne Central Business District, Victoria, Australia.

One of the oldest areas of Melbourne, Port Phillip is known for its many dynamic urban villages, a foreshore which stretches for over 11km, cultural diversity, magnificent heritage buildings, artistic expressions and beautiful parks and gardens.

Port Phillip is well served by a number of varied and substantial retail, entertainment and leisure precincts. These include Bay Street (Port Melbourne), Clarendon Street (South Melbourne), Fitzroy and Acland Streets (St Kilda) and Carlisle Street (Balaclava).

The City of Port Phillip has a diverse community with an estimated resident population in 2015 of 107,127 people (ABS, ERP, 2015). Approximately half (53.5%) of the population are aged between 25 and 49 years of age. The majority of the residents rent their home (50.1%) and one third were born overseas (31%).

3 Illicit Drug Harms in the City of Port Phillip

The City of Port Phillip experiences illicit drug harms, as recorded through ambulance attendance, hospital admissions and crime rates at a significantly higher rate than other parts of Victoria¹.

Indicator/Measure	CoPP	Vic	
<i>Illicit and pharmaceutical drugs</i>			
Illicit ambulance attendances per 10,000 population	29.2	12.2	
Amphetamines ambulance attendances per 10,000 population	2.6	1	
Crystal Methamphetamine ambulance attendances per 10,000 population	6	2.7	
Other stimulants ambulance attendances per 10,000 population	3.7	0.9	
Pharmaceutical ambulance attendances per 10,000 population	22.2	16.9	
Drug offences (rate per 100,000)	793.2	498.2	

¹ City of Port Phillip Background Report – MPHWP 2017 – 2021.

4 City of Port Phillip Municipal Public Health and Wellbeing Plan

Reducing harms of alcohol and other drugs is a priority of the City of Port Phillip Health and Wellbeing Plan 2013-2017. Local Governments are required by the Victorian Public Health and Wellbeing Act 2008 to develop an evidenced based MPHWP each four years.

The Victorian Public Health and Wellbeing Act 2008 has the primary objective to achieve the highest attainable standard of public health and wellbeing for Victoria. This objective is to be achieved by:

- protecting public health;
- preventing disease, illness, injury, disability and premature death;
- promoting conditions in which people can be healthy; and
- reducing inequalities in the state of public health and wellbeing.

In achieving the objectives of the Act regard should be given to the guiding principles set out in ss. 5–11 of the Act. These include:

- evidence-based decision making,
- collaboration,
- the precautionary principle, and
- primacy of prevention.

The Victorian Public Health and Wellbeing Act 2008 also recognises that local government is a major partner to the state government in the effort to protect public health and wellbeing in Victoria.

The function of a Council under this Act is to seek to protect, improve and promote public health and wellbeing within the municipal district by—

- (a) creating an environment which supports the health of members of the local community and strengthens the capacity of the community and individuals to achieve better health;
- (b) initiating, supporting and managing public health planning processes at the local government level;
- (c) developing and implementing public health policies and programs within the municipal district;
- (d) developing and enforcing up-to-date public health standards and intervening if the health of people within the municipal district is affected;
- (e) facilitating and supporting local agencies whose work has an impact on public health and wellbeing to improve public health and wellbeing in the local community;
- (f) co-ordinating and providing immunisation services to children living or being educated within the municipal district;
- (g) ensuring that the municipal district is maintained in a clean and sanitary condition.

Recommendation I

The Victorian Government continues to recognise the localised, community informed, expertise of local government to collaborate in health planning and the delivery of strategies to improve health and wellbeing in Victoria.

5 Legislative Reform to Prioritise Harm Minimisation Strategies

There is strong evidence that responses to illicit drug misuse are more effective when focused on the minimisation of harm. Port Phillip City Council calls on the Victorian Government to create the drug law reform necessary to strengthen harm minimisation strategies.

The 2013-2017 City of Port Phillip Municipal Public Health and Wellbeing Plan is underpinned by the principles of the Ottawa Charter for Health Promotion (World Health Organisation 1986). This sees that health is achieved for all through enabling control over health and wellbeing. This involves supportive environments, healthy public policy, health services as well as harm minimisation strategies that minimise the harmful consequences associated with some forms of human behaviours.

Recommendation 2

Port Phillip City Council calls on the Victorian Government to create the drug law reform and funding necessary to provide opportunity to improve health through the trial and evaluation of drug harm minimisation pilot programs.

5.1 Legislative Reform to Enable Pilot Pill Testing Programs

Port Phillip City Council hosts a range of late night entertainment venues as well as community and commercial music events. Council is concerned about the use of illicit substances sometimes associated with music events. In recent months there have been several overdoses as a result of illicit drugs in the form of pills in Victoria. Council is concerned about the rise in use in synthetic substances in Victoria.

Port Phillip City Council requests that the Victorian Government reform legislation to enable the piloting of pill testing facilities at consenting clubs, festivals and dance parties to minimise the harms associated with illicit drugs in a pill based form.

Port Phillip City Council, at its meeting on 1 February 2017, Item 9.2 Pill Testing Facilities, resolved that Council:

1. Requests officers to assist in facilitating and advising on how this Council might work with the State Government to pilot the provision of pill testing facilities at consenting clubs, festivals and dance parties in the City of Port Phillip to minimise the harms associated with illicit drugs in a pill based form
2. Calls on the State Government to pass the requisite legislation to enable these pilot facilities
3. Communicates these proposed pilot facilities to all residents and visitors to the City
4. Given this is a State responsibility, the Council receives sufficient funding for the provisions of these pilot measures
5. As this is a matter of urgency, the strategic planning, legislative amendment and financial accommodation is finalised as quickly as practicable.

There is evidence from, both Australia and internationally that Pill Testing is an effective method for reducing harms associated with some illicit substances. This evidence includes:

“The Netherlands’ Drugs Information Monitoring System (DIMS) found that particularly dangerous substances identified through drug checking services and made the subject of public warning campaigns were eliminated from the market.”²

² Cited in Spruit, I. P. (2001). "Monitoring synthetic drug markets, trends, and public health." Substance Use and Misuse 36(1-2): 23-47.

“Evaluation of the Austrian project Checkit! found that when presented with a ‘bad result’, two thirds of people say they will not consume the drug and will warn friends.”³

“The Netherlands’ Drugs Information Monitoring System also shows evidence of the capacity for drug checking services to engage with populations that do not engage with other government messages about drug use.”⁴

It is contended that there is sufficient evidence that there is a strong likelihood that Pill Testing would prevent harm and potentially save lives in Victoria. A well evaluated pilot program would establish a strong evidence base for local initiatives.

Recommendation 3

Port Phillip City Council calls on the Victorian Government reform legislation to enable the piloting of sophisticated pill testing facilities at consenting clubs, festivals and dance parties to minimise the harms associated with illicit drugs in a pill based form.

5.2 Legislative Reform to Enable Pilot Supervised Injecting Facilities

Port Phillip City Council recognises the ongoing harm caused through illicit injecting drug use in the Victorian community. Council notes that overdoses, in some cases, are exacerbated due to the environmental circumstances in which some drugs are administered and consumed.

Council supports the recently tabled findings of the Victorian Coroner of the inquest into the death in December of Ms A, a 34-year-old who overdosed from heroin on May 30. The Victorian Coroner recommended that Minister for Mental Health Martin Foley take necessary steps to establish a trial of a supervised injecting facility. She also recommended that the Department of Health and Human Services expand the availability of naloxone, a drug used to reverse heroin overdoses, and review funding for services that support drug users.

As the Burnet Institute states, in the past 30 years there have been more than 90 medically supervised injecting facilities set up across the globe, operating in 10 different countries – all of which are preventing deaths and creating pathways to treatment every day.

The concern of the City of Port Phillip, as a local government authority, is for all in our community.

³ Cited in Kriener, H. and R. Schmid. "Check Your Pills. Check Your Life. Check iT! High quality on-site testing of illicit substances. Information, counselling and safer use measures at raves in Austria." Retrieved 3 August 2005, from <http://www.drugtext.org/library/articles/kriener.htm> Alison Ritter and Jacqui Cameron, 2005, Monograph No. 06: A systematic review of harm reduction. Turning Point Alcohol and Drug Centre.

⁴ Cited in Brunt, T. M. and R. J. M. Niesink (2011). 'The Drug Information and Monitoring System (DIMS) in the Netherlands: Implementation, results, and international comparison.' *Drug Testing and Analysis* 3(9): 621-634.

Council supports the view of the Burnet Institute, that as well as saving lives for those most vulnerable in our community, supervised injecting facilities will:

- Reduce the amount of needles and syringes being left on the streets making the community safer
- Reduce the number of ambulance call-outs to overdoses allowing them to attend other emergency situations
- Reduce the number of incidents where members of the community are exposed to traumatic scenes of overdosing and people using drugs
- Refer highly vulnerable people to various health and welfare services.

Port Phillip City Council acknowledges that supervised injecting facilities alone will not save the lives and improve the health and safety of injecting drug users. This reform must be part of a range of measures including improvements to pharmacotherapy programs.

Recommendation 4

Port Phillip City Council calls on the Victorian Government reform legislation to enable the piloting of supervised injecting facilities in areas of high drug overdose incidence in Victoria.