

30/11/2023

**DEBATE**

**ALCOHOL HARM REDUCTION AMENDMENT BILL**  
**(SERIAL 111)**

**Mr GUYULA (Mulka):** Mr Speaker, the words ‘harm reduction’ suggest that this bill is about health and reducing the harm that alcohol causes the drinker. I hoped that there would be a movement by government towards providing more support to address the underlying issues of excessive alcohol consumption and addiction.

However, this bill is not about more support to help individuals or communities deal with the problems of addiction. This is a punitive bill that seeks to target homeless and displaced people who are living on the streets and in the bush in Darwin mainly through the forced placement of people on a seven-day banned drinker order when they have consumed alcohol in a prohibited public place.

People who have been found to be disturbing public peace in a high-risk area, which is the CBDs and shopping areas of many suburbs across Darwin and regional centres, and people who have been taken into alcohol-related protective custody—such as when someone is taken to a family’s home by police or a sobering-up shelter or the watch house—must also be placed on the BDR.

Essentially, this relates to placing as many homeless or displaced Aboriginal people as possible on the Banned Drinker Register. What is the practical outcome of this bill? What happens when people who are addicted to substances are deprived of it without help and support to overcome their addiction? I understand that there are medical concerns for people who are used to drinking daily and then do not have access to alcohol.

Due to cultural obligations, many people must meet the request of their family members. If they provide alcohol for the banned person, they can be charged as a secondary supplier. This bill has increased the penalty for secondary supply fivefold, from 20 penalty units to 100 penalty units. This fine increases from \$3,520 to \$17,600.

This increase is okay if you are taking advantage of an Aboriginal community by selling a bottle of spirits to people with addiction for hundreds of dollars. However, if you are a family member who is worn down by humbug as a cultural obligation to provide for the person, this fine of \$17,600 is a trap for people who are caught between the two cultural systems, and it is not a fair place for people to be caught. It is essentially creating a gaol sentence for many people in our community. This displays little understanding of cross-cultural issues.

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We know there will be an increase in the number of people placed on the BDR because they are drinking in a public place when they have no home to go to. This will increase secondary supply, because people will pay hundreds of dollars for grog on the black market.

When people cannot access alcohol through secondary supply, how else will they access it? The government knows the answer because it has armed bottle shop security guards with capsicum spray. As people try to buy alcohol and suddenly find out they are on the BDR they may feel upset.

The bill allows police to advise someone verbally that they are on the BDR. Nothing needs to be provided in writing, in language or even when the person is sober. Many people may not realise they are on the BDR until they are at the checkpoint purchasing alcohol. When this purchase fails, how else might people find alcohol?

There are those who are allowed alcohol and those who are not. As a black man, I am not allowed alcohol. After the last parliament sittings, I went out past Berry Springs to do some hunting. I do this when I need to clear my mind and heart and to connect with country. I exercise and hunt, as I grew up doing.

On my return to Darwin I went to the Berry Springs bottle shop for a takeaway beer to bring home, but I was not allowed to make a purchase. The bottle shop attendant looked at me, then looked at the address on my licence. Because my address was Millingimbi, a dry community, they would not sell me the beer. Despite the fact that I was in Darwin for business, I am a senior elder and a member of parliament, and every white person around me was able to make a purchase at that shop, I was turned away and told I could not make a purchase.

What is implied in this exchange is that I am not as responsible as everyone else; I am a problem and I do not deserve to be treated fairly. After the bill is passed today, if I challenged this decision in the shop or expressed my frustration and hurt, I could face the prospect of being capsicum sprayed. However, I did not challenge the decision. I simply walked away because I did not want to risk further insult to my character.

Would the Chief Minister or the Member for Fannie Bay have this problem on their way home from Berry Springs? There are only a few of us in the Chamber who experience racial profiling and discrimination every day because we are Aboriginal people.

The government brings these bills to this House today on urgency without any thought to the racial profiling and the division they continue to drive into the Northern Territory. For many people, the only crime they have ever committed is drinking alcohol in a public place because they have

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nowhere else to go. These changes will sweep them up and treat them like violent, dangerous people who must be put on a Banned Drinker Register. Sadly, when they are treated this way and cannot find a substance they are addicted to, who knows what will happen.

What the minister for Police and the Chief Minister should know is that when people are desperate and homeless they are already struggling with life. This bill increases the potential that they may become desperate enough to engage in crime.

With the passing of this bill, police work will increase and they must hand out BDOs around the clock. It does not give the police discretion to decide; it is a decision made by this Labor government for the police. Today in this Chamber it will take away the police's decision-making power and their capacity to work with the community.

This government focuses its efforts on punitive methods. Why did it not make an urgent announcement about rehabilitation on country to bring people home? Why does the government not look at the underlying causes of these problems? Are today's bills simply about trying to win votes? Why are these changes suddenly urgent?

There is nothing good about what the government is doing today. Essentially, it will increase everyone's misery for no gain. This is poor, rushed legislation. Instead of bringing together leaders and organisations, such as AMSANT and Larrakia, to make proper decisions to look after our First Nations people with dignity, the government will handball this to the police and ask them to do jobs that should be done by First Nations welfare organisations.

This is shameful. My brothers and sisters in the Labor Party should know that days like today should not happen. There are six First Nations people in this Chamber and we should not allow these types of racist laws that will racially profile our families and people. No-one in this Chamber should allow these types of bills to pass through parliament.

I am concerned that this will bring harm and unintended consequences across the Northern Territory. We should put all our efforts into fixing the underlying problems to create safer communities.

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