

Volatile Substance Abuse Prevention Act 2005

Community management of possession, supply and use of volatile substances.

There are two steps required for a community response to managing the possession, supply and use of volatile substance:

- **Step 1: creating a management area**
- **Step 2: developing a management plan**

The main function of creating a management area and developing a management plan is to enable people in the community to control the supply, sale and use of volatile substances. They do not make inhaling volatile substances an offence however not complying with the management plan is an offence.

People may choose not to use this Section of the Volatile Substance Abuse Prevention Act to control the supply of inhalant substances but rather rely on other tools such as Council by-laws, contract agreements with service providers and family/community focussed approaches that are in force within an area.

Step 1

Creating a management area

This Section explains the process to identify and establish a Management Area.

Part 4 - Division 2, Sections 44 to 48 of the *Volatile Substance Abuse Prevention Act* covers:

44. Application for declaration of management area
45. Meeting about proposed area
46. Application may be varied or withdrawn
47. Decision to declare or refuse to declare a management area
48. Publication of notice of declaration

Application for the declaration of a management area

Part 4 Division 2 of the Volatile Substance Abuse Prevention Act 2005 details how people can apply for a management area.

What is a management area?

A management area is a geographical area where those people living within that area develop policies and controls to manage the possession, supply and use of volatile substances.

What are volatile substances?

Volatile substances refer to a broad range of products that produce chemical vapours at room temperature. There are around 250 products available that contain volatile substances, many of them are basic household products. Key volatile substances of concern are petrol, glue and paint.

Volatile substance misuse occurs when vapour from these products is deliberately inhaled to achieve intoxication. Chemicals enter the bloodstream via the lungs and are carried to the brain, central nervous system and other organs.

Short term effects can be a feeling of being 'high', drowsiness, laughing, feeling numb, weeping and possible asphyxiation. Long-term effects can be frequent tiredness, irritation, memory loss, depression and damage to the organs of the body.

Why do some people inhale volatile substances?

We don't know what makes people begin to inhale volatile substances. Each person has his or her own life story. We do know that once people begin to inhale these substances they often need community support to stop.

Reasons given by young people for engaging in volatile substance misuse include boredom, to be part of a group, to copy adult alcohol and other drug use behaviour and to help 'deal with' problems.

While volatile substance misusers often include people from a low socio-economic status with high rates of family and personal dysfunction and delinquent behaviour, they are not confined to any one socio-economic group, cultural background or geographical area.

When does volatile substance abuse happen?

The times when people participate in volatile substance misuse will vary according to different conditions such as the availability of volatile substances. However what does seem to be a common factor is that people participate in misuse in groups.

How can a management area help those who inhale volatile substances?

Studies have shown of those who have misused volatile substances 73% reported having obtained their first supply from friends and acquaintances. Within remote Indigenous areas this percentage might even be higher.

Therefore through controlling the possession, supply and use of volatile substances on their land, people can help and support those people who are inhaling volatile substances and, more importantly, prevent other people beginning.

How is a management area established?

Two actions are needed.

1. Section 44 - What the community needs to do.

The community (or those seeking a management area) must apply in writing to the Minister for Family and Community Services. The application can be made by:

- a minimum of ten (10) people who must sign the application; or
- a community council which is represented by a person authorised by the council.

The application needs to provide the Minister with a description of the area of land that is to become the management area. This may include all or part of a council area or two or more separate areas within a council area. There is an application form attached to this document.

2. Section 45 - What the Minister will do.

The Minister will reply to the application:

- informing all the residents, and other interested people, of the area of land described in the application that the application has been received; and
- fix a date, time and place for a meeting with the residents and other interested persons.

What happens at the meeting?

The meeting is an opportunity for people to discuss and understand what it will mean for them declaring an area a management area. It is important that the Minister or delegate is advised of the needs and opinions of interested and affected people.

This meeting will also assist people to understand the importance of developing a management plan.

Section 46 - Can the applicant change their application?

Yes, the application can be changed or withdrawn by writing to the Minister giving details of the change (s). However the applicant may not increase the size of the proposed management area.

Section 47 - Who makes the decision regarding an area becoming a managed area?

The Minister will make the decision after considering all the information that has been provided by the applicant (s) and through the residents meeting. Sometimes the Minister may need to gather further information.

Section 48 - How do people know when an area is declared a management area?

Within fourteen (14) days of the Minister declaring a management area, a notice must be published in the Gazette (an official government paper) and in a newspaper or other publications circulating throughout the management area.

This notice of declaration must:

- describe the management area in enough detail so people can identify it;
- state that the management area is declared to enable a plan to be made for the management of the possession, supply and use of volatile substances in the area; and
- specify a date the declaration takes effect.

What next?

After the management area has been declared a management plan for that area **MUST** be developed.

This will require people from within the community talking about which particular substances are causing, or might cause, problems and options to control or prohibit access to these substances in the management plan. This is known as a community engagement process and is further explained in Part 2, Developing a Management Plan.

Application for the declaration of a management area

1. Details of the Applicant

Name:

Address:

Telephone Number:

Facsimile Number:

E-mail address:

Contact person:

2. Description of the proposed managed area

3. Volatile substance misuse issues the community is experiencing.

4. We, the Residents for the community described above, hereby apply for the above area to be declared a management area:

Name (please print)	Signature	Address
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Signed on (date).....at.....

OR

I agree, on behalf of the Council representing the above mentioned Community, to this application for the specified area to be declared a management area under Section 44(3) (c) of the Volatile Substance Abuse Prevention Act 2005.

Full Name of Council Member (PRINT)_____

Position Held_____

Contact Telephone Number_____ (business hours)

Signature_____/...../20

Council Seal

Step 2

Developing a management plan

This Section explains the process to develop a Management Plan.

Part 4 - Division 3, Sections 49 to 51 of the *Volatile Substance Abuse Prevention Act* covers:

49. Management plan for each management area
50. Preparation and approval of management plan
51. Amendment or replacement of management plan

A management plan details the supply control measures for particular volatile substances in the management area.

Developing a management plan for a declared management area

Part 4 Division 3 of the Volatile Substance Abuse Prevention Act 2005 details how people can develop a management plan for their approved management area.

Each management area **MUST** have a written management plan that provides information concerning the possession, supply and use of volatile substances in the management area.

Section 49 - What information has to be in the plan?

The management plan must provide:

- the management area to which the plan relates, and
- the practices and procedures relating to the management of the possession, supply and use of volatile substances.

The practice and procedures will differ for each management area because each management area is unique. However, the practices and procedures are the most important part of the management plan because they let people know what volatile substances are being controlled and the nature of those controls.

How can a management plan help those who inhale volatile substances?

A management plan will complement measures that aim to control the supply and use of volatile substances such as the use of alternative 'non-sniffable' fuels. Studies indicate that plans that engage the whole community in developing supply strategies have a greater chance of reducing misuse. However there is no single, quick or easy solution to addressing the issue.

The management plan does not make inhaling volatile substances illegal but provides for penalties for those whose behaviour is contrary to the plan.

Because a management plan focuses on particular substances community engagement processes can also help identify community and other assets that can be used to deal with broader issues of volatile substance misuse, as well as identifying future needs.

Section 50 - Who is responsible for developing the plan?

The applicants for the declaration of a Management Area must prepare the Plan for that area in consultation with the Minister, Commissioner of Police and Chief Executive Officer of the Department of Health and Community Services or their delegate.

The Minister or delegate must meet with residents of the Management Area to tell them about what the plan means and to seek their views about it.

Who approves the plan?

When the plan is completed it is given to the Minister for written approval. The Minister must be satisfied that the plan:

- provides information about the practices and procedures relating to the management of the possession, supply and use of volatile substance's; and
- complies with other laws.

After approval, the Minister must give notice in the Gazette and specify in the notice

- when the plan comes into force; and
- where copies of the plan may be inspected or obtained during business hours.

Section 51 - Can communities change their plan?

A minimum of ten (10) residents of the management area, or a community council that represents a management area may:

- prepare an amendment to the management plan for the management area; or
- prepare a new management plan to replace the management plan for the management area.

Any change(s) must be forwarded to the Minister and, if there are significant changes, the Minister will organise a meeting with the residents of the management area to:

- explain the effect of the changes to the management plan; and
- ascertain the residents opinions about the changes.

If the Minister approves the change(s) then notice will be given in the Gazette specifying:

- the date on which the change(s) come into force; and
- the place at which copies of the plan may be inspected or obtained during normal business hours.

What next?

Attached is a seven-stage guide to a community engagement process that will help people develop a management plan. Remember, no two management plans will be the same because each plan is dealing with a different management area but residents may contact other communities when considering control strategies.

How to use the guide?

Remember:

- the guide is like a jigsaw with each stage being a part of the jigsaw, and
- with each puzzle providing different outcomes for each community, because
- each community has different volatile substance misuse issues.

Helpful hints:

- spend time and effort gathering good information
- work on each stage in turn
- keep information from each stage separate
- use information from stages 1- 4 to develop stage 5

A community engagement strategy to assist in developing a management plan for a designated management area

Part 4 Division 3 of the Volatile Substance Abuse Prevention Act 2005 provides information for people who are developing a management plan for their selected management area.

Stage one: identifying the volatile substance misuse issue.

Volatile substance misuse is often highly visible, attracts attention and identifying its presence within a community is not too difficult. What is more difficult is to identify the nature and extent of the issues that give rise to its presence in the community.

Sources

Who can help identify the nature and level of volatile substance misuse in your community?

- (a) Health clinic
- (b) School
- (c) Police
- (d) Store
- (e) Community members
- (f) Those who are abusing volatile substances
- (g) Others

Impact on young people

The impact on young people will differ between those who misuse volatile substances and those who don't and depend on the substance, circumstances, frequency and level of use. Most young people, whether they misuse or not, have views on the issue of misuse.

Impact on the community

The public consequences of misuse include risk taking behaviour, endangered safety of misusers, violence against people and property and longer-term health and disability effects.

Stage two: community engagement - forming an action committee

A community engagement strategy enables a significant number of community people and organisations to be involved in developing the management plan. They form an action committee.

Some of the following issues might be considered when engaging the community:

- (a) How are police, family, clinic, welfare and community currently dealing with volatile substance misusers?
- (b) Are there any alcohol or drug strategies currently within the community?
- (c) Which groups are willing to be involved in developing the management plan?
- (d) Have young people been approached to be part of the management plan development?
- (e) How can young people contribute to the decision-making processes of the management plan?
- (f) What can each organisation contribute to the management plan?
- (g) What benefits can flow to those who participate on the action committee?

Stage three: developing a volatile substance abuse profile

A result of the community engagement process should be the development of a wide-ranging overview, or profile, of volatile substance misuse within a community.

This profile is made up of the following essential components:

- (a) What? – What volatile substances are being misused?
- (b) Who? – Is there an easily identifiable group who are misusing? How many? How old? What is their background?
- (c) How? – How are volatile substances being obtained? Are they being purchased or stolen? Are other community members providing/selling volatile substances? Is there easy access to volatile substances?

Other components may include:

- (d) Where? – Where is the misuse taking place? Are there factors that contribute to the preferred location?
- (e) When? – Are there particular days/nights and times when misuse occurs? Is misuse occurring regularly or spasmodically? Other factors that might influence timing of misuse?
- (f) Why? – Why are these people misusing? Have community groups and others discussed potential reasons for misuse? What contribution do young people make to these discussions?

Stage four: identifying community assets

Community engagement also means identifying community resources or assets that can address each of the above profile components and can include family, school, clinic, accommodation, counselling and support services.

Identifying community assets should focus on the strengths and range of options available to address each component of the profile.

Stage five: developing a plan

Once a volatile substance misuse profile has been developed, strategies that target each component of the profile are easier to comprehend. Some strategies may be effective in dealing with more than one component of the profile.

The plan should deal with:

Essential issues:

- (a) What substances are being misused?

Issues to consider:

- Prohibiting/limiting the supply or sale of products.
- The use of substitute products with less or nil intoxicating qualities.
- Enforcement procedures – inhaling a volatile substance is not an offence but breaching the management plan is an offence.

- (b) How are misusers gaining access to volatile substances?

Issues to consider:

- Responsible retail practices.
- Responsible storage of volatile substances by the community.
- Visitors, contractors and the like being the source of volatile substances.
- Community members providing access to volatile substances.

- (c) Who is involved in volatile substance misuse?

Other issues may influence the development of the management plan but are not essential:

- (a) When is misuse occurring?

Understanding when misuse occurs can help the community to develop strategies to control the supply of volatile substances. Misuse may occur when:

- particular people come into the community such as contractors;
- community members returning after a period of absence; or
- particular substances are present within the community.

- (b) Other issues to consider may include:
- Harm minimisation strategies;
 - Identification of safe places;
 - Addressing the circumstances of those who misuse such as school attendance, family situation, employment, and sporting and recreational activities;
 - Ensuring confidentiality and privacy in relation to sensitive information;
 - Coordination of support services; and
 - Accessing appropriate funding to meet needs.

Stage six: putting the plan into action and telling people about it

To be effective the Plan must be accompanied by an effective communication campaign to let local people and visitors know what is allowed e.g. banned products, controlled products and the consequences of breaches.

Issues to consider when developing a plan:

- (a) Make sure that when telling people about misuse you don't advertise it. For example it is best not to inform people about the intoxicating properties of other products which are not being abused.
- (b) Tell people the key messages – what controls are in place.
- (c) Target the audience – certain groups within the community will need to know such as the residents, community leaders, youth, school, clinic, contractors, shop and tourism ventures.
- (d) Develop different ways of delivering the information – brochure, local paper, community radio and television, electronic and signs at community entrance.
- (e) Make sure there is a community benefit focus within the information.

Stage seven: monitoring and evaluating

Knowing how the plan is working through monitoring changes in the patterns of misuse can provide information on any further supply controls that may be needed.

Conclusion

There are many ways of impacting on volatile substance misuse through controlling the supply of substances that are being abused. A management plan alone will not always solve the issues of volatile substance misuse within a community but well considered supply and control measures can make a major impact.

The community engagement process is a continuous process, which seeks to achieve outcomes for communities by enhancing community networks, trust, collaboration and co-operative decision-making.