



## Commentary

# The implementation and development of complex alcohol control policies in indigenous communities in Queensland (Australia)



Alan R. Clough\*, Katrina Bird

Community-based Health Promotion and Prevention Studies Group, Australian Institute of Tropical Health and Medicine, James Cook University, Cairns, Queensland 4870, Australia

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## ABSTRACT

Very high rates of injury and death during the 1990s were linked with increased alcohol availability and misuse in discrete Indigenous communities in rural and remote Queensland (Australia). To address widespread concerns about a public health crisis, from 2002, the Queensland Government implemented alcohol control strategies known as 'Alcohol Management Plans' (AMPs) in 19 of these communities. Although resources for prevention and treatment were promised, AMPs became increasingly focused on local prohibition, restricted access to alcohol and punitive measures for breaching restrictions. An examination of legislation, regulations, explanatory notes, and published documents indicates this focus evolved across four phases since 2002. The first phase, from 2002 to 2004, saw 'restricted areas' with alcohol 'carriage limits' introduced, restricting the amounts and types of liquor permitted within some communities. The second phase (2002–2007) featured evaluations and reviews by the Queensland Government bringing recommendations for more stringent controls. Additionally, beyond the 'restricted areas', licenced premises situated within the 'catchments' of the targeted communities, mainly located in the nearby regional towns, became subject to 'minimising harm' provisions. These more stringent controls were implemented widely in the third phase (2008–2011) when: the operations of seven community-managed liquor outlets were terminated; the trading arrangements of two others were modified; Police powers to search and seize were increased; and 'attempting' to take liquor into a 'restricted area' also became an offence. Some communities have seen a reduction in alcohol-related harms that have been attributed to these alcohol control strategies. This commentary maps the recent regulatory history of Queensland's alcohol controls targeting discrete Indigenous communities highlighting their increasing focus on punitive measures to reduce access to alcohol. With AMPs in Queensland currently under Government review, and with community resolve for change rising, the limits to Government controls and punitive measures may have been reached.

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## Introduction

Alcohol Management Plans (AMPs) were first implemented in Queensland in 2002 under the policy banner of *Meeting Challenges, Making Choices* [MCMC]. From the outset, AMPs featured controls on the quantity and type of alcohol that could be legitimately possessed in most of the 19 discrete Indigenous (Aboriginal and Torres Strait Islander) communities located in rural and remote areas of northern and eastern Queensland (Fig. 1) (Fitzgerald, 2001; *Indigenous Communities Liquor Licences Bill 2002*; Queensland Government [QGovt], 2002). In particular, the Queensland Government (the "Government") aimed to break the reliance of Local

Government Councils ("Councils") on selling alcohol in Council-managed 'canteens' or taverns. Following reviews and evaluations conducted from within Government in 2005 and again in 2007, these controls were further tightened in 2008 under a new policy banner; *Alcohol Reform Project*, the stated purpose of which was to assist communities to "go as dry as possible" (p. 57) (QGovt, 2009). By early 2009 alcohol had become restricted in 12 of these communities and, with the closing of 'canteens', completely prohibited in seven communities (Fig. 2) (Part 3 *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) and Other Acts Amendment Act 2008*). Legislative changes made it an offence not only to possess liquor other than of a prescribed quantity and type, but also to attempt to take prohibited liquor into an AMP community. Alongside these more stringent place-based controls, across a wide area, 'minimising harm' strategies were brought into play designed to limit alcohol sales from the 162 'catchment' licenced

\* Corresponding author. Tel.: +61 7 4232 1604.

E-mail address: [alan.clough@jcu.edu.au](mailto:alan.clough@jcu.edu.au) (A.R. Clough).



**Fig. 1.** Indigenous communities and selected towns in Queensland affected by Alcohol Management Plans (AMPs).

premises located, for the most part, in non-Indigenous service centres and towns situated near the 19 communities (Fig. 1) (QGovt, 2012).

The State election in March, 2012, brought a change of Government in Queensland. The newly-elected Government had already promised during the election campaign to review AMPs, and it recently announced its review process (Liberal National Party of Queensland, unknown). However, at this important turning point in the controversial history of alcohol controls targeting Queensland's Indigenous communities, the regulatory mechanisms and policy processes used to implement AMPs have not been systematically documented. To begin to address this lack, and to inform policy makers and community leaders, this commentary maps the regulatory and legislative structures, instruments and processes which have underpinned Queensland's AMPs since 2002 (Fig. 2). Their scope and complexity and their increased focus on enforcement and punitive measures to control access to alcohol are highlighted.

### Approach and methods

This commentary is not a systematic critical appraisal of Queensland's alcohol management policies for Indigenous communities. A full evaluation of their impacts and community responses

will be the subject of further, more-detailed policy analyses. To provide a basis for such analyses, the available Queensland legislation, regulations, amendments, explanatory notes and published documents were examined. No single electronic compilation of relevant documents is available. To identify relevant documents, an exhaustive search through the currently available on-line documents was combined with a manual search for documents held in libraries, retained in our own libraries and in the collections of collaborating researchers and officers of Government departments. Original source documents such as original reports, policy statements, Acts of Parliament and Regulations, bills for proposed legislation and supporting explanatory notes were sought. The authors independently examined these documents.

Alcohol restrictions were not implemented in the same way and at the same time in each of the targeted communities (Clough et al., 2014). In order to clarify the basis for their implementation and development, using the evidence available in the discovered documents, the authors independently mapped the main legislative and regulatory features of AMPs, and the timing of their implementation, across the targeted communities. By consensus, the authors identified four phases of AMP implementation and development of around three years each, since 2001. These phases are depicted in Fig. 2 and summarised in the following narrative.

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