



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON THE DRUGS OF DEPENDENCE (PERSONAL USE)
AMENDMENT BILL 2021

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Submission Cover Sheet

Inquiry into the Drugs of Dependence
(Personal Use) Amendment Bill 2021

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ABOUT CARERS ACT

Carers ACT is the leading body for Carers in the ACT. We work to ensure that carers enjoy improved outcomes in health, wellbeing, resilience and financial security. We also work to ensure that caring is acknowledged and recognised as a shared responsibility of family, community and government.

Our purpose is to support, connect and empower carers to maintain their caring role and personal wellbeing.

The National Carer Recognition Act 2010 defines carers as people who provide personal care, support and assistance to people with disability, medical condition (including terminal or chronic illness), mental illness or frail age. Carers include family members, friends, relatives, siblings or neighbours.

In the ACT over 50,000 people provide care. Carers provide an important role in the family and in the broader community, supporting the quality of life of the person they care for. A carer's role can include help with daily living activities such as housework, transport, health care, shopping and meals, reading and writing, emotional and mental support and personal care.

Carers identify many positive aspects to their caring role, including the opportunity for personal growth, development of new skills, companionship, fulfilment, satisfaction of knowing you have helped someone who needs you, and the opportunity to improve the person's quality of life (Hill and Broady, 2019).

Whilst rewarding, the informal caring role often has personal costs for the carer. Caring can be stressful — emotionally, physically, mentally and financially. It can impact on a carer's ability to participate in everyday activities, their relationships, their health and wellbeing. Caring can lead to social isolation and loneliness and over time it can be difficult for the carer to maintain their identity as an individual and to fulfil other valued roles in life.

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CONTEXT

Carers ACT provides specific supports to young people who undertake a caring role in their families. There are approximately 4,000 young carers in the ACT of which 1,000 are aged under 15 years.

Young carers have lower education levels and workforce participation than young people who are not carers. Young carers are also more likely to experience social isolation and mental health conditions. Young carers are a vulnerable group due to the roles they undertake and the pressures they experience. Young carers have some of the highest rates of anxiety and depression.

Carers ACT is the peak body for Mental Health Carers in the ACT. We advocate with carers to improve the mental health service system and to enhance the health and wellbeing of carers. Mental health carers include carers of family member/s with drug dependency. For these carers the journey can be long, hard, demanding and have a significant impact on their health and wellbeing.

RESPONSE TO THE INQUIRY

Rather than make a full submission into this Inquiry, Carers ACT supports the submissions made by the Alcohol, Tobacco and Other Drug Association ACT and ACTCOSS. Carers ACT supports the recommendations made by ATODA, in particular those calling for increased funding and new treatment models for those with drug dependencies.

Carers ACT provides services and supports for carers who provide assistance with the tasks of daily living. Some of the more than 50000 carers provide support to family members and friends with drug dependency. For these carers life is often very unpredictable and a tense tightrope of anxiety and worry. Many carers of people with a drug problem report feeling anxious, depressed or ashamed. They are often socially isolated and unable to seek help from family, friends or formal sources. Many have constant worry about the person they care for dying or becoming incarcerated.

The fear of incarceration of a family member is significant for carers. Whilst some may see incarceration as justice or a chance to stop using drugs, carers are aware that a criminal record will further limit the potential of the person to live a full and independent life. For many carers the criminalisation of drug dependency has significant financial and wellbeing impacts. Many are left with having to pay bills for the person and most carry significant stress and anxiety that impacts on their wellbeing.

In criminalising people with drug dependencies, we often fail to see the impact on family, particularly children and grandparents. Many carers of adult children with drug dependency

become kinship carers for their grandchildren. This is often due to the drug use but is also as a result of the incarcerations experienced (even those that are just overnight or in a 'holding' cell). Rather than see the person as a criminal first we need to be able to see them as a parent, child, partner, family member with an addiction. We need to understand more the impact of criminalisation of drug use on family members. We need to consider the impact on family finances, the welfare of children, the ability to maintain appropriate housing, on their employability in the future, on their health and wellbeing. It is too easy when we consider drug dependency to forget about the impacts on family members and carers.

We also need to consider that a number of people with drug dependencies also have dependent children who are considered to be young carers. Criminalising drug use can have devastating impacts on children. Young carers invest significant time, energy and concern into caring for a parent. They often assume adult responsibilities early in their lives and along with this can come a sense of responsibility for the behaviours and actions of the people they care for. When a parent has a drug dependency and is incarcerated for this, young carers can experience guilt and a sense of letting their parent down. They report feeling at fault as they perceive that they should have done more, protected their parent more, been there more etc. The impact on their emotional and mental wellbeing at the time and into the future is significant. For some young carers, incarceration of their parent can also lead to entry into the care and protection system. Some parents are able to parent whilst also having a drug dependency. For these children their first encounter with the care system is when the parent is charged with a drug charge. The long-term outcomes for children who have been part of the care and protection system are not positive. Where possible we need to prevent children from entering this system and remaining with biological families. Decriminalising personal drug use would be one way to do this for some children.

Carers ACT encourages the committee to consider the broader impacts of criminalisation on the family and carers of people with drug dependency. We ask that you examine the evidence and seek to find new solutions. The current laws are not working and often serve to break up families.

Carers ACT supports the submission by ATODA and supports the recommendations made.