Our Ref: FF-113582

Committee Secretary
Legal and Social Issues Committee
Parliament of Victoria

Via email to injectingcentrebill@parliament.vic.gov.au

Dear Committee Secretary

Inquiry into the Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017

Victoria Police welcomes the opportunity to provide a submission to the Inquiry into the Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017.

Victoria Police acknowledges the position of the Coroners Court of Victoria in support of the establishment of a medically supervised injecting centre (an MSIC) in North Richmond. Victoria Police also notes that there is strong evidence before the Committee that the medically supervised injecting centre in Sydney has reduced the number of deaths from drug overdoses and improved access to drug treatment, health and welfare services.

Given the Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017 (the Bill) has been introduced to Parliament, Victoria Police notes that a decision to establish an MSIC is one for the legislature. In this submission, Victoria Police does not articulate support or otherwise for the piloting of an MSIC.

In this submission, Victoria Police outlines its experiences of drug-related harm in the City of Yarra and relevant policing policy and operations, as well as matters for consideration by the Committee regarding any MSIC pilot.

Victoria Police’s experience of drug-related harm in the City of Yarra

Victoria Police is at the frontline of responding to drug crime and public safety associated with drug use. It has recognised that the City of Yarra has unique drug issues, which has resulted in a number of deaths from drug overdoses.
The computer-aided dispatches (CAD) system captures all incoming calls which require police service. Multiple calls are then grouped to actual events where police units are despatched.

Not all drug overdoses require a police response. However, CAD data has identified that in the past five years, there has been a significant increase in calls requiring police service which are related to drug overdoses both across Victoria and within the Yarra Local Government Area (LGA), as illustrated by the tables below.

**Table 1 - Total CAD events related to drug overdose in Victoria**

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Drug overdoses</th>
<th>Drug overdoses involving violence</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/13</td>
<td>1,035</td>
<td>1,211</td>
<td>2,246</td>
</tr>
<tr>
<td>2013/14</td>
<td>1,189</td>
<td>1,422</td>
<td>2,611</td>
</tr>
<tr>
<td>2014/15</td>
<td>1,555</td>
<td>1,943</td>
<td>3,498</td>
</tr>
<tr>
<td>2015/16</td>
<td>1,977</td>
<td>2,269</td>
<td>4,246</td>
</tr>
<tr>
<td>2016/17</td>
<td>2,338</td>
<td>2,536</td>
<td>4,874</td>
</tr>
</tbody>
</table>

Data extracted from CAD on 3 August 2017 and subject to variation

**Table 2 - Total CAD events related to drug overdose in Yarra LGA**

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Drug overdoses</th>
<th>Drug overdoses involving violence</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/13</td>
<td>73</td>
<td>38</td>
<td>111</td>
</tr>
<tr>
<td>2013/14</td>
<td>91</td>
<td>43</td>
<td>134</td>
</tr>
<tr>
<td>2014/15</td>
<td>89</td>
<td>47</td>
<td>136</td>
</tr>
<tr>
<td>2015/16</td>
<td>129</td>
<td>51</td>
<td>180</td>
</tr>
<tr>
<td>2016/17</td>
<td>142</td>
<td>74</td>
<td>216</td>
</tr>
</tbody>
</table>

Data extracted from CAD on 3 August 2017 and subject to variation

This data is used by Victoria Police in the development of its policing and operations to target drug-related harm.

**Victoria Police’s relevant policing and operations**

Victoria Police is committed to reducing drug-related harm and increasing safety in the City of Yarra. Victoria Police has adopted a harm minimisation policy approach to illicit drugs, with the aim of balancing health, social and economic outcomes for the community, individuals and Victoria Police members.
The concept of harm minimisation encompasses three key pillars:

- Demand-reduction strategies, which aim to prevent the uptake and/or delay the onset of use of drugs, reduce the misuse of drugs in the community and support people to recover from dependence and reintegrate with the community

- Supply-reduction strategies, which aim to prevent, stop, disrupt or otherwise reduce the production and supply of illicit drugs, and control, manage and/or regulate the availability of legal drugs

- Harm-reduction strategies, which aim to reduce the health, social and economic consequences of the use of drugs.

Although Victoria Police operations predominantly focus on strategies to prevent and reduce illicit drug availability and accessibility, it recognises that these supply-reduction measures must closely align with demand-reduction and harm-reduction strategies.

In relation to non-fatal overdoses, the Victoria Police policy is that before pursuing any investigation for ‘use’ and ‘possess’ offences at incidents of non-fatal overdoses, members are required to consider firstly whether this action is in the best interests of the community. The rationale for this approach is removing the fear of prosecution will tend to encourage those people present at overdoses to call for an ambulance without delay, thereby reducing the risk of death or serious injury.

Within the City of Yarra, Victoria Police has implemented a number of law enforcement strategies and crime prevention responses which were specifically developed to address the unique drug issues within that area.

These include Operation Kevlar, which is an operation regularly conducted for the purpose of detecting, investigating and disrupting mid-level drug dealing in the Victoria Street precinct. The operation uses a variety of both overt and covert investigative methodologies.

Operation Kevlar is reviewed regularly by Victoria Police through an analysis of crime statistics and community and trader safety/perception surveys to ensure it remains effective and relevant to the issues in the area.

To support Operation Kevlar, the Victoria Street Richmond Precinct Community Safety Strategy (the Strategy) was implemented in 2015. The Strategy is a recognition that Victoria Police cannot tackle drug-related harm alone and therefore brings Victoria Police together with the City of Yarra, the Department of Health and Human Services, local traders, community support services and other relevant stakeholders.

The purpose of the Strategy is to work in alignment with Operation Kevlar to:

- foster relationships and strengthen existing partnerships between police and local stakeholders to work together to reduce crime and enhance perceptions of safety in the Victoria Street precinct

- improve safety through integration of communication and information from all community role players

- create a sustained, safe and attractive environment for residents, traders and the community in Victoria Street precinct.

In addition to Operation Kevlar and the associated Strategy, Victoria Police has established:
• a procedure for identifying the principal adult and youth offenders involved in drug-related offending within the area

• a Human Source Management Team, which is responsible for managing registered human sources within the area

• regular foot patrols of the Victoria Street precinct by uniform and plain clothes members

• a Melbourne Divisional Response Unit (DRU), which provides a targeted criminal investigation capability across the Melbourne and Yarra areas through two teams dedicated to the investigation of drug-related offending

• a Yarra Criminal Investigation Unit (CIU), which is responsible for investigating criminal activity across the Fitzroy, Collingwood and Richmond areas, with one team dedicated to the investigation of drug-related offending.

These initiatives work within the policing area’s PIERS Response Plan framework. The PIERS Response Plan was developed to reduce the community harm caused by illicit drug use and trafficking through the use of various strategies across five key areas, namely, Prevention, Intelligence, Enforcement, Reassurance and Support.

The Melbourne DRU and Yarra CIU are also both supported by Victoria Police’s specialist forensic capability and intelligence units.

**Matters for consideration by the Committee**

Victoria Police raises the following matters for consideration by the Committee:

• If an MSIC is piloted, Victoria Police would continue to enforce the *Drugs, Poisons and Controlled Substances Act 1981* in accordance with relevant policies, guidelines and manuals applicable to police operations and discretions. Victoria Police notes that the Bill does not purport to exclude Victoria Police’s functions and powers in this regard. Victoria Police also notes the approach adopted in New South Wales, where police conduct their usual operations in the immediate vicinity of the medically supervised injecting centre in Sydney.

• Victoria Police notes the Bill articulates a co-regulatory model for the licensing authority for an MSIC pilot. The Department of Health and Human Services (DHHS) is a key partner in assisting Victoria Police in its role in reducing drug-related harm. Although Victoria Police supports an inter-agency collaborative regulatory approach, if an MSIC is piloted, it believes that the Secretary of DHHS should be the principal decision-maker in respect of the licencing of an MSIC. This would reflect the MSIC’s function as a health response to drug-related harm, rather than a law enforcement response. In determining whether or not to issue a licence, the Secretary would be informed and assisted by relevant stakeholders such as Victoria Police.

• If an MSIC is piloted, Victoria Police is of the view that all staff employed by the centre should be required to submit themselves to continuous suitability assessments. This would ensure the prompt identification of any issues affecting the suitability of a licence or any contravention of licence conditions.

• If an MSIC is piloted, Victoria Police supports a robust and evidence-based evaluation of the trial incorporating a range of health, social and justice indictors. Accordingly, Victoria Police supports a trial period longer than the 18 months proposed by the Bill to ensure there is sufficient evidence to assess whether the objects of the Bill are being achieved.
Should you have any questions or require further information regarding this submission, please contact the Legal Operations, Commissions and Inquiries Division on [redacted].

Yours sincerely

Graham Ashton AM
Chief Commissioner

28/8/17