

**Mental Health Alcohol &
Other Drugs**

Level 7 Manunda Place
38 Cavenagh St
DARWIN NT 0800

Postal Address

PO Box 40596
CASUARINA NT 0811

T 08 8999 2623

E cecelia.gore@nt.gov.au

File Ref: EDOC2021/190162

Northern Suburbs and Palmerston MACCST's
(Multi Agency Community and Child Safety Teams)

Dear Members,

Re: Authorised Persons under the Volatile Substance Abuse Prevention Act

I am writing to help MACCST members better understand the role and responsibilities of Authorised Persons under the Volatile Substance Abuse Prevention Act (the Act). This is to ensure that people who are interested in becoming Authorised Persons are fully aware of what is involved.

The Act allows the Minister for Health (or approved delegate, the Chief Health Officer) to appoint people as Authorised Persons which provides certain (limited) powers to help prevent volatile substance abuse and to ensure protection of youth from harm. There are two types of power prescribed under section 60 of the Act which may be used separately or in combination:

- a) Authorised persons empowered to search, seize and dispose of volatile substances: Powers to search for and seize volatile substances and inhalants and to remove or destroy these items (exercise powers under Part 2, Division 2 of the Act); and
- b) Authorised persons empowered to apprehend a person: Powers to apprehend person who has inhaled a volatile substance to protect their or other's health or safety in order to take them to a responsible adult, to place of safety or, as a last resort, into custody (exercise powers under Part 2, Division 3 of the Act);

An Authorised Person is permitted to exercise these powers in a specified area or location. The identity card issued to each Authorised Person will contain a statement of the geographical area and specific powers that the person is authorised to exercise.

It is important to note that there has been almost no forcible use of these powers in the 15 years since enactment of the Act. Authoritative seizure of substances or apprehension involves a high level of risk to the person misusing volatile substances, the community and the Authorised Person compared to working with youth to willingly release the substance and involving them in an alternative activity. The use of these powers is generally viewed as counterproductive to the broader youth engagement agenda and community development principles. Supporting and guiding youth to a voluntary treatment pathway remains the best practice option.

Authorised Persons have the additional power to complete an application for assessment (under section 33 of the Act) through NT Health if it is reasonably believed that person is at risk of severe harm. NT Health guidelines reinforce that applications for assessment should only be submitted when all avenues to engage the young person with local supports have been exhausted. Assessments are completed by Assessors appointed under Part 3, Section 31 of the Act and involve an evaluation of the person's physical, mental and cognitive health and other risks in order to determine if a mandated treatment order is required.

There are other classes of people who may apply for an assessment of youth at risk, and they are:

- a) Police officers
- b) Health practitioners (medical officers, nurses, Psychologists and Aboriginal Health Practitioners)

- c) A member of the family of the person believed to be at risk
- d) A responsible adult for a child believed to be at risk
- e) Any other employee approved by the Health Minister under Section 65. This currently includes School Principals of Government Schools.

A revised training package for Authorised Persons is being developed to ensure Authorised Persons have the knowledge and skills required to undertake the role. The training will cover working with alcohol or other drug affected clients in a range of settings; understanding the Act; understanding the roles and responsibilities of Authorised Persons; referral pathways for primary health care providers and other community services; role of VSA assessors and determining when it is suitable to refer a person for an assessment under Section 33 of the Act.

After completing the training attendees may apply to become an Authorised Person. The application will require you to provide various details including identification, current role, employment and history, education history, qualifications and professional registrations, general health information, details of community engagement and referees. Applicants must also consent to enquiries being made into their background to help ascertain suitability for appointment. To ensure that applicants are of sufficient health to carry out the relevant functions of an Authorised Person, a formal health assessment from a medical practitioner must also be included.

Due to the nature of the role, those with an established positive relationship with the community are most suitable for an Authorised Person role. This includes positions such as security guards, youth workers, rangers and others working in an outreach capacity. Experience shows the most effective authorised persons have been that that have close connections with the local community.

Member organisations should identify staff members who would be suited to this training, carefully considering the responsibilities of the role. Nominations for staff to attend Authorised Persons training can be sent to NT Health via Claire Georga at claire.georga@nt.gov.au with the subject: EOI Authorised Person Training, name of nominated person, role and organisation.

Yours sincerely



Cecelia Gore
02 May 2021