

22/81

PROBLEM STREET DRINKING AND THE LAW

RON OKELY, LORINNE BOYCE AND  
JONATHAN WOLFE

SOCIAL WORK DEPARTMENT

ROYAL PERTH HOSPITAL

NOVEMBER 1982

## PROBLEM STREET DRINKING AND THE LAW - ABSTRACT

The research was designed to investigate the effect of summary conviction and court imposed fines on problem street drinkers in the inner city of Perth. In a small number of documented cases through the Emergency Centre at Royal Perth Hospital, it was possible to monitor the proportion of Social Security payments surrendered as personal bail or fines for street drinking charges. If this was indicative of a larger population, then an assessment could be made of the amount of money involved, the effects on subsequent re-conviction and lifestyle. A structured interview was administered and court records searched for fifty respondents following their being committed in the East Perth Court of Petty Sessions on public drunk and drinking charges. It was found that the majority of respondents were on Social Security and had not worked for over two years. Over half had attended the Royal Perth Hospital Emergency Centre for alcohol and alcohol related conditions but less than a third had had specialised treatment for alcoholism, Voluntary agency support was utilised by half the sample. While the majority of public drunk and drinking charges were dismissed or dealt with by default, the discriminatory nature of the penalty and sums paid in bail represented significant losses in income. The deterrent effect was found to be negligible. One third of the respondents expressed interest in an income maintenance programme. The implications of implementing such a proposal are discussed with reference to health, welfare and legal services.

## PROBLEM STREET DRINKING AND THE LAW

### SETTING THE RESEARCH IN CONTEXT

Given the premise that the three overriding issues in health care delivery in Australia are access, quality and cost, and there is considerable support for that premise in the literature (1), then at least three areas suggest themselves as relevant for research for the hospital based Social Worker.

The concern for access can translate in social work into an emphasis on developing screening devices so that social work services can be allocated to those most in need. The concern with quality has led us to define the process associated with good service delivery and to assess our services systematically. Cost effectiveness is concerned with determining whether the same outcomes can be achieved with similar increments of service or less cost.

We have chosen to focus today on the question of access and particularly access to health and welfare services for the street drinker.

The hospital Emergency Centre represents the first point of access to the hospital system for many people, including the street drinker. "Street drinkers come, are sent, or are brought for a variety of medical conditions and they come symptom free in the hope of a free meal or a bed for the night or cash". (N.S.W. Council of Social Services Report) (2)

As Royal Perth Hospital is the largest general hospital in the state and centrally situated in the inner city area, its Emergency Centre is the most used and busiest in terms of patient numbers. An average of 150 people per day attend the unit of which 6% are seen by Social Workers. It is also located within one mile of the city lock-up. As a result many patients who present at the Emergency Centre or who refer themselves directly to the hospital Department of Social Work are from time to time detained in that lock-up on charges relating to the consumption of alcohol in a public place.

Previous research undertaken in the Emergency Departments of hospitals shows that individuals are presenting with both urgent and non-urgent medical problems. Both groups, but particularly the latter, have additional multi-social problems. A study at Royal Melbourne Hospital in 1975 for example delineated three reasons for patient attending the casualty department (3). These were:

1. Those who present because of their socio-economic and ethnic circumstances.
2. Those who come to the Casualty Department because of the system or organisation of the health and welfare facilities.
3. Those who come because they believe that their medical or other problem is related to the kind of service that is likely to be available for them in the hospital.

The study found that non-urgent patients used the casualty department because they had other than physical or medical need: e.g. accommodation, but found it more acceptable to present at the hospital with a physical complaint to fulfil this need. There was a readiness by the resident doctor to diagnose a medical complaint when it seemed the complaint was more properly based on social and psychiatric problems. The study concluded that the emergency service was "unprepared to recognise the needs of such patients" but there has been little subsequent research into the nature and definition of their needs. Previous research had tended to concentrate on medical aspects of patient contacts and limited attention given to underlying social causes.

The Emergency Centre represents only one of the many programmes which the hospital initiates which will overlap with community welfare and legal systems and in which it is important that social workers play a part, not only in initiating treatment programmes, but also in research.

The Social Work Supervisor in the Emergency Centre has for many years maintained regular contact with street drinkers, with the community agencies servicing them and with the correctional institutions. In a small number of documented cases, it has been possible for him to monitor the proportion of Social Security payments surrendered as personal bail or fines for street drinking charges. If this is indicative of a large population of inner city drinkers, then an assessment could be made of the amount of money involved and the effects on subsequent reconviction and lifestyle.

#### AIM OF THE RESEARCH

The aim of the research was, therefore, to investigate the effect of court imposed fines and forfeited personal bail on problem drinkers who are in receipt of Social Security payments in the inner city of Perth.

#### LITERATURE REVIEW

It is well known that isolated, homeless alcoholics appear frequently before the courts. Vinson for example found that 7% of all detainees accounted for 20% of total arrests for drunkenness in N.S.W. (4). Drunkenness accounted for one third of all arrests and 30% of all prison admissions.

The report of the Committee of Inquiry into the rate of imprisonment in W.A. (The Dixon Report) (5) also refers to the effect on the rate of imprisonment of public drunkenness in the city area. In suggesting possible alternatives to the existing system, the writers observe that such an alternative might be the provision of "Simple overnight accommodation where drunken persons could be taken to sleep off the effects of alcohol until the morning and then released back into the community.

In the discussion of how the alternatives might operate they observe (5) "It is not easy to decide which authority should provide the staff and its overall supervision.....In the view of the committee the problem is really one of health and the most logical choice would be the medical authorities.....from brief discussion with the various members of that

Department they do not appear to regard the matter as a health problem. The Committee does consider the medical authorities are the logical choice as we accept other professional advice that addiction to alcohol is a disease (Dixon 1981).

Whether or not one subscribes to the disease concept of alcoholism, there are obviously associated health needs. Vinson (6) in his proposal for a central intake establishment in Sydney noted, "Another reason for developing a close working relationship between the centre and a general hospital is the fact that chronic alcoholics and the skid row population in general suffer from a variety of serious ailments. Intoxification may cause serious medical complications and because the symptoms closely resemble other more serious illnesses, it is often difficult to detect or diagnose these illnesses".

Vinson and others (7) have also questioned whether the court penal system does anything to help the vagrant alcoholic overcome his problems of social maladjustment. He comments "It is inherent in the nature of the work of the police that they should be the point of contact between society and some of its most basic human problems. Nevertheless, in order to allow police resources to be focused on the major crime problems facing modern society, it would be wise to make it less necessary for them to perform the front line welfare task of coping with public drunkenness.

While the long term objective for the men who constitute this special population might be to modify or entirely reduce their alcoholic intake when the men themselves are asked what they most require, the common answer is money.

#### RESEARCH ASSUMPTIONS:

While it could be suggested that the request for cash is synonymous with alcohol, the assumption underlying this study is that this represents a simplistic approach to the problem. When confronted with a homeless problem drinker in the hospital Emergency Centre, the Social Worker considers services open to him to obtain accommodation but he knows that in most cases unless the applicant has money on him and a regular means of income, the options available to him are extremely limited. The continuous procession of lost and stolen cheques, lost bank books, incorrect addresses, difficulty in identification or just plain spent income must be an experience common to any inner city general hospital. We consider, therefore, that research into the obtaining and maintaining of income for the inner city problem drinker is an important and relevant area for study for a hospital based social worker.

The assumptions underlying the study were:

- a) That a significant proportion of those committed for problem street drinking in the inner city of Perth would be Social Security recipients.
- b) That payments in court fines and forfeited bail would constitute a considerable proportion of such Social Security payments.

- c) That when faced with long periods without funds, the subjects would be less likely to secure stable accommodation, thus resulting in further re-conviction.
- d) That a significant number would avail themselves of an income maintenance programme and would follow a more rational spending plan if such services were available.

#### METHODOLOGY

Rein (8) and others have argued that a flexibility of methods can be most appropriately and fruitfully used in an inter-disciplinary setting where different techniques of enquiry are utilised, sometimes simultaneously and where results are interpreted in the light of a number of perspectives, highlighting the implications of each. This takes into account the variety of professional and disciplinary backgrounds of the audience of the research, and the fact that different professionals acquire different frames of reference and different value perspectives. Thus, for example, while the use of structured interviews may not be acceptable to Social Workers because they do not provide any perspective on the value orientations or interventive process associated with their implementation, they do provide the kind of data which can be communicated clearly and easily to other professions.

Research methodologists have described several guidelines for structuring such researches (9). Sources of information can include reviews of published literature "the experience survey" which involves the interviewing of those people who are closest to or are reputed to be knowledgeable about the particular area of inquiry, the location of available records and the construction of interviews utilising both qualitative and quantitative data.

The research methods utilised in this study were:

1. Preliminary interviews with:

- : City Lock-up Staff
- : Police Administration
- : The Chief Stipendary Magistrate and the Magistrate most commonly responsible for the East Perth Court of Petty Sessions
- : Alcohol and Drug Authority (W.A.)
- : Medical Director, Emergency Centre (R.P.H.)
- : Voluntary Organisations involved in provision of assistance, after care and night shelter staff
- : Social Security (through Homeless Persons Advisory Committee)

2. Construction of Interview Schedule which included the following information:

- 1) Demographic Data
- 2) Length of time since full employment

3. Accommodation.
4. Type of income
5. Level of problem drinking
6. Health history/physical disabilities
7. Court history, number of convictions, level of fines, bail forfeited and charges.
8. Most common support system.
9. Intended accommodation and life support plan.

3. Search of court records for:

- a) Conviction for street drinking over a three month period and other charges.
- b) Cost of conviction and re-conviction of the offender. Access to court records for the purposes of the research was given provided that the written approval of each of the participants in the study was obtained. This was obtained in all but 4 cases.

Access to police records was not granted.

4. Case histories with agreement of participants.

The 50 participants in the study were drawn from all those appearing before the East Perth Court of Petty Sessions on charges of being drunk and public drinking offences between 19.05.82 and 01.07.82. The respondents were approached after being released from custody, that is, outside the lock-up or upon leaving the court if on bail.

With the respondents permission, their record of appearances at East Perth Court of Petty Sessions were recorded for a sample period of 01.01.82 to 17.04.82.

TABLE I

## RESULTS: AGE, SEX, MARITAL STATUS

| AGE GROUP    | 0 - 19 |   | 20 - 29 |   | 30 - 39 |   | 40 - 49 |   | 50 - 59 |   | 60  |   | TOTAL |   | TOTAL BOTH SEXES |
|--------------|--------|---|---------|---|---------|---|---------|---|---------|---|-----|---|-------|---|------------------|
| SEX          | M      | F | M       | F | M       | F | M       | F | M       | F | M   | F | M     | F |                  |
| SINGLE       | 4      |   | 5       |   | 4       | 1 | 2       | 1 | 3       |   | 3   |   | 21    | 2 | 23               |
| SEPARATED    |        |   |         |   | 5       |   | 3       |   | 7       |   | 1   | 1 | 16    | 1 | 17               |
| DIVORCED     |        |   |         |   | 1       |   | 1       |   | 0       | 1 | 2   |   | 4     | 1 | 5                |
| MARRIED      |        |   |         |   | 0       | 1 | 1       |   | 1       |   |     |   | 2     | 1 | 3                |
| DE FACTO     |        |   |         |   | 1       |   | 1       |   |         |   |     |   | 2     |   | 2                |
| TOTAL        | 4      | 0 | 5       | 0 | 11      | 2 | 8       | 1 | 11      | 1 | 6   | 1 | 45    | 5 | 50               |
| % AGE GROUPS | 8%     |   | 10%     |   | 26%     |   | 18%     |   | 24%     |   | 14% |   | 100%  |   |                  |

The table shows that only five of the respondents were female. Single and separated people predominate. Respondents in their 30's and 50's also figure prominently. 42% of the sample were under 40.



# MOBILITY OF RESPONDENTS

TABLE 2:      PLACE OF BIRTH

|                            |           |
|----------------------------|-----------|
| W.A.                       | 22        |
| OTHER STATES               | 11        |
| AUSTRALIA<br>(UNSPECIFIED) | 7         |
| U.K.                       | 4         |
| WEST. EUROPE               | 2         |
| N.Z.                       | <u>1</u>  |
|                            | <u>47</u> |

TABLE 3:      TIME RESIDENT IN PERTH

|             |           |
|-------------|-----------|
| < 1 YEAR    | 5         |
| < 5 YEARS   | 9         |
| < 10 YEARS  | 9         |
| ≥ 10 YEARS  | 14        |
| ALL MY LIFE | 13        |
|             | <u>50</u> |

80% of the respondents were born in Australia, of whom 44% were born in W.A. Over half lived in Perth more than 10 years.

TABLE 4:

EMPLOYMENT

| SEX     |            | M  | F | TOTAL | %   |
|---------|------------|----|---|-------|-----|
| WORKING |            | 8  | 0 | 8     | 16  |
| PERIOD  | ≤ 1 WEEK   | 1  |   | 1     | 2   |
| SINCE   | ≤ 1 MONTH  | 3  |   | 3     | 6   |
| WORKED  | ≤ 6 MONTHS | 5  |   | 5     | 10  |
|         | ≤ 1 YEAR   | 4  |   | 4     | 8   |
|         | ≤ 2 YEARS  | 5  | 1 | 6     | 12  |
|         | ≥ 2 YEARS  | 11 | 1 | 12    | 24  |
|         | ≥ 10 YEARS | 8  | 3 | 11    | 22  |
| TOTAL   |            | 45 | 5 | 50    | 100 |

The above table shows that 64% of the sample have not worked for over two years and 22% for over ten years. This demonstrates a long term nature of whatever problems respondents may have, being often expressed by their alcoholism. It is interesting to note that 16% of the sample were actually in work, their offence perhaps relating to a drinking spree. The majority of respondents when working, did unskilled work (See Table 5:)

TABLE 5:

TYPE OF EMPLOYMENT

| NUMBER        |    | %    |
|---------------|----|------|
| UNSKILLED     | 40 | 80%  |
| SKILLED       | 6  | 12%  |
| EXECUTIVE     | 1  | 2%   |
| NEVER WORKED  | 1  | 2%   |
| WOULD NOT SAY | 2  | 4%   |
| TOTAL         | 50 | 100% |

TABLE 6:

INCOME SOURCES

| SEX                         | M  | F | TOTAL | %    | % TOTALS ON<br>SOCIAL SECURITY |
|-----------------------------|----|---|-------|------|--------------------------------|
| EMPLOYMENT                  | 7  |   | 7     | 14%  |                                |
| INVALID PENSION             | 11 | 3 | 14    | 28%  | 28%                            |
| AGE PENSION                 |    | 1 | 1     | 2%   | 2%                             |
| SICKNESS BENEFIT            | 6  | 1 | 7     | 14%  | 14%                            |
| UNEMPLOYMENT BENEFIT        | 11 |   | 11    | 22%  | 22%                            |
| SPECIAL BENEFIT             | 1  |   | 1     | 2%   | 2%                             |
| REPAT                       | 6  |   | 6     | 12%  |                                |
| UNSPECIFIED SOCIAL SECURITY | 1  |   | 1     | 2%   |                                |
| BETWEEN WORK DOLE           | 2  |   | 2     | 4%   |                                |
| TOTAL                       | 45 | 5 | 50    | 100% | 70%                            |

The income source of the largest percentage of respondents (28%) was Invalid Pension, suggesting that this number of respondents at least were incapacitated in some way and were not able to work. A smaller percentage, 22% were on Unemployment Benefit suggesting that this number of respondents were (appropriately or otherwise regarded as available for work). Some respondents, especially the older ones were on Military Pension (12%), those employed (14%) and on Sickness Benefit (14%) making up the majority of the remainder.

TABLE 7:INCOME PER WEEK

|            | NUMBERS | %    |
|------------|---------|------|
| \$ 50      | 1       | 2%   |
| \$ 75      | 27      | 54%  |
| \$ 100     | 13      | 26%  |
| \$ 150     | 4       | 8%   |
| \$ 200     | 3       | 6%   |
| DON'T KNOW | 2       | 4%   |
| TOTAL      | 50      | 100% |

54% of respondents said they receive between \$50 and \$75 a week and 26% between \$75 and \$100 a week. These represent people on some form of Pension or Benefit. Those receiving a sum of between \$100 and \$200 are those who are in employment. This suggests that those who are working are not in well paid jobs.

TABLE 9:

RESPONDENTS INTERESTED IN A POSSIBLE  
INCOME MAINTENANCE PROGRAMME

|                | NUMBER | %    |
|----------------|--------|------|
| INTERESTED     | 15     | 30%  |
| NOT INTERESTED | 33     | 66%  |
| DON'T KNOW     | 2      | 4%   |
| TOTAL:         | 50     | 100% |

Of those not interested 14% stated their lack of interest was because they work, 18 stated that they have a bank account already, 2% that their financial affairs were already managed by the Social Work Department at Royal Perth Hospital. The remaining 32% did not explain their lack of interest.

TABLE 10:

RESPONDENTS DISPOSALS AT EAST PERTH COURT OF  
PETTY SESSIONS 19.05.83 - 01.07.82

| AGE GROUP                               | 0 - 19 |   | 20 - 29 |   | 30 - 39 |    | 40 - 49 |    | 50 - 59 |    | 60  |    | TOTAL | %    |
|---|--------|---|---------|---|---------|----|---------|----|---------|----|-----|----|-------|------|
| SEX                                     | M      | F | M       | F | M       | F  | M       | F  | M       | F  | M   | F  |       |      |
| DISMISSED<br>(SEC.137 OF<br>POLICE ACT) | 1      |   | 4       |   | 8       | 1  | 7       |    | 10      | 1  | 5   | 1  | 38    | 76%  |
| FINED (NO<br>TIME TO<br>PAY)            | 3      |   | 2       |   | 1       | 1  | 1       |    | 1       |    | 1   |    | 10    | 20%  |
| DISMISSED<br>(SEC.669<br>CRIMINAL CODE) |        |   | 1       |   |         |    |         | 1  |         |    |     |    | 2     | 4%   |
| TOTAL                                   | 4      |   | 7       |   | 9       | 2  | 8       | 1  | 11      | 1  | 6   | 1  | 50    | 100% |
| %                                       | 8%     |   | 14%     |   | 18%     | 4% | 16%     | 2% | 22%     | 2% | 12% | 2% |       | 100% |

The magistrate sitting during the survey period was almost entirely consistent regarding his disposal of each offence. It is of interest that 100% of the drink charges were (Sec.137 of the Police Act). The street and park drinking charges were disposed of by: a fine (with costs) and NO time to pay, the payment being by default, either whilst in custody prior to the court appearance or by the offender being told to wait in court until it rose at the end of the morning.

The magistrates sentencing policy was consistently lenient towards public drunks and drinkers at least since January 1982. A research of the respondents court records showed that when this magistrate was sitting, i.e. every weekday, every one of the 74 drink charges was dismissed and all of the 34 street drinking charges were dealt with by a fine of \$10 and costs of \$7.40 to be paid by default, the same course being taken with each of the three park drinking and 2 drinking on premises charges also.

TABLE 11:

## ANALYSIS OF COURT LISTS AT EAST PERTH COURT OF PETTY SESSIONS

SATURDAYS AND PUBLIC HOLIDAYS - MAY 22 - JULY 26, '82

|                                   | SATURDAY<br>MAY 22 | SATURDAY<br>MAY 29 | SATURDAY<br>JUNE 5 | MONDAY<br>JUNE 7 | SATURDAY<br>JUNE 12 | SATURDAY<br>JUNE 19 | SATURDAY<br>JUNE 26 |
|-----------------------------------|--------------------|--------------------|--------------------|------------------|---------------------|---------------------|---------------------|
| STATE                             | A                  | B                  | C                  | D                | E                   | F                   | G                   |
| 1. CONVICTIONS                    | 14                 | 10                 | 4                  | 14               | 6                   | 7                   | 4                   |
| DISMISSED<br>SEC.1 POLICE ACT     | 1                  | 4                  | 1                  | 0                | 1                   | 7                   | 4                   |
| FINED -<br>COSTS TIME<br>TO PAY   | 13                 | 0                  | 3                  | 14               | 0                   | 0                   | 0                   |
| FINED COSTS<br>NO TIME TO PAY     | 0                  | 6                  | 0                  | 0                | 5                   | 0                   | 0                   |
| 2. STREET DRINKING<br>CONVICTIONS | 2                  | 1                  | 1                  | 0                | 0                   | 2                   | 2                   |
| FINES COSTS<br>TIME TO PAY        | 2                  | 0                  | 1                  | 0                | 0                   | 0                   | 0                   |
| FINED COSTS<br>NO TIME TO PAY     | 0                  | 1                  | 0                  | 0                | 0                   | 2                   | 2                   |
| 3. PARK DRINKING<br>CONVICTIONS   | 0                  | 0                  | 2                  | 0                | 0                   | 0                   | 0                   |
| FINED COSTS<br>TIME TO PAY        | 0                  | 0                  | 2                  | 0                | 0                   | 0                   | 0                   |



TABLE 12:

COURT APPEARANCES AND FINANCIAL DETAILS OF RESPONDENTS  
EAST PERTH COURT OF PETTY SESSIONS, JAN 1 - APR. 19, 1982

| RESPONDENTS | TOTAL NUMBER<br>OF OFFENCES<br>IN PERIOD | TOTAL FINES/COSTS<br>ORDERED TO PAY TO<br>EPCPS IN PERIOD | WEEKLY<br>INCOME | TOTAL<br>INCOME IN<br>PERIOD (5 WKS) | % OF INCOME<br>ORDERED TO BE<br>PAID TO EPCPS<br>IN PERIOD |
|-------------|--|---|------------------|--------------------------------------|--|
| A           | 10                                       | \$ 59.00  | \$ 70.00         | \$ 1050.00                           | 5%   |
| B           | 11                                       | \$ 165.40   | \$ 58.00         | \$ 9593.00                           | 1%   |
| C           | 15                                       | \$ 60.60  | \$ 80.00         | \$ 1200.00                           | 5%   |
| D           | 3  | \$ 0.00   | \$ 95.00         | \$ 1426.00                           | 0  |
| E           | 23                                       | \$ 74.80  | \$ 77.00         | \$ 1156.00                           | 6%   |
| F           | 2  | \$ 0.00   | \$ 62.00         | \$ 930.00                            | 0  |
| G           | 39                                       | \$ 159.60   | \$ 58.00         | \$ 870.00                            | 18%  |
| H           | 1  | \$ 0.00   | \$ 50.00         | \$ 750.00                            | 0  |
| I           | 2  | \$ 5.00   | \$ 133.00        | \$ 1995.00                           | 0  |
| J           | 13                                       | \$ 100.60   | \$ 73.00         | \$ 1095.00                           | 9%   |
| K           | 19                                       | \$ 52.20  | \$ 58.00         | \$ 870.00                            | 6%   |
| L           | 1  | \$ 10.00  | \$ 82.00         | \$ 1230.00                           | 0  |
| M           | 1  | \$ 0.00   | \$ 58.00         | \$ 870.00                            | 0  |
| N           | 14                                       | \$ 39.30  | \$ 70.00         | \$ 1050                              | 3%   |
| O           | 1  | \$ 0.00   | \$ 75.00         | \$ 1125.00                           | 0  |
| P           | 1  | \$ 0.00?  | \$ 0.00?         | \$ 0.00?                             | 0  |
| Q           | 2  | \$ 0.00   | \$ 58.00         | \$ 870.00                            | 0  |
| R           | 1  | \$ 0.00   | \$ 58.00         | \$ 870.00                            | 0  |
| S           | 1  | \$ 7.40   | \$ 82.00         | \$ 1230.00                           | 0  |
| T           | 2  | \$ 0.00   | \$ 74.00         | \$ 1110.00                           | 0  |
| U           | 2  | \$ 28.50  | \$ 77.00         | \$ 1155.00                           | 2%   |
| V           | 2  | \$ 10.00  | \$ 58.00         | \$ 870.00                            | 1%   |
| W           | 13                                       | \$ 31.40  | \$ 76.00         | \$ 1140.00                           | 9%   |

TABLE 13:

RESPONDENTS ARREST DETAILS OF OFFENCES  
RELATING TO COURT APPEARANCES WHEN INTERVIEWED

| AGE GROUP   | 0 - 19 |   | 20 - 29 |   | 30 - 39 |    | 40 - 49 |    | 50 - 59 |    | 60  |    | TOTAL | %    |
|-------------|--------|---|---------|---|---------|----|---------|----|---------|----|-----|----|-------|------|
| SEX         | M      | F | M       | F | M       | F  | M       | F  | M       | F  | M   | F  |       |      |
| APPREHENDED | 4      |   | 6       |   | 10      | 2  | 8       | 1  | 12      | 1  | 5   | 1  | 50    | 100% |
| IN CUSTODY  |        |   | 3       |   | 4       | 1  | 5       |    | 9       |    | 4   | 1  | 27    | 54%  |
| ON BAIL     | 3      |   | 3       |   | 4       | 1  | 4       | 1  | 3       | 1  | 3   |    | 23    | 46%  |
| TOTAL:      | 3      |   | 6       |   | 8       | 2  | 9       | 1  | 12      | 1  | 7   | 1  | 50    | 100% |
| %           | 6%     |   | 12%     |   | 16%     | 4% | 18%     | 2% | 24%     | 2% | 14% | 2% |       | 100% |

The table shows that every respondent had been apprehended and that 54% of respondents had not been given bail prior to court appearance. The latter figure relates to the fact that not many of the respondents had sufficient money in their possession, while 70% of the respondents said they did have some money. Most of these (46%) were those on bail. The remainder probably did not have sufficient sums for bail. Of the known amounts of bail, 8 were on \$10 bail, 2 on \$25 and one on \$50. Every respondent who was bailed was on his own recognisance, indicating lack of use of sureties.

TABLE 14:

TIME SINCE LAST IN COURT FOR DRINK/PUBLIC DRINKING OFFENCE

| AGE GROUP      | 0 19 |   | 20 29 |   | 30 39 |   | 40 49 |   | 50 59 |   | 60 |   | TOTAL | %    |
|----------------|------|---|-------|---|-------|---|-------|---|-------|---|----|---|-------|------|
| SEX            | M    | F | M     | F | M     | F | M     | F | M     | F | M  | F |       |      |
| ≤1 WEEK        |      |   |       |   | 2     |   | 3     |   | 6     |   | 1  |   | 12    | 24%  |
| ≤1 MONTH       |      |   | 1     |   | 4     | 1 | 2     |   | 1     |   | 2  |   | 11    | 22%  |
| ≤6 MONTHS      | 1    |   |       |   | 3     |   | 2     |   | 1     |   | 3  |   | 10    | 20%  |
| ≤1 YEAR        |      |   |       |   | 1     |   |       |   |       |   |    |   | 1     | 2%   |
| ≥1 YEAR        |      |   | 2     |   |       | 1 |       | 1 | 3     |   |    |   | 7     | 14%  |
| NOT LONG       |      |   |       |   |       |   |       |   |       |   |    | 1 | 1     | 2%   |
| CAN'T REMEMBER |      |   | 1     |   |       |   |       |   |       |   |    |   | 1     | 2%   |
| NEVER          | 3    |   | 2     |   |       |   | 1     |   |       | 1 |    |   | 7     | 14%  |
| TOTAL:         | 4    |   | 6     |   | 10    | 2 | 3     | 1 | 11    | 1 | 6  | 1 | 50    | 100% |

Table 14 shows that 24% of the respondents had been in court on a number of charges in the last week, 44% within the last month and 64% within the last six months. The most frequent offenders appear to be those in the 50-59 age group, indicating a long established public drunk and drinking history. The table also indicates that the deterrent effect of court appearances on those convicted of these offences is negligible.

A comparison of public drunk and drinking offenders with the total number of defendants on the court lists for the period 19.05.82 - 01.10.82 showed that 43% of the court's work related to these offenders. While a disproportionately small amount of time is spent with these offenders, especially if the charge is dismissed or dealt with by default, the cost to the court as well as in police time and in administrative charges must be considerable.

TABLE 15:

## RESPONDENTS SUPPORT SYSTEMS

|                       | 0 - 19 | 20 - 29 | 30 - 39 | 40 - 49 | 50 - 59 | 60 | TOTAL | %     |
|-----------------------|--------|---------|---------|---------|---------|----|-------|-------|
| AGE GROUP             |        |         |         |         |         |    |       |       |
| STAT AGENCIES         |        | 2       | 1       |         |         |    | 3     | 3%    |
| VOLUNTARY AGENCIES    |        |         | 8       | 10      | 13      | 4  | 35    | 30%   |
| I NEVER USE AN AGENCY | 2      | 2       | 4       | 4       | 5       | 3  | 20    | 18%   |
| LODGINGS              |        |         | 4       | 2       | 4       | 4  | 14    | 13%   |
| SHARED HOUSE          | 1      | 1       | 3       |         |         |    | 5     | 4%    |
| OWN HOUSE             |        |         |         | 1       |         |    |       | 1%    |
| RELATIVES             | 2      | 3       | 3       | 1       | 4       |    | 12    | 11.5% |
| FRIENDS               | 1      |         |         | 1       | 1       | 1  | 4     | 3.5%  |
| SLEEP OUT             |        | 1       | 2       | 2       | 3       | 1  | 9     | 8%    |
| OTHER                 |        | 4       | 1       | 6       |         |    | 11    | 9%    |

This table illustrates some of the support systems used by the respondents. A half of the respondents indicated that they used supports other than that of the agencies and that their lifestyles do not usually encompass the latter. This number is largely made up of those in lodgings (12%) those who stay with close family or relations (11.5%) and those who habitually sleep out (8%). 18% of those interviewed stated that they never use an agency. A third do use the agencies, they were largely aged over 30, the younger respondents did not seem to use the agency. Those who slept out did so for a number of reasons: a) force of habit, having been de-socialised out of sleeping in a bed, b) due to being too drunk to go anywhere, c) due to their owing money to an agency, d) due to having bad relations with agencies, e) due to ignorance about agencies.

The Aboriginal respondents tended to obtain a larger proportion of their support from their families (26%) and they also used voluntary agencies more (46%). This was largely due to use of St. Norbert's Hostel and the New Era Aboriginal Fellowship, specifically intended to cater for the needs of Aboriginal people.

TABLE 16:

USE OF MEDICAL SERVICES

|                                 | TIME SINCE LAST SAW DOCTOR |      |  | TIME SINCE LAST AT R.P.H.<br>EMERGENCY CENTRE |      |  |
|---------------------------------|----------------------------|------|--|---|------|--|
|                                 | NUMBER                     | %    |  | NUMBER  | %    |  |
| <1 WEEK                         | 15                         | 30%  |  | 8   | 16%  |  |
| <1 MONTH                        | 8                          | 16%  |  | 1   | 2%   |  |
| <6 MONTHS                       | 13                         | 26%  |  | 14  | 28%  |  |
| <1 YEAR                         | 3                          | 6%   |  | 3   | 6%   |  |
| >1 YEAR                         | 11                         | 22%  |  | 5   | 10%  |  |
| NEW                             | 0                          | 0    |  | 17  | 34%  |  |
| NEVER I USE<br>ANOTHER HOSPITAL | 0                          | 0    |  | 2   | 4%   |  |
|                                 | 50                         | 100% |  | 50  | 100% |  |

TABLE 17:

TREATMENT FOR ALCOHOLISM

|                     | NUMBER | %    |
|---------------------|--------|------|
| HAD TREATMENT       | 17     | 34%  |
| NEVER HAD TREATMENT | 33     | 66%  |
| TOTAL:              | 50     | 100% |

TABLE 16: This table shows that 62% of the respondents had attended the R.P.H. Emergency Centre, 46% in the past 6 months, primarily for acute problems such as broken bones and other damage to the limb, often the result of being drunk. Alcoholism was itself an important reason for respondents coming to R.P.H. Emergency Centre. Most respondents came to R.P.H. Emergency Centre on their own accord rather than being taken.

By contrast only 17 or 34% of the example had had treatment for alcoholism from a specialised facility, as from A.D.A. and 6 from voluntary agencies. One respondent had attended both types of agencies. The remainder (33) stated that they either did not want treatment, did not think they needed treatment or did not know how to get treatment. Of those who obtained treatment, the majority (12) had had treatment on more than one occasion.

CASE STUDIES:

Typical of the men who were interviewed were two men, one was a 57 year old man who migrated from Ireland about 35 years ago and one a 37 year old West Australian born man who has lived most of his life in W.A.

B.G. is a 37 year old divorced male living in the inner city. He was born in a small farming settlement about 400 kms from the city adjacent to an inland mining town.

He is the second son of a family of four, brought up on a family farm in a marginal rainfall area. He received primary education in a small one teacher school but reports that at age 9 years was taken away from school - to help take the harvest off. He reports that his father at this time was a heavy drinker and had said - "If you are going to do a man's work, you can have a man's drink". This began his drinking career.

He married at 19 and continued to live on the farm until his first son was born. Trouble developed in the family between his wife and other members of the family so he left the family farm to work in the cray fishing industries. He would now be classed as a medium-to-heavy drinker, but able to hold a job down. Then followed a succession of heavy industry jobs from powder monkey in the gold mining to dump truck driver in the bauxite industry.

He had acquired his own home in an outer metropolitan area but continued to be in difficulties with driving offences. Whilst on holiday in the Eastern States, he rolled a car and suffered a fractured skull. At this stage he began fitting on occasions and reports that he returned home from work one day to find that his wife had left him, taking with her his two children.

From this point on he recalls that his drinking became gradually out of control. He lost jobs, had his assets taken into trust, and eventually drifted into the city about 7 years ago. During a drinking spree he fell in front of a train and lost one arm as the result. He last worked as an orderly in a metropolitan hospital living at the same time in an inner city hostel.

Multiple medical problems developed with his amputated arm - chronic ulcers to both legs, necessitating admission to the Plastic Surgery ward over several extended periods. During this period he advised that contact with an A/A group resulted in a 9 month period of sobriety.

He also reports that during these years he was in one of the States Maximum Security Prisons for 12 months on drink related charges. The claim that during this period of incarceration he and other inmates brewed their own "pumpkin brew" has never been verified.

His present lifestyle consists of an average of 2 or 3 nights a week in the city lock-up and a regular daily call at the general hospital for dressing of ulcers. He makes no attempt to secure a bed in the city night shelters, often claiming to sit up in an all night Pizza bar. He usually makes it to the "early opener" hotel nearest to the city markets which opens for early morning service and shares several bottles of wine or a flagon with whoever he meets who happens to have enough money to make the purchase. The main food purchase he makes is in the form of sandwiches and smokes - one to two packets of cigarettes a day, depending on the state of finances.

Financial maintenance is offered to this man by the Department of Social Work of the hospital whereby he voluntarily deposits his Invalid Pension cheque in a trust account and "more or less" manages to distribute his drawing upon over two weeks instead of the customary 2 or 3 days so common among men in the same situation.



P.C. is a 57 year old man born in a small farming village in Southern Ireland.

He was the fifth in a family of eight and spent his childhood on the small cereal and potato producing property of 50 acres managed by his father.

He reports that he had a complete primary education attending a small school two miles from home to which he walked every day. His father he said was a strong, gentle man - traits which can be traced in himself. The family all drank a home brewed beer from local oats. It would appear that this was a very common, but illicit, practice which introduced him to alcohol at a very early age.

He does not recall much of his early life except that he was happy on the farm and knew he was developing to be strong and able to do heavy work.

At age 22 years he migrated to Australia, working first of all as a labourer for a bridge building contractor in Victoria. He then spent three years in the mining industry in Sydney. During these periods he reports he worked hard and drank hard but usually when his work was done. He developed a knowledge of mining and for several periods was a driller. He had occasional bouts with the law, mainly because he seemed to get into fights on a weekend almost always associated with heavy drinking. His work remained in "frontier" type areas in the north and eastern goldfields of W.A. His last job was about six years ago and after drifting to the city, he received unemployment benefits for longer and longer periods. Early contact with him about five years ago found him proudly stating that he was on "Social Services", meaning that he was fit to work and drawing unemployment benefits.

He then began a circuit of inner city lodging homes and finally to residential care for homeless men having been a resident in four different hostels for varying lengths of time.

Reports indicate that his stay in these hostels was usually terminated by his unwillingness to pay board and continued problems with the law, being a consistent offender for street drinking.

During this period he was admitted to the Aston detoxification unit on several occasions and had extended stays at Quo Vadis Rehabilitation Hospital. Gradually his continually expressed self reliance reduced him to the one city night shelter which did not require him to pay. As from time to time he presented drunk, he was eventually refused admission but continued to use the night shelter as an address for the collection of special benefit cheque. He slept out in the city averaging 1 to 2 nights a week in the city lock-up.

When he came in contact with hospital social workers about 6 months ago, he was found to have been without income for 2 months. His special benefit cheque had been withheld because he failed to complete the monthly statement of income. Subsequently an application for Invalid Pension was granted with no delay. He then requested assistance to take part in care of his income maintenance programme and continues to collect small amounts of the money two or three times a week.

Whilst it cannot be easily argued that this has had a marked effect upon behaviour, it has brought some small semblance of order to an otherwise chaotic existence.

## CONCLUSION:

It is probably true that the research project was taken from the experience of one worker with certain inner city homeless men and observations of their lifestyle and patterns of spending. Some of the assumptions at the start of the study have been clearly demonstrated.

1. "That a significant proportion of those convicted for problem drinking in the inner city of Perth were Social Security recipients".

The study showed that of the sample tested, 70% of the respondents were in receipt of Social Security benefit or pension. It further revealed the variety of benefit or pension and demonstrated that some men were in receipt of inappropriate benefit.

A man on Unemployment Benefit with Korsakoffs Psychosis gave an account of the working the previous night which was really only in his mind. Contacts have been established with a welfare agency when he suffered long periods with no income.

When unable to complete an application for continuation of benefit, he went several weeks without any income whatsoever.

2. "That payments in court fines and forfeited personal bail constitute a considerable proportion of Social Security payments". The study clearly revealed that of the respondents who came before the court as the result of inner city problem street drinking during the weekdays, in every case the charge of "drunk" was dismissed and no fine was levied.

It would appear that the main cost to the respondent in monetary terms was by virtue of personal bail offered but forfeited by non appearance at the court the next morning. In actual fact the overall proportion of the income on average of the sample of respondents was of the order of 2.5%.

The occasions when considerable fines were imposed for drink related offences, e.g. use of abusive language, illegally on premises, urinating in a public place or creating a public nuisance.

It would appear to the researchers that significant issues which might well be studied further would be the considerable amount of court and other official time involved in the ongoing problem of post court behaviour and lifestyle. The decriminalising of the offence of being drunk in a public place is recognised as not being the simple answer, it might well have once been thought to be. However, financial problems will surely remain high in the list of difficulties facing the 'skid row' drinker.

3. When faced with long periods without funds, the subjects are less likely to secure stable accommodation thus resulting in further problems.

Again although lack of funds cannot be traced directly to the court process, there is nevertheless a financial base to many of the difficulties the men face in coping in the city. Agencies relate instances of men waiting for the postman, collecting a Social Security cheque and then leaving accommodation owing two or more weeks rent. There is little doubt that one of the major reasons given for inner city homelessness is unwillingness or inability to pay board. The claim is made by many of the men that this simply results in their drinking in a public place instead of a private room as the most commonly consumed liquor is a bottle of cheap muscat wine purchased at the supermarket for about \$1.60.

4. A significant number of individuals would avail themselves of an income maintenance programme and would follow a more rational spending plan if such a source were available.

As indicated in Table 9, about 15 men or 30% of the sample indicated that they would avail themselves of such a programme if it were available. Several agencies in Perth offer various forms of income maintenance. The Salvation Army (Tanderra) Anglican Homes (St.Bart's) and A.C.R.A.H. enable men who have paid their board and are permanent residents to accept the remainder of their income in regular amounts. Other examples of assistance given are the use of the night shelter address for receiving of mail even when not resident. One branch of the Commonwealth Savings Bank is prepared to accept safe custody of bank books into which pensions are paid. The Veterans Affairs Department also offers a very limited scheme of income maintenance upon request for Veteran Pensions.

The research showed clearly that the criminal justice system has little deterrent effect on the problem street drinker. Over 60% of the sample had been before the courts on similar charges within the past three months. Similarly while it cannot be assumed that all participants in the study had a chronic drinking problem, only a third had availed themselves of the special alcohol treatment facilities in Perth.

It is open to speculation just to what extent these men are able to still make a choice with regard to their behaviour. W.A.Alcohol and Drug Authority officers are of the opinion that such men constitute a hard core of drinkers upon whom established programmes have little or no effect.

The Canadian Addiction Research Foundation have rejected comprehensive rehabilitation sobriety, full employment independent functioning as being unrealistic goals for the chronic street drinker. More limited care giving goals are a more realistic means of helping.(10). De Vere and others also concluded the society ought to recognise the need for the development of facilities for the chronic drinker. They say that it is necessary to wean treatment agencies from a pre-occupation with reform and rehabilitation to a constructive and sympathetic maintenance of the failures of the treatment programme - no longer rotating either in the law enforcement revolving door or the therapeutic merry-go-round. (Van de Vyvere et al 1976). (11)

This would also seem to be the tenor of the Dixon report - "a simple overnight accommodation where drunken persons could be taken to sleep off the effects of the alcohol and next morning released back to the community. (Dixon et al 1981) (12).

#### HEALTH CARE:

The fact that over 60% of the sample have attended Royal Perth Hospital Emergency Centre indicated that they were utilising one form of health care maintenance. The debate on the appropriateness of such use of a general hospital is not new but is symptomatic of any general teaching hospital in large cities. The resolution of the problem, however, must be faced and comes well within the province of a Department of Social Work.

#### HOMELESS ABORIGINAL DRINKERS:

Previous studies in Perth have revealed that Aboriginal people have not felt welcome in some night shelters. This resulted in the establishment of exclusively Aboriginal shelters. The current research has revealed that family support and the use of several privately rented houses in close proximity to the city provide an accepting atmosphere to homeless Aboriginals.

The work of these shelters with the Aboriginal Medical Service and the Kulila Association is recognised for many people. The use of the New Era Aboriginal Fellowship, The Aboriginal Legal Service, the Aboriginal Medical Service as addresses for the forwarding of cheques would suggest that large numbers of aboriginal people within the sample are coping with the same sorts of problems as the lock-up population.

#### INCOME MAINTENANCE:

The 15 men previously stated as being interested in an income maintenance scheme, 4 were already receiving the service instituted at their request by the Department of Social Work of the hospital. In some ways it was this fact that supplied the motivation for the research to be undertaken. The continued need of and yet lack of ready cash is expressed as a constant problem. Hospital staff felt that rather than having to find extra money continuously, it seemed far more appropriate to utilise existing income to make it available over a longer period of time.

The possibility of a system set up specifically to enable a form of voluntary money management in association with either a voluntary organisation or a statutory body would, therefore, seem to be an appropriate area for further study. Although obviously it cannot be claimed that such a service has kept men out of the lock-up, it could be conjectured that there is some small basis of order and structure in the post lock-up period which can in many cases result in money being available on release.