This resource is designed to help retailers...

- take measures to assist in reducing volatile substance misuse
- identify products that may be misused
- display and sell products in a way that is restrictive or less attractive to inhalant users
- identify potential users and potential suppliers to users.
Why is there a need for a retailers’ code?

People and governments in the NT are trying different approaches to reduce the harm done to young people from sniffing paints and they would also like retailers’ help.

Reducing the availability (supply) of spray paints and other volatile products is part of a ‘harm reduction’ strategy for young people.

Sniffing volatile substances is a big problem in Australia. According to a recent survey 24% of all secondary students in Australia have tried sniffing or inhaling solvents or volatile substances.

Each year many young people in the NT die or become brain-damaged due to the effects of sniffing spray paints, petrol, glues and other volatile substances.

In Alice Springs there is reliable evidence that some older people are buying spray paints for young people in return for money for alcohol, or for sex, or just because they are asked to or ‘feel sorry’ for them, or because the young person threatens them.

While there may still be other products that are being used for inhaling, the less available on the streets, the less harm that will happen to young people.

The community needs retailers’ help to prevent this problem. Retailers can provide an important service to the NT community by limiting access to spray paints and glues.

Benefits of using the code:

• Reduce theft of stock, therefore potentially reducing insurance claims.

• Sniffing often occurs in car parks, side alleys and stairwells, amongst bushes or behind shopping centres, which makes the area feel unsafe for customers, who may then refuse to shop there.

• Prevent intoxicated people entering the store.

• Reduce possible violence to staff and customers.

• Improve compliance with occupational health and safety.

• Improve your store’s standing in the community as being socially responsible and community-minded.

Why should retailers refuse sales of legal products?

The NT has legislation which prohibits the sale of inhalants if the retailer ‘knows or ought to know’ that the product may be used for inhalation by the buyer or by a second, third or fourth person. *(see below)*

This legislation puts the responsibility onto the retailer to decide if the buyer may be intending to inhale the product or sell or supply it to someone else.

There is a list of signs of solvent abuse and possible indications of sales to adults who may sell the products on to children, (see below). It also provides a reason for the retailer to refuse sales. This approach is similar to the ‘Responsible sale of alcohol’ legislation for licensed premises and for pharmacies selling some restricted products.

It is not illegal in the NT to sell solvents to under-18s (unlike some other states).

The act of sniffing or inhaling solvents (paint, petrol etc) is not illegal in the NT.

**Note:** Both non-Aboriginal and Aboriginal people are known to sniff solvents and buy paints to give to young people in the NT.

**What are the signs that a person may be buying to sell or supply to young people?**

• Gold, chrome and bronze spray paints are the most frequently misused in the NT, so retailers need to be suspicious when there are requests for these colours.

• All spray paint colours contain hydrocarbons as the propellant, which are the main inhalant ingredients, so retailers need to be aware of requests for other colours as well – sometimes there are many requests for a particular colour.

• Requests for contact glues or cigarette lighter refills (not so common in NT).

• Empty spray paint or glue containers or wine bladders (used to sniff paint from) found near or behind the store premises.

• Buyer going straight to the cheapest or on-sale spray paints.

• Several people entering store together and using distraction techniques to steal products.

• Many young people ask other older family members or older strangers to purchase paint for them.

• Young people hanging around outside or behind the shop or nearby, waiting for the products to be bought.

*Most will stop sniffing if they can’t get the one they like best (experimental and social sniffers).*

*If that product is restricted, they do not all transfer to another group of products. Even where transference does occur, this usually involves only a small proportion of young people (chronic sniffers).*

*What are the signs that a person may be using solvents for inhalation?*

• Paint stains around the nose or mouth or on hands or clothes.

• Sore red eyes, sores on nose or mouth.

• A strong smell of paint or petrol coming from the person.

• Frequent or large sales of the product to the same person – child or adult.

• Nervous or anxious behaviour.

• A drowsy, vacant or glazed expression in their eyes.

• Appearing to be drunk, staggering, falling over.

• Excitable, giggly, manic, aggressive.

• Unlikely answers to questions as to the reason for the purchase – eg “to paint a house”.

*Note: Both non-Aboriginal and Aboriginal people are known to sniff solvents and buy paints to give to young people in the NT.*

The act of sniffing or inhaling solvents is not illegal in the NT.

What about anti-discrimination legislation?

The NT legislation allows for complaints of discrimination by age, gender, disability or racial origin.* * * * *

But stores can ask for identification (eg a drivers licence or other ID) and refuse sales to those with no ID as long as they ask this of all potential buyers of the products, irrespective of age, race or gender.

Stores can also ask the buyer’s name and/or reason for purchase, without incurring Anti Discrimination complaints, also as long as all buyers are questioned (see form at end of book).

Advice from the NT Anti-Discrimination Commission suggests that NT retailers are protected from complaints of discrimination as long as the reason for refusal to sell the product is based on a ‘reasonable belief’ that the substance may be used for inhalation or may be supplied to another person for that use, that is, by referring to the signs of inhalation or possible sale for inhalation to others (see below).

If, after referring to those signs, the retailer believes that the buyer may either use the product themselves for inhalation, or else may sell or give it to another person for inhalation, and that the primary or main reason for refusal of the sale, the store will be protected from complaints of discrimination under NT legislation.

However retailers need to be aware that refusal to sell a product on the basis of race, gender, age, will cause them to be potentially liable for complaints under the Anti-Discrimination Act. Whatever actions a retailer takes regarding refusal of sales, needs to be applied equally to all customers requesting that product, regardless of race, age and gender.

*NT: The NT does not have legislation relating the sale of volatile products to people aged under 18, unlike other states in Australia. If your store posts up signs refusing to sell solvents to under 18s you may be liable for a complaint of discrimination by age.*

*Advice on avoidance of complaints of discrimination was provided by the NT Anti-Discrimination Commission, ph 8999 1444. Retailers may refer to them for further information.*

Selling solvents to customers

Under NT legislation, stores have the right not to sell solvents to particular customers. Additionally, retailers have the right to withdraw particular items from sale, move products to another area or encase products in cages.
Sniffing spray paint also blocks the feelings of hunger and cold

Can I be prosecuted for refusing to sell solvents to customers?

No. The store and staff are protected from complaints of discrimination if refusal to sell or permit store entry is based on knowledge or suspicion that the person may use solvents to sniff or may sell or supply to another person. (see above).

Suggested procedure for dealing with customers who you suspect may abuse solvents:

1. Remain calm and friendly. It’s best not to argue with the customer; just restate firmly the company and government policy. Most customers will accept this approach and leave the store.

2. Use ‘we’ not ‘I’. Don’t take direct responsibility for this policy. Telling a customer: “We can’t sell you this product” indicates that it is not your fault, but a management or government decision. This makes it harder for the purchaser to blame the individual sales person.

3. Owners/managers have an obligation to ensure a safe workplace for their staff and customers.

Where violence is or might be an issue, stores need to develop Rapid Response Protocols with management and police. One store in Alice Springs has a call sign (‘code blue’) over their PA system, which calls on all staff in the store to immediately surround the person(s) and escort them from the store.

4. If a customer appears intoxicated, exercise caution and remember safety of all customers and staff is the first priority. It may be best to refuse to allow intoxicated persons on to the store premises. This will not incur complaints of discrimination because the reason for refusal of entry is due to the person’s intoxication, not because of their age, race or gender.

What harms are caused by solvent abuse?

Solvents are poisonous if abused, and can slow down the heart, brain and breathing. They can cause loss of balance, slurred speech and disorientation-effects similar to being drunk. Regular ‘sniffers’ can have fits or hallucinations and even black out. Solvent abuse causes sneezing, coughing, salivation and red eyes. Long term effects include serious heart, liver and brain damage – losing control of limbs and speech, and memory and becoming a quadraplegic.

Can sniffing paint or petrol cause death?

Yes. Sniffing large amounts of solvents too quickly can cause an ‘overdose’ resulting in a person having heart problems or a ‘blackout’. This can be very dangerous, especially if the person is alone or their friends get frightened and run away. Solvent sniffing has also led to injury and death from falls or accidents due to an intoxicated person suffering from agitation, hallucinations, loss of balance or confusion.

But mostly people die from respiratory failure or pneumonia caused by long term damage to the lungs.

Most deaths from sniffing are caused by accidents that occur during the period of intoxication – getting lost, being burned, having car accidents, or committing suicide while intoxicated.

How are solvents misused?

The vapours from solvents can be sniffed directly or by spraying or squirting into a plastic bag. In the NT the most common method is to spray paint into a used cask wine bladder. They can also be sprayed onto a rag and inhaled, although this is less common.

Who abuses solvents?

People who abuse solvents can come from all groups, and income levels. Both males and females misuse solvents in the NT.

Abusers fall into 3 main groups:

Experimental

Young people under 18 years - more likely to be young people between the ages of 10 and 16 years. 24% of all school aged children state that they have experimented with solvents. (National secondary school drug use survey, 2001)

Occasional/Regular

Young people who sniff with their peers.

Chronic

Users who may be socially isolated, have emotional problems or difficulties at home. There may be a few ‘ring leaders’ in each community, who may encourage others to join them.

In the NT abusers are between 7 – 35, with the biggest group being aged between 10 and 20.

Why do young people choose to misuse solvents?

For many of the same reasons that people drink or use drugs: solvent abusers are looking for something that changes the way they feel, such as wanting to feel ‘out of it’ or drunk and for fun. They are often bored, angry or lonely and may feel unloved and unwanted – sniffing spray paint also blocks the feelings of hunger and cold. They are often easily influenced by peer pressure and have a need to be part of the gang. They choose solvents because they are cheap or free and easily available.

Does solvent abuse affect behaviour?

Solvent abuse can cause agitation and hallucinations, both auditory (sound) and visual (pictures, patterns). Sniffers will not take any notice of anyone when they are still ‘high’. The ‘high’ from sniffing is very fast - 5-10 minutes - and lasts about 2-3 hours. In order to stay intoxicated the person needs to continue to sniff at regular intervals. Long term sniffers can become aggressive and paranoid. (They think everyone is out to get them). They can suffer mood swings, anxiety and depression. Their behaviour can be threatening and unpredictable.

the biggest group of abusers in the NT are aged between 10 and 20

What products are volatile substances?

Any products that have a strong smell or give off a vapour or use aerosol sprays.

The most common are spray paints (esp gold, silver, chrome, bronze), petrol, cigarette lighter refills (butane), and contact glues (eg Kwikgrip, some builders’ products). Glues and white-out are less harmful than the other products due to their more solidified form.

Some others that are used less often are spray deodorants, spray cooking oils, thinners, whipped cream bulbs, some cleaning products, fly spray, white-out and marker pens. While it is obviously impractical to refuse sales of all of these products, it is important to take note if there is suddenly an increase in the sales/theft of these products. It may be necessary to temporarily remove them to a less accessible area.

Can sniffing paint or petrol cause death?

Yes. Sniffing spray paint also blocks the feelings of hunger and cold.
Suggested responses to customers:

“You can’t refuse to sell to me; I’ll have you up for discrimination!”

We’re sorry but we do have the right not to sell this product. We understand that the NT Misuse of Drugs Act prevents us from selling to anyone we suspect of using solvents or of selling or giving those solvents to another person. The store may be liable for prosecution if we sell spray paints to you.

“You have to sell to me; I’m over 18 years old!”

We’ve been told the law (Misuse of Drugs Act, NT) covers all age groups and we have to comply with the law or we can be prosecuted.

“The law says you have to sell to me or I’ll report you to the authorities”

I really don’t want to argue with you. You have the right to complain but I think you will find we are acting within the law.

“You may as well sell it to me or I’ll just go up the street and buy it.”

The Government has advised us to restrict sales of this product. We think you will find the same response in all stores in Alice Springs.

“This product will not do any harm. It’s not one of those things that kids sniff!”

We’re sorry but that’s one of the products that the Government has asked us to control the sale of because of the harm it can cause if used incorrectly.

“Why won’t you sell it to me, you’ve sold it to the person in front of me?”

We are able to refuse sale if we suspect that the product may be used incorrectly.

“Groups of teenagers standing around areas where solvent products are displayed”

Ask if you can help them. If they do not want to purchase ask them politely to move on. If they refuse, call the manager, store security or police. If you are concerned, you may refuse entry to large groups of young people, and ask them to enter the store one at a time.

Frequent purchase of solvent-based products from the same individual.

We’re sorry but there are restrictions on the sale of this product.

Adults possibly buying for younger people. Note the list of signs stated above that suggest that the person may be buying for others. The store may refuse sales to avoid prosecution under NT Misuse of Drugs Act, Section 18 (see above). Ask for ID or drivers licence and state that all stores in Alice Springs have been requested by the NT police to collect the names of buyers and their reasons for purchase of solvents (see form at end of booklet).

Emergency procedures for looking after sniffers who may be having a fit or blacking out:

- Call for your designated first aid officer (if there is one) and/or the manager.
- Lie the person on their side and clear their airway.
- Call for an ambulance.

Contacts in Alice Springs for information, or for support in dealing with suspected solvent abusers or solvent dealers in or near your store:

Central Australian Youth Link Up Service (CAYLUS), Tangentyere Council ph: 0427 181 727 or 8951 4236 Weekdays only.

Tangentyere Night Patrol ph: 1800 133 110 or 0418 815 303 Weeknights and weekends only.

Safe Families Program, Tangentyere Council ph: 8952 2999 or 0418 826 523 Weekdays only.

The Gap Youth Centre Reconnect Program ph: 89555 857 or 0418 826 523 Weekdays and some weekend to 10 pm.

Alice Springs Youth Accommodation and Support Services (AYASS) ph: 8953 4096 Weekdays only.

Central Australian Aboriginal Congress, Social and Emotional Wellbeing Unit ph: 8951 4460 Weekdays only

Drug and Alcohol Services Association (DASA) ph: 8992 8412 or 8952 84213 Weekdays only.

Central Australian Alcohol and Other Drugs Service (CAODS) ph: 8951 7580 Weekdays only.

NT Family and Childrens Services (FACS) ph: 8951 5170 weekdays only.

Alice Springs Police ph: 8951 8888 (any officer on duty) 24 hours a day, all days.

NT Anti-Discrimination Commission ph: 1800 133 110 or 0418 1444 or 1800 813 846 Weekdays only

For further information on solvent abuse:

Petrol Sniffing and Other Solvents; A Resource Kit for Aboriginal Communities.

Available from Aboriginal Drug and Alcohol Council of SA, Adelaide – Cost: $88 – ph: 08 8362 0395 fax: 08 8362 0327

This is an excellent kit of 6 booklets on information about petrol/sniffing and other solvent abuse, community interventions, causes, effects, etc, in simple language. There is also a review of all the national and international research on petrol sniffing.

Alice Springs Library and CAYLUS (Tangentyere Council) have copies of the kit available for borrowing.

TANGENTYERE COUNCIL
Central Australian Youth Link-Up Service (CAYLUS)
Ph 89514236 or 0427181727

Northern Territory Police
Section 18. Volatile substances (MISUSE OF DRUGS ACT)

(1) A person who sells or supplies a volatile substance to another person and who knows or who ought to know that the other person intends to use the substance by administering it to himself or herself or a third person or to sell or supply it to a third person for use by the third person to administer it to himself or herself or to a fourth person, is guilty of an offence. Penalty: $2,000 or imprisonment for 2 years.

(2) The Minister may, by notice in the Gazette, declare a substance to be a volatile substance.

AEROSOL SPRAY PAINT SALES at Alice Springs

<table>
<thead>
<tr>
<th>DATE / TIME</th>
<th>AMOUNT</th>
<th>COLOUR/BRAND</th>
<th>REASON FOR PURCHASE</th>
<th>ID / LICENCE NO.</th>
<th>SIGNATURE, ADDRESS</th>
<th>CASHIER</th>
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</table>

Please fill out the form for all customers of spray paints (to avoid possible anti-discrimination complaints)

Please contact Tristan Ray at Tangentyere council when all sheets are full.

We thank you for your cooperation.

NT Police – CAYLUS – Tangentyere Council
This resource has been produced with the support of Alice Springs Town Council, Central Australian Youth Link Up Service, Tangentyere Council, NT Chamber of Commerce.

We acknowledge the assistance of the Victorian Department of Human Services and the Brisbane City Council, who allowed us to use some text and format ideas from their Retailers Responsible Sale of Solvents Kit, and Retailer Code of Practice.

We would like to particularly thank all the retailers and service providers in Alice Springs who provided comments and ideas on the draft and who supported the production of this resource. We hope that it will assist in preventing the illegal misuse of spray paints and other solvents in Alice Springs and other areas of the NT and so keep our young people safer.