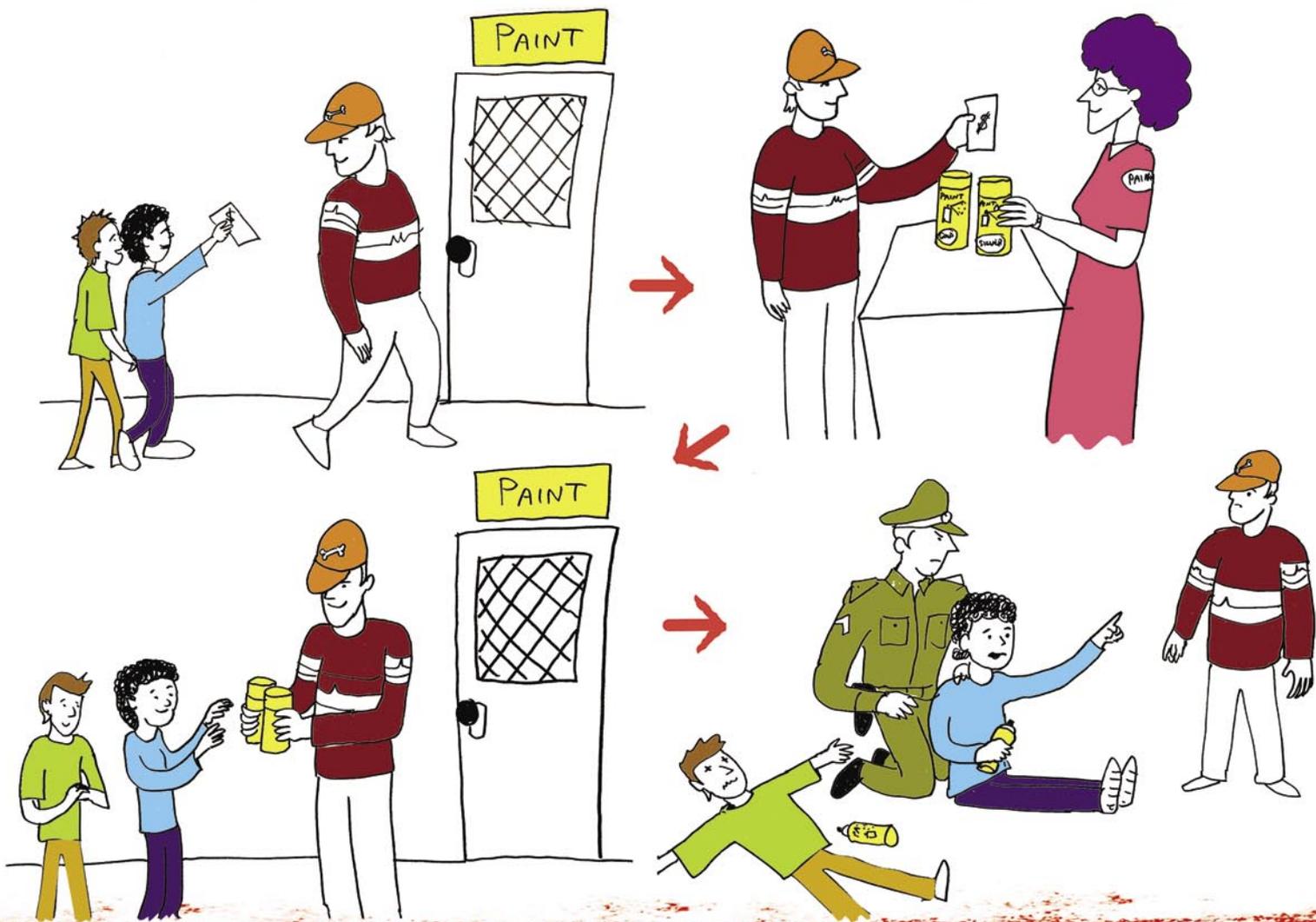


WARNING

Retailers Responsible Sale of Solvents Resource and Voluntary Code of Conduct for Sale of Solvents in the Northern Territory



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.

TANGENTYERE COUNCIL
PO Box XXXX
Alice Springs NT 0871
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Central Australian Youth Link-Up Service (CAYLUS)
PO Box XXXX
Alice Springs NT 0871
tel: 89514236 or 0427181727

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 some 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.

FREE!! Retail Staff Training Program

A short retail staff training program is available. Retailers can have regular staff training sessions on the responsible sale of solvents, to alert casual and regular staff to the issue and to assist them with making appropriate responses to customers and avoiding complaints of discrimination.

The training is free, and can be provided by:

The Community Educator, Drug and Alcohol Services Association (DASA), Schwartz Crescent, Alice Springs, ph 8952 8412 or 89528419. Contact CAYLUS, Tangentyere Council to arrange training.

- 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*)

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

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.

**NT Misuse of Drugs Act, Sect 18: Volatile substances*

"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: \$2000 or imprisonment for 2 years.

Won't they just try other products?

- **This doesn't happen much.** There may be a small change to other products (eg spray deodorants, glues) but evidence from several states shows that young people will experiment briefly with other products but prefer to use the one they are used to.

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.

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.

- Both non-Aboriginal and Aboriginal people are known to buy solvents to sell/give to others.

the most common method of inhaling is to spray paint into a cask wine bladder

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 their 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 is 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.

NB: The NT does not have legislation refusing 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.

Requesting an individual to leave your store

A store manager has the right to ask any individual to leave the store, particularly if an individual appears to be behaving unusually or has been known to steal from the shop in the past. The store may refer to the NT Misuse of Drugs Act legislation (see above) in order to refuse sales of solvents. Retailers also have the right to refuse entry to their store, if they have reason to believe from past behaviour that the person(s) may steal solvents once inside the store.

Which 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.

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

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.

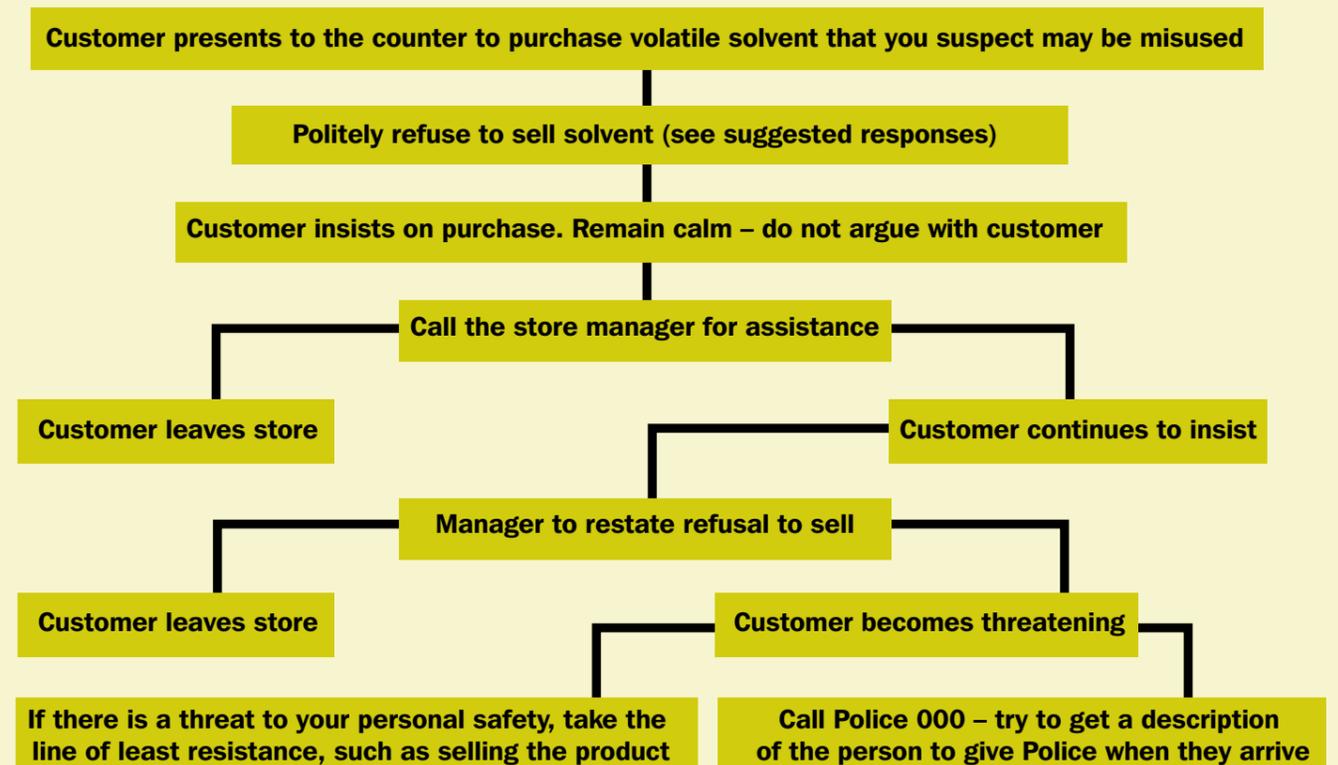
sniffing spray paint also blocks the feelings of hunger and cold

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.



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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.