

The management of problematic alcohol users by the mental health system in WA

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Mental Health Legislation

1845 - 1871: **Lunacy Act 1845 (UK statute)**

1871 - 1903: **Lunacy Act 1871** (repealed & replaced December 1903)

1903 - 1966: **Lunacy Act 1903** (repealed & replaced June 1966)

Note: Power to certify someone as 'insane' & commit them to hospital

1917 - 1966: **Mental Treatment Act 1917** (ceased June 1966)

Note: Applied to servicemen treated at -

Stromness Hospital 1917 - 1926, Lemnos Hospital 1926 - 1998

1927 - 1966: **Mental Treatment Act 1927** (ceased June 1966)

Note: Related to voluntary admissions to Heathcote Hospital

1966 - 1996: **Mental Health Act 1962** (repealed & replaced Nov 1996)

1996 - 2015: **Mental Health Act 1996** (commenced Nov 1996 & replaced Nov 2015)

2015 - **Mental Health Act 2014** (commenced November 2015)

“Inebriates” Legislation

1912 - 1966: **Inebriates Act 1912** (commenced December 1912 ceased June 1966)

1966 - 1974: **Convicted Inebriates Rehabilitation Act 1963** (commenced July 1966
administratively ceased November 1974 but repealed 1989)

1974 - 2015: **Alcohol & Drug Authority Act 1974** (commenced Nov 1974 & renamed 2015)

Note: Established ADA.

No powers to commit someone to treatment facility

2015 - **Alcohol and Other Drugs Act 1974** (commenced July 2015)

Note: Absorbed ADA into Mental Health Commission July 2015

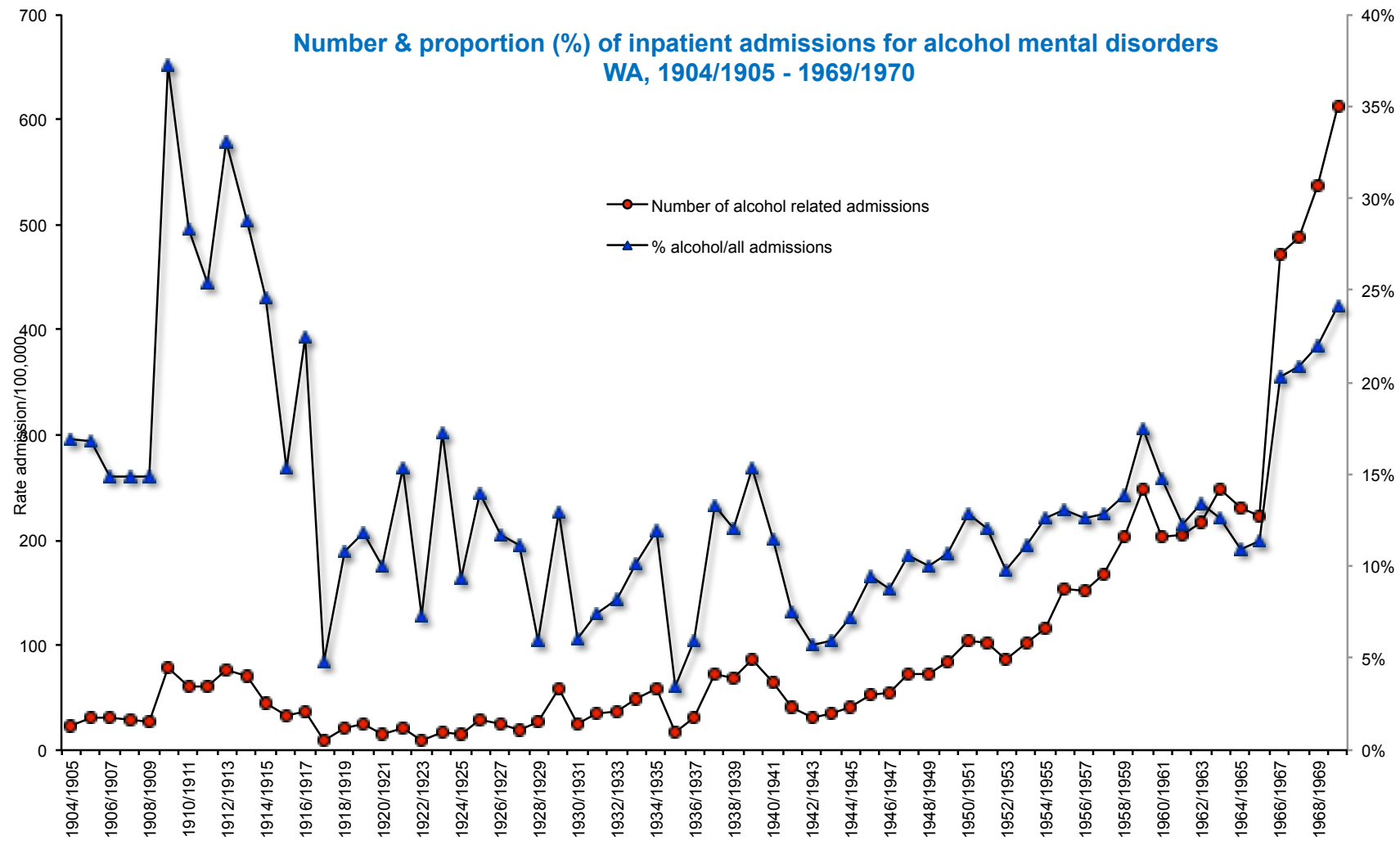
Purposes of Act:

1. providing treatment, management, care and rehabilitation of persons experiencing alcohol or other drug use problems or co-occurring health issues, including persons who have or may have a mental illness; and
2. promoting and subsidising research into and education on the causation, prevention, reduction and treatment of alcohol and other drug use problems and co-occurring health issues such as mental illness; and
3. establishing and maintaining a coordinated focus on alcohol and other drug use and mental illness.

‘Approved Hospitals’ For Treating Inebriates (Mental Health Facilities)

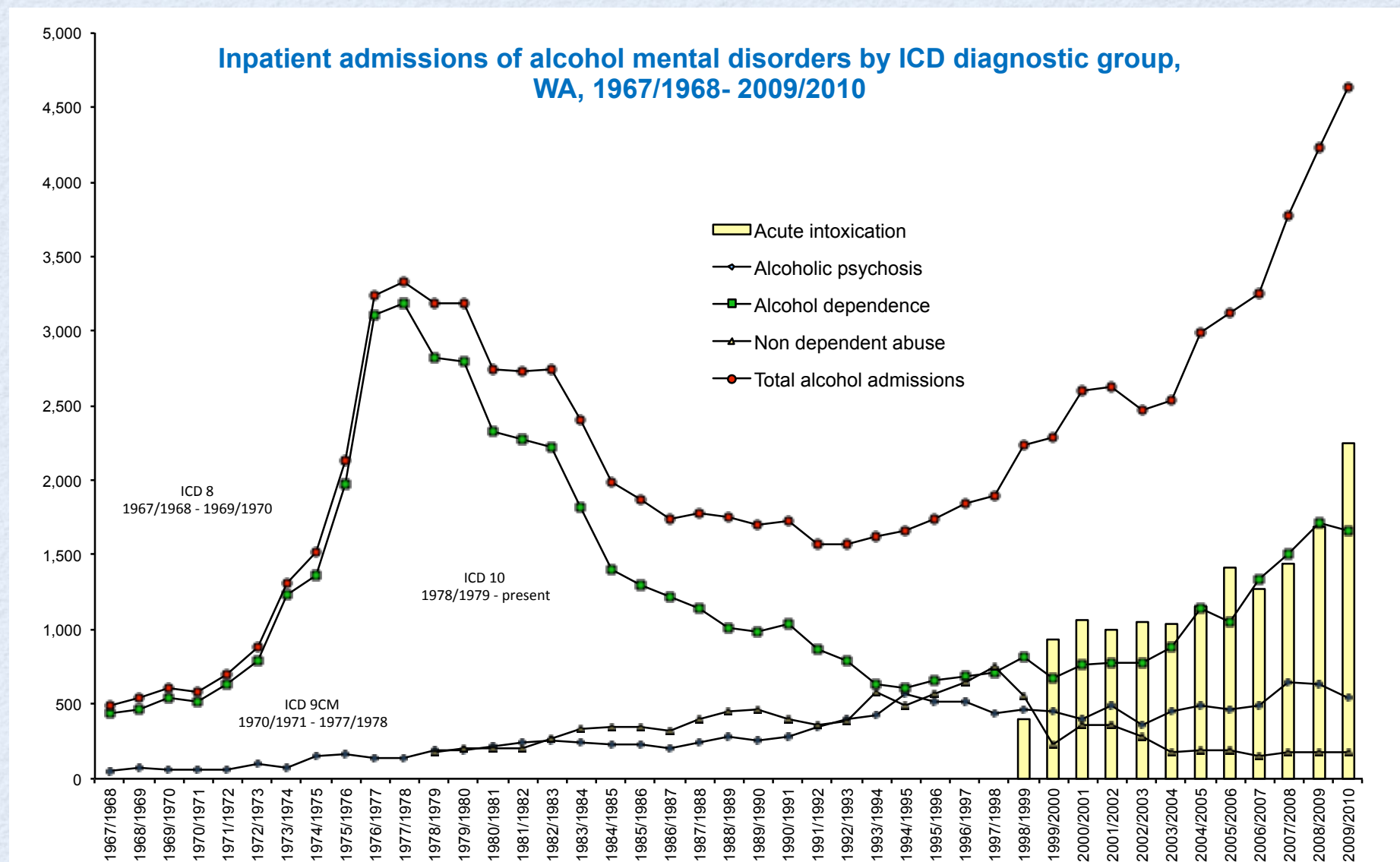
- Fremantle Prison: 1855 - 1865
- Fremantle Asylum: 1865 - 1908
- Whitby Falls: 1897 - 1984
 - Whitby Falls Hospital: 1897 - 1972
 - Whitby Hostel: 1972 - to closure in 1984
- Greenplace Hostel: 1916 - 1964
- Perth Hospital
 - Mental Health Ward: 1908 - 1929
- Heathcote Hospital: 1929 - 1994
 - Heathcote Mental Reception Home: 1929 - 1948
 - Heathcote Reception Hospital : 1948 to closure in 1994
- Claremont Asylum: 1903 - 1972
 - Claremont Hospital for Insane: 1903 - 1933
 - Claremont Mental Hospital: 1933 - 1967
 - Claremont Hospital: (1967 - 1972):
 - Claremont Hospital renamed in 1972 & divided into:
 - Swanbourne Hospital: 1972 - 1983 (psycho geriatric patients) - closed
 - Graylands Hospital: 1972 - present (acute patients)
- Perth Public Hospital: 1909 - 1929??
 - Mental Health Ward

Inpatient admissions for alcohol mental disorders WA: 1904/1905 - 1969/1970



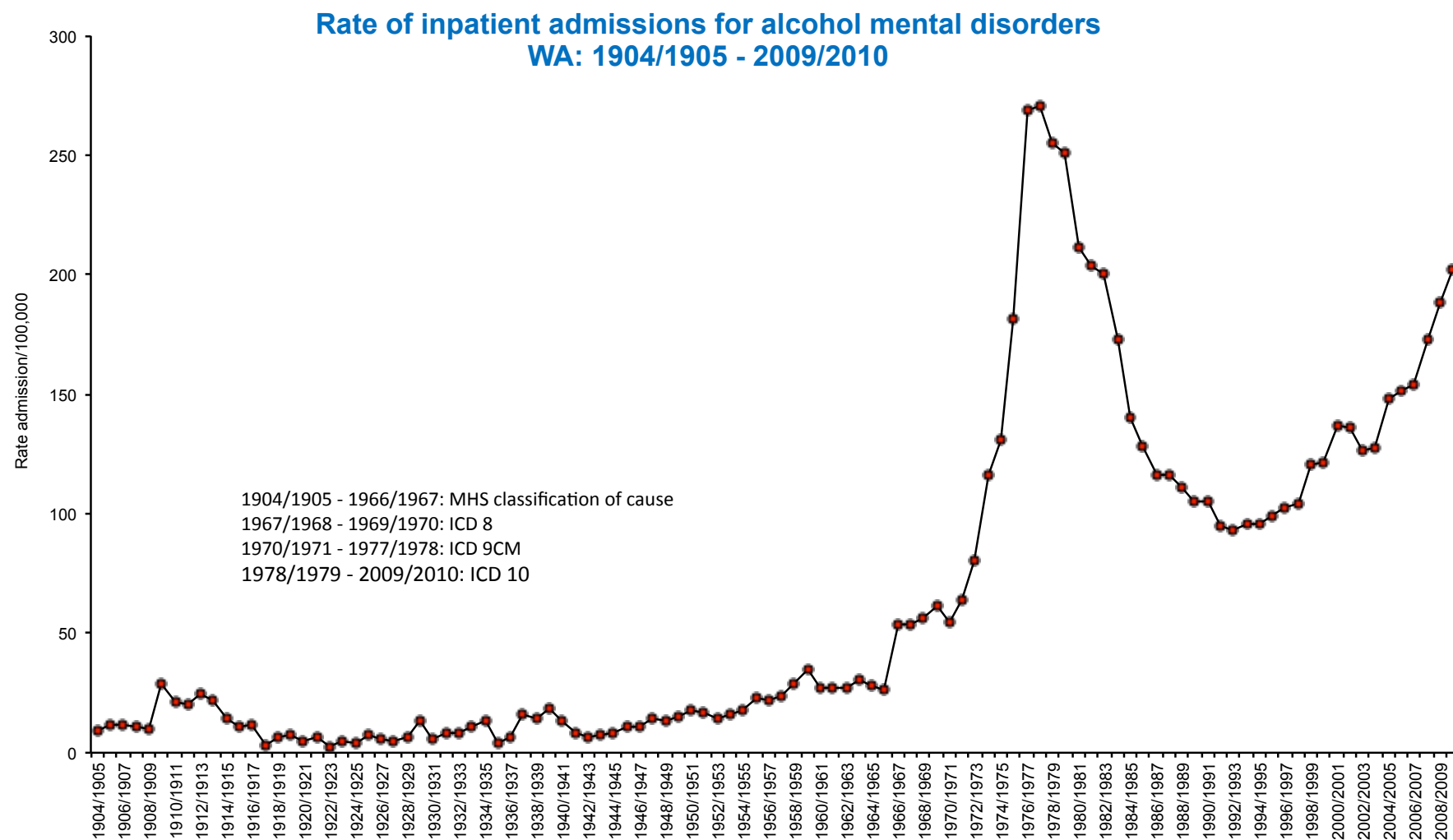
Source: Annual reports mental health services, 1904/1905 - 1977/1978

Inpatient admissions for alcohol mental disorders - ICD diagnostic groups, WA: 1967/1968 - 2009/2010

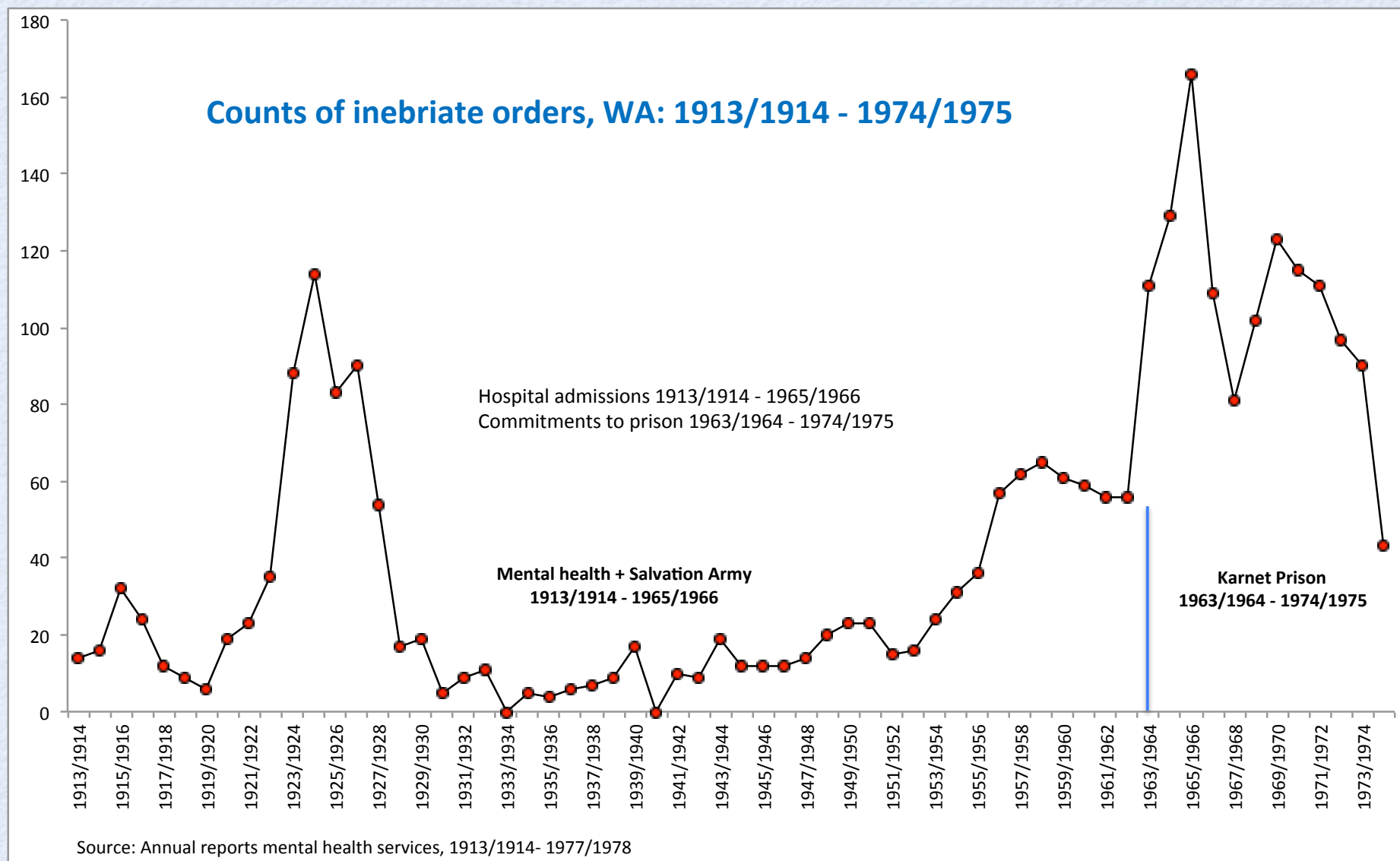


Inpatient admissions for alcohol mental disorders

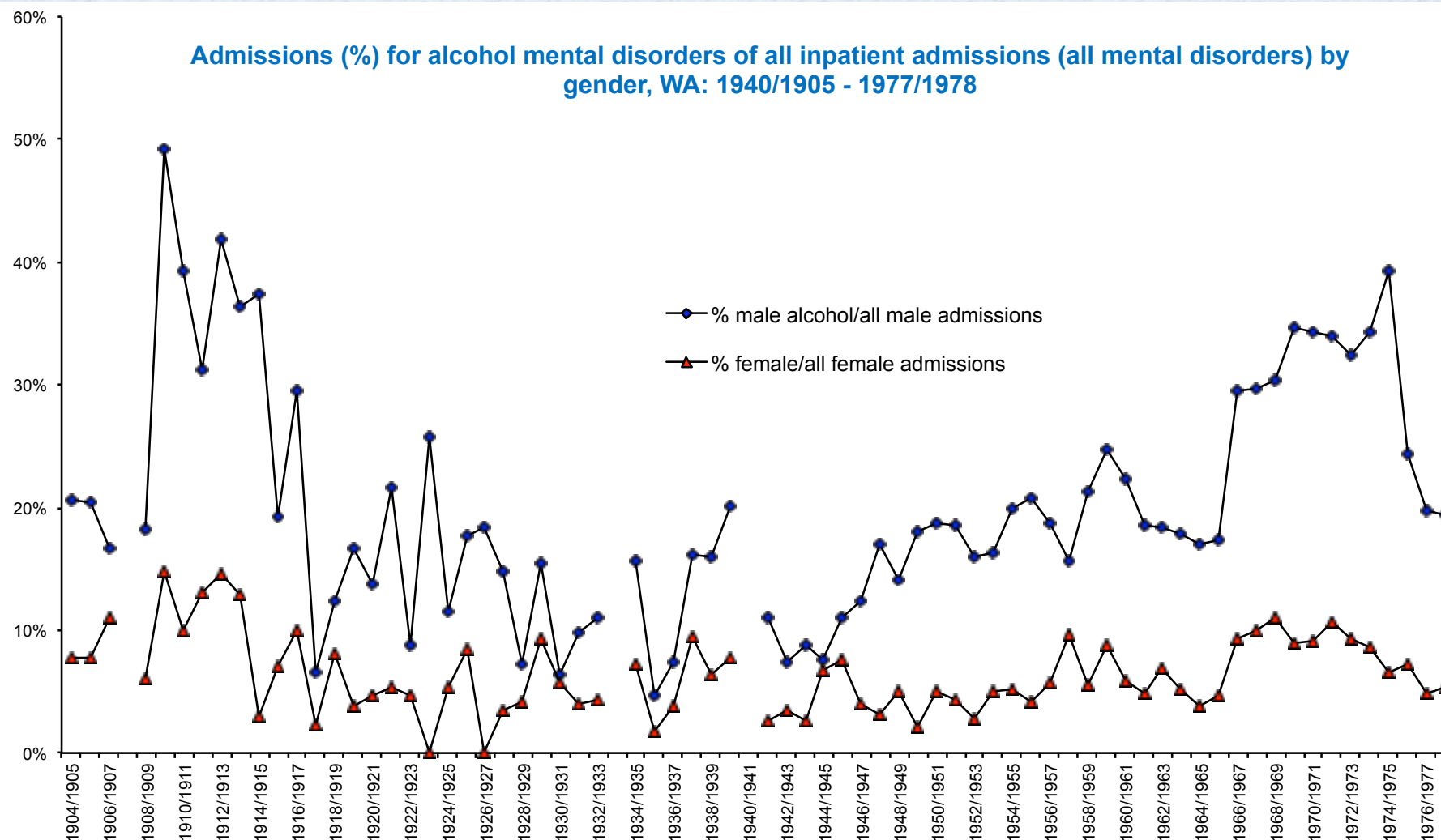
WA: 1904/1905 - 2009/2010



Inebriate orders, WA: 1913/1914 - 1974/1975



Inpatient admissions for alcohol mental disorders - % all admissions by gender, WA: 1904/1905 - 1977/1978

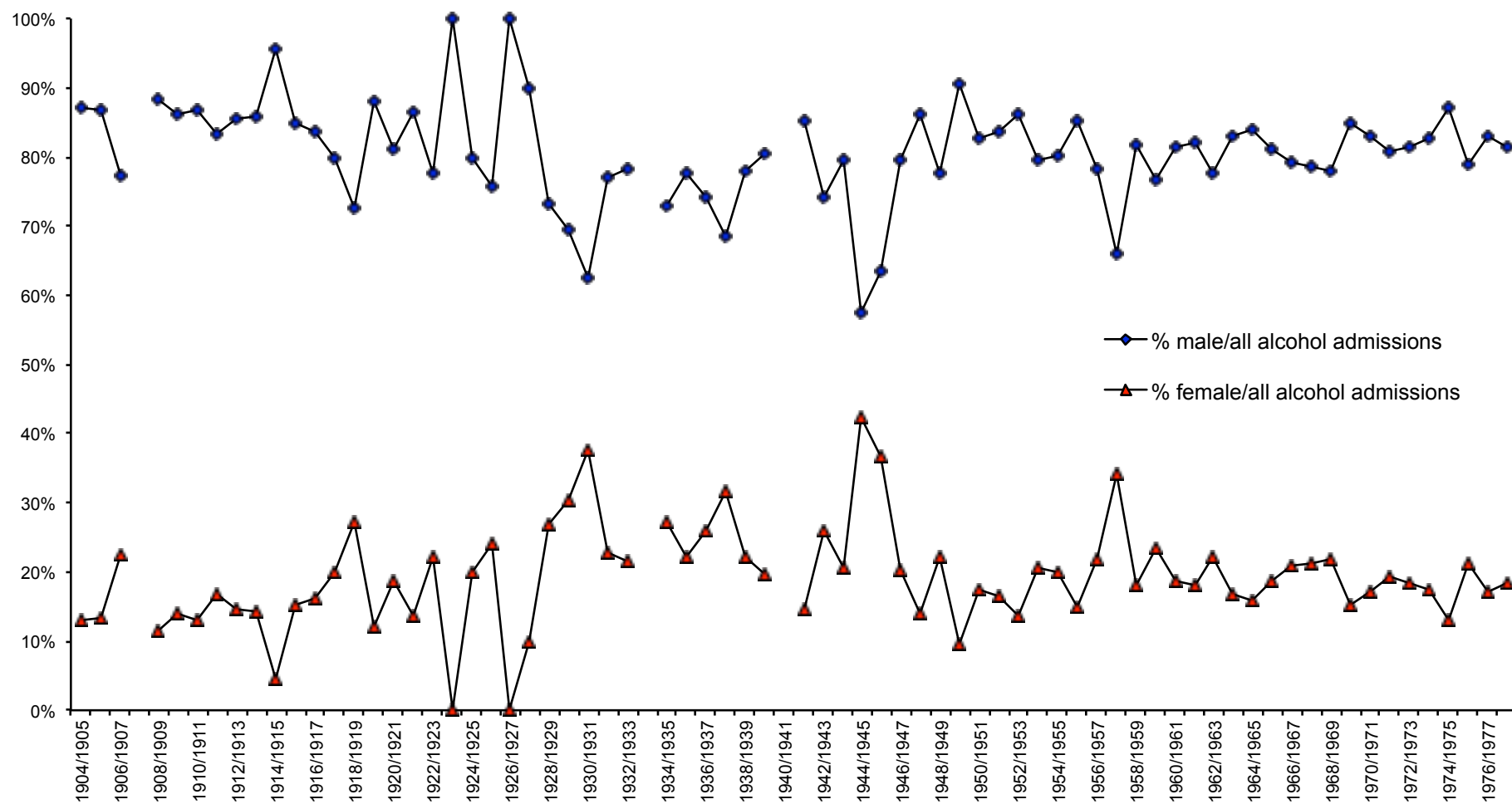


Source: Annual reports mental health services, 1904/1905 - 1977/1978

Inpatient admissions for alcohol mental disorders by gender

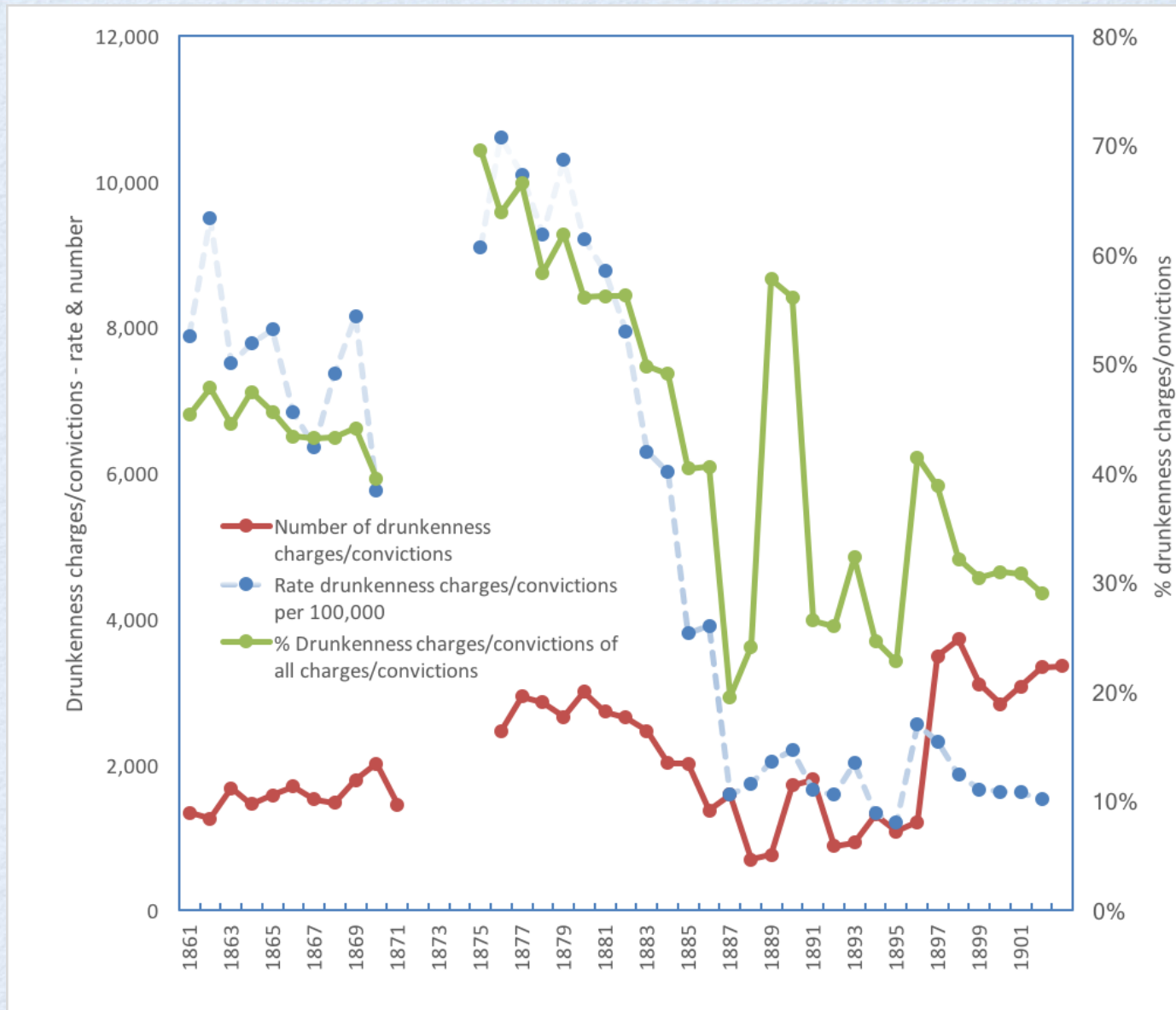
WA: 1904/1905 - 1977/1978

Frequency (%) of inpatient admissions for alcohol mental disorders by gender, WA, 1904/1905 - 1977/1978

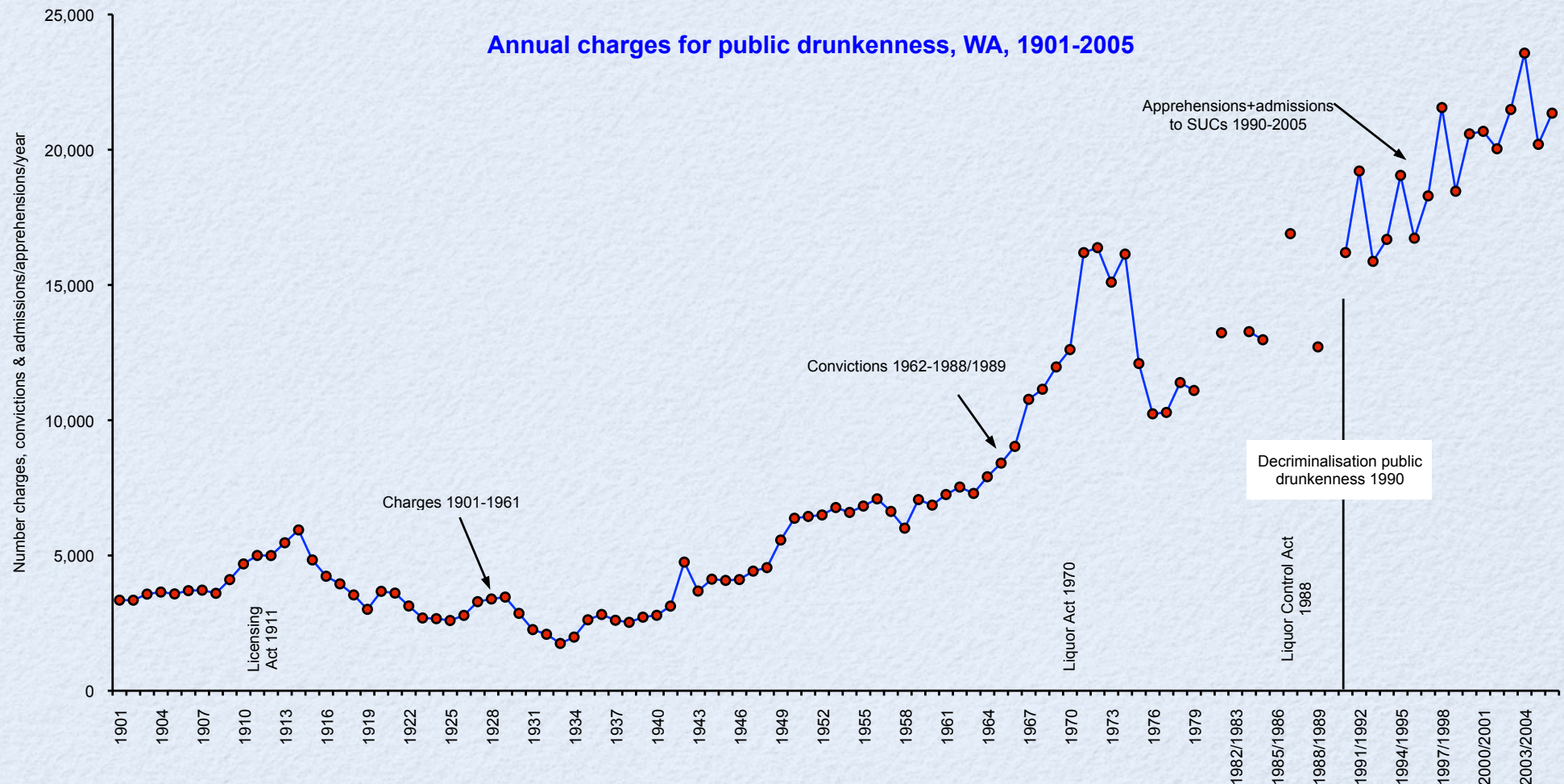


Source: Annual reports mental health services, 1904/1905 - 1977/1978

Charges for public drunkenness, WA: 1861 - 1902

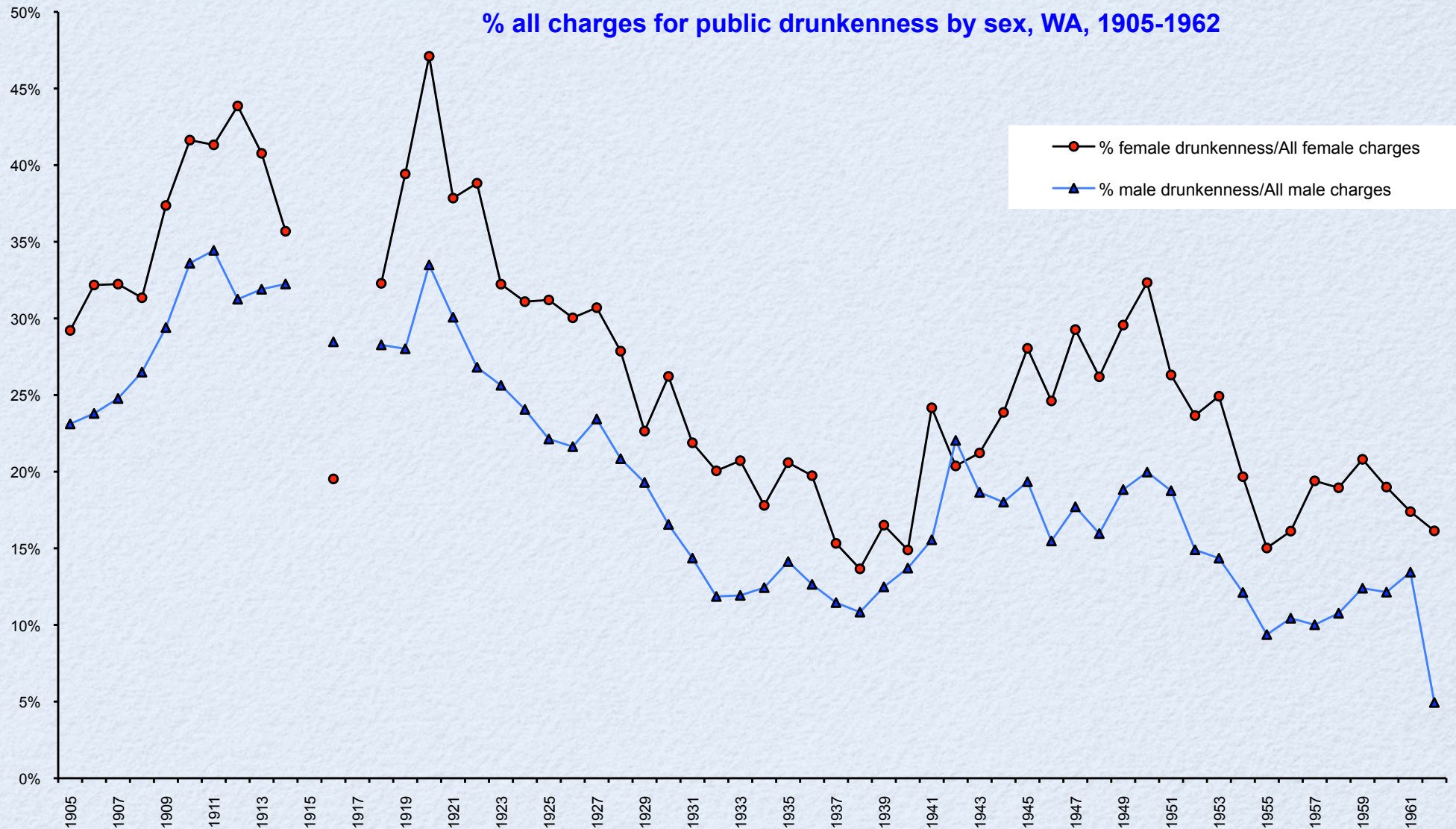


Charges for public drunkenness, WA: 1901-2005

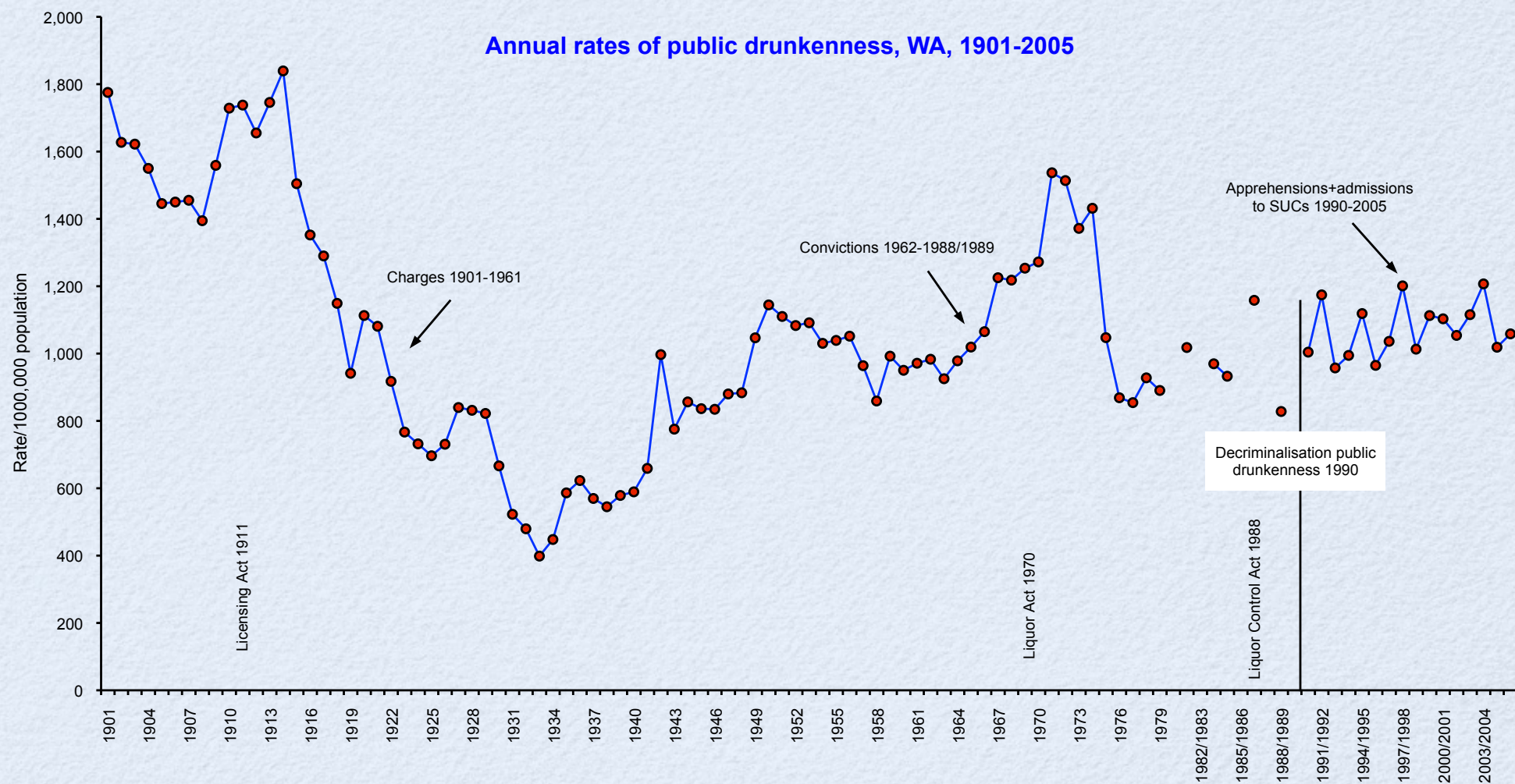


Note: In May 1990 public drunkenness decriminalised - post 1990 data based on apprehensions & admissions of intoxicated persons to sobering up centres

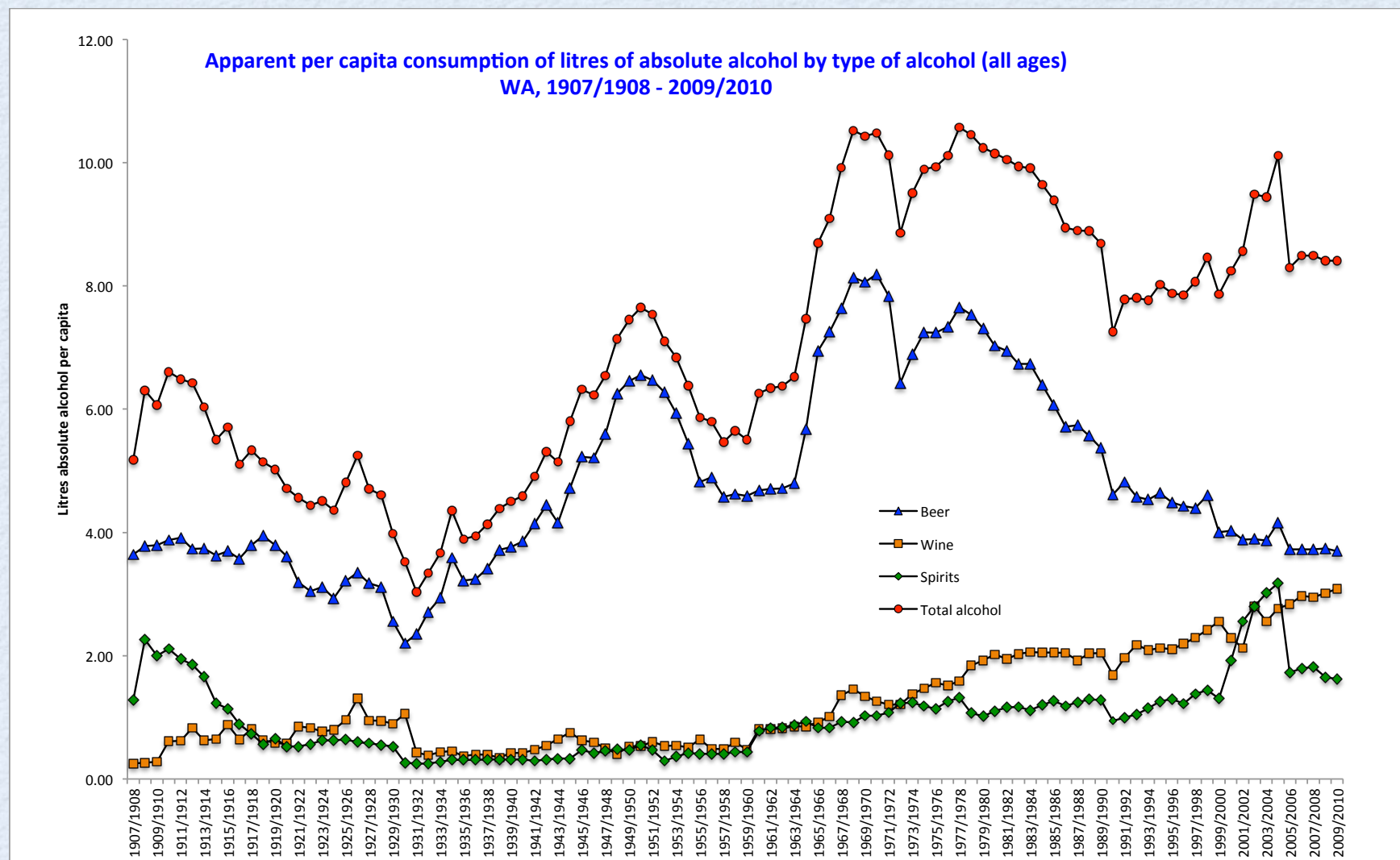
% Public drunkenness charges by sex, WA: 1905-1962



Rate of public drunkenness, WA: 1901-2005



Apparent per capita consumption of alcohol: 1907/1908 - 2009/2010 (litres absolute alcohol)



Note: Indigenous status not available for period
1971/1972 - 1976/1977

Problems With Inebriates - Mental Health Perspective

“Those at Whitby, who were committed Under Sections 7 and 8 of the Act, usually adopt an attitude of passive resistance, refuse treatment, and, generally speaking, are subordinate, and I have throughout found myself in an awkward position.”

Source: Annual report, Inspector General of the Insane, 1917/1918

“On the 31st December 1923, there were seven male inmates resident in the Salvation Army Home at Claremont and 10 females in the Inebriates Home, Lincoln Street, Perth. During the year there were 49 admissions to Claremont and 33 to Perth.

The Inebriates Homes were provided for the treatment of inebriates and the object has largely been defeated by the short periods ordered, and it is obviously impossible to treat an inebriate for a short period of time, say three weeks. It is very evident that a period of three weeks by any stretch of imagination cannot be considered as treatment, but is intended as a punishment.”

Source: Annual report, Inspector General of the Insane, 1925/1926

Problems With Inebriates - Social Perspective

‘Alcohol and social reaction to it was at the root of the crime problem in Western Australia. ... This was in no way exceptional. Indeed from the 1830s drink had been a serious community problem in Swan River. The coroners’ records show that many of the “death by drowning” and “death by misadventure” cases occurred as a result of bouts of drunkenness ...

Derelict women and men wandered drunken and homeless through the streets of the towns before being arrested and imprisoned overnight, to be charged with being “drunk and disorderly”, “resisting arrest” and so on the next day.’

Source: Thomas, J E. Crime and society," in **A new history of Western Australia**, ed. Stannage CT Perth, WA, University of Western Australia Press, 1981, 642.

Problems With Inebriates - Courts Perspective

“A man suffering from deliriums tremens or otherwise in a maniacal condition from the direct effect of alcohol is a fit subject for admission to an institution. It is well recognised, and has been judicially determined, that, so far as insanity is concerned, a man may be insane from the temporary effects of alcohol as well as from other causes. His receipt into hospital is a perfectly correct procedure; but it is equally certain that there is nothing in the Lunacy Act to justify the detention of any man merely because of a well-founded belief that he will have recourse to alcohol, even though in all probability he will become violent and a danger to his wife.

The protection of a wife against a drunken husband lies in the criminal law, and such protection as is given by other legislation directed to the specific purpose. So far as such criminal law and other legislation may prove to be an insufficient protection, there is no reason to suppose that the Legislature would be backward in enlarging its scope.

It is quite clear that there is nothing in the Lunacy Act which would justify those administering the Act in detaining, from humanitarian motives, for an indefinite period, a man who is not insane according to the ordinary scientific tests, but who may and probably will become temporarily insane if given access to alcohol.

Putting it another words, mental hospitals are not institutions for preventing alcoholics from having access to alcohol.”

Per Mann CJ

In Re X (an inebriate) [1937] 43 Argus LR 295, 296

Problems With Inebriates - Hospital Perspective

‘A growing number of Western Australians were brought to a hospital bed by acute and chronic alcoholism. From 22 in 1900-01 the number grew to 112 by 1905-06 and stood at 176 in 1910-11, momentarily topping typhoid and diphtheria as the single largest cause of admission of patients.

It could not have helped the Hospital's image in the eyes of either respectable working-class patients or potential donors of financial support, that in some years between 5 and 8 per cent of its male inpatients were alcoholics. As for the outpatients' ward, Christmas in particular was noted as a time when drunks were likely to stagger through its doors to seek medical solace for injuries received and given.’

Source: Bolton GC & Joske P. **History of Royal Perth Hospital.** Perth, WA, University of Western Australia Press, 1982, 80-81.

Problems With Inebriates - Prisons Perspective

‘In the 1970s the problem of alcoholism has been viewed as a matter which needs more imaginative treatment than crude imprisonment. Increasingly, other ways of dealing with the problem are being discussed. Alcoholism ... is a condition which has always been the cause of many people being imprisoned...

In Western Australia this problem has been added to by the propensity of many of the Aboriginal population for alcohol.

The increased reluctance, formally expressed in law, and informally administered in the courts, to submit alcoholics to traditional routines is likely to cause a reduction in numbers of prisoners in WA.’

Source: Thomas, J E. & Stewart A. **Imprisonment in Western Australia: Evolution, theory and practice.** Perth, WA, University of Western Australia Press, 1978, 157.

Problems With Inebriates - Prisons Perspective

‘There is some danger that the optimism generated by the decriminalisation of alcoholic offences will lead to a deterioration in the quality of care provided for alcoholics. Oddly perhaps, the record of prison systems in the case of such people is by no means utterly bad, and in one respect is good.

What prisons have always done for alcoholics is to clean them, feed them and give them a chance to recuperate, if only for a short period. In this respect prison has been an asylum.’

Source: Thomas, J E. & Stewart A. **Imprisonment in Western Australia: Evolution, theory and practice.** Perth, WA, University of Western Australia Press, 1978, 158.

Classification of All Mental Disorders - ICD-10

Classification of all mental disorders under ICD-10: Broad level

(From 1990)

F0: Organic, including symptomatic, mental disorders

F1: Mental and behavioural disorders due to use of psychoactive substances

F2: Schizophrenia, schizotypal and delusional disorders

F3: Mood [affective] disorders

F4: Neurotic, stress-related and somatoform disorders

F5: Behavioural syndromes associated with physiological disturbances and physical factors

F6: Disorders of personality and behaviour in adult persons

F7: Mental retardation

F8: Disorders of psychological development

F9: Behavioural and emotional disorders with onset usually occurring in childhood and adolescence

Psychoactive Substance Mental Disorders - ICD-10

Mental disorders due to psychoactive substance (F10 - F19) use: 3 digit level

(From 1990)

- F10: Mental and behavioural disorders due to use of alcohol
- F11: Mental and behavioural disorders due to use of opioids
- F12: Mental and behavioural disorders due to use of cannabinoids
- F13: Mental and behavioural disorders due to use of sedatives or hypnotics
- F14: Mental and behavioural disorders due to use of cocaine
- F15: Mental and behavioural disorders due to use of other stimulants, including caffeine
- F16: Mental and behavioural disorders due to use of hallucinogens
- F17: Mental and behavioural disorders due to use of tobacco
- F18: Mental and behavioural disorders due to use of volatile solvents
- F19: Mental and behavioural disorders due to multiple drug use and use of other psychoactive substances

Alcohol-Related Mental Disorders - ICD-10

Classification of mental disorders due to alcohol (F10) use: 4 digit level
(From 1990)

- F10.0: Acute intoxication
- F10.1: Harmful use
- F10.2: Dependence syndrome
- F10.3: Withdrawal state
- F10.4: Withdrawal state with delirium
- F10.5: Psychotic disorder
- F10.6: Amnesic syndrome
- F10.7: Residual and late-onset psychotic disorder
- F10.8: Other mental and behavioural disorders
- F10.9: Unspecified mental and behavioural disorder

Alcohol-Related Mental Disorders - DSM-IV

Classification of mental disorders under DSM-IV

(From 2010)

- 291.81 Alcohol Withdrawal
- 291.0 Alcohol Intoxication Delirium
- 291.0 Alcohol Withdrawal Delirium
- 291.2 Alcohol-Induced Persisting Dementia
- 291.1 Alcohol-Induced Persisting Amnestic Disorder
- 291.5 Alcohol-Induced Psychotic Disorder - With Delusions
- 291.3 Alcohol-Induced Psychotic Disorder - With Hallucinations
- 291.89 Alcohol-Induced Mood Disorder
- 291.89 Alcohol-Induced Anxiety Disorder
- 291.89 Alcohol-Induced Sexual Dysfunction
- 291.82 Alcohol-Induced Sleep Disorder
- 291.9 Alcohol-Related Disorder Not Otherwise Specified
- 303.90 Alcohol dependence
- 305.00 Alcohol abuse
- 303.00 Alcohol Intoxication

Lunacy Act 1903 Part IV: Habitual drunkards

APPLICATION may be made to a Judge for an order of Application for detention by the following persons and in the following cases:-

(1) By the habitual drunkard himself declaring that he is willing to submit to curative treatment under the order or the Court; or

(2) By the parent, husband, wife, child, or friend of such habitual drunkard, in cases-

(a) Where such person is suffering or has been recently suffering from delirium tremens or other dangerous physical effects or habitual drunkenness; or

(b) Where such person, through habitual drunkenness, has recently been wasting his means and been neglecting his business or insufficiently providing for his family, or a wife has been wasting the means of her husband; or

(c) Where such person has recently, under the influence of drink, used or threatened violence towards himself or any member or his family.

Lunacy Act 1903, s. 26

Note: Part IV repealed by Inebriates Act 1912

Inebriates Act 1912

Section 6: Control of inebriates

6. (1) It shall be lawful for a Judge or a Magistrate, on the application of -
- (a) an inebriate, or any person authorised in writing in that behalf by an inebriate; or
 - (b) the husband, or wife, or a parent, or a brother, sister, son, or daughter of full age, or a partner in business of an inebriate; or
 - (c) a member of the police force of or above the rank of sub-inspector acting on the request of a duly qualified medical practitioner in professional attendance on the inebriate, or on the request of a relative of the inebriate, or at the instance of a justice, and on proof to the satisfaction of the Judge or Magistrate,
- that the person in respect of whom the application is made is an inebriate, to order that the inebriate be placed in an institution for such period not exceeding twelve months, as may be mentioned in the order

Section 7: Convicted inebriates

7. (1) Where a person is convicted summarily or on indictment of an offence, and drunkenness is an element, or was a contributing cause of such offence, and on inquiry it appears that the offender is an inebriate, the Court may, in its discretion, order the offender to be placed, for a period of not exceeding twelve months, in an institution established for the reception of convicted inebriates:

....

- (2) On the order of a Judge such period may from time to time be extended for further periods not exceeding twelve months each.

Note: Inebriates Act 1912 commenced December 1912 administratively ceased June 1966 - repealed by Mental Health 1962.

Inebriates Act 1912

Section 8: Treatment of persons arrested for drunkenness

8. (1) Any person arrested for drunkenness and visibly suffering from the effects thereof shall be kept under supervision, and supplied with adequate warmth and nourishment, and any necessary medical attendance.

(2) If any such person arrested for drunkenness is convicted for such offence and sentenced to imprisonment, it shall be without hard labour.

(3) If there is an institution to which such person can be conveniently committed, he shall not be committed to a prison, but shall be committed to the institution, and in such case he may be lawfully taken to and detained in the institution for the term of his sentence, and for the purposes of such detention shall be deemed an inebriate:

Provided that any such person shall during his detention be kept in some portion of the Institution set apart for the reception of such persons.

(4) If such person is committed to a prison or police gaol, he shall be kept under supervision, and supplied with adequate warmth and nourishment, and any necessary medical attendance.

Note: Inebriates Act 1912 commenced December 1912 administratively ceased June 1966 - repealed by Mental Health 1962.

Alcohol & Drug Authority Hospitals: 1975 - 1985

Ord Street Hospital (West Perth): January 1975 - September 1984

- 26 bed extended stay post detoxification programs for patients

Quo Vadis Hospital (Byford): June 1975 - June 1984

- Farm based 12 week program. Previously operated by Department of Corrections which established the Byford Inebriates Centre in April 1972 which operated until May 1975, until farm transferred to ADA in June 1975. (Prisons Department had set up Inebriates Section at Karnet Prison in March 1963, which was transferred in April 1972 & renamed as Byford Inebriates Centre.)

“Another era drew to a close on 29 June 1984 when the Authority officially closed the Quo Vadis centre at Byford. The Authority considered that the services provided at Quo Vadis could be provided more efficiently by a non-government agency and negotiated with a number of agencies to this end. Successful negotiations have been concluded with the Salvation Army, which has an Alcohol Rehabilitation Centre at Seaforth (Gosnells).” **Annual report, Alcohol & Drug Authority, 1983/1984, 5.**

Aston Hospital (West Perth): January 1977 - March 1986

- 29 bed hospital short term inpatient medically supervised detoxification

“The basic philosophy behind the establishment of a detoxification unit such as Aston Hospital, is to provide a specific centre for the reception of the alcohol or drug intoxicated patient who needs specialized care and treatment immediately on admission. It also serves the function of providing a primary catchment area where, after the initial sobering up procedures, and relief given from the physical distress and sickness, the patients are encouraged by the social workers and welfare staff, to undergo a complete psychological and medical assessment of their problems with an appropriate course of treatment being prescribed.

Many of the alcoholic patients are recidivists and one of the basic aims of Aston Hospital is to counter the "revolving door syndrome" associated with these illnesses.” **Annual report, Alcohol & Drug Authority, 1976/1977, 5.**

Alcohol & Drug Authority Hospitals: 1986 - present

Carrellis Centre (Mount Lawley): March 1986 -

- Alcohol detoxification programs transferred from Aston Hospital in West Perth to Mount Lawley in March 1986
- Operated initially as 22 bed detoxification & assessment centre
- Restricted to only treating “persons affected by alcohol problems – whether they be dependents, co-dependents, or persons with a drink problem.” Annual report, Alcohol & Drug Authority, 1985/1986, 7.
- June 1991 transfer of alcohol detoxification service to expanded CDU in East Perth (In June 1991 corporate services shifted to Carrellis Centre & remaining outpatient services relocated to community based programs.)

Central Drug Unit (West Perth): May 1986 - March 1990

- Formerly operated as Aston Hospital which was reopened as 10 bed inpatient facility.

Central Drug Unit (East Perth): April 1990 - April 1999

- A purpose built 10 bed facility opened in East Perth in April 1990 (West Perth facility closed)
- CDU closed in April 1991 & reopened June 1991 as 22 bed combined medically supervised detoxification facility to treat dependency on both alcohol & other drugs

Next Step Specialist Drug & Alcohol Services (East Perth): April 1999 - present

- In April 1999 CDU renamed as ‘Next Step Drug & Alcohol Services’ under Business Names Act 1962.

Admissions under Inebriates Act 1912

- **Whitby Falls Hospital**
 - Male inebriates: 1912 - 1917
- **Greenplace Hostel**
 - Female inebriates: 1916 - 1918
 - **Note:** Admission of female inebriates resumed in 1930 after closure of Salvation Army's facility in Lincoln Street & continued up to 1964
- **Perth Hospital**
 - Mental Health Ward: 1908 - 1929
- **Claremont Hospital (Asylum)**
 - Male & female inebriates: 1916 - 1966
 - Claremont Mental Hospital: 1916 - 1966
- **Salvation Army 'Inebriates Homes'**
 - Karakatta: 1919 - 1928
 - Perth (Lincoln Street): 1922 - 1930

Note: Inebriates not admitted to Heathcote Hospital under Inebriates Act 1912.

Inebriates Act 1912 commenced December 1912 administratively ceased June 1966 - repealed by Mental Health 1962.

Admissions of inebriates to psychiatric hospitals & institutions, WA: 1913/1914 - 1930/1931

	Salvation Army	Mental Health Services	Total
1913/1914	-	14	14
1914/1915	-	16	16
1915/1916	-	32	32
1916/1917	-	24	24
1917/1918	-	12	12
1918/1919	-	9	9
1919/1920	6	0	6
1920/1921	17	2	19
1921/1922	22	1	23
1922/1923	34	1	35
1923/1924	82	6	88
1924/1925	110	4	114
1925/1926	71	12	83
1926/1927	84	6	90
1927/1928	49	5	54
1928/1929	12	5	17
1929/1930	15	4	19
1930/1931	1	4	5

Admissions of inebriates to psychiatric hospitals, WA: 1931/1932 - 1947/1948

	Mental Health Services	% All MHS admissions
1931/1932	9	1.9
1932/1933	11	2.5
1933/1934		
1934/1935	5	1
1935/1936	4	0.8
1936/1937	6	1.2
1937/1938	7	1.3
1938/1939	9	1.6
1939/1940	17	3.1
1940/1941		
1941/1942	10	1.9
1942/1943	9	1.7
1943/1944	19	3.4
1944/1945	12	2.2
1945/1946	12	2.2
1946/1947	12	2
1947/1948	14	2.1

Admissions of inebriates to psychiatric hospitals, WA: 1948/1949 - 1965/1966

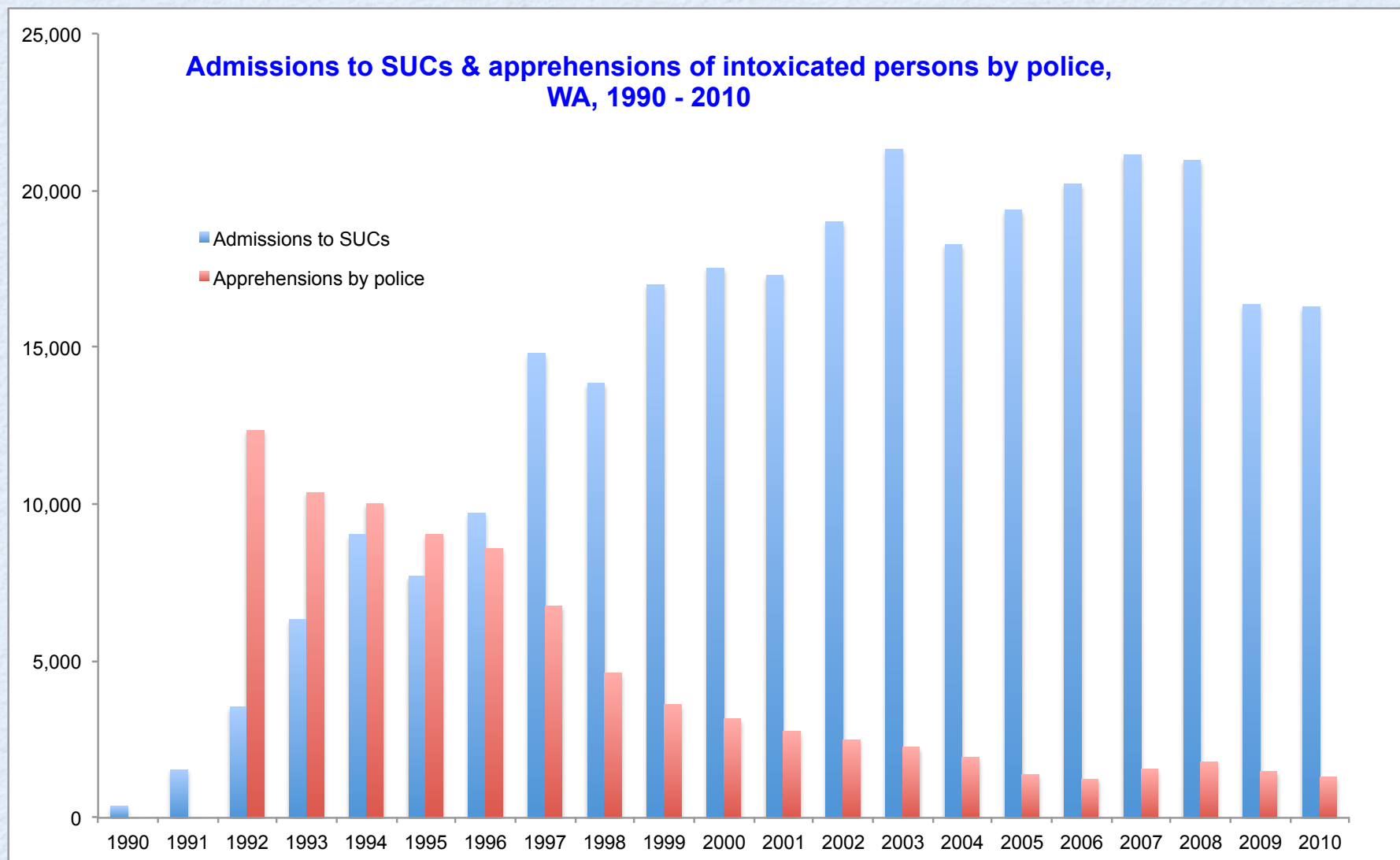
	Mental Health Services	% All MHS admissions
1948/1949	20	2.9
1949/1950	23	3
1950/1951	23	2.9
1951/1952	15	1.8
1952/1953	16	1.8
1953/1954	24	2.7
1954/1955	31	3.5
1955/1956	36	3.1
1956/1957	57	4.9
1957/1958	62	5
1958/1959	65	4.7
1959/1960	61	4.5
1960/1961	59	4.5
1961/1962	56	3.5
1962/1963	56	3.6
1963/1964	41	6.4
1964/1965	62	3
1965/1966	71	3.8

Commitments of inebriates to prisons, WA: 1963/1964 - 1974/1975

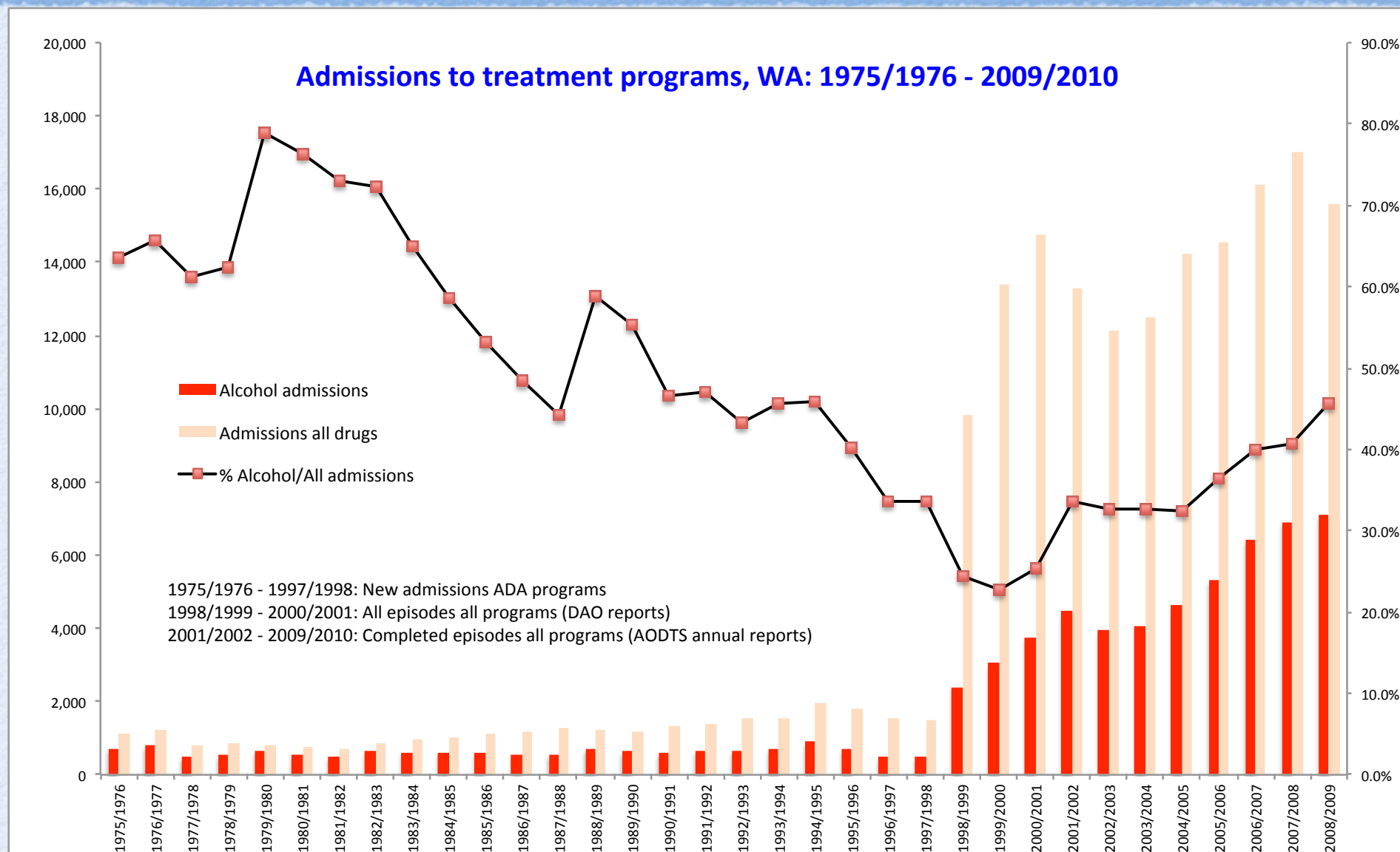
	Inebriates Section, Karnet Prison	% All commitments
1963/1964	70	0.9
1964/1965	67	0.9
1965/1966	95	1.4
1966/1967	109	1.3
1967/1968	81	0.8
1968/1969	102	1
1969/1970	123	1.2
1970/1971	115	1
1971/1972	111	0.8
1972/1973	97	0.7
1973/1974	90	0.8
1974/1975	43	0.4

Note: Convicted Inebriates Rehabilitation Act 1963 commenced July 1966 administratively ceased November 1974 - repealed by Convicted Inebriates Rehabilitation Repeal Act 1989 (commenced November 1989).

Admissions to sobering up centres & apprehensions of intoxicated persons by police, WA: 1975/1976 - 2009/2010



Admissions/attendances to treatment programs - alcohol principal drug problems, WA: 1975/1976 - 2009/2010



Note: Does not include admissions to sobering up centres