

# 10 Crime and law enforcement

## Introduction

This chapter focuses on the link between drugs, crime and law enforcement. The chapter begins with a look at illicit drug offences and arrests in Australia. The following section looks at the relationship between drug use and criminal offending among injecting drug users, police detainees and incarcerated offenders. Information obtained from the Drug Use Careers of Offenders (DUCO) survey and the Drug Use Monitoring in Australia (DUMA) project is presented for the first time in the *Statistics on Drug Use in Australia* series. The latter section of the chapter presents data on illicit drug detections, such as average heroin purity, border detections of heroin and ecstasy (MDMA), and clandestine laboratories.

## Illicit drug offences

### Illicit drug arrests

Marijuana/cannabis is the most common illicit drug for which people are arrested in Australia (Table 10.1). In 2001, marijuana/cannabis accounted for 69% of all illicit drug arrests, with amphetamine-type stimulants (e.g. speed, ecstasy) accounting for 11%, and heroin and other opioids making up 9% of illicit drug arrests.

Overall, the number of illicit drug arrests fell from 98,794 in 1995–96 to 78,006 in 2000–01. Marijuana/cannabis arrests fell from 78,948 in 1995–96 to 54,017 in 2000–01; however, amphetamine-type stimulant arrests increased from 4,214 in 1995–96 to 8,851 in 2000–01.

The majority of illicit drug arrests are related to their consumption rather than their provision or sale (Table 10.1). For example, in 2000–01, 83% of illicit drug arrests and 87% of marijuana/cannabis arrests were related to their consumption.

Overall, consumption-related illicit drug arrests declined from 73,800 in 1995–96 to 63,766 in 2000–01, while provision-related arrests also decreased from 24,994 in 1995–96 to 12,697 in 2000–01 (ABCI 2002).

**Table 10.1: Illicit drug arrests, by type of drug and proportion that are related to the consumption of drugs, Australia, 1995-96 to 2000-01**

Substance	Period					
	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01
	(number)					
Marijuana/cannabis	78,948	69,136	64,659	58,131	55,641	54,017
Heroin and other opioids	7,105	7,140	10,366	14,341	11,223	7,396
Amphetamine-type stimulants	4,214	3,907	4,766	6,584	8,083	8,851
Cocaine	398	609	524	571	433	652
Hallucinogens	330	460	460	618	290	199
Steroids	70	71	71	87	74	90
Other and unknown	7,729	3,723	3,276	3,201	6,812	6,801
<b>Total</b>	<b>98,794</b>	<b>85,046</b>	<b>84,122</b>	<b>83,533</b>	<b>82,556</b>	<b>78,006</b>
	(per cent)					
Marijuana/cannabis	80	81	77	70	67	69
Heroin	7	8	12	17	14	9
Amphetamine-type stimulants	4	5	6	8	10	11
Cocaine	—	1	1	1	1	1
Hallucinogens	—	1	1	1	—	—
Steroids	—	—	—	—	—	—
Other	8	4	4	4	8	9
<b>Total</b>	<b>99</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
	Consumer arrests					
	(per cent)					
Marijuana/cannabis	74	71	73	81	85	87
Heroin	72	70	70	74	74	70
Amphetamine-type stimulants	74	69	70	76	77	77
Hallucinogens	69	67	72	81	58	62
Cocaine	60	43	61	58	76	70
Steroids	87	90	86	97	92	90
Other	86	82	77	76	80	82
<b>Total</b>	<b>75</b>	<b>71</b>	<b>72</b>	<b>79</b>	<b>82</b>	<b>83</b>

*Notes*

1. These figures cannot be taken directly as a measure of the number of illegal drug users or of the extent of illegal drug use for a variety of reasons. For instance, the number of arrests may depend upon the level of effectiveness of law enforcement activities and not an increase/decrease in the actual number of users.
2. 1999-00 data excludes 493 arrests in the Australian Capital Territory for which drug type was not available.
3. Consumers are defined as those arrested for use/possession type of offences, while providers are defined as those arrested for dealing/trafficking type of offences. Caution should be exercised when making comparisons between years due to variations in consumer/provider counting methodologies used.

Sources: Australian Bureau of Criminal Intelligence 2001, 2002.

## **Prison census statistics**

The information presented in this section was sourced from the Australian Bureau of Statistics' census of prisoners and relates to imprisonment where the most serious offence was drug-related. It is accepted that the true level of imprisonment for offences relating to illicit drugs would be higher if statistics reflected all offences for which a person was imprisoned (Stevenson and Forsythe 1998).

Given that prison census data highlight the most serious offence committed, the most common drug-related offence for which people were imprisoned was dealing/trafficking drugs (Table 10.2). Of the 1,852 people imprisoned for drug-related offences in 2001, 1,508 (81.4%) were imprisoned for dealing/trafficking drugs, 217 (11.7%) for manufacturing/growing drugs and 127 (6.9%) for possessing/using drugs.

The proportion of people imprisoned for drug-related offences ranged between 9.1% and 11.1% of total sentenced prisoners over the period 1995 to 2001. In 2001, 10.2% of sentenced prisoners were imprisoned for drug-related offences.

**Table 10.2: Sentenced prisoners where the most serious offence was drug-related, by type of offence, by State and Territory, Australia, 1995 to 2001**

Year	NSW <sup>(a)</sup>	Vic	Qld	WA	SA	Tas	ACT <sup>(a)</sup>	NT	Aust <sup>(b)</sup>	Aust <sup>(c)</sup>
<b>Possession/use of drugs</b>										
(number)										(per cent)
1995	60	15	41	15	12	–	6	6	149	1.0
1996	56	13	77	–	11	–	2	3	160	1.0
1997	67	12	74	1	8	–	10	8	170	1.0
1998	46	27	86	1	3	1	9	7	173	1.0
1999	35	19	115	6	7	2	6	3	187	1.0
2000	41	19	75	5	2	1	13	3	146	0.8
2001	33	24	60	2	1	2	3	5	127	0.7
<b>Deal/traffic drugs</b>										
(number)										(per cent)
1995	901	187	93	115	51	3	5	1	1,351	8.8
1996	804	185	112	116	49	6	6	5	1,277	8.0
1997	753	176	139	116	58	6	5	8	1,256	7.6
1998	603	254	152	121	54	5	8	4	1,194	7.0
1999	618	262	170	166	65	2	12	12	1,297	7.1
2000	670	259	193	210	58	5	12	13	1,409	7.9
2001	759	274	180	213	63	3	8	16	1,508	8.3
<b>Manufacture/grow drugs</b>										
(number)										(per cent)
1995	139	2	25	7	14	–	1	7	194	1.3
1996	121	4	34	9	31	–	–	2	201	1.3
1997	114	10	35	13	24	–	1	2	198	1.2
1998	110	12	34	10	31	–	2	2	201	1.2
1999	114	11	25	10	18	1	–	–	179	1.0
2000	115	17	68	11	10	–	–	1	222	1.2
2001	96	28	64	8	20	–	–	1	217	1.2
<b>Total</b>										
(number)										(per cent)
1995	1,100	204	159	137	77	3	12	14	1,694	11.1
1996	981	202	223	125	91	6	8	10	1,638	10.3
1997	934	198	248	130	90	6	16	18	1,624	9.8
1998	759	293	272	132	88	6	19	13	1,568	9.2
1999	767	292	310	182	90	5	18	15	1,663	9.1
2000	826	295	336	226	70	6	25	17	1,777	9.9
2001	888	326	304	223	84	5	11	22	1,852	10.2

(a) The majority of full-time prisoners sentenced in the ACT are held in NSW prisons.

(b) Prisoners sentenced in the ACT and held in NSW prisons are a subset of the NSW figures and are not separately counted in the Australian totals.

(c) As a proportion of total sentenced prisoners.

Sources: Australian Bureau of Statistics 2002b.

## Marijuana/cannabis offences

The number of marijuana/cannabis offences per 100,000 population recorded throughout Australia decreased from 434 in 1995–96 to 279 in 2000–01 (Table 10.3). Over the same period, rates were more than halved in Victoria, Western Australia and Tasmania. The other States recorded moderate decreases except for Queensland and Northern Territory, where the rate of marijuana/cannabis offences per 100,000 population increased from 286 to 366 and 209 to 428 respectively.

**Table 10.3: Marijuana/cannabis arrests and offence notices issued per 100,000 population, by State and Territory, 1995–96 to 2001–02**

State/Territory	1995–96	1996–97	1997–98	1998–99	1999–00	2000–01
New South Wales	238	227	245	247	219	209
Victoria	421	199	195	198	157	136
Queensland	286	440	380	385	386	366
Western Australia	795	713	634	330	363	389
South Australia	1,256	1,089	907	803	788	726
Tasmania	531	228	253	156	170	222
Australian Capital Territory	144	157	122	77	n.a.	105
Northern Territory	209	368	337	362	464	428
<b>Australia</b>	<b>434</b>	<b>375</b>	<b>347</b>	<b>309</b>	<b>291</b>	<b>279</b>

Source: Australian Bureau of Criminal Intelligence 2002.

## Drug use and criminal offending

### Self-reported crime by injecting drug users

In 2001, the IDRS recruited injecting drug users in all jurisdictions, mainly but not always in capital cities. To ensure comparability within jurisdictions over time, the IDRS uses consistent methods of recruitment within jurisdictions. Using data from the IDRS, more than half (52%) of illicit drug users surveyed reported that they had been involved in some type of criminal activity during the previous month, while 44% had been arrested at least once during the past year (Table 10.4). The most common criminal activity reported was drug dealing (39%), followed by property crime (20%). The most common reason for arrest was property crime (17%) followed by drug use/possession (7%) and violent crime (6%).

**Table 10.4: Self-reported crime among injecting drug users and proportion arrested in the last year, by type of crime, Australia, 2001**

Type of crime	Self-reported crime in the last month	Arrested in the last year (per cent)
Use/possession	—	7
Dealing	39	4
Property crime	20	17
Fraud	9	2
Violent crime	9	6
Any crime	52	44

Source: National Drug and Alcohol Research Centre, unpublished data.

## Drug use among police detainees

This section presents information from the 2001 DUMA project. The DUMA project measures drug use among males and females who have been recently apprehended by police, through interviews and analysis of urine samples taken within 48 hours of arrest. Only data related to males is presented here to facilitate a comparison with information on male prisoners obtained from the DUCO survey.

In 2001, 56.6% of male detainees tested positive to marijuana/cannabis, while 30.0% tested positive to amphetamines, 16.8% to opiates and 5.6% to cocaine (Table 10.5). Male detainees aged 18–24 years and 25–39 years were more likely than detainees aged 40 years or more to test positive to all illicit drugs.

**Table 10.5: Proportion of male detainees testing positive to illicit drugs<sup>(a)</sup> in the last 12 months, by age and type of illicit drug, Australia, 2001**

Drug type	Age group			Total
	18–24	25–39	40+	
	(per cent)			
Marijuana/cannabis	63.1	60.5	24.0	56.6
Opiates <sup>(b)</sup>	14.6	19.9	11.6	16.8
Amphetamines	31.8	33.2	13.0	30.0
Cocaine	4.9	6.6	4.1	5.6
Any illicit drug <sup>(c)</sup>	74.8	74.8	34.9	69.5

(a) These data are based on quarterly monitoring conducted in four sites around Australia (Parramatta, Bankstown, Southport and East Perth).

(b) Includes heroin; however, detainee may not have taken heroin.

(c) Any illicit drug includes marijuana/cannabis, cocaine, heroin and amphetamines.

Source: Australian Institute of Criminology, unpublished data.

Across DUMA sites, 40.7% of male detainees defined themselves as dependent on an illicit drug, with 20.5% defining themselves as marijuana/cannabis dependent, 14.6% heroin dependent, 13.9% amphetamine dependent and 11.1% alcohol dependent (Table 10.6).

**Table 10.6: Proportion of male detainees defining themselves as drug dependent<sup>(a)</sup>, by age and type of illicit drug, Australia, 2001**

Drug type	Age group			Total
	18–24	25–39	40+	
	(per cent)			
Alcohol	7.2	13.3	14.4	11.1
Marijuana/cannabis	25.8	20.2	6.2	20.5
Heroin	14.8	16.2	8.2	14.6
Amphetamines	14.4	16.2	4.1	13.9
Cocaine	3.0	3.6	2.1	3.2
Hallucinogens / ecstasy	1.6	0.4	0.0	0.8
Any illicit drug <sup>(b)</sup>	44.3	44.3	17.2	40.7

(a) Respondents that defined themselves as dependent on the drug in the previous 12 months.

(b) Any illicit drug includes cannabis, cocaine, heroin, street methadone, amphetamines, street benzodiazepines, ecstasy and hallucinogens.

Source: Australian Institute of Criminology, unpublished data.

## Drug use and offending among prisoners

This section reports on the preliminary findings of the 2001 DUCO survey of male prisoners. The survey collects information about the drug use and criminal histories of incarcerated offenders.

In 2001, 70.4% of male prisoners reported using any illicit drug in the 6 months before their arrest (Table 10.7), with 61.2% using marijuana/cannabis, 41.9% amphetamines and 26.8% heroin.

In 2001, illicit drug use was most prevalent among inmates aged 18–24 years, with around 90% using any illicit drug, 81.9% marijuana/cannabis and 63.7% amphetamines.

**Table 10.7: Proportion of male prisoners<sup>(a)</sup> who used illicit drugs in the 6 months before arrest<sup>(b)</sup>, by age and type of illicit drug, Australia, 2001**

Drug type	Age group			Total
	18–24	25–39	40+	
	(per cent)			
Marijuana/cannabis	81.9	64.8	29.4	61.2
Heroin	36.1	28.4	12.4	26.8
Amphetamines	63.7	42.5	15.5	41.9
Cocaine	23.3	17.1	5.4	16.0
Hallucinogens/ecstasy	36.2	23.7	4.8	22.7
Any illicit drug <sup>(c)</sup>	89.9	75.1	37.3	70.4

(a) Sample of adult male sentenced inmates in correctional facilities in the Northern Territory, Queensland, Tasmania and Western Australia.

(b) Self-reported use.

(c) Any illicit drug includes marijuana/cannabis, heroin, amphetamines, cocaine, hallucinogens / ecstasy, inhalants, street methadone, benzodiazepines, morphine and steroids.

Source: Australian Institute of Criminology, unpublished data.

In the 2001 DUCO survey, male prisoners were asked whether they were addicted to any drug in the 6 months before their arrest (Table 10.8). Overall, 20.2% defined themselves as dependent on alcohol, 21.5% on marijuana/cannabis, 17.5% on heroin and 17.3% on amphetamines.

With the exception of alcohol, male offenders aged 18–24 years were more likely to define themselves as addicted to a substance than those aged 25–39 years or 40 years or more.

**Table 10.8: Proportion of male prisoners<sup>(a)</sup> who self-reported drug dependency<sup>(b)</sup>, by age and type of illicit drug, Australia, 2001**

Drug type	Age group			Total
	18–24	25–39	40+	
	(per cent)			
Alcohol	19.3	23.9	12.8	20.2
Marijuana/cannabis	37.3	20.5	5.8	21.5
Heroin	22.1	19.0	8.7	17.5
Amphetamines	29.5	17.3	3.3	17.3
Cocaine	4.5	3.3	0.2	2.9
Hallucinogens / ecstasy	2.7	1.6	0.2	1.6
Any illicit drug <sup>(c)</sup>	61.2	46.7	15.9	43.5

(a) Sample of adult male sentenced inmates in correctional facilities in the Northern Territory, Queensland, Tasmania and Western Australia.

(b) Respondents that defined themselves as addicted to the drug in the 6 months prior to their arrest.

(c) Any illicit drug includes marijuana/cannabis, heroin, amphetamines, cocaine, hallucinogens / ecstasy, inhalants, street methadone, benzodiazepines, morphine and steroids.

Source: Australian Institute of Criminology, unpublished data.

Male offenders who were imprisoned for property offences were more likely than other inmates to define themselves as addicted to alcohol or an illicit drug (Table 10.9). In 2001, around 60% of male offenders that were imprisoned for property offences defined themselves as drug dependent. This compared to around 40% of inmates imprisoned for other offences.

Comparing the DUMA project results with the DUCO survey findings, male prisoners (20.2%) were twice as likely to define themselves as alcohol dependent as males arrested and held in police watch-houses (11.1%); however, the rates of dependency were similar for the illicit drugs (Table 10.6).

**Table 10.9: Proportion of male prisoners<sup>(a)</sup> who self-reported drug dependency<sup>(b)</sup>, by age and type of offence, Australia, 2001**

Type of offence	Age group			Total
	18–24	25–39	40+	
	(per cent)			
Violent offences	56.5	43.9	11.5	38.4
Property offences	66.2	60.6	25.6	59.0
Other offences	64.8	44.1	23.8	44.3
All offences	61.2	46.7	15.9	43.5

(a) Sample of adult male sentenced inmates in correctional facilities in the Northern Territory, Queensland, Tasmania and Western Australia.

(b) Respondents that defined themselves as addicted to any illicit drug in the 6 months before their arrest.

Source: Australian Institute of Criminology, unpublished data.

One in three male offenders reported being under the influence of alcohol at the time of their offence, while one in four reported being under the influence of marijuana/cannabis, one in five under the influence of amphetamines/cocaine, one in seven under the influence of heroin and one in fifteen under the influence of hallucinogens/ecstasy (Table 10.10). This compares with DUMA project data, which found that over half of male detainees tested positive to marijuana/cannabis within 48 hours of arrest, three in 10 tested positive to amphetamines, one in six to opiates and around one in twenty to cocaine.

**Table 10.10: Proportion of male prisoners<sup>(a)</sup> who self-reported being under the influence<sup>(b)</sup> of alcohol or illicit drugs at the time of offence, by age, type of offence and type of drug used at the time of offence, Australia, 2001**

Type of offence	Age group			Total
	18–24	25–39	40+	
	(per cent)			
	<b>Alcohol</b>			
Violent offences	43.4	39.8	24.0	36.6
Property offences	33.8	30.1	18.6	30.3
Other offences	39.4	39.6	26.2	36.3
All offences	39.7	38.0	24.1	35.3
	<b>Marijuana/cannabis</b>			
Violent offences	40.1	24.7	8.0	23.8
Property offences	44.6	26.3	9.3	31.9
Other offences	49.6	22.3	11.1	26.3
All offences	43.6	24.4	8.9	25.9
	<b>Amphetamines/cocaine</b>			
Violent offences	30.0	18.5	3.5	17.2
Property offences	42.7	29.6	14.0	33.2
Other offences	36.2	20.4	11.9	22.2
All offences	35.0	20.7	6.6	21.3
	<b>Hallucinogens/ecstasy</b>			
Violent offences	9.4	6.1	2.6	5.9
Property offences	14.6	5.9	0.0	8.8
Other offences	12.6	6.5	0.0	6.4
All offences	11.6	6.1	1.7	6.5
	<b>Heroin</b>			
Violent offences	18.0	13.7	3.5	12.0
Property offences	21.7	21.5	18.6	21.2
Other offences	20.5	11.2	11.1	13.5
All offences	19.6	14.4	6.8	14.0

(a) Sample of adult male sentenced inmates in correctional facilities in the Northern Territory, Queensland, Tasmania and Western Australia.

(b) Self-reported use of one or more drugs.

Source: Australian Institute of Criminology, unpublished data.

In the 2001 DUCO survey, 22.3% of adult male offenders reported that illicit drugs only were used at the time of offence, while 19.4% reported that alcohol only was used and 15.9% reported that both alcohol and illicit drugs were used (Table 10.11). Forty-two per cent of male offenders reported that neither alcohol nor illicit drugs were used at the time of offence. Alcohol was least prevalent among offenders who committed property offences, whereas illicit drugs were more prevalent among this group.

**Table 10.11: Proportion of male prisoners<sup>(a)</sup> who used alcohol and/or illicit drugs<sup>(b)</sup> at the time of offence, by age and type of offence, Australia, 2001**

Type of offence	Age group			Total
	18–24	25–39	40+	
	(per cent)			
	<b>Alcohol only</b>			
Violent offences	16.4	22.8	17.9	20.1
Property offences	14.6	14.4	7.0	13.7
Other offences	16.4	25.3	21.4	22.1
All offences	15.9	21.9	17.8	19.4
	<b>Illicit drugs<sup>(c)</sup> only</b>			
Violent offences	24.2	17.9	4.5	15.8
Property offences	40.8	34.0	25.6	35.8
Other offences	36.7	26.1	22.2	27.8
All offences	31.8	22.5	11.0	22.3
	<b>Alcohol and illicit drugs<sup>(c)</sup></b>			
Violent offences	27.1	17.9	7.3	17.2
Property offences	21.0	14.4	7.0	16.2
Other offences	21.9	12.6	3.2	12.6
All offences	24.2	16.0	6.2	15.9
	<b>Neither alcohol nor illicit drugs<sup>(c)</sup></b>			
Violent offences	32.3	41.5	70.3	46.8
Property offences	23.6	37.2	60.5	34.3
Other offences	25.0	36.0	53.2	37.5
All offences	28.2	39.6	65.0	42.4

(a) Sample of adult male sentenced inmates in correctional facilities in the Northern Territory, Queensland, Tasmania and Western Australia.

(b) Self-reported use.

(c) Any illicit drug includes marijuana/cannabis, heroin, amphetamines, cocaine, hallucinogens / ecstasy, inhalants, street methadone, benzodiazepines, morphine and steroids.

Source: Australian Institute of Criminology, unpublished data.

# Illicit drug detections

## Heroin purity

Apart from the risk of overdose, the majority of complications associated with the use of heroin are related to the injection of contaminated material, or the use of non-sterilised injecting equipment. Except for scientific and research purposes, heroin is not legally available in Australia. Consequently, the heroin obtained by users may fluctuate in purity and may be contaminated by a variety of materials of varying quality and safety (DHS 1994). The purity of heroin available in Australia fluctuated considerably across jurisdictions over the period 1996–97 to 2000–01 (Table 10.12). For example, in New South Wales the average purity of heroin seizures ranged from a high of 71% in 1997–98 to a low of 51% in 2000–01. In 2000–01, the average purity of heroin varied from 39% in Queensland to 51% in New South Wales.

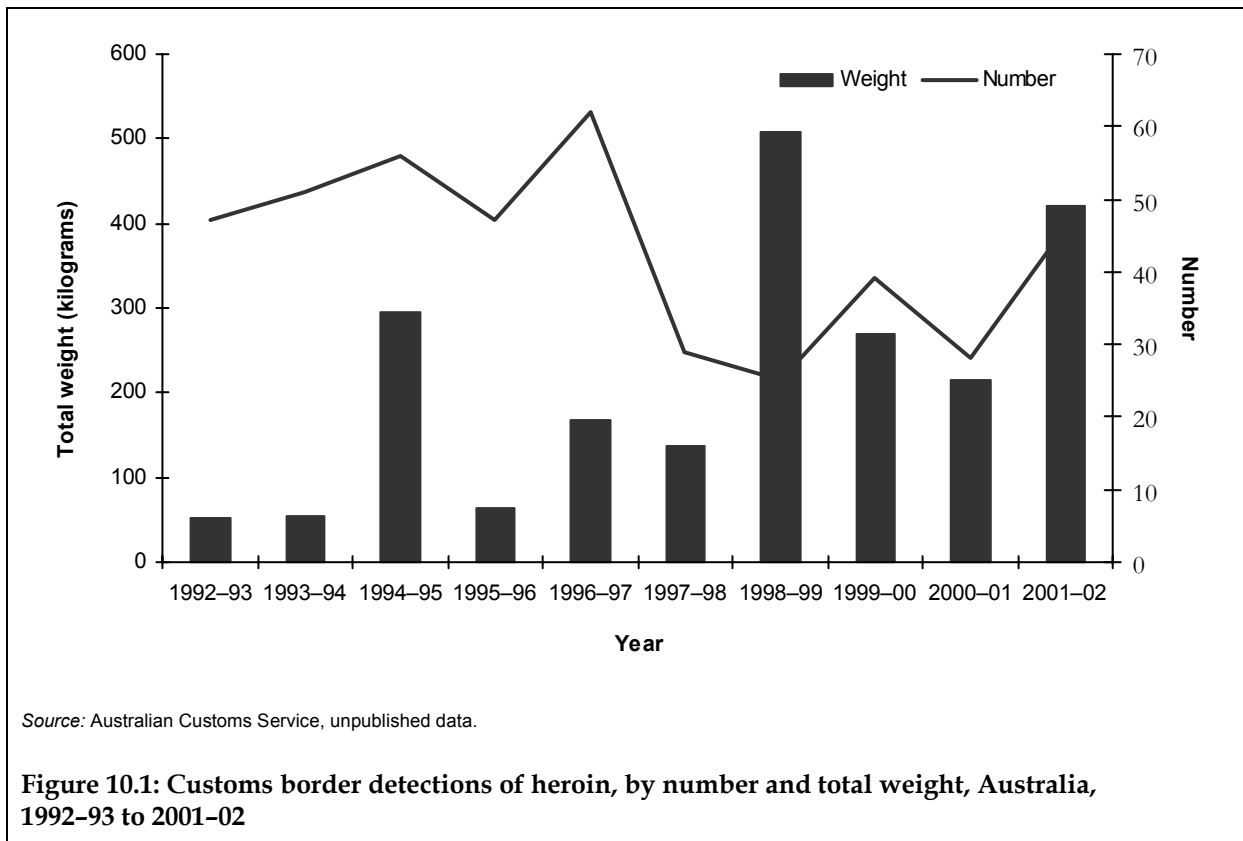
**Table 10.12: Average purity of heroin seizures analysed in Australia, selected jurisdictions, 1996–97 to 2000–01**

State/Territory	1996–97	1997–98	1998–99	1999–00	2000–01
			(per cent)		
New South Wales	64	71	67	62	51
Australian Capital Territory	56	68	71	54	40
Victoria	35	62	69	54	46
South Australia	37	59	61	48	45
Queensland	48	49	59	51	39
Western Australia	48	58	57	53	49

Source: Topp et al. 2002.

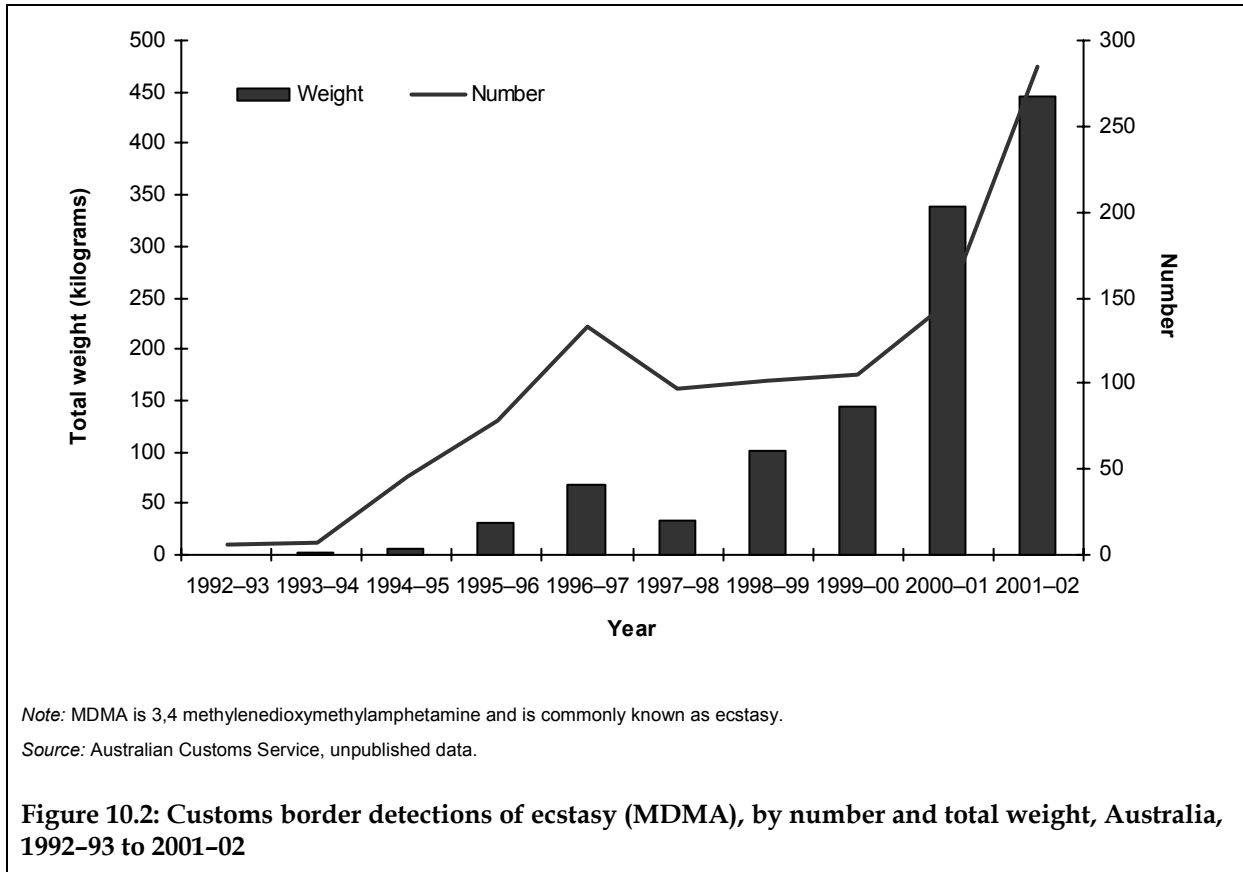
## Customs border detections of heroin

There is not always a positive correlation between number of heroin detections and the total weight of heroin detections. Over the period 1992–93 to 2001–02, the number of heroin border detections per year by the Australian Customs Service ranged between 25 and 62 detections (Figure 10.1). The total weight of heroin border detections fluctuated between a low of 53 kilograms in 1992–93 and a high of 508 kilograms in 1998–99. Interestingly, 1998–99 was the year in which least detections and most weight of detections occurred.



## Customs border detections of ecstasy (MDMA)

There appears to be a positive correlation between the number of customs border detections of ecstasy (MDMA) and the total weight of these detections (Figure 10.2). Over the period 1992–93 to 2001–02, the number of border detections increased from 6 in 1992–93 to 285 in 2001–02 and the total weight of these detections ranged from almost zero kilograms in 1992–93 to 445 kilograms in 2001–02.



## Detection of drugs laboratories

In 2000-01, a total of 201 clandestine drug laboratories were detected in Australia, with 77 (38%) detected in Queensland, 42 (21%) detected in New South Wales and 32 (16%) detected in Victoria (Figure 10.3).

