

10 Crime and law enforcement

Overview

Obtaining accurate information on the criminal aspects of drug abuse can be difficult as officially recorded figures on both arrests and imprisonment are known to vastly underestimate the number of people who are involved in the illicit drug industry.

In this chapter, information is drawn from the Australian Bureau of Criminal Intelligence, the Australian Institute of Criminology and data from the 1998 NDSHS to attempt to illustrate the criminal justice impact of illicit drug use.

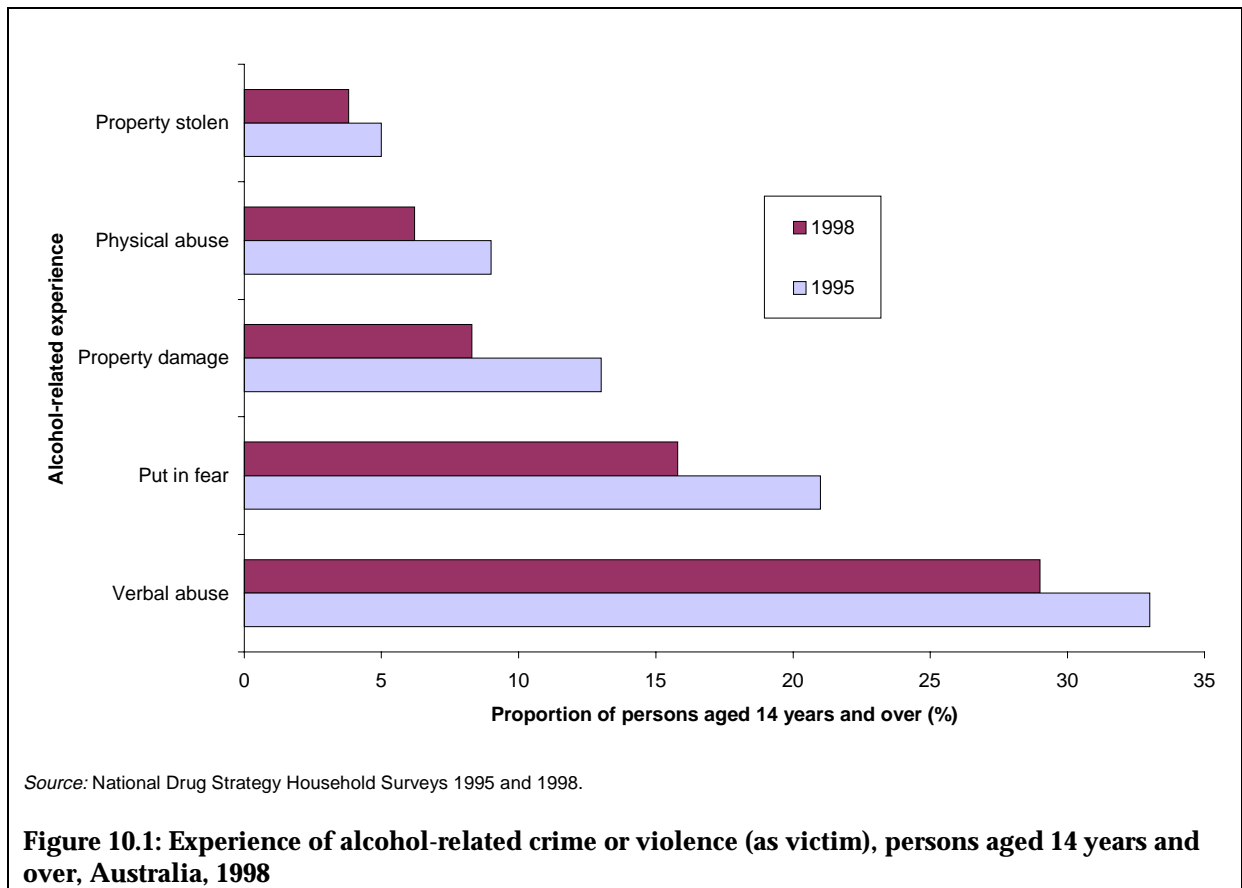
Key facts include:

- peoples' experiences of alcohol-related harm have declined significantly since 1995;
- in 1998 approximately 10% of all Australians had been verbally abused and 2% had been physically abused by somebody under the influence of illicit drugs;
- marijuana is the illicit drug for which most people are arrested (80%); and
- the proportion of the current prison population whose main charge was illicit drug-related is approximately 10%, and has remained fairly stable since 1985.

A list of the legislation concerning illicit drugs is provided in Appendix 1.

Experience of alcohol- or other drug-related violence or crime

Using preliminary data from the 1998 NDSHS, there appears to have been a significant reduction in all areas of alcohol-related crime compared with the 1995 NDSHS (Figure 10.1).



In 1998, 4% of respondents reported having property stolen (compared with 5% in 1995), and 6% had been the victim of physical abuse (down from 9%). Similar declines in the areas of being put in fear, property damage and verbal abuse are also apparent.

With the exception of being put in fear, males were more likely to experience alcohol-related crime or violence than females (Table 10.1).

Similar patterns can be seen in the relationship between other drug use and violence or crime (Table 10.2), including fewer females (than males) reporting being victims of such crime. Ten per cent of the adult population had been verbally abused, 2% physically abused, 7% put in fear, 3% had their property damaged, and 3% had their property stolen in 1998.

Table 10.1: Experience of alcohol-related crime or violence,^(a) Australia, 1998

Experience	Number of times					
	Never	At least once	Once only	2–5 times	6–9 times	10+ times
	(per cent)					
Males						
Verbally abused you	68	32	12	15	2	4
Physically abused you	93	8	4	3	—	—
Put you in fear	86	14	7	6	1	1
Damaged your property	91	9	6	3	—	—
Stolen your property	96	4	3	1	—	—
Females						
Verbally abused you	74	26	11	10	2	3
Physically abused you	95	5	3	2	—	—
Put you in fear	82	18	9	7	1	1
Damaged your property	92	8	4	3	—	—
Stolen your property	97	3	2	1	—	—
Persons						
Verbally abused you	71	29	11	13	2	3
Physically abused you	94	6	4	2	—	—
Put you in fear	84	16	8	6	1	1
Damaged your property	92	8	5	3	—	—
Stolen your property	96	4	3	1	—	—

(a) In the past 12 months.

Source: National Drug Strategy Household Survey 1998.

Table 10.2: Experience of drug- (other than alcohol-) related crime or violence,^(a) Australia, 1998

Experience	Number of times					
	Never	At least once	Once only	2–5 times	6–9 times	10+ times
	(per cent)					
Males						
Verbally abused you	88	12	5	6	—	1
Physically abused you	97	3	2	1	—	—
Put you in fear	94	6	3	3	—	—
Damaged your property	97	3	2	1	—	—
Stolen your property	96	4	3	1	—	—
Females						
Verbally abused you	91	9	3	4	1	1
Physically abused you	98	2	1	1	—	—
Put you in fear	92	8	4	3	—	1
Damaged your property	97	3	1	1	—	—
Stolen your property	97	3	2	1	—	—
Persons						
Verbally abused you	90	10	4	5	1	1
Physically abused you	98	2	1	1	—	—
Put you in fear	93	7	4	3	—	1
Damaged your property	97	3	2	1	—	—
Stolen your property	97	3	2	1	—	—

(a) In the past 12 months.

Source: National Drug Strategy Household Survey 1998.

Illicit drug arrests

Marijuana is the most common drug for which people are arrested, consistently accounting for over 80% of the arrests between 1993 and 1996–97 (Table 10.3). In 1996–97, almost 70,000 people were arrested for either marijuana possession or supply, down from a peak of almost 79,000 cases in 1995–96. Heroin and amphetamines consistently account for the bulk of other illicit drug arrests. The vast majority of illicit drug arrests (71% in 1996–97) are related to the consumption of illicit drugs rather than the provision or sale of illicit drugs (Table 10.4). However, the split between arrests for provision versus consumption of illicit drugs varies between drug type.

Table 10.3: Illicit drug arrests, by type of drug, Australia, 1993 to 1996–97

Substance	Period			
	1993	1994	1995–96	1996–97
	(number)			
Cannabis	33,765 ^(a)	64,770	78,948	69,136
Heroin	2,502	2,992	7,105	7,140
Amphetamines	3,705	4,593	4,214	3,907
Hallucinogens	282	540	398	609
Cocaine	154	299	330	460
Steroids	n.a.	n.a.	70	71
Other	n.a.	4,689 ^(b)	7,729	3,723
Total	40,408	77,883	98,794	85,046
	(per cent)			
Cannabis	84	83	80	81
Heroin	6	4	7	8
Amphetamines	9	6	4	5
Hallucinogens	1	1	—	1
Cocaine	—	—	—	1
Steroids	—	—
Other	..	6	8	4
Total	100	100	99	100

(a) 1993 figures do not include ACT Simple Offence Notice and SA Cannabis Expiation Notice.

(b) Includes anabolic steroids and other drugs.

Note: 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.

Source: Australian Bureau of Criminal Intelligence 1997.

Table 10.4: Arrests involving illicit drugs, by consumer/provider status, by drug type, Australia, 1993 to 1996–97

Substance	Consumer/ Provider	Period			
		1993	1994	1995–96	1996–97
		(number)			
Cannabis	Consumer	24,755 ^(a)	51,393	58,359	49,305
	Provider	9,010 ^(a)	13,377	20,589	19,831
Heroin	Consumer	1,720	2,144	5,135	4,986
	Provider	782	848	1,970	2,154
Amphetamines	Consumer	2,888	3,681	3,118	2,702
	Provider	817	912	1,096	1,205
Hallucinogens	Consumer	2,888	401	276	407
	Provider	817	139	122	202
Cocaine	Consumer	181	188	198	198
	Provider	101	111	132	262
Steroids	Consumer	n.a.	58	61	64
	Provider	n.a.	10	9	7
Other	Consumer	n.a.	4,087	6,653	3,071
	Provider	n.a.	534	1,076	652
Total	Consumer	29,646	61,952	73,800	60,733
	Provider	10,762	15,931	24,994	24,313

(a) 1993 figures do not include ACT Simple Offence Notice and SA Cannabis Expiation Notice.

Notes:

1. Providers are defined as those arrested for dealing/trafficking type of offences, while consumers are defined as those arrested for use/possession type of offences.
2. Caution should be exercised when making comparisons between years due to variations in consumer/provider counting methodologies used.

Source: Australian Bureau of Criminal Intelligence 1997.

Prisoners

Care must be taken when interpreting prison census statistics as they reflect only the most serious charge for which the individual was imprisoned. The true level of imprisonment for illicit drug-related offences would be much higher if figures reflected all offences for which an individual was incarcerated. For example, a recent survey of burglars imprisoned in New South Wales found that just over four-fifths of convicted burglars surveyed used some or all of their proceeds on illicit drugs (Stevenson & Forsythe 1998).

The majority of people incarcerated whose most serious offence was drug-related were imprisoned for dealing and trafficking in illicit drugs and not for possession or use. Of the 1,638 people in prison in 1996 for drug-related offences 78% were imprisoned for dealing/trafficking offences, with a further 12% imprisoned for manufacturing/growing offences (Table 10.5). This is in contrast with arrest data where the majority of arrests are for possession or use.

The proportion of the total prison population incarcerated for possession-related offences has been steadily declining since 1985, declining from 2.6% to approximately 1% of the total prison population between 1994 to 1996. The proportion of the total prison population incarcerated for both trafficking drugs and growing/manufacturing offences increased steadily until 1994. Recent trends show that these proportions have declined slightly. Whilst the total number of people imprisoned for drug-related offences has fluctuated since 1985—with a high of 11.5% of the total prison population in 1994, and a low of 9.1% in 1991—taken as a whole this appears fairly stable at about 10.4% of the total prison population.

Table 10.5: Prisoners where the most serious offence was drug-related, 1987 to 1996

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust ^(a)	Aust ^(b)
Possession, use drugs										
(number) (per cent)										
1987	112	13	35	21	27	4	0	4	216	1.8
1988	128	9	75	10	14	1	0	1	238	1.9
1989	71	14	75	7	19	0	0	3	189	1.5
1990	81	17	45	7	16	0	0	3	169	1.2
1991	85	23	48	8	29	0	2	5	200	1.3
1992	102	14	43	15	41	1	2	1	219	1.4
1993	91	7	28	19	34	0	1	7	187	1.2
1994	61	11	31	23	16	0	0	2	144	1.0
1995	60	15	41	15	12	0	6	6	149	1.0
1996	56	13	77	0	11	0	2	3	160	1.0
Deal/traffic drugs										
(number) (per cent)										
1987	528	152	38	20	115	0	0	3	856	7.1
1988	502	218	94	22	116	7	1	2	962	7.8
1989	489	224	104	38	111	1	1	5	973	7.5
1990	544	238	103	37	108	1	7	2	1,040	7.3
1991	572	214	93	30	90	1	1	8	1,009	6.7
1992	674	225	65	34	114	3	0	11	1,126	7.2
1993	824	239	50	36	142	4	1	2	1,298	8.2
1994	939	199	61	123	39	2	0	1	1,364	9.1
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
Manufacture/grow drugs										
(number) (per cent)										
1987	90	7	53	8	20	1	0	8	186	1.5
1988	69	5	47	6	21	0	0	3	151	1.2
1989	62	11	25	9	26	0	0	2	135	1.0
1990	70	16	17	7	21	0	1	6	138	1.0
1991	77	18	19	9	23	0	1	8	155	1.0
1992	111	11	28	7	12	0	0	4	173	1.1
1993	157	10	13	19	19	0	0	1	219	1.4
1994	150	10	17	11	17	1	0	7	213	1.4
1995	139	2	25	7	14	0	1	7	194	1.3
1996	121	4	34	9	31	0	0	2	201	1.3
Total										
(number) (per cent)										
1987	730	172	126	49	162	5	0	15	1,258	10.4
1988	699	232	216	38	151	8	1	6	1,351	11.0
1989	622	249	204	54	156	1	1	10	1,297	10.0
1990	695	271	165	51	145	1	8	11	1,347	9.4
1991	734	255	160	47	142	1	4	21	1,364	9.1
1992	887	250	136	56	167	4	2	16	1,518	9.8
1993	1,072	256	91	74	195	4	2	10	1,704	10.7
1994	1,150	220	109	157	72	3	0	10	1,721	11.5
1995	1,100	204	159	137	77	3	12	14	1,694	11.0
1996	981	202	223	125	91	6	8	10	1,638	10.3

(a) The vast majority of ACT prisoners are held in NSW jails upon sentencing and are not separately counted in Australian totals.

(b) As a proportion of total prisoners.

Sources: Australian Institute of Criminology 1989–95; Australian Bureau of Statistics 1996b, 1997b, 1997c.