

Appendix B

Data to support the Drug and Specialist Courts Review

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Report summary

This report has been prepared as part of the Drug and Specialist Courts Review being led by the Department of Justice and Attorney-General. It provides information on the number of people in contact with the criminal justice system and explores the prevalence of illicit drug offending and substance misuse among offenders. It also examines the prevalence of other factors that may contribute to offending behaviour and the delivery of alcohol and other drug treatment services in Queensland.

Data

This report triangulates information from a range of sources including criminal justice system administrative data and offender surveys. The triangulation of data assists to validate research findings, however each data source uses different counting rules/research methods and is subject to limitations.

System pressures

The criminal justice system has been under increasing pressure which is not solely explained by population growth. Between 2010–11 and 2014–15 there has been a rise in the total number of:

- alleged offenders dealt with by the police (18%);
- police proceedings (28%);
- defendants finalised by the courts (14%);
- adults in custody (31%);
- offences committed by children (7%); and
- children in detention (25%).

Aboriginal and Torres Strait Islanders and women and girls were also increasingly likely to have contact with the criminal justice system.

In 2015, there were 13 times more Aboriginal and Torres Strait Islanders per head of population in custody than non-Indigenous people. The rate of adult imprisonment increased by 27% between 2010–11 and 2014–15 for Aboriginal and Torres Strait Islanders compared with 22% for non-Indigenous adults over the same period.

Although men and boys account for the majority of the offender population, the relative growth of women and girls held in custody exceeded that of men and boys. The imprisonment rate for adult women increased by 57% between 2010–11 and 2014–15 compared with 20% for adult men. The number of girls in detention on an average day increased by 138% for girls (although numbers are small) and 38% for boys.

Illicit drug offending

Increases in illicit drug offending were more substantial than overall system growth. Between 2010–11 and 2014–15 there was an increase in the total number of:

- alleged offenders with an illicit drug offence as the principal offence (71%);
- number of illicit drug offences committed by people aged ten years and over (88%);
- police proceedings with an illicit drug offence as the principal offence (95%);
- defendants finalised with an illicit drug offence as the principal offence (74%); and
- illicit drug offences committed by children (75%).

The majority of illicit drug offences related to minor offences such as possession and use of illicit substances.

Reasons for increased drug offending

A number of factors can contribute to changing crime rates, such as variations in offender behaviour, police practice, government policy and legislation. It was observed that between 2010–11 and 2014–15:

- in total, the police did not change the way in which they actioned proceedings against alleged offenders with approximately 19% of proceedings resulting in a non-court action, however the proportion of proceedings where an illicit drug offence was identified as the principal offence resulting in a non-court action decreased from 31% to 23%; and
- when examining all offences related to court matters where the finalised defendant had drugs as their principal offence, the total number of traffic and vehicle regulatory offences increased by 143% and the total number of dangerous or negligent acts endangering persons increased by 247%.

The reduced use of non-court actions may indicate changing police practice in relation to illicit drug offences and/or it could indicate that the police are increasingly engaging with the same people for minor illicit drug offences (given that police drug diversion is an option only available to people once). The high growth of offences relating to traffic matters and dangerous or negligent acts coinciding with illicit drug offences may indicate that there has been greater police focus on drug driving since the introduction of random roadside drug testing.

Sentence outcomes

The majority of illicit drug matters were heard in the Magistrates Courts and very few people sentenced for a principal offence relating to illicit drugs received a custodial sentence.

In 2014–15, of those defendants with drugs as their principal offence and found guilty in the Magistrates Courts, nearly two-thirds (62%) were sentenced to a fine/monetary order, while only 3% were sentenced to custody in a correctional institution. The average term of custody in a correctional institution imposed on these defendants was four months. The median term of imprisonment imposed on total defendants by the Magistrates Courts was six months. Sentences of imprisonment imposed in the District Court are longer on average than those imposed in the Magistrates Courts.

Drug use among offenders

The growing number of people in contact with the criminal justice system with illicit drugs as their principal offence is one indicator of the potential demand for drug interventions. The prevalence of drug-related offending and problematic substance use among offenders are also important indicators.

- cannabis, methamphetamines and opioids are the most common drugs used illicitly by adult offenders;
- adult offender populations are four times more likely to have recently used cannabis and 16 to 20 times more likely to have recently used methamphetamines than the general population;
- alcohol use has a moderate association with violent offences and illicit drug use has a moderate association with drug and property offences;
- about half (55%) of adult offenders under statutory supervision (including community-based and prison orders) were assessed as having more than a low risk of reoffending and a high risk of substance misuse and 43% were assessed as having a drug offence and/or drug-related offending;
- about a third (34%) of children under statutory supervision were assessed as having a high substance abuse score indicating that the development of case plans that addressed this use would reduce recidivism; and
- adult offenders reporting more frequent drug use were more likely to be involved in drug-relating offending.

Other needs of offenders

Offender populations tend to be characterised by factors that may affect their ability to participate in drug interventions and contribute to offending behaviour. Among adult offenders under statutory supervision in the community and assessed as having more than a low risk of reoffending:

- nearly two in three offenders (60%) were assessed as having a high risk of employment issues;
- half (50%) had a high risk of mental health issues;
- a third (33%) had a high risk of accommodation issues;
- 40% had friends that used illicit drugs once a month or more; and
- 15% were assessed as having a high risk of social support issues.

Alcohol and other drug treatment services

Queensland is characterised by a relatively high number of criminal justice agency referrals to alcohol and other drug treatment services when compared with other jurisdictions. However, these referrals are most likely to be brief interventions involving a short information and assessment session as part of diversion strategies relating to minor cannabis offending.

- between 2010–11 and 2014–15, the number of alcohol and other drug treatment episodes finalised in Queensland grew from 26,541 to 38,923 (an increase of 47%);
- in 2014–15, cannabis became the most common principal drug of concern in Queensland (36% of closed treatment episodes), while alcohol remained the most common drug of concern in other jurisdictions;
- 70% of treatment episodes, where cannabis was the principal drug of concern, related to criminal justice referrals;
- information and education only interventions were the most common treatment mode delivered by alcohol and other drug treatment services in Queensland, while counselling was the most common treatment mode nationally;
- 33% of treatment episodes in Queensland involved information and education only as the main treatment type compared with 10% at the national level;
- criminal justice agencies were the most common referral source to alcohol and other drug treatment in Queensland, with corrections, courts and the police accounting for 38% of referrals. Nationally, criminal justice agencies accounted for 27% of referrals.
- very few alcohol and other drug treatment episodes involved a criminal justice agency referral to rehabilitation or withdrawal services (133) suggesting low utilisation of residential treatment facilities by these agencies.

Criminal justice referrals to illicit drug interventions

Although criminal justice agencies account for the largest share of referrals to alcohol and other drug treatment services in Queensland, a small proportion of people in contact with the criminal justice system are referred to drug interventions.

In 2014–15, there were approximately 170,000 alleged offenders, 120,000 finalised defendants and 7,300 sentenced and unsentenced people (in custody on 30 June 2015) in Queensland. Criminal justice agencies referred about 14,300 people to alcohol and other drug treatment services, with the majority of these referrals (10,400) relating to brief information and assessment sessions. Other data sources indicate that about 6,000 people were referred to the Illicit Drugs Court Diversion Program, 265 people were referred to Queensland Magistrates Early Referral into Treatment and 394 people were referred to the Drug and Alcohol Assessment and Referral Program.

Potential drug court numbers

Drug courts generally target high risk, high need offenders. Although the prevalence of problematic substance use among offenders means many offenders may benefit from a drug intervention, the relatively small number of offenders sentenced to terms of imprisonment longer than six months means relatively few people will be eligible for drug court. The reinstated drug court is therefore not likely to reduce the total prisoner population in any substantial way.

Operation of the former drug court

The former Queensland Drug Court operated at various sites between 2000 and 2013. During this time:

- there were 215 referrals, 131 program commencements and 36 program completions (graduates) per year on average;
- some people were referred more than once;
- the proportion of referrals resulting in program commencement increased slightly over time, while the proportion of people graduating from the program declined slightly;
- the majority of participants were male, aged over 25 years and non-Indigenous; and
- females were slightly more likely to complete the program than males; older people were slightly more likely to complete the program than young people and non-Indigenous people were slightly more likely to complete the program than people identifying as Aboriginal and Torres Strait Islander.

Conclusion and implications

The criminal justice system is under increasing pressure and there is a growing need for interventions that address problematic substance use among offenders. The relatively small number of offenders likely to be eligible for drug court means that its reinstatement is unlikely to affect prisoner numbers or address the total offender population's problematic substance use in any substantial way. Queensland diverts a relatively large number of people charged with minor drug offences to brief interventions that are delivered without an assessment of program suitability. These interventions are not likely to address serious problematic substance use or other criminogenic factors that can characterise some offenders.

Data presented in this report highlighted the following issues for consideration by the Drug and Specialist Court Review:

- there is a critical need to address a number of factors contributing to growing criminal justice system pressures;
- the growing rate of imprisonment of Aboriginal and Torres Strait Islanders, women and girls means that programs should also be culturally appropriate and respond to specific gendered needs (such as child care responsibilities);
- there would be benefit in understanding why police in Queensland are more likely to proceed against people for illicit drug offences when compared with most other states as this contact has implications for court workloads, criminal justice system costs and community members;
- the need for drug interventions for offenders is growing and is unlikely being met by existing services;
- there would be benefit in understanding why the police in Queensland have become less likely to use non-court actions in proceedings relating to drug offences, since this is affecting the number of people before the courts for such offences (expanding the suite of options available to the police for drug offending may save court resources);
- the prevalence of alcohol-related offending suggests that offenders characterised by problematic alcohol use should be considered when setting referral criteria and treatment responses for the reinstated drug court;
- the drug court program will need to address a range of factors that may affect a participant's ability to engage in alcohol and other drug treatment and could contribute to their offending behaviour;

- there may be benefit in reviewing the use of brief interventions supported by criminal justice agency referrals to ensure they are targeting appropriate people;
- there is a growing need for best-practice interventions that address amphetamine dependency;
- very few children would be eligible for an intensive drug court intervention if eligibility criteria included a requirement to be sentenced to imprisonment for more than 12 months;
- there is a need for drug interventions for children in contact with the criminal justice system, however identifying the types of interventions most likely to benefit children may be out of scope for the Review; and
- it will be important to monitor and evaluate the reinstated drug court to support program fidelity, measure cost-effectiveness and assess program efficacy.

Introduction

The purpose of this report is to provide information to support the Drug and Specialist Courts Review (the Review) being undertaken by the Department of Justice and Attorney-General. The report examines whether the need for drug interventions among offenders has changed over time and whether or not this need is being met by the current system. It also provides information to assist with the design and implementation of the reinstated drug court.

The Review was initiated in response to the Queensland Palaszczuk Government's election commitment to reinstate specialist courts and diversionary programs defunded under the former LNP Government. The Review aims to ensure options for the reinstated drug court are evidence-based, cost-effective and reflect contemporary best-practice in relation to drug-related offending. It also considers how the current suite of court programs might be improved to enhance their operation.

Consultants have been engaged to support the Review. Much of the data included in this report have supported the consultant's work and have been included in their final report to government.

The key research questions underpinning this document are:

- How many people come into contact with the criminal justice system in Queensland? What is the outcome of this contact?
- How many people come into contact with the criminal justice system in Queensland for illicit drug offences? What is the outcome of this contact?
- How many people in contact with the criminal justice have problematic substance use issues that would benefit from therapeutic interventions?
- How many people in contact with the criminal justice system in Queensland are diverted to illicit drug interventions?
- What other identified needs/criminogenic factors are present among people in contact with the criminal justice system/sentenced for illicit drug offences?

The report comprises 8 chapters:

Chapter 1 describes the different data sources used in the preparation of this report.

Chapter 2 provides information on the number of people in contact with Queensland's criminal justice system.

Chapter 3 provides information on the number of people committing drug offences in contact with Queensland's criminal justice system.

Chapter 4 examines the extent of drug use among Queensland offenders.

Chapter 5 examines the nature of alcohol and other drug service delivery in Queensland.

Chapter 6 explores the potential demand for drug interventions for children in contact with Queensland's criminal justice system.

Chapter 7 identifies potential locations for the reinstated drug court.

Chapter 8 describes the operation of the former Queensland Drug Court.

Each chapter concludes with a summary of findings and discusses their implications for the Review.

1 Data sources

This report draws on various sources of information to explore the demand in Queensland for a drug court and drug interventions for offenders in general. This triangulation of data helps validate reported findings and assists to address any information gaps that might exist in any one data set. Some of the data sets used in this report are based on administrative information from government agencies. These data sets are particularly useful for describing system demands and identifying trends. Other data sets have resulted from surveying offender populations and provide an indication of issues not necessarily recorded for administrative purposes from the perspective of those being surveyed.

A description of each data set referred to in this report is provided below.

1.1 Recorded crime

The Australian Bureau of Statistics (ABS) collects and publishes information on the number of alleged offenders proceeded against by the police as part of its *Recorded Crime – Offenders* series. This police administrative information is available by age, gender, Aboriginal and Torres Strait Islander status, principal offence and type of proceeding (court and non-court). Non-court proceedings include informal or formal cautions/warnings, conferencing, counselling, drug diversionary schemes and penalty notices.

The *Recorded Crime – Offenders* data series include alleged offender-based counts and proceedings-based counts. The principal offence is reported for matters involving more than one offence.

Alleged offender-based data represent a count of each unique person (aged ten years or more) dealt with by the police during the reporting period. An alleged offender is counted only once, regardless of how many offences they have committed and how times they have had contact with the police during the reporting period. Alleged offender rates represent the number of alleged offenders per 100,000 of the ABS Estimated Resident Population.

Proceedings-based data represent a count for each separate occasion on which the police initiate a legal proceeding against a person. This means that a person may be counted more than once during the reporting period if they are proceeded against on separate occasions by the police. Proceedings data are not a count of offenders or offences.

These *Recorded Crime – Offenders* data exclude children aged under ten years, organisations, offences that come under different authorities and traffic and vehicle regulation offences. The exclusion of traffic and vehicle regulation offences is significant given that they represent a substantial share of workload for the Magistrates Courts.

The principal offence/type of proceeding is reported for matters involving more than one offence/type of proceeding. The principal offence is identified using the National Offence Index (NOI) (see Appendix A).

1.2 Criminal courts

Information on the number and characteristics of defendants finalised by the criminal courts is collected and published by the ABS as part of its *Criminal Courts, Australia* series.

This is courts administrative data where the method of finalisation describes how a criminal charge is concluded by a criminal court. One method of finalisation is assigned to each defendant. Some individuals may have more than one case finalised within the reporting period; these defendants will be counted more than once in this instance. The principal offence is counted for matters involving more than one offence; the principal order is counted for matters resulting a sentence involving more than one type of order.

The *Criminal Courts, Australia* series data exclude cases that do not require the adjudication of charges (e.g. bail reviews and applications to amend sentences or penalties), matters dealt with by the civil courts,

breach of community-based orders, appeal cases, tribunal matters and defendants for whom a bench warrant is issued but not executed.

The Criminal Courts data have been adjusted to avoid the release of confidential data. This explains why there may be discrepancies between the total numbers shown in different figures reporting these data.

1.3 Queensland Police Service data

Queensland Police Service (QPS) administrative data have been used to explore the number and nature of illicit drug offences between 2010–11 and 2015–16. These data represent a count of each offence committed regardless of the perpetrator/s of the offence and are not constrained by the use of the principal offence. QPS advise that these data are subject to change.

The QPS have also provided information on the number of people in 2015–16 completing a brief intervention as part of the Police Illicit Drug Diversion Program.

1.4 Queensland Corrective Service data

Queensland Corrective Services (QCS) administrative data are used to explore the relationship between contact with the criminal justice system and drug use and describe the number of offenders on supervised orders. In particular, the ability to cross-tabulate drug use assessment information with admissions to orders enables the ability to distinguish between drug-related offending and drug offences. These data will therefore show the possible demand for drug interventions for people convicted of non-drug related offences or offences more serious than drug-related offences.

The *QCS administrative data (benchmark assessment)* data set represents a count for each sentenced admission to QCS supervision between 2010–11 and 2014–15. Admissions into custody for breaches of orders are not included in admission to custody counts. Offenders sentenced to imprisonment, but released to parole at sentencing are counted as an admission into Probation and Parole supervision only. Unsented offenders admitted into custody on remand are not included in the data set. Offenders admitted to supervision more than once during a reporting period (after being convicted of new offences) are counted at each admission.

In this data set, information relating to substance misuse issues is derived from the Benchmark Assessment. It is important to note that only offenders managed by Probation and Parole and determined as requiring standard, enhanced, intensive and extreme levels of supervision are subject to undergo the Benchmark Assessment. In other words, offenders assessed as low risk or released into the community from custody without contact with Probation and Parole will not have Benchmark Assessment information. This introduces some systematic bias into these data.

1.5 Department of Justice and Attorney-General

Administrative information collected by the Department of Justice and Attorney-General (DJAG) is used to provide information on the operation of the former Queensland Drug Court, the number of referrals to court-related drug interventions and the types of offences also finalised among defendants found guilty of an illicit offence as their principal offence.

1.6 Youth Justice administrative data

Youth Justice administrative data are used to explore of the nature of child offending, the prevalence of child drug offending and the potential demand for drug interventions among children in contact with the criminal justice system.

The Youth Justice data sets referred to in this report use different counting rules which are specified in more detail in the body of the report. Some data sets count offences committed by children, while other data sets represent a count of unique individuals in contact with the youth criminal justice system (similar to the counting rules underpinning the ABS alleged offenders data set).

1.7 The National Prisoner Health Data Collection

The National Prisoner Health Data Collection (NPHDC) involves surveying prisoners across Australia entering and exiting prison on health related matters (AIHW 2015a).

The NPHDC survey has been undertaken four times with the most recent survey taking place in 2015. This reports includes 2015 Queensland-based results relating to (sentenced and unsentenced) prisoner entrants.

The NPHDC survey instrument tool captures self-reported data relating to health issues including mental health; self-harm; communicable disease; chronic conditions; tobacco smoking; illicit drug use and needle sharing; risky alcohol consumption; injury, assault and unprotected sex; accessing general health services; and accessing prison health services and medication. Demographic and offending history information is also collected.

The 2015 national survey participation rate was 49%. About a third (32%) of prison entrants participating in the 2015 survey in Queensland were unsentenced. Some under-reporting may be possible (especially in relation to illegal activities).

1.8 Alcohol and other drug treatment services in Australia

The Australian Institute of Health and Welfare (AIHW) support the collection of the Alcohol and Drug Treatment Services National Minimum Data Set (AODTS NMDS). This data set includes a count for each closed treatment episode delivered by funded treatment services in Australia. It includes information on type of service provider, type of treatment, principal drug of concern and client demographic information.

The main counting unit of the AODTS NMDS is the closed treatment episode. This is defined as a period of contact between a client and a treatment provider that is closed when treatment is completed, has ceased or where there is no contact between the client and treatment provider for three months.

Data are affected by variations in service structures and collection practices between states and territories so care is required when interpreting comparisons between jurisdictions. This report compares Queensland data with national results.

1.9 Drug Use Monitoring in Australia

The Drug Use Monitoring in Australia (DUMA) program captures information on drug use and offending behaviour among police detainees across Australia (AIC 2015). The program consists of a self-report survey and voluntary urinalysis.

The DUMA results presented in this report relate to information collected at the Brisbane Watch-house in 2013–14. A total of 1,238 detainees participated in the survey (including thirty-five 17 year olds) and 701 participants agreed to provide a urine sample.

1.10 National Drug Strategy Household Survey

The National Drug Strategy Household Survey (NDSHS) is a general population survey that collects information on the drug use patterns, attitudes and opinions of Australians. The survey has been implemented every three years since 1985.

Queensland-based 2013 survey results are presented in this report. In 2013, the national survey response rate was 49% and a total of 4,302 Queenslanders participated in the research. Analyses relate to people aged 14 years and older.

1.11 Illicit Drug Reporting System

The Illicit Drug Reporting System (IDRS) is a national project that aims to identify emerging trends in illicit drug use and associated harms. It triangulates sources of information including interviews with illicit drug users, semi-structured interviews with illicit drug sector experts and indicator data collected from a variety of sources. Information reported in this paper relates to Queensland.

A total of 98 illicit drug users (who had injected drugs at least once in the previous month and lived in south-east Queensland) were surveyed as part the 2015 Queensland IDRS. Participants were group of people who regularly inject drugs, rather than a representative sample of Queenslanders who regularly inject drugs. The IDRS survey collects information in relation to drug use, drug market dynamics, criminal involvement, risk-taking behaviour and health issues.

1.12 Data limitations

The information presented in this report often uses the principal offence, principal proceeding or principal sentence outcome to describe offending patterns and summarise the outcomes of the criminal justice system. This counting rule is often used when individuals have a) committed more than one offence; b) police action; or c) sentence outcome relating to the same incident. In these cases, the most serious offence, action or sentence outcome is counted. This counting rule can hide the full extent of offending in the community as well as the range of criminal justice responses to offending behavior but it allows people with multiple outcomes to be classified by a single one.

Not all criminal activity comes to the attention of the criminal justice system. Therefore, the administrative data used in this report will underestimate levels of crime. Also, changes in reported crime may reflect shifts in criminal justice practice, policy and or legislation, rather than actual changes in offending activity. The accuracy of administrative data also depends on reliability of data entry.

The AODTS NMDS is a valuable source of information on alcohol and other drug treatment services delivered in Australia. It is undertaken annually (which enables trend monitoring) and uses consistent counting rules. However, not all treatment services contribute to the AODTS NMDS so the data from this source undercount the number of treatment services delivered to Australians. This includes services provided by private treatment agencies, hospitals (including admitted patient services, outpatient clinics and emergency departments), prisons, correctional facilities, detention centres, primary health-care services (including General Practitioner settings, community-based care and Indigenous-specific primary health-care service and dedicated substance use services), health promotion services and accommodation services (such as half-way houses and sobering-up shelters) (AIHW 2016c). In 2014–15, over 96% of in-scope agencies provided data to the AODTS NMDS (AIHW 2016c).

Information collected by self-completed surveys (such as DUMA and the NPHDC) relies on respondents being able to recollect and/or report information accurately. The reliability of survey information is also subject to response rates. A response rate is the proportion of people agreeing to participate in survey among those who were asked to participate in the survey. A low response rate may mean that results are not reflective of the survey population being sampled. Nonetheless, such surveys are valuable complements to administrative data as they have been shown to provide a more nuanced and more complete picture of illicit behaviour.

2 System demand

This chapter provides information on the number of people in contact with the criminal justice system and identifies how system demands have changed over time.

The number of people in contact with Queensland's criminal justice system is increasing in a context of limited funding for criminal justice agencies.¹ Increasing numbers of people are being arrested by the police, which in turn has affected court activity and the number of people held in custody (on remand or as sentenced offenders). The number of Aboriginal and Torres Strait Islanders and women held in custody is growing at a rate higher than non-Indigenous people and men respectively.

2.1 Has criminal justice system activity changed in recent years?

The number of people in contact with the criminal justice system has increased in recent years. These increases are higher than population growth.

Figure 1 shows criminal justice system indicator data for the period of 2010–11 to 2014–15. Although each of these system indicators use different counting rules, they all demonstrate increases in criminal justice system activity.² The number of alleged offenders increased from 85,270 in 2010–11 to 100,294 in 2014–15 (an increase of 18%). The number of police proceedings increased from 133,188 in 2010–11 to 170,200 in 2014–15 (an increase of 28%) and the number of adult defendants finalised by the courts increased from 106,058 in 2010–11 to 120,421 in 2014–15 (an increase of 14%).

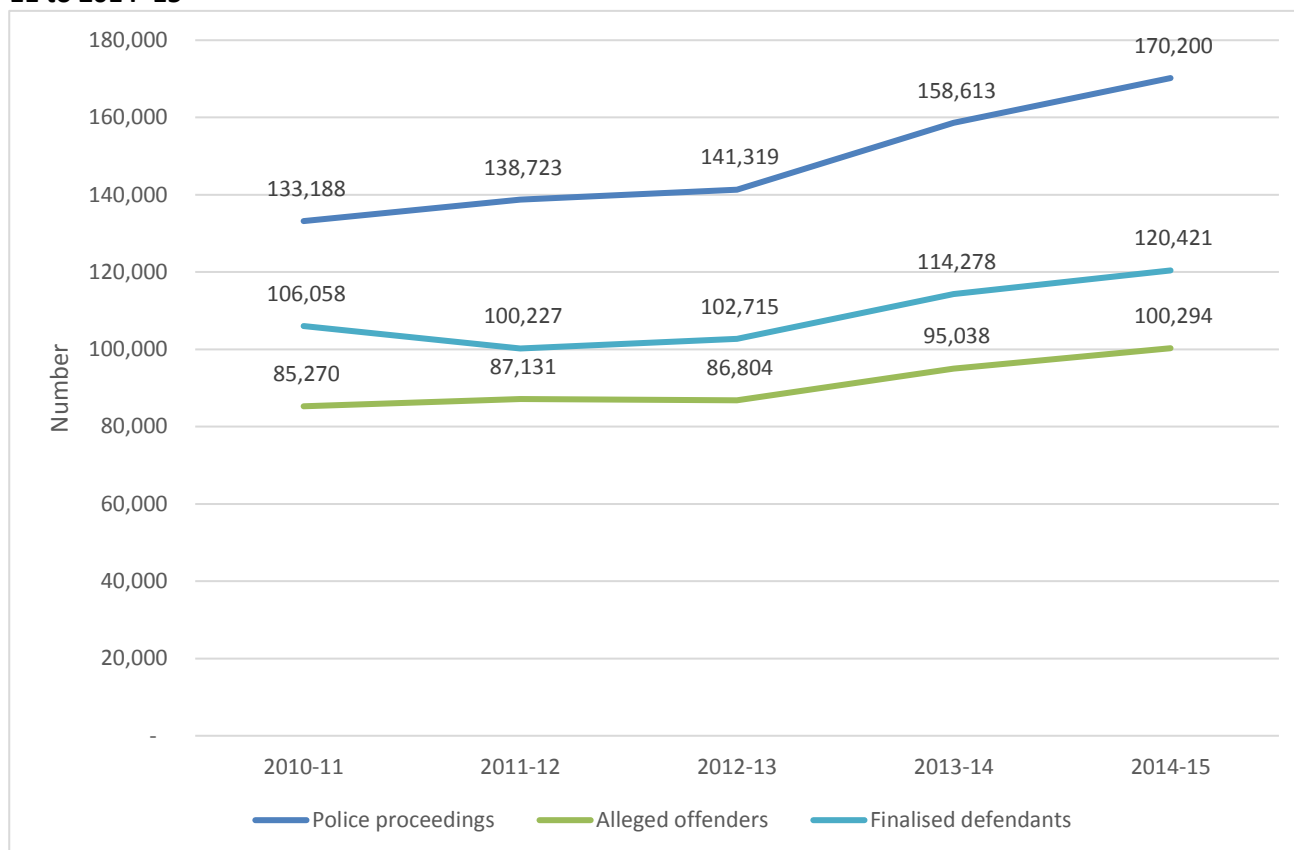
The Queensland population is estimated to have grown by 6% between December 2011 and June 2015 (Queensland Treasury and Trade).³

¹ This economic austerity limits availability of funds for offender management and support services. For example, Report on Government Services data indicates that QCS' offender-to-operational staff ratio in 2014–15 was 35.1 in Queensland compared with 21.2 nationally (Australian Government Productivity Commission 2016).

² The number of alleged offenders is lower than the number of police proceedings and finalised defendants due to different counting rules used by the data sets. The alleged offender data set only includes unique individuals arrested by the police during the reporting period. That is, if a person has more than one contact with the police in a reporting period they will only be counted at first contact.

³ Population growth period is less than reporting periods used elsewhere in this report. Population growth is calculated using available information. The total Queensland population was estimated to be 4,513,009 at December 2011 and 4,826,966 at March 2016 (Queensland Treasury and Trade n.d.).

Figure 1: Number of alleged offenders, police proceedings and defendants finalised, Queensland, 2010–11 to 2014–15



Source: ABS *Recorded Crime, Offenders, 2014–15* and ABS *Criminal Courts, Australia 2014–15*.

Note: Police data do not include traffic offences, traffic offences are therefore excluded from courts data. Traffic offences are the most common type of offences heard in the Magistrates Courts which is responsible for finalising the majority of court matters.

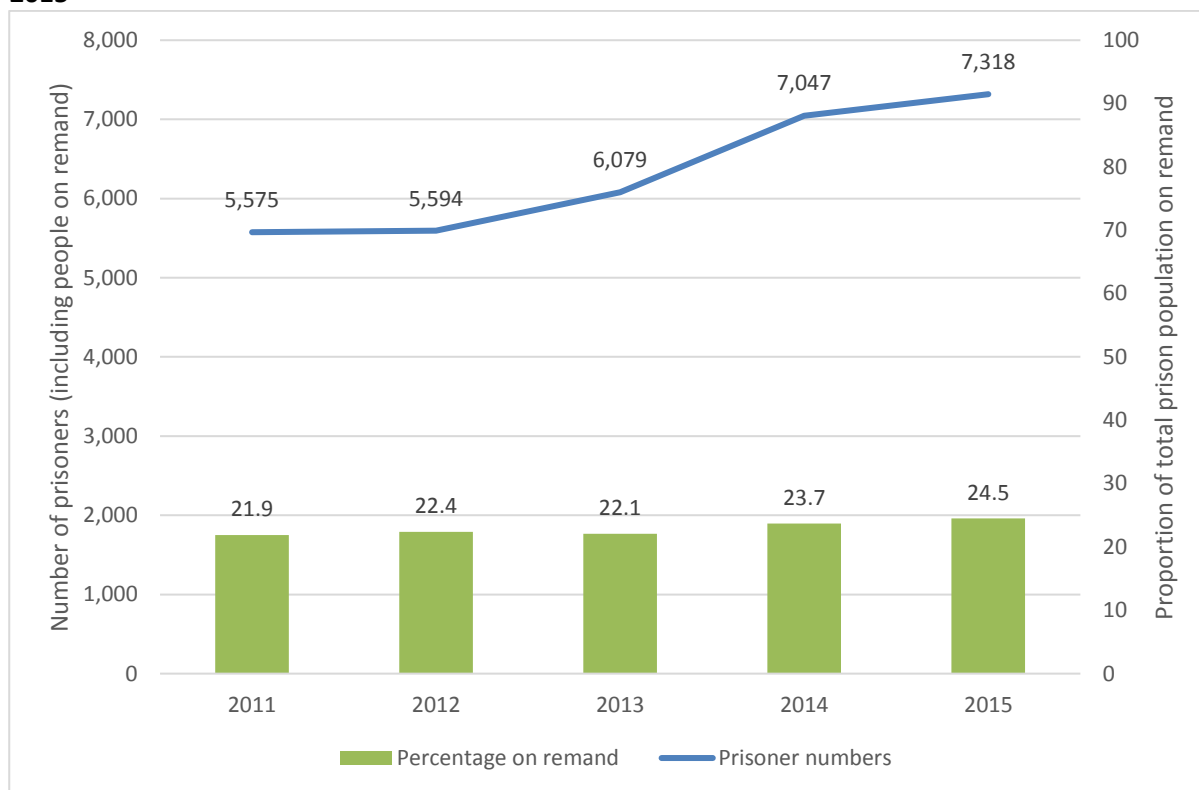
The growing number of people arrested by the police is also evident in Queensland's prisoner population which increased from 5,575 in 2011 to 7,318 in 2015 (an increase of 31%). This growth is shown in Figure 2.

The proportion of total prisoners held on remand increased from 22% in 2011 to 25% in 2015. This suggests that growth in the number of unsentenced prisoners was higher than that for sentenced prisoners. Indeed, the number of unsentenced prisoners increased by 47%, while the number of sentenced prisoners increased by 26% between 2010–11 and 2014–15 (ABS 2015a). Increases in remand numbers are more likely to be explained by the growing number of people arrested by the police and not released on bail, rather than increased time spent on remand, given that the median number of months spent on remand was 3.4 months in 2011 compared with 3.5 months in 2015 (ABS 2015a). Offenders returned to custody under suspension of their parole order will also contribute to the prisoner population.

The level of growth evident in the adult prisoner population between 2010–11 and 2014–15 is not evident in the number of adult offenders supervised in the community. The average number of offenders on supervised orders in Queensland was 13,636 in 2010–11 compared with 14,144 in 2014–15 (an increase of 4%) (Australian Government Productivity Commission 2016). However, there is indication that this relative level of stability has changed more recently with the number of offenders serving probation orders increasing by 16% between 30 June 2015 (9,037) and 30 June 2016 (10,495).⁴

⁴ QCS administrative data.

Figure 2: Total number of prisoners and proportion of total prisoners on remand, Queensland, 2011 to 2015



Source: ABS *Prisoners in Australia*, 2015.

Note: Prisoner numbers are number of people in prison as at 30 June.

There has also been an increase in the number of children (aged ten to 17 years) in contact with the criminal justice system. For example, the number of children in detention on an average day increased from 138 in 2010–11 to 172 in 2014–15 (an increase of 25%) (AIHW 2016). The majority of these children were unsentenced. On average, young remandees accounted for 72% of the youth detention population in 2010–11 compared with 84% in 2014–15 (AIHW 2016).

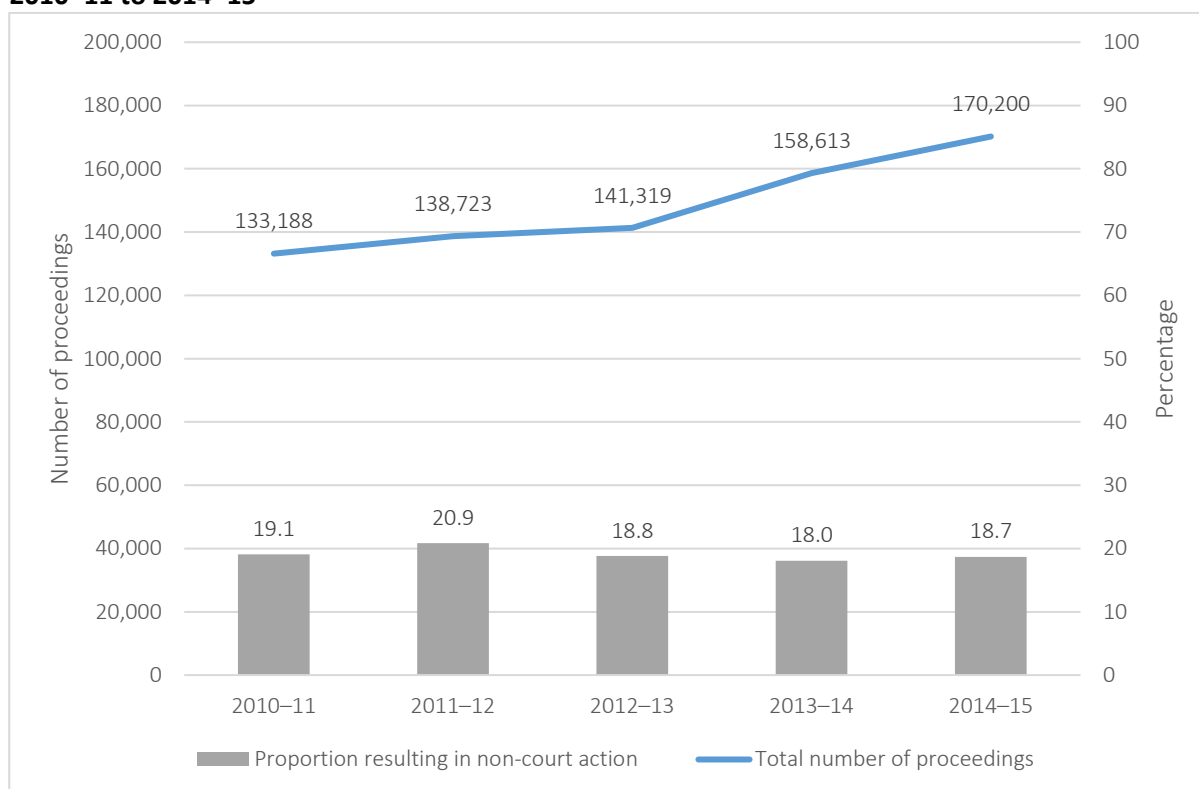
2.2 How do police respond to alleged offenders?

There has been an increase in the total number of police proceedings, but the overall way in which police proceed against alleged offenders has not changed substantially in recent years.

Figure 3 shows the total number of Queensland police proceedings growing from 133,188 in 2010–11 to 170,200 in 2014–15 (an increase of 28%). Growth in the number of police proceedings was most apparent in 2013–14 and 2014–15.

The proportion of total police proceedings resulting in a non-court action remained relatively stable across the reporting period (between 18% and 21%).

Figure 3: Total number of police proceedings and proportion resulting in non-court action, Queensland, 2010–11 to 2014–15



Source: ABS *Recorded Crime, Offenders*, 2014–15.

Note: Missing data have been excluded in the calculation of percentages.

2.3 What type of offences do people commit?

Traffic and vehicle regulatory offences are the most common type of offences (as the principal offence) among defendants finalised by the courts.

Traffic and vehicle regulatory offences (as principal offence) accounted for 30% of total Queensland defendant finalisations in 2014–15 (see Table 1). Other common types of principal offences among finalised defendants included illicit drug offences (14%), public order offences (11%) and offences against justice procedures, government security and government operations (11%).⁵

Reflecting the different jurisdictions of these courts, the types of matters heard in the Supreme and District Courts and Children’s Courts are different to those heard in the Magistrates Courts (which deal with the majority of cases). The most common offences (as principal offence) finalised in the Supreme and District Courts included illicit drug (28%), acts intended to cause injury (24%) and sexual assault and related (20%). Children tend to commit property offences, with unlawful entry with intent/burglary, break and enter and theft related offences the most common principal offence types for defendants finalised in the Children’s Court. These offences collectively account for nearly half (44%) of finalised child defendants.

While illicit drug offences were the principal offence for 28% of adult defendants finalised in the Supreme and District Courts, such offences were the principal offence for 14% of adult defendants finalised in the Magistrates Courts and only 5% of child defendants finalised in the Children’s Court.

⁵ Offences against justice procedures, government security and government operations includes breach of custodial order offences, breach of community-based orders, breach of violence and non-violence restraining orders and offences against justice procedures.

Table 1: Principal offence by finalised defendants and court, Queensland, 2014–15, percentage within type of court

Principal offence	Type of court			
	Supreme/ District %	Magistrates %	Children's %	All Courts %
Homicide and related offences	1.3	0.0	0.0	0.1
Acts intended to cause injury	23.8	4.4	12.4	5.3
Sexual assault and related offences	20.2	0.7	2.1	1.2
Dangerous or negligent acts endangering persons	3.1	7.0	2.8	6.7
Abduction, harassment and other offences against the person	1.0	0.3	0.5	0.3
Robbery, extortion and related offences	9.6	0.3	3.2	0.6
Unlawful entry with intent/burglary, break and enter	2.8	1.7	18.0	2.3
Theft and related offences	1.8	8.4	25.9	8.9
Fraud, deception and related offences	3.2	2.2	1.2	2.2
Illicit drug offences	27.9	13.9	5.0	13.9
Prohibited and regulated weapons and explosives offences	1.0	2.6	2.4	2.5
Property damage and environmental pollution	2.1	2.2	7.8	2.4
Public order offences	0.2	11.3	12.0	11.1
Traffic and vehicle regulatory offences	0.1	32.1	3.2	30.1
Offences against justice procedures, government security and government operations	1.7	11.6	3.3	11.0
Miscellaneous offences	0.1	1.3	0.2	1.2
Total (n)	4,521	161,005	6,821	172,352

Source: ABS *Criminal Courts, Australia 2014–15*.

2.4 What are the outcomes of criminal proceedings?

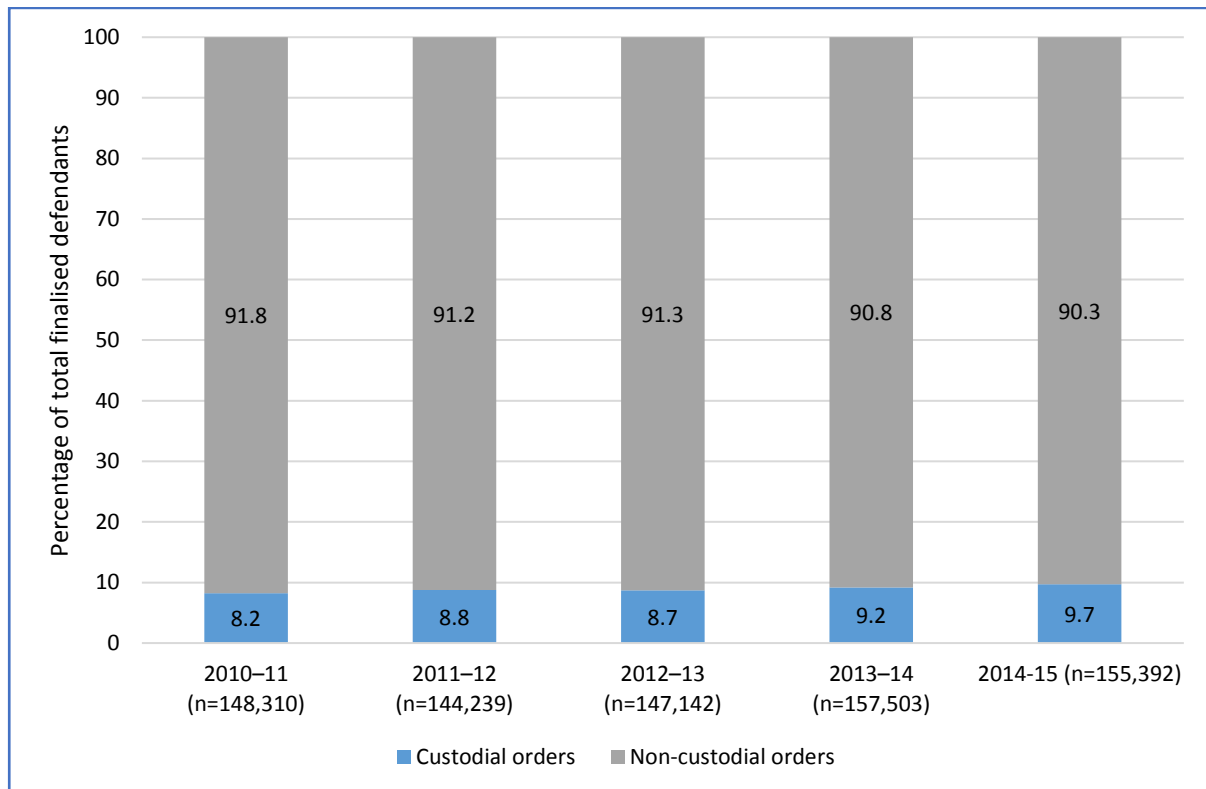
Most defendants (about 90%) in Queensland either plead or are found guilty of the offences with which they have been charged and community-based orders are the most commonly imposed sentence for these offences.

Figure 4 shows that, of those defendants who had their charges proven in 2014–15, just under 10% received a custodial sentence.

Further analysis shows that guilty defendants finalised in the Supreme and District Courts are substantially more likely to receive a custodial order than guilty defendants finalised in the Magistrates or Children's Courts. In 2014–15, 85% of guilty defendants finalised in the Supreme and District Courts received a custodial sentence, compared with 8% of guilty defendants finalised in the Magistrates Courts and 9% of guilty defendants finalised in the Children's Court (ABS 2016b). In the case of the adult courts, these variances are consistent with the differences in the types of matters heard by the different court levels and their relative seriousness.

The likelihood of offenders receiving a custodial sentence has remained relatively stable over the reporting period with 8% of guilty finalised defendants receiving a custodial sentence in 2010–11 compared with 10% in 2014–15. Nationally, 12% of guilty finalised defendants sentenced received a custodial sentence as their principal sentence in 2014–15 (ABS 2016b).

Figure 4: Sentence outcomes of Queensland Courts, 2010–11 to 2014–15, percentage of total finalised defendants

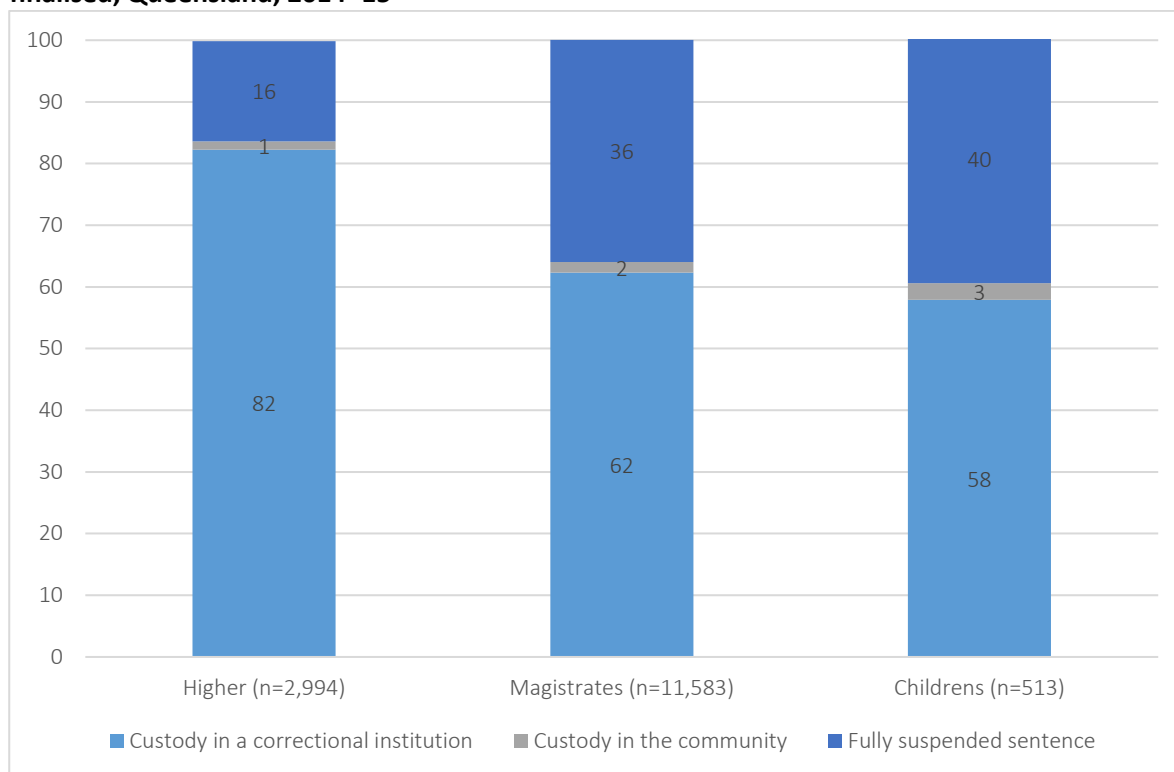


Source: ABS *Criminal Courts, Australia 2014–15*.

Figure 5 provides a further breakdown of custodial orders imposed by Queensland Courts in 2014–15. The majority (82%) of finalised defendants sentenced to a custodial order by the Supreme and District Courts were ordered to serve custody in a correctional institution (as opposed to custody in the community or a fully suspended sentence). This type of custodial order was used less by the Magistrates (62%) and Children’s (58%) Courts.⁶ Fully suspended custodial sentences were most common among guilty defendants finalised in the Children’s Court (40%).

⁶ The Queensland adult courts can declare the parole release date for imprisonment terms of three years or less. In practice, this may mean that guilty defendants sentenced to imprisonment are released into the community at sentence to serve the parole component of their sentence after remand time is taken into account by the courts when deciding on a parole release date.

Figure 5: Type of custodial sentence as a proportion total custodial sentences, guilty defendants finalised, Queensland, 2014–15



Source: ABS *Criminal Courts, Australia 2014–15*.

In 2014–15, the median length of custody for guilty defendants finalised and sentenced to custody in a correctional institution was 9 months (ABS 2016e). A similar median term (9 months) was imposed on guilty defendants with an illicit drug offence as their principal offence (ABS 2016e). Defendants with an illicit offence as their principal offence finalised in the Supreme and District Courts were given longer terms of custody in a correctional institution (24 months) than those finalised in the Magistrates Courts (4 months) (ABS 2016e).

2.5 Are there differences between Aboriginal and Torres Strait Islander people and non-Indigenous people?

Aboriginal and Torres Strait Islanders are overrepresented in the criminal justice system and the Aboriginal and Torres Islander incarceration rate grew more than the non-Indigenous incarceration rate.

People in contact with the criminal justice system are typically from highly disadvantaged backgrounds and Aboriginal and Torres Strait Islanders are the most disadvantaged group in Australia. Aboriginal and Torres Strait Islanders are overrepresented in all areas of the criminal justice system (including as victims of crime) and this overrepresentation continues to increase. For example, Aboriginal and Torres Strait Islanders accounted for 25% of the Queensland prisoner population in 2005, growing to 30% in 2011 and 32% in 2015.⁷ In 2015, there were 13 times more Aboriginal and Torres Strait Islanders per head of population in custody than non-Indigenous people. The increasing overrepresentation of Aboriginal and Torres Strait Islanders in custody is also evident in other Australian jurisdictions.

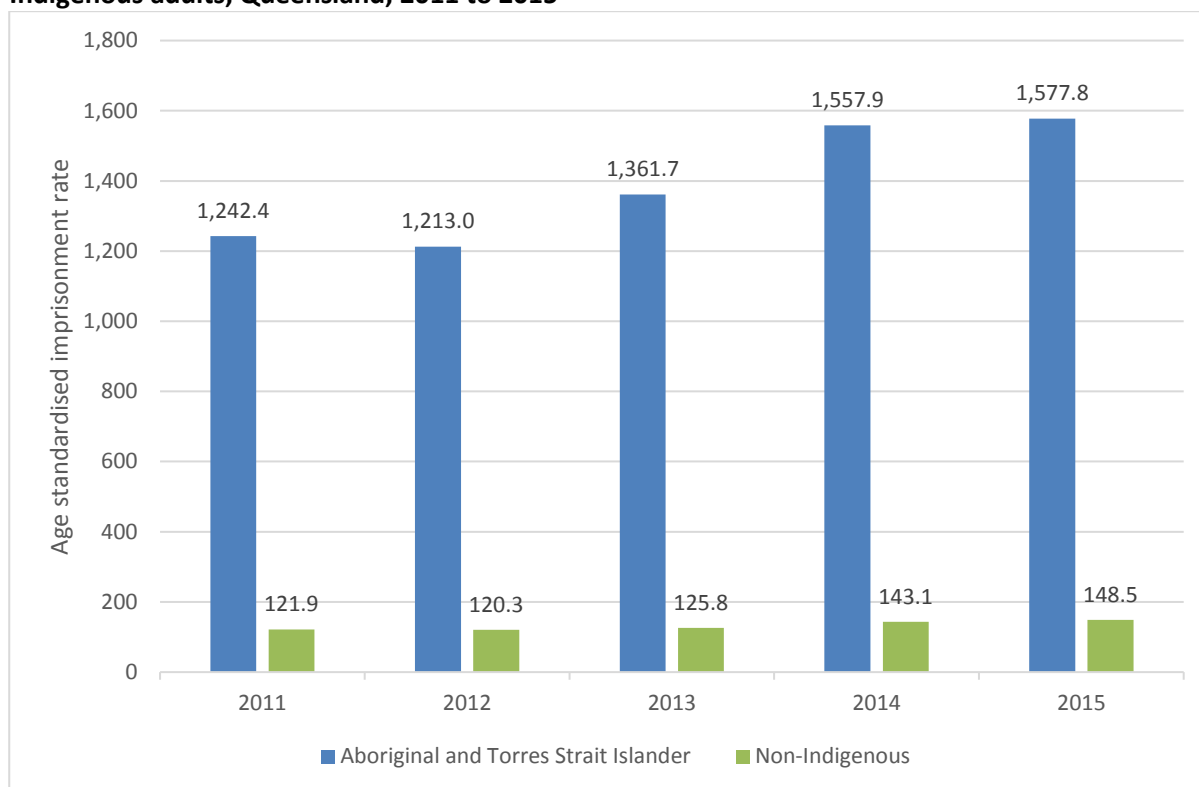
Figure 6 shows the age-standardised imprisonment rate for Aboriginal and Torres Strait Islanders compared with non-Indigenous Queenslanders (per 100,000 of the adult population) between 2010–11 and 2014–15. Although the rate of imprisonment has increased for both Aboriginal and Torres Strait Islanders and non-Indigenous Queenslanders in recent years, the rate of imprisonment is substantially higher for Aboriginal

⁷ Aboriginal and Torres Strait Islanders represented 3.6% of Queensland's total population in 2011 (ABS, Census of Population and Housing, 2011, Indigenous profile).

and Torres Strait Islanders than non-Indigenous Queenslanders and increases in incarceration rates are higher for Aboriginal and Torres Strait Islander people. The imprisonment rate for Aboriginal and Torres Strait Islanders grew from 1,242 in 2011 to 1,578 in 2015 (an increase of 27%), while the rate for non-Indigenous Queenslanders grew from 122 to 149 respectively (an increase of 22%).

Aboriginal and Torres Strait Islander youth are also overrepresented in the criminal justice system and this overrepresentation is increasing. For example, 58% of children in detention (on an average day) in 2010–11 identified as Aboriginal and Torres Strait Islander compared with 65% in 2014–15 (AIHW 2016a).

Figure 6: Age standardised imprisonment rate for Aboriginal and Torres Strait Islanders and non-Indigenous adults, Queensland, 2011 to 2015



Source: ABS *Prisoners in Australia*, 2015.

Note: Prisoners rates are per 100,000 of the adult Aboriginal and Torres Strait Islander and non-Indigenous population. Age standardisation adjusts crude imprisonment rates to account for age difference between study populations. Crude imprisonment rates for the adult prisoner population are calculated using the estimated resident population of each state and territory. Aboriginal and Torres Strait Islander rates are based on estimated resident Aboriginal and Torres Strait Islander population of each state and territory.

2.6 Are there differences between men and women?

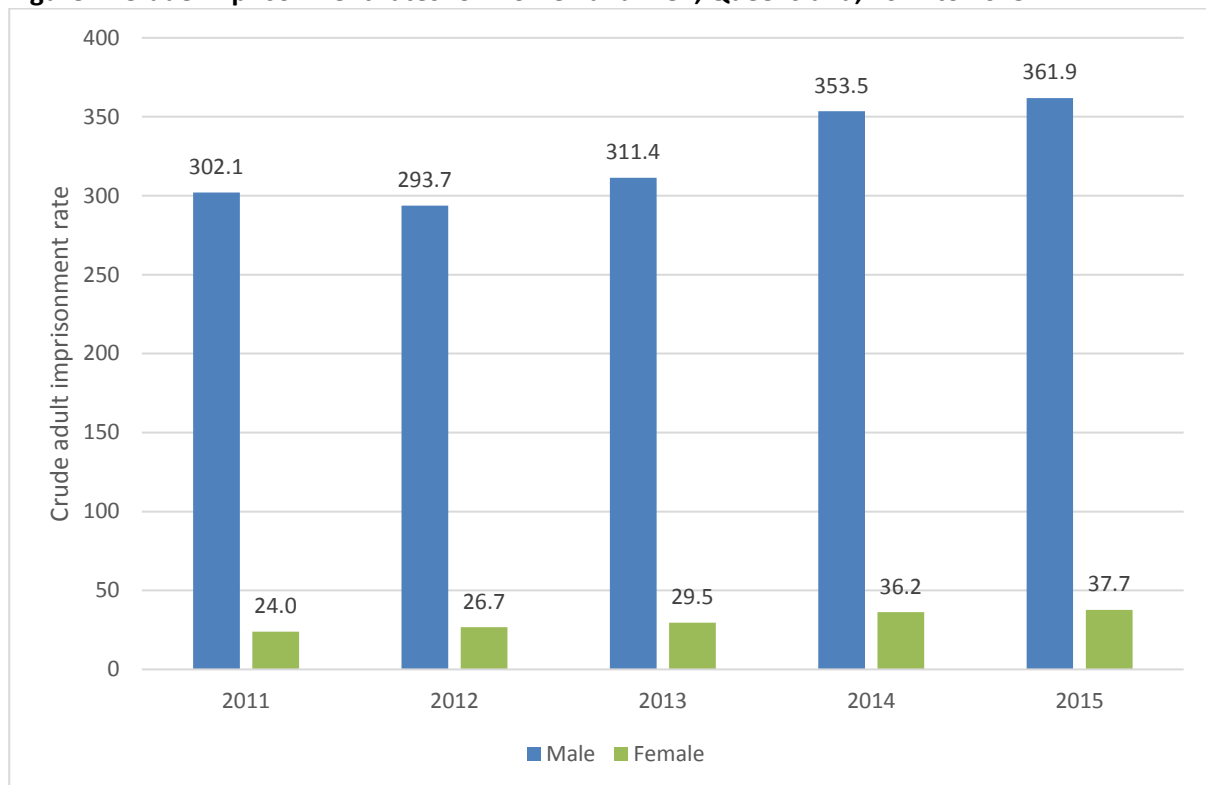
Women are less likely than men to have contact with the criminal justice system and are less likely to commit serious violence offences. The growth of female prisoners has exceeded recent growth in the number of men in custody.

In 2015, 10% of the female adult prisoner population in Queensland were women (ABS 2015). Women represented 24% of total alleged offenders aged over ten years (ABS 2016a) and 24% of total finalised defendants (ABS 2016b) in 2014–15.

Figure 7 shows the crude imprisonment rate for male and female adults. While the imprisonment rate has increased for both men and women, increases were more substantial for women. The imprisonment rate for adult women grew from 24 in 2011 to 38 in 2015 (an increase of 57%), while the rate for men grew from 302 to 362 respectively (an increase of 20%).

The growing women prisoner population has implications for offender management given the specific issues experienced by women prisoners.⁸

Figure 7: Crude imprisonment rates for women and men, Queensland, 2011 to 2015



Source: ABS *Prisoners in Australia*, 2015.

Note: Prisoners rates are per 100,000 of the adult male and female population. Crude imprisonment rates for the adult prisoner population are calculated using the estimated resident population of each state and territory.

Gendered differences apparent in the adult criminal justice system are also evident in the youth justice system. Although caution is required in interpreting data given the small population sizes, the number of girls in detention on an average day increased by 138% between 2010–11 and 2014–15 (from 13 in 2010–11 to 31 in 2014–15), while the number of boys in detention rose by 38% (from 125 in 2010–11 to 172 in 2014–15) (AIHWa). These data suggest that growth in the adult women prisoner population is likely to continue at least in the short-term.

2.7 Are there differences between Queensland and other states?

Queensland has a relatively high alleged offender rate when compared with most other jurisdictions, however its incarceration rate is only higher than two other jurisdictions.

The alleged offender and imprisonment rates for each Australian jurisdiction are presented in Figure 8. It shows that children (aged under 17 years) are generally more likely to be arrested by the police than adults and that adults are more likely to be incarcerated than children.

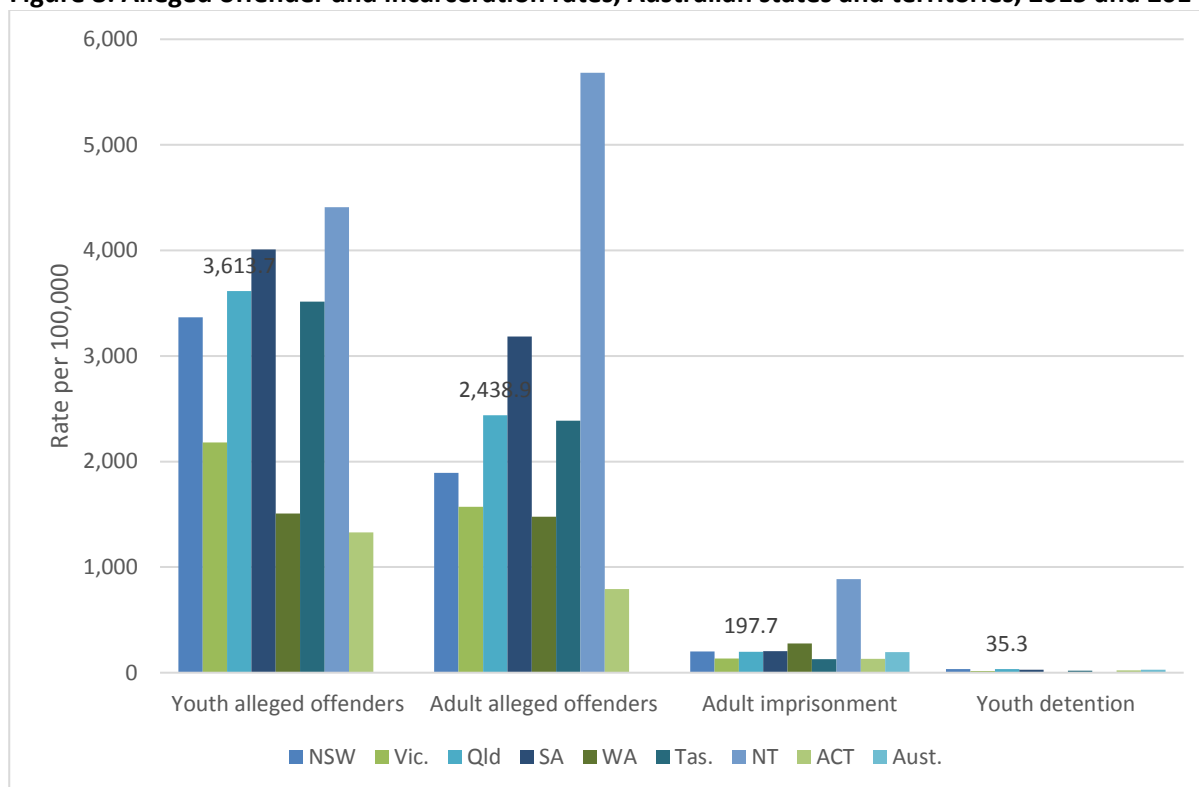
⁸ Male and female prisoners are characterised by similar criminogenic issues, such as unemployment, substance misuse, poor mental health and lack of accommodation, however the prevalence and/or magnitude of these issues can be different. Women also have specific issues (such as far higher rates of physical, emotional and sexual victimisation histories) that make their management in prison more complex.

It also shows that Queensland has higher alleged offender rates and child detention rates than those in most other jurisdictions. However, Queensland's adult imprisonment rate is similar to the national total and some other states including New South Wales (NSW) and South Australia.⁹

Queensland's alleged offender rate (2,439 per 100,000 of population aged ten years or more) was higher than that found in NSW, Victoria, Western Australia (WA), Tasmania and the Australian Capital Territory (ACT), but lower than South Australia's (SA) and the Northern Territory's (NT). Queensland's adult imprisonment rate (198 per 100,000 of people aged ten years or older) is similar to NSW and SA, but lower than the rate evident in WA and the NT. Queensland's adult imprisonment rate was only higher than Victoria's and the ACT's. Queensland has higher youth alleged offender and detention rates than most other jurisdictions.

Other Australian jurisdictions are also experiencing increases in the number of Aboriginal and Torres Strait Islander people and women in contact with the criminal justice system, as well as, an expanding remand population. However, these increases are not necessarily as high as those evident in Queensland (ABS 2015).

Figure 8: Alleged offender and incarceration rates, Australian states and territories, 2015 and 2014–15



Source: AIHW *Youth Justice in Australia 2014–15* (youth detention rates); ABS *Prisoners in Australia, 2015* (adult imprisonment rates) and ABS *Recorded Crime, Offenders, 2014–15* (youth alleged offender rates and alleged offender rates).

Note: Adult imprisonment rates relate to 2015, all other data relate to 2014–15. Youth detention rates exclude WA and the NT. ABS alleged offender information relates to people aged ten years or more unless specified otherwise, ABS imprisonment information relates to adults only.

⁹ Some variation in alleged offender and incarceration rates across the jurisdictions may be explained partially by differences in the representation of Aboriginal and Torres Strait Islander people in different jurisdictions, as this cohort is overrepresented in both the criminal justice system and in other indicators of social disadvantage.

2.8 Summary

This chapter has shown that:

- there is a growing number of people in contact with the police, courts and corrections and this growth is higher than population growth;
- there is an expanding remand population most likely explained by a growing number of people in contact with the police and possibly a reduced likelihood of getting bail;
- the overrepresentation of Aboriginal and Torres Strait Islander people in contact with the criminal justice system continues to grow despite efforts to address this issue;
- the number of women in contact with the criminal justice system are expanding at a higher rate than increases among men;
- the rate of police contact with Queenslanders is higher than that experienced in most other Australian jurisdictions;
- Victoria and South Australia are the only states with a lower adult incarceration rate than Queensland's; and
- the majority of youth held in detention are unsentenced.

2.9 Review implications

The data in this chapter suggest that:

- there is a critical need to address a number of factors contributing to growing criminal justice system pressures;
- the growing rate of imprisonment of Aboriginal and Torres Strait Islanders, women and girls means that programs should be culturally appropriate and respond to specific gendered needs (such as child care responsibilities); and
- there would be benefit in understanding why police in Queensland are more likely to proceed against people for illicit drug offences when compared with most other states as this contact has implications for court workloads, criminal justice system costs and community members.

3 Illicit drug offending

This chapter provides information on the number of people in contact with the criminal justice system for illicit drug offences. It shows that illicit drug offending has increased in recent years and that the majority of this offending relates to minor offences such as possession of illicit substances. Most people convicted of drug offences (as a principal offence) receive a fine and very few people convicted of drug offences (as a principal offence) receive a custodial order longer than six months in length.

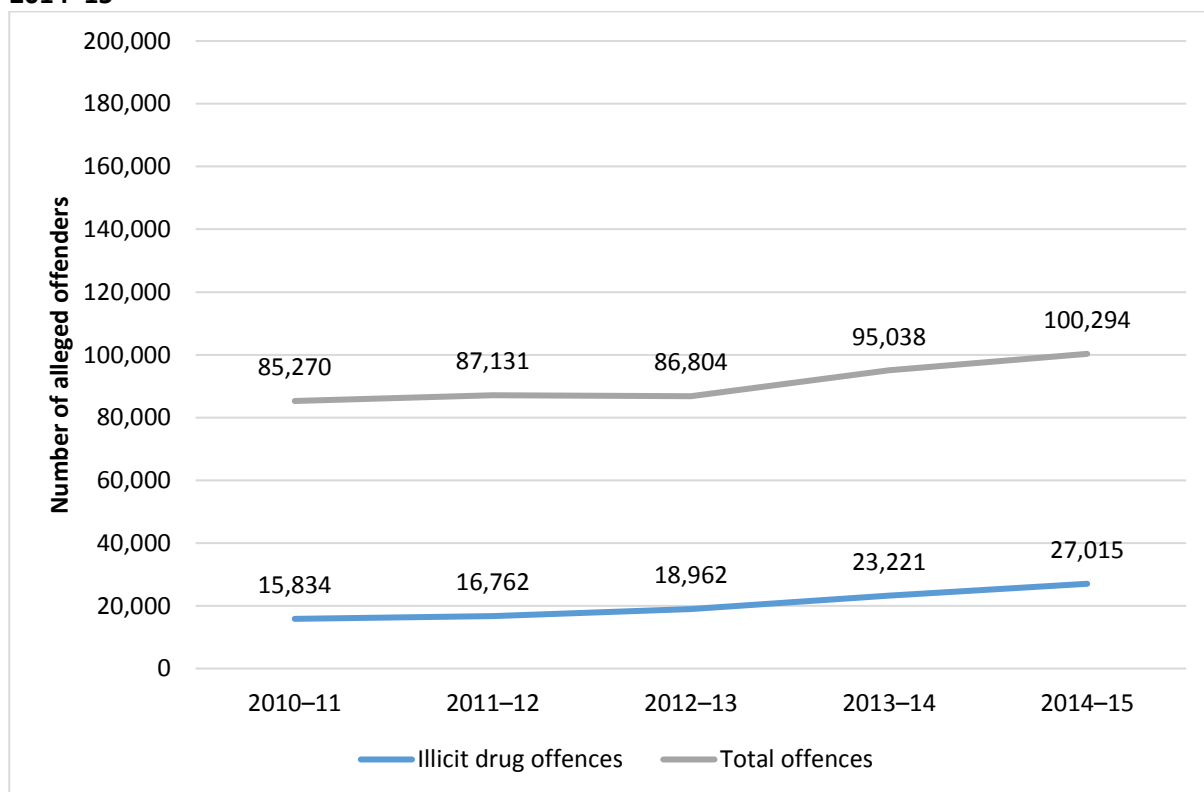
3.1 How many alleged illicit drug offenders are there?

There has been a rise in the number of alleged offenders with an illicit drug offence as their principal (or most serious) offence recorded by the police in Queensland in recent years. This increase was higher than the growth recorded for the total number of alleged offenders.

The total number of alleged offenders in Queensland between 2010–11 and 2014–15 is shown in Figure 9 which grew from 85,270 in 2010–11 to 100,294 in 2014–15 (an increase of 18%). The number of alleged offenders with a principal offence involving an illicit drug offence grew from 15,834 to 27,015 (an increase of 71%).

Growth in the number of alleged offenders was most apparent in 2013–14 and 2014–15. Not surprisingly (given the different rates of percentage growth), the proportion of total alleged offenders with a principal offence relating to illicit drugs grew from 20% in 2010–11 to 28% in 2014–15 (ABSa 2016).¹⁰ Furthermore, the rate of alleged offenders with an illicit drug offence as principal offence increased from 412.0 in 2010–11 to 656.9 in 2014–15 (ABSa 2016).¹¹

Figure 9: Number of total alleged offenders and alleged illicit drug offenders, Queensland, 2010–11 to 2014–15



Source: ABS *Recorded Crime, Offenders*, 2014–15.

Note: Data exclude traffic and vehicle regulatory offences.

¹⁰ Missing data have been excluded in the calculation of percentages of total.

¹¹ Rates are per 100,000 people aged ten years and older.

3.2 How do police respond to alleged illicit drug offenders?

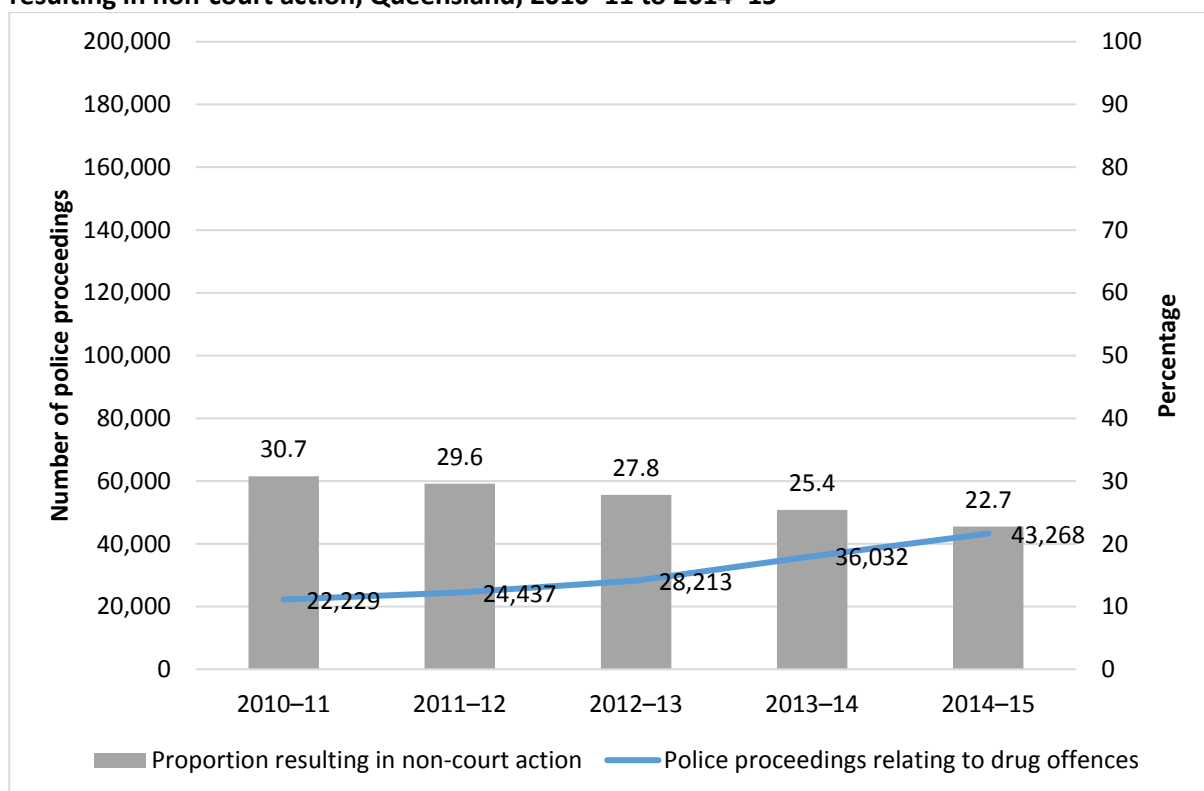
There has been a substantial increase in the number of police proceedings involving illicit drug offences and the way in which police proceed against alleged drug offenders has changed in recent years.

Figure 10 shows that the number of police proceedings relating to illicit drug offences as a principal offence nearly doubled between 2010–11 (22,229) and 2014–15 (43,268). The percentage increase in the number of illicit drug offence-related police proceedings over the reporting period (95%) was substantially higher than growth in the total number of police proceedings (28%) (see Figure 3 above).

The proportion of police proceedings (with an illicit drug offence as principal offence) resulting in a non-court action declined over the reporting period – decreasing from 31% in 2010–11 to 23% in 2014–15. This decline in non-court actions occurred in a context of overall police action consistency (see Figure 3 above). This change could suggest changes in police practices regarding illicit drug offences (for example, less use of diversionary strategies), a change in the profile of offending (for example increasing seriousness of the drug-related offences or types of drugs involved), other factors or a combination of these.

Further analyses of ABS police proceedings data also shows that the proportion of total police proceedings with a principal offence relating to illicit drugs increased from 18% in 2010–11 to 27% in 2014–15.¹²

Figure 10: Number of police proceedings with illicit drug offences as principal offence and proportion resulting in non-court action, Queensland, 2010–11 to 2014–15



Source: ABS *Recorded Crime, Offenders*, 2014–15.

Note: Missing data have been excluded when calculation percentages of totals.

3.3 How many drug offences are committed and how serious are they?

There has been an increase in the number of alleged drug offences and alleged drug offenders coming to the attention of the Queensland police in recent years. The majority of illicit drug offending relates to minor offences.

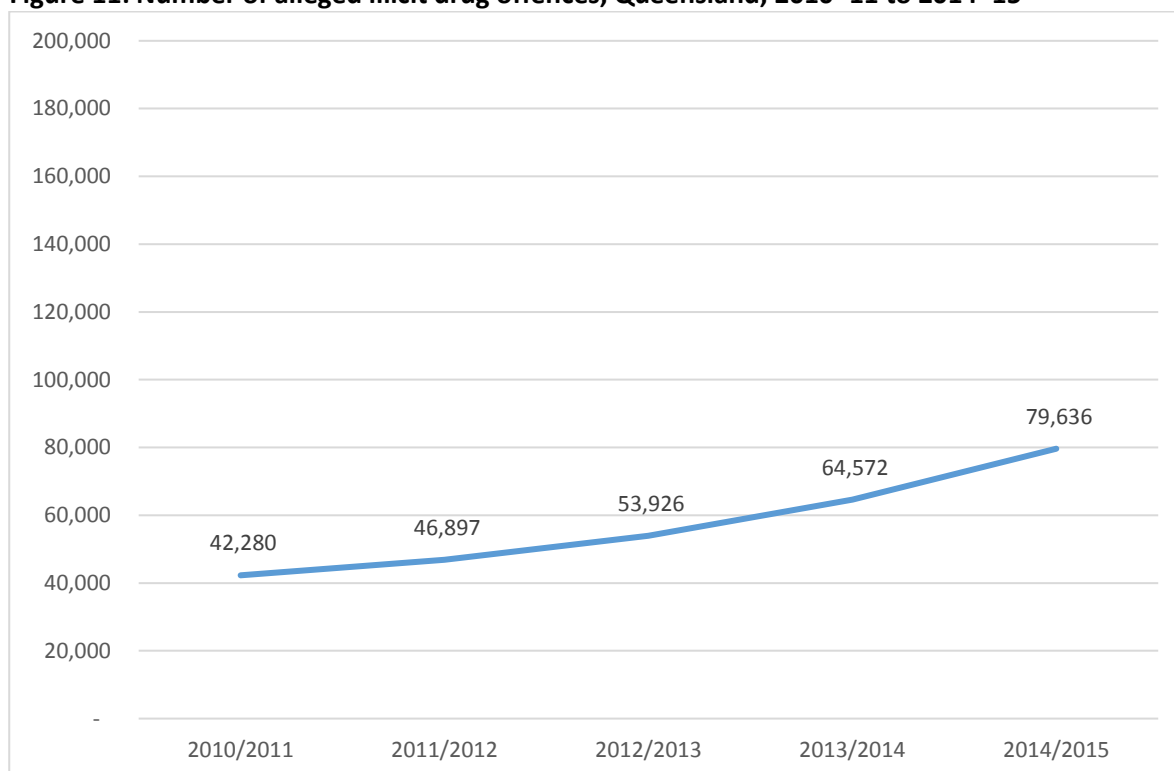
¹² Missing data have been excluded in the calculation of percentages.

Figure 11 shows that total number of alleged drug offences grew from 42,280 in 2010–11 to 79,636 in 2014–15 (an increase of 88%).

Further analysis shows that for the years 2010–11 and 2014–15, the majority of illicit drug offences (91%) related to minor offences such as possess and/or use illicit drugs or possess drug utensil and possess money with intent to purchase drugs.¹³ During the same period, about 85% of total alleged offenders with an illicit drug offence as their principal offence were proceeded against by the police for minor drug offences. Less than 10% of total alleged offenders with an illicit drug offence as their principal offence were proceeded against for dealing or trafficking in illicit drugs.¹⁴

These findings are consistent with QCS data which show that of those offenders sentenced to supervision (either in the community or in custody) with an illicit drug offence as their principal offence, 86% had a minor drug offence as their principal offence.¹⁵

Figure 11: Number of alleged illicit drug offences, Queensland, 2010–11 to 2014–15



Source: QPS administrative data.

3.4 Where are illicit drug offences committed?

Illicit drug offences were most likely committed in south-east Queensland.

The ten locations with the highest number of illicit drug offences during 2010–11 to 2014–15 are identified in Table 2. Brisbane and the Gold Coast accounted for a third (33%) of Queensland's total illicit drug offences. This was followed by Caboolture (7%), Maroochydore (6%), Beenleigh (6%), Townsville (6%) and Cairns (6%).

¹³ Source: QPS administrative data.

¹⁴ Source: QPS administration data.

¹⁵ Source: QCS administrative data (benchmark assessment).

Table 2: Locations with the highest number of illicit drug offences, Queensland, 2012–13 to 2014–15

Location	Proportion of total illicit drug offences
Brisbane	21.0
Gold Coast	12.1
Caboolture	7.1
Maroochydore	6.3
Beenleigh	6.2
Townsville	5.8
Cairns	5.6
Ipswich	3.9
Toowoomba	3.5
Mackay	3.3
Total (n)	287,311

Source: QPS administrative data. These data are subject to change.

The growing number of people coming to the attention of the police for alleged illicit drug offences and the decreasing use of non-court actions by the police for these types of offences signifies higher workloads for the courts regarding illicit drug crime. This issue is explored further in the following section.

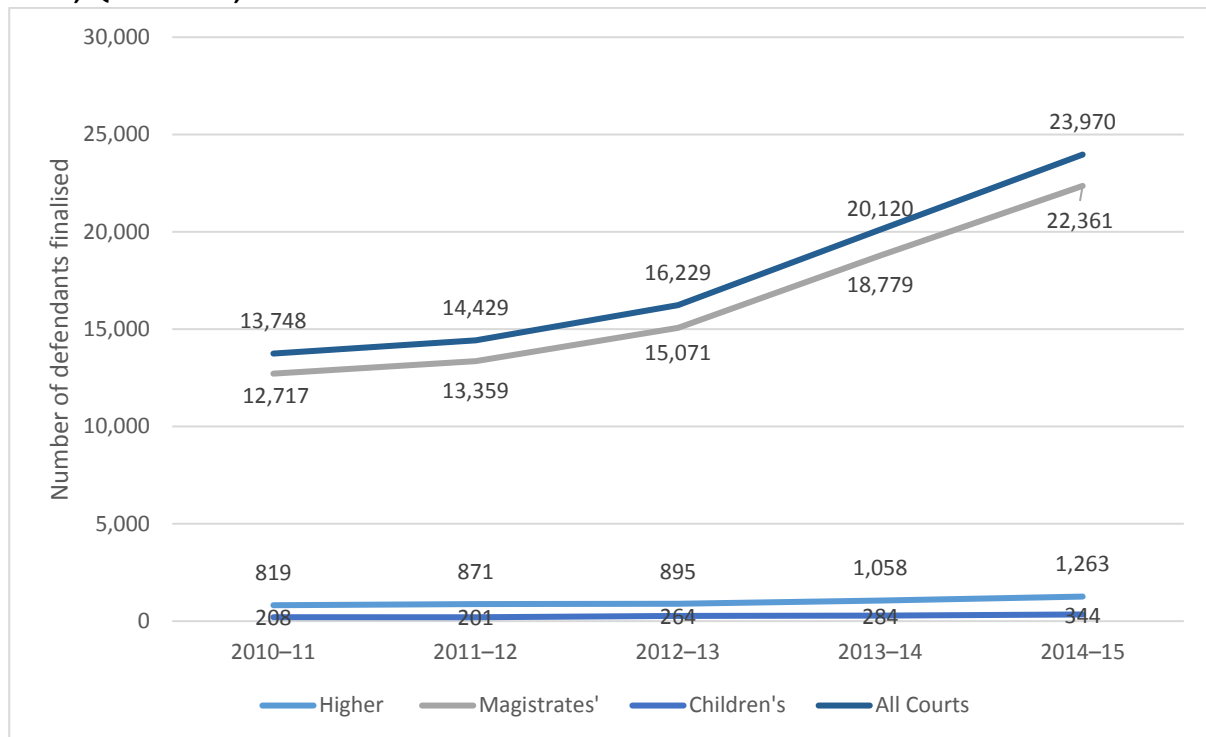
3.5 Has the number of court matters relating to illicit drug offenders changed in recent years?

The number of defendants with an illicit drug offence as a principal offence finalised in Queensland Courts has increased in recent years. This trend has been apparent in all Queensland Courts – but was most apparent in the Magistrates Courts.

Figure 12 shows that the total number defendants finalised with an illicit drug offence as the principal offence increased from 13,748 in 2010–11 to 23,970 in 2014–15 (an increase of 74%). The number of defendants finalised with an illicit drug offence as principal offence between 2010–11 and 2014–15 increased by 76% in the Magistrates Courts, 65% in the Children’s Court and 54% in the Supreme and District Courts.

The increase in illicit drug offences as a principal offence was apparent at the national level – albeit at a lower level than the Queensland experience. Nationally, there was a 51% increase in the number of defendants finalised in 2014–15 with an illicit drug offence as the principal offence when compared to 2010–11 (ABS 2016c).

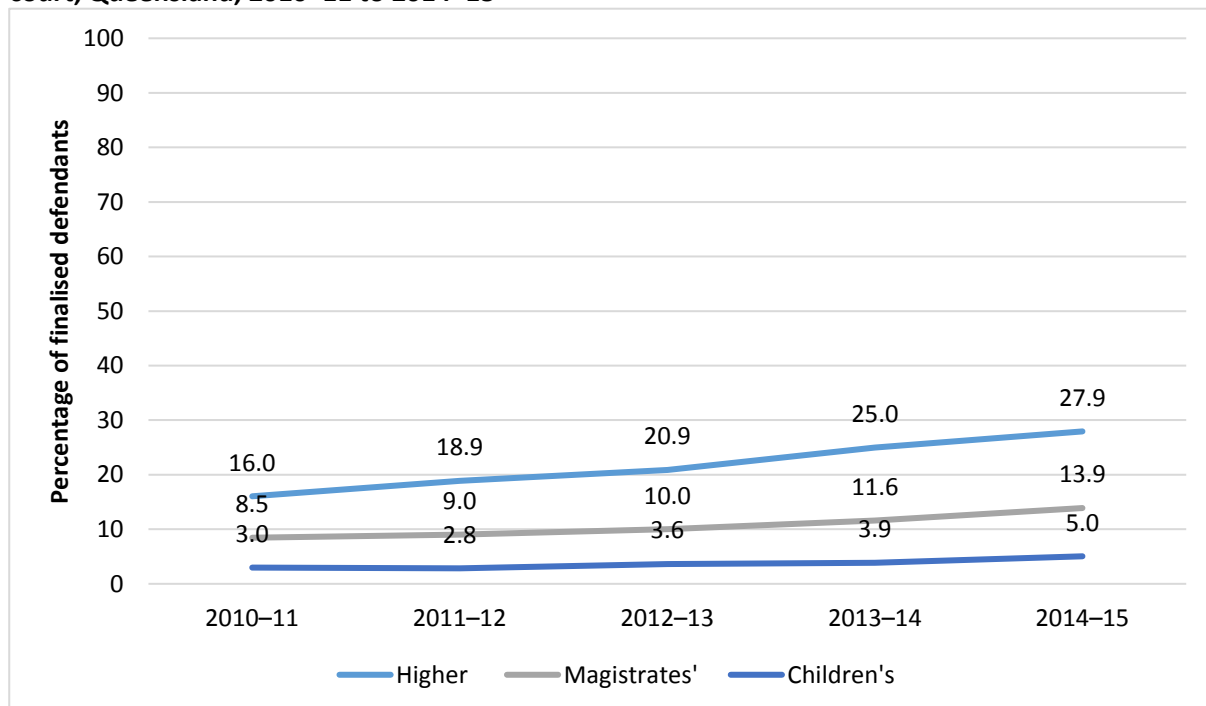
Figure 12: Number of defendants finalised with illicit drug offences as principal offence by type of court, Queensland, 2010–11 to 2014–15



Source: ABS *Criminal Courts, Australia 2014–15*.

Figure 13 shows the share of all finalised defendants with an illicit drug offence as their principal offence. All courts were characterised by an increase in the proportion of finalised defendants with drugs as their principal offence. Between 2010–11 and 2014–15, the proportion increased 9% to 14% in for courts in total, 16% to 28% for Supreme and District Courts, 9% to 14% for Magistrates Courts and 3% to 5% for Children's Courts.

Figure 13: Proportion of finalised defendants with illicit drug offence as principal offence by type of court, Queensland, 2010–11 to 2014–15



Source: ABS *Criminal Courts, Australia 2014–15*.

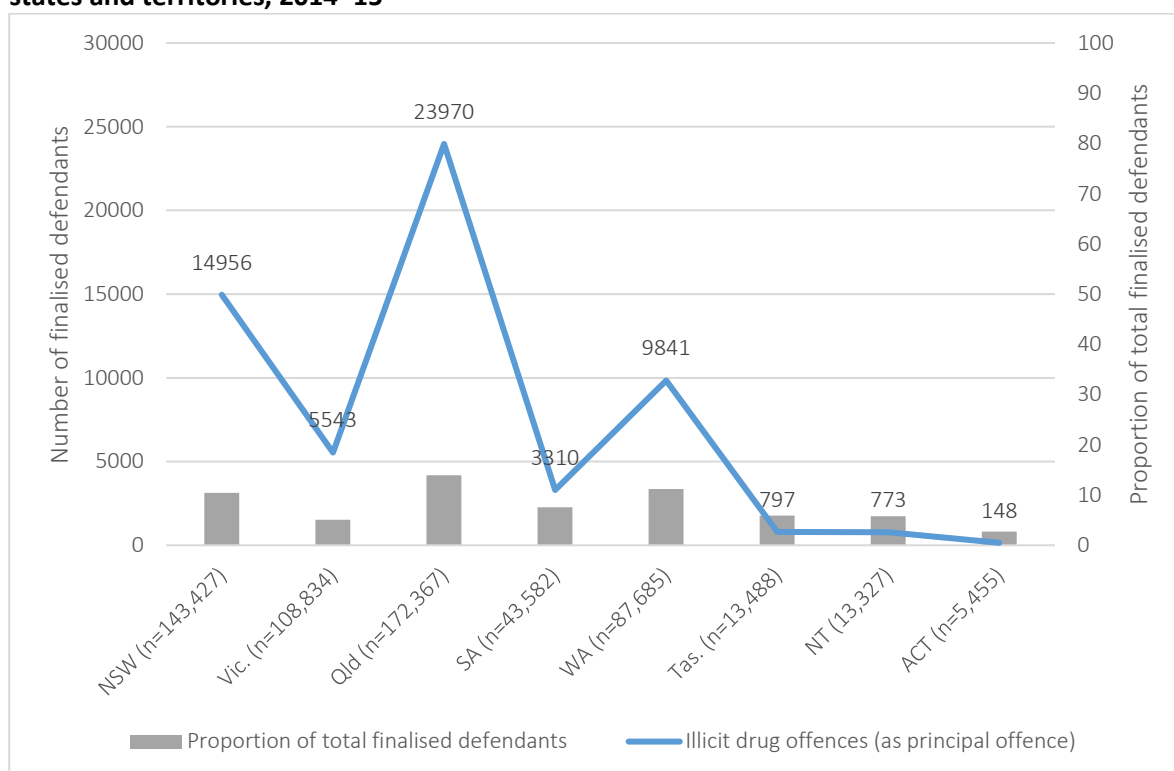
Note: Total courts information is not depicted in this figure.

3.6 How does Queensland court activity compare with other jurisdictions?

In 2014–15, Queensland had the highest number of finalised defendants with an illicit drug offence as the principal offence when compared with other Australian jurisdictions (see Figure 14).

There were 23,970 defendants finalised with an illicit drug offence (as the principal offence) in Queensland, accounting for 14% of the total number of finalised defendants in this state. This compares with New South Wales which had 14,956 defendants finalised (accounting for 10% of total defendants finalised) and Western Australia which had 9,841 defendants finalised (representing 11% of total defendants finalised) (ABS 2016c).

Figure 14: Number of defendants finalised with an illicit drug offence as the principal offence and the proportion of total finalised defendants with an illicit drug offence as the principal offence, Australian states and territories, 2014–15



Source: ABS *Criminal Courts, Australia 2014–15*.

3.7 Has the nature of illicit drug offending changed in recent years

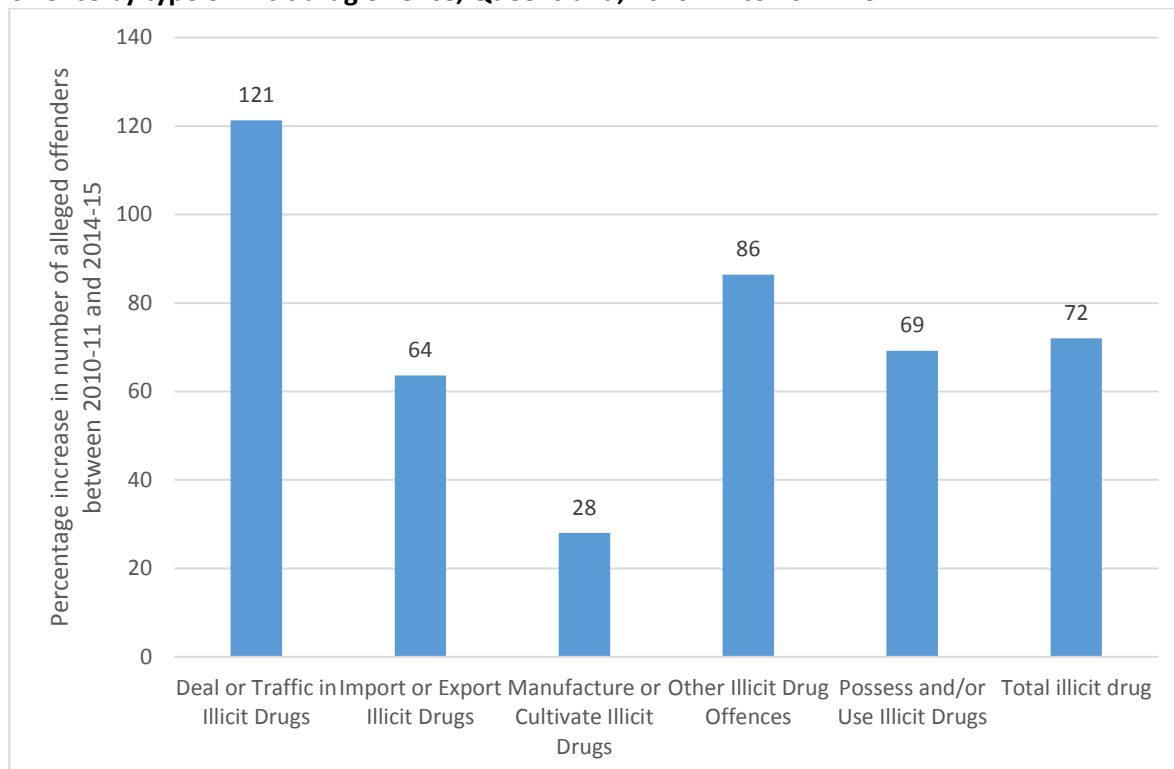
Information provided above showed an overall increase in the number of offenders with an illicit drug offence as their principal offence in recent years. While noting that serious drug offences account for a small proportion of total illicit offending, QPS and QCS data indicate higher growth among serious drug offenders than minor drug offenders.

Figure 15 shows the percentage growth in the number of alleged offenders with an illicit drug offence as their principal offence between 2010–11 and 2014–15 by type of illicit drug offence. The number of offenders with deal or traffic illicit drug offences grew by 121%, other illicit drug offences increased by 86% and possess and/or use illicit drugs grew by 69%.

These findings are consistent with QCS data which show that the number of offenders sentenced to supervision with a serious drug offence as their principal drug offence increased by 83% between 2010–11

and 2014–15, while the number of offenders with a minor drug offence as the principal offence grew by 56%.¹⁶

Figure 15: Percentage growth in the number of alleged offenders with an illicit drug offence as principal offence by type of illicit drug offence, Queensland, 2010–11 to 2014–15



Source: QPS administrative data.

Notes:

1. There is consistency in findings between ABS data and QPS administrative data analysed for the purpose of the Review. ABS data indicates that the number of alleged offenders with an illicit drug offence as their principal offence increased by 71% between 2010–11 and 2014–15, while analysis of QPS administrative data indicates an increase of 72%.
2. 'Other drug offences' includes possess money with intent to obtain drugs; possess pipes, syringes, other utensils associated with the use of drugs; permit premises to be used for taking, selling or distributing of drugs; and fail to keep register for drugs of addiction.

3.8 Which offences are related to drug use?

Offenders with an illicit drug offence as the principal offence are not the only offenders to be convicted of illicit drug offences. Illicit drug offences were associated with property offences, and to a lesser extent, violent and justice administration offences.

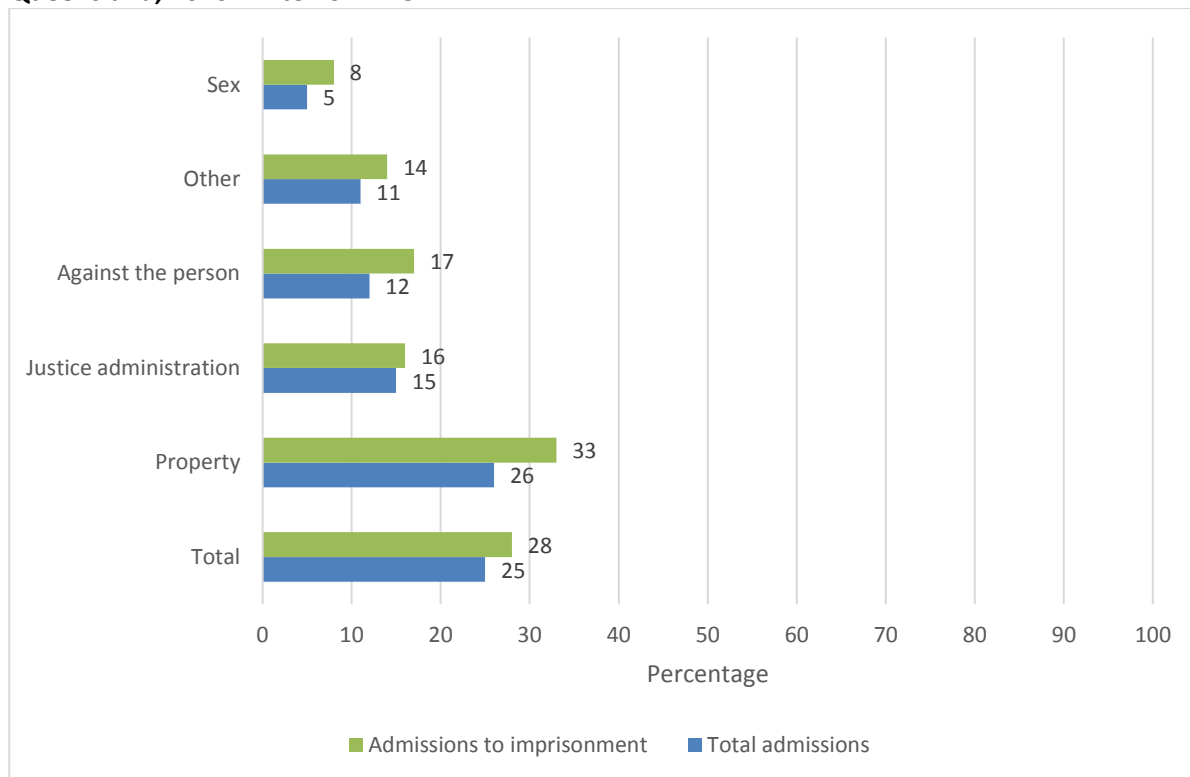
Figure 16 shows the proportion of offenders with an illicit drug offence at admission to supervision by QCS by their principal offence at admission.

One in four offenders (25%) sentenced to supervision have been convicted of at least one illicit drug offence. The prevalence of illicit drug offences within non-drug offence categories was highest among offenders with a principal offence relating to property offences (26%). About 12% of offenders admitted to supervision with an offence against the person as their principal offence were also convicted of at least one illicit drug offence. Drug offences were least prevalent among offenders with sex offences as their principal offence.

¹⁶ Source: QCS administrative data (benchmark assessment).

The likelihood of being convicted of a drug offence increases slightly with more serious sentence outcomes. Twenty-eight per cent of offenders sentenced to imprisonment had been convicted of at least one illicit drug offence.

Figure 16: Proportion of offenders convicted of at least one illicit drug offence by principal offence type, Queensland, 2010–11 to 2014–15



Source: QCS administrative data (benchmark assessment).

Note: These data do not include admissions to parole from court and offenders without benchmark assessment information have been excluded from analysis. All offenders (100%) with drugs as their principal offence have at least one illicit drug offence.

3.9 What are the sentence outcomes for people committing drug offences?

Nearly all defendants found guilty of an illicit drug offence as the principal offence receive a non-custodial sentence.

Table 3 shows that the majority (81%) of defendants finalised in the Supreme and District Court received a custodial order (including community custody orders and fully suspended sentences), however the number of these defendants is relatively small. The majority (95%) of defendants finalised in the Magistrates Courts received a non-custodial order and nearly two thirds (62%) received a monetary order. These sentence outcomes reflect the drug offending patterns discussed above, which showed that the majority of incidents relating to a drug offence as the principal offence involved a minor drug offence (such as possession and use of drugs).

Table 3: Sentence outcome of guilty defendants with illicit drug offence as principal offence, Queensland Higher and Magistrates Courts, 2014–15

Sentence outcomes	Court level	
	Supreme and District Courts (%)	Magistrates Courts (%)
Custody in a correctional institution	63.1	2.8
Custody in the community	0.6	0.1
Fully suspended sentence	17.6	2.2
Community supervision/work orders	11.2	8.4
Monetary orders	5.5	62.2
Other non-custodial orders	2.2	24.3
Total (n) proven guilty	1,085	20,489

Source: ABS *Criminal Courts, Australia*, 2014–15.

Note: This source does not include sentence outcomes for illicit drug defendants finalised in the Children's Court.

In 2014–15, the median length of custody for guilty defendants finalised and sentenced to custody in a correctional institution was nine months (ABSb 2016b). The median term was the same for guilty defendants with an illicit drug offence as their principal offence (ABS 2016b). Nearly three quarters (72%) of all defendants who had an illicit offence as their principal offence and were sentenced to custody in a correctional institution received a sentence under two years, while 21% received a sentence of two to less than five years (ABS 2016b).

Defendants with an illicit offence as their principal offence and whose cases were finalised in the Supreme or District Courts were given longer terms of custody in a correctional institution (24 months) than those finalised in the Magistrates Courts (four months) (ABSb 2016).

3.10 Summary

This chapter has shown that:

- increases in matters relating to illicit drug offences grew more substantially than overall system growth between 2010–11 and 2014–15;
- police became less likely to use non-court actions in proceedings where illicit drug offences were the principal offence between 2010–11 and 2014–15;
- most illicit drug offences are minor offences, however there is some evidence to suggest that increases in serious drug offending are more substantial than increases in minor drug offending;
- drug offending is not highly prevalent among offenders with sex offences as their principal offence;
- most people convicted of drug offences as their principal offence receive a monetary order; and
- the average term of custody in a correctional centre for defendants sentenced in the Magistrates Courts is less than 12 months.

3.11 Review implications

The data in this chapter suggest that:

- the need for drug interventions for offenders is growing;
- there would be benefit in understanding why the police in Queensland have become less likely to use non-court actions in proceedings relating to drug offences, since this is affecting the number of people before the courts for such offences (expanding the suite of options available to the police for drug offending may save court resources); and
- the number of people potentially eligible for drug court will be relatively low and that the operation of a drug court would have a modest impact on prisoner numbers (if it targets people sentenced to imprisonment and has a treatment component greater than 12 months in length).

4 Drug use patterns and other criminogenic factors among offenders

Research consistently shows higher levels of illicit drug use among offender populations when compared with consumption patterns evident in the general community. A number of theories have been proposed to explain the drugs-crime nexus. The 'impaired functioning' theory suggests that the altered physical, psychological and emotional functioning that may result from drug use can lead to involvement in crime. Another theory proposes that the factors associated with involvement in crime (such as poverty, personality disorders, associations with anti-social peers and lack of pro-social support) are also associated with problematic drug use. The 'sociological drift theory' argues that involvement in crime creates opportunities and contexts that can result in drug problems and involvement in drug-related activities (Queensland Crime and Misconduct Commission 2008). These theories suggest a multi-directional relationship between drug use and crime.

This chapter explores the drugs-crime nexus by describing the drug use patterns among people in contact with the criminal justice system and examining the relationships between drug use and crime.

4.1 What are the patterns of alcohol use?

Alcohol is a common principal drug of concern among people accessing alcohol and other drug treatment services (AIHW 2014a) and levels of alcohol consumption among offenders are substantially higher than those found among the general population (AIHW 2015a).

Among prison entrants, 38% of prison entrants reported levels of alcohol consumption that placed them at high-risk of alcohol-related harm (as measured by the AUDIT C) indicating hazardous levels of drinking or active alcohol use disorders (AIHW 2015b). Other research showed that police detainees reported drinking 23 standard drinks (on average) on their last drinking occasion (AIC 2015).

Analyses of QCS administrative data show that the majority of offenders (88%) under sentenced supervision reported using alcohol in the previous 12 months. Of those using alcohol, 16% reported using daily or almost daily, 39% reported using weekly, 26% reported using monthly and 19% reported using once or twice in the previous 12 months.¹⁷

4.2 What are the patterns of illicit drug use among offender populations?

Cannabis and amphetamines are the most prevalent illicit drugs used by people in contact with the criminal justice system.

A summary of illicit drug use patterns measured among different populations is shown in Table 4 (where recent use is defined as use within the last 12 months).¹⁸

Information collected from police detainees also suggests that methamphetamine use among offenders is likely to remain high (at least in the short-term). The levels of methamphetamine detected via urinalysis in 2013 were the highest ever recorded by the DUMA study and 38% of police detainees felt that they needed or were dependent on methamphetamine in the previous 12 months (Gannoni, Goldsmid & Patterson 2015). Police detainees also believed that methamphetamine was readily available and that more sellers were entering the market (Gannoni, Goldsmid & Patterson 2015).

The 2015 Queensland Illicit Drug Reporting System (IDRS) indicates that the growing use of methamphetamine is driven by supply rather than demand. It found that while heroin was the most

¹⁷ Source: QCS administrative data (benchmark assessment).

¹⁸ The data presented in Table 4 have been collected using different methodologies and at different time periods. It is therefore important to exercise caution when interpreting results. These data provide an indication of drug use prevalence, but not frequency of use.

common drug of choice among a sample of illicit drug users, methamphetamine was the most common drug injected and that ice was the most common form of methamphetamine used. Drug availability was the most common reason provided for the disparity between drug of choice and drug used most often used. The study also reported that poly-drug use was nearly universal (McIlwraith, Salom & Alati 2016).¹⁹

About one in four (23%) police detainees tested positive to some kind of opioid such as heroin, methadone or buprenorphine.²⁰ Illicit opioid use among the general population is rare (less than 1% reported recent use).

Table 4: Comparative illicit drug use patterns, Queensland general and offender populations

	NDSHS ^a	NPHDC ^b	DUMA ^c
	General population (2013)	Prison entrants (2015)	Watch-house detainees (2013)
Type of drug	Used in previous 12 months		Tested positive
Cannabis	11.1	40	43
Cocaine	2		2
Amphetamine type stimulants	2.3	47	38
Inhalants	0.8		
Sedatives or sleeping pills	1.7		
Hallucinogens			
Opioids			23
Heroin	0.1	8	8
Methadone/Buprenorphine	0.2		
Methadone			6
Buprenorphine			10
Other opiates/opioids	0.6		7
Injected drugs	0.3		
Any drug other than cannabis			58
Multiple drugs			41
Any illicit	15.5	64	73

a. National Drug Strategy Household Survey (NDSHS) measures drug use in the general population.

b. National Prisoner Health Data Collection (NPHDC) measures drug use among sentenced and unsentenced persons entering or leaving custody. Data presented in table include results from prison entrants only.

c. Drug use monitoring Australia (DUMA) measures drug use among people in the Brisbane Watch-house.

Other research also shows a high prevalence of criminal behaviour among illicit drug user populations. For example, the 2015 IDRS found that 33% of survey injecting drug users self-reported involvement in crime in the previous month and 38% reported that they had been arrested in the previous 12 months. One quarter (25%) of those arrested were arrested for use/possession of drugs (McIlwraith, Salom & Alati 2016).²¹ Gisev et al (2015) found that most people (76%) that had sought treatment for opioid-dependence in New South Wales were incarcerated at least once (also noting that the majority of heroin users have received opioid substitute therapy at some point of their lives).

¹⁹ Caution should be used when interpreting these findings as the IDRS has a relatively small sample size (98). See Chapter 2 for more information on the IDRS.

²⁰ The most recent Illicit Drug Data Report suggests a decreasing heroin supply in the Australian market, but observes that global cultivation estimates are at record levels (Australian Crime Commission n.d.).

²¹ Caution should be used when interpreting these findings as the IDRS has a relatively small sample size (98). See Chapter 1 for more information on the IDRS.

4.3 Use of methamphetamine

While the use of methamphetamine in the general population has remained relatively stable in recent years, there is evidence to suggest that it is becoming more prevalent among offenders.

The levels of methamphetamine detected among Brisbane watch-house detainees via urinalysis were the highest ever recorded in 2013 and 38% reported that they needed or were dependent on methamphetamine in the previous 12 months. Watch-house detainees also believed that methamphetamine was readily available and that more sellers were entering the market (Gannoni, Goldsmid & Patterson 2015).

The increasing use of meth/amphetamine among Queensland offenders was referred to by key stakeholders consulted as part of the Drug and Specialist Court Review. It was also suggested that offenders using meth/amphetamines tended to escalate in offence seriousness and be considered for custodial sentences more quickly than cannabis only users. One key expert interviewed as part of the 2015 IDRS believed that methamphetamine use had 'a shorter period than with other drugs between first use and disaster' (McIlwraith, Salom & Alati 2016).²²

Research has shown a high prevalence of violent offending among illicit drug users and that offenders who primarily used methamphetamine were more likely to have committed a violent offence in the past 12 months than offenders who were primarily heroin users (51% versus 35%) (Torok 2009).

The most recent illicit drugs intelligence assessment prepared by the Queensland Crime and Corruption Commission continues to rank methyl amphetamine as the illicit drug market posing the highest risk to Queensland and indicates that there has been a greater targeting of regional areas such as Toowoomba, Mackay, Rockhampton, Gladstone, Townsville and Cairns by groups supplying illicit drugs. It also noted that the heroin market continues to be small in Queensland, however it continues to expand internationally and in other Australian states (QCC 2016).

4.4 What proportion of offenders have substance misuse issues?

A substantial proportion of offenders supervised by QCS are assessed as having a high risk of substance misuse. Drug-related offending is also prevalent.

Over half (55%) of offenders sentenced to supervision between 2010–11 and 2014–15 and assessed as having more than a low risk of reoffending, were found to have a high risk of substance misuse.²³ ²⁴Offenders sentenced to imprisonment (65%) were more likely than offenders sentenced to probation (51%) to be assessed as having a high risk of substance misuse.

The drugs-crime nexus is also apparent in Table 5 which shows the proportion of offenders under QCS supervision assessed as having a drug offence or drug-related offence by frequency of drug use. Information in this table shows that the likelihood of having a drug offence or drug-related offence tends to rise with increases in drug use frequency. This is especially apparent for illicit drug use.

While 43% of total offenders under QCS supervision were assessed as having a drug offence or drug-related offence, 47% of daily or almost daily alcohol users, 66% of regular cannabis users, 78% of regular amphetamine users and 83% of regular opiate users were assessed as drug-related offenders.

²² It is noted that not all drug use is related to high levels of harm (including involvement in crime and health issues).

²³ Risk of substance misuse is determined via the Benchmark Assessment which is implemented on offenders requiring standard or higher levels of supervision in the community. A Benchmark Assessment is not undertaken on offenders assessed as having a low risk of reoffending and offenders sentenced to imprisonment may have a Benchmark Assessment if they serve a period of parole.

²⁴ Risk of substance misuse is a factor assessed by QCS. It considers a range of items such as the prevalence and frequency of alcohol and other illicit drug use as well as indicators of drug dependency.

Table 5: Proportion of sentenced offenders assessed as having a drug-offence or drug related offending by frequency and type of drug use, Queensland, 2010–11 to 2014–15

Type of drug	Offenders with drug offence or drug-related offending					
	Frequency of drug use					
	Daily or almost daily	Weekly	Monthly	Once or twice	Never	Total
Alcohol	46.5	41.0	40.9	45.0	49.1	43.4
Cannabis	66.5	54.5	45.8	39.3	29.4	43.4
Amphetamine	78.2	73.1	65.2	57.4	34.8	43.4
Opiates	83.4	81.8	70.6	73.1	41.7	43.4

Source: QCS administrative data (benchmark assessment).

Notes:

Offenders without benchmark assessment information have been excluded from analysis.

This table intersects three variables. It shows the proportion of offenders with a drug offence or drug-related offending within frequency of drug use by type of drug used.

4.5 What relationships exist between offending and types of drug use?

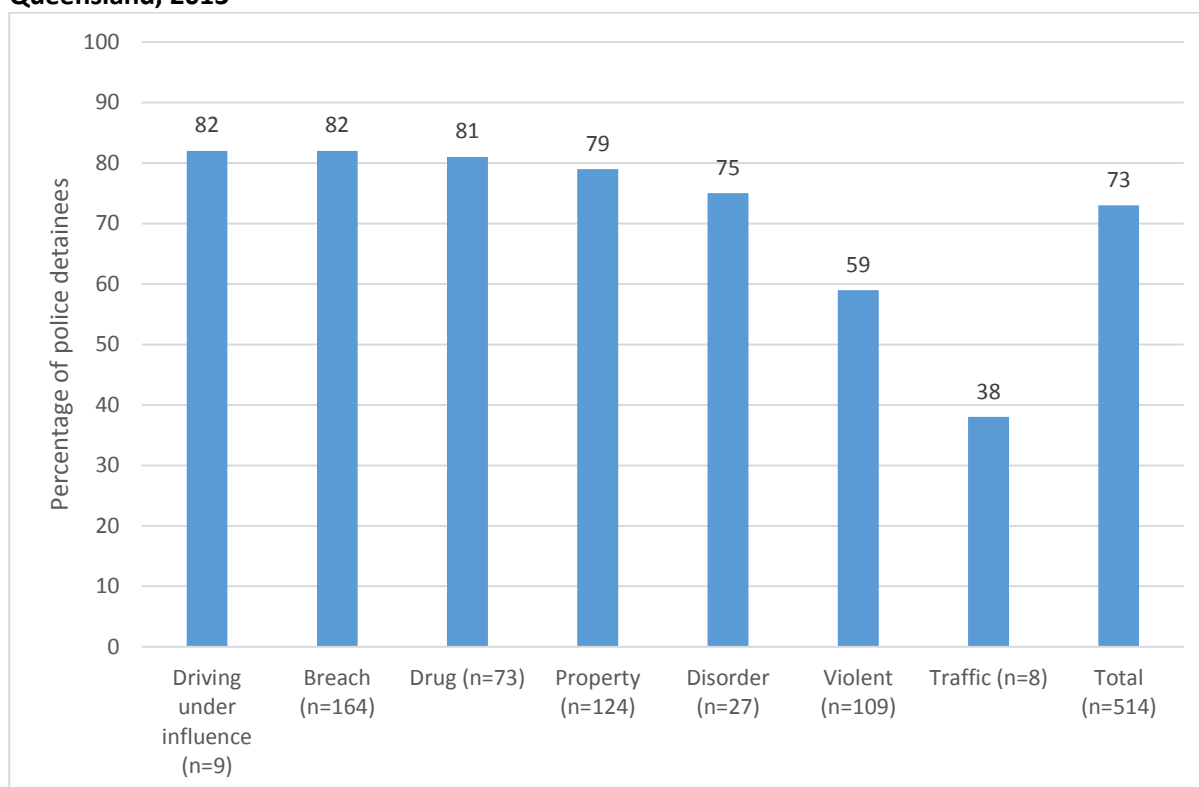
Although polydrug use is often apparent among drug users, there is some evidence to suggest that alcohol has a moderate association with violent offending and illicit drug use has a moderate association with drug and property offending.

About one in four Queensland police detainees (23%) surveyed as part of the DUMA study attributed their current charges to alcohol drug use, 35% attributed their current charges to illicit drug use and half (53%) attributed their current charges to alcohol and/or illicit drug use (AIC 2015).

Alcohol was more likely than other drugs to be a contributing factor to involvement in driving under the influence, disorder and violent offences (AIC 2015).

Figure 17 shows that illicit drug use was most prevalent among those with a principal offence relating to driving under the influence (82%), breach of a justice order (82%), a drug offence (81%) and property offending (79%). Recent use of illicit drugs was less prevalent among police detainees with a principal offence relating to violence (59%) or a traffic violation (38%).

Figure 17: Proportion of police detainees testing positive to any illicit drug by principal offence, Queensland, 2013



Source: AIC 2015a.

Table 6 shows the principal offence among offenders under QCS supervision reporting daily or almost daily use of drugs by type of drug used. These data are consistent with other research showing a relationship between alcohol use and violent offences and between illicit drug use and drug and property offences.

Thirty-seven per cent of offenders using alcohol daily or almost daily had offences against the person as their principal offence compared with 24% of regular cannabis users, 18% of regular amphetamine users and 16% of regular opiate users. Nearly half of those offenders reporting amphetamine use (43%) or opiate use (48%) had a property offence as their principal offence compared with 20% of regular alcohol users and 29% of regular cannabis users. The prevalence of justice administration offences (as principal offence) was also relatively high among regular alcohol users.

Table 6: Type of principal offence among sentenced offenders reporting daily or almost daily drug use by type of drug, 2010–11 to 2014–15, Queensland

Principal offence type	Percentage within type of drug			
	Alcohol	Cannabis	Amphetamine	Opiates
Against the person	37	24	18	16
Drug	10	26	20	22
Justice administration	22	13	12	7
Other	11	8	7	7
Property	20	29	43	48
Sex	1	1	0	0
Total (n)	2737	4318	1379	391

Source: QCS administrative data (benchmark assessment).

Note: Offenders without benchmark assessment information have been excluded from analysis.

A study of opioid-dependent people in New South Wales also explored the drugs-crime nexus. Gisev et al (2015) found that theft charges were the most common type of offence and accounted for 25% of total charges committed. This was followed by traffic/vehicle offences (16%), offences against justice procedures (11%), illicit drug offences (10%), intentional injury offences (10%) and public order offences (9%). The study also found that a minority of opioid-dependent people accounted for the majority of offences committed by opioid-dependent people and that levels of offending are not consistent over time, gender or age (Gisev et al 2015).

The Gisev et al study (2015) also found that Aboriginal and Torres Strait Islander opioid-dependent people with contact with the criminal justice system are charged with a greater number of offences and spend longer in custody than non-Indigenous opioid-dependent people (Gisev 2015). Aboriginal and Torres Strait Islander opioid-dependent people were also three times more likely than their non-Indigenous counterparts to first commence opioid substance treatment in custody suggesting that contact with the criminal justice system is an important intervention opportunity for this cohort (Gisev 2015).

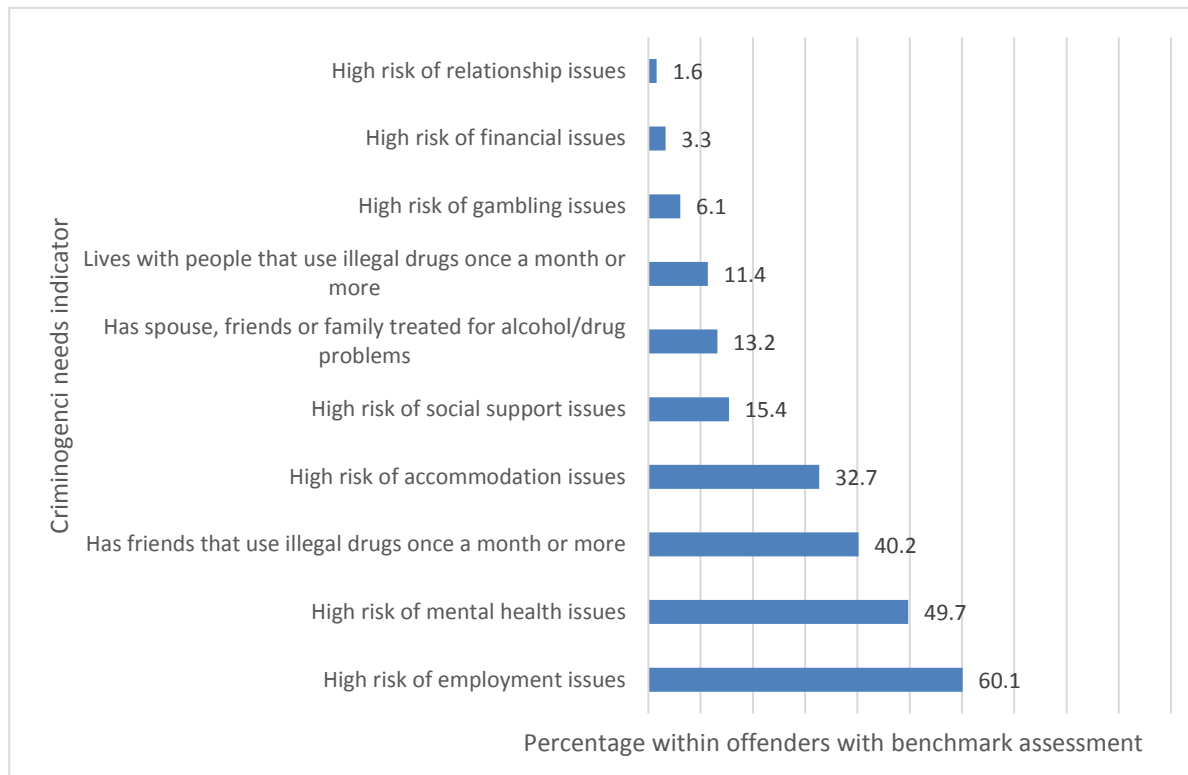
4.6 What other criminogenic factors are present?

Drug use is a criminogenic factor that when addressed can assist in reducing the likelihood of reoffending. Other criminogenic factors include antisocial behaviour, anti-social personality, anti-social cognition, anti-social associates, poor family/marital circumstances, low engagement with school/work, low levels of involvement in leisure/recreation (Andrews & Bonta 2010).

Figure 18 provides information on the identified needs of offenders that may affect their alcohol and drug rehabilitation and contribute to their offending behaviour. It shows that nearly two in three offenders (60%) supervised by QCS were assessed as having a high risk of employment issues²⁵, half (50%) had a high risk of mental health issues and a third (33%) had a high risk of accommodation issues. Offenders were also exposed to anti-social associates (40% had friends that used illicit drugs once a month or more) and 15% were assessed as having a high risk of social support issues.

²⁵ Risk of unemployment is a factor assessed by QCS. It considers a range of items such as 'how long has the offender been employed/unemployed?', 'has the offender been continuously unemployed?', 'what sort of Centrelink benefit is the offender receiving?' and 'has the offender demonstrated or self-reported numeracy issues?'

Figure 18: Proportion of sentenced offenders by selected criminogenic need indicators, Queensland, 2010–11 to 2014–15



Source: QCS administrative data (benchmark assessment).

Note: Offenders without benchmark assessment information have been excluded from analysis.

The multiple issues experienced by offenders is evident in findings from the Prisoner Health Survey and early analyses of referrals to Queensland Integrated Court Referrals (QICR) program.

The Prisoner Health Survey (AIHW 2015a) found that among Queensland prison entrants:

- 40% had been told they have a mental health disorder;
- 29% felt distress relating to a mental health issue;
- within the last 30 days:
 - 25% were in full-time work;
 - 12% were in part-time/casual work;
 - 0% were in full-time or part-time study;
 - 36% were unemployed and looking for work;
 - 20% were unemployed and not looking for work; and
 - 6% were unable to work due to a disability, age or health condition (AIHW 2015a).
- within the last four weeks:
 - 6% were sleeping on the streets;
 - 21% had temporary accommodation;
 - 71% had their own accommodation; and
- 17% had a parent imprisoned as a child;
- 58% had dependent children;
- 62% reported distress related to family or relationships in the community; and
- 30% of prison entrants reported distress related on relationships in prison.

Of the 29 first referrals to QICR:

- 62% were seeking treatment for illicit drug use;
- 76% were seeking accommodation assistance;
- 31% were seeking assistance with mental health issues;

- 97% were not currently employed;
- 89% were either single or separated; and
- 39% had a highest level of education of Year 10 or under.²⁶

4.7 Summary

This chapter has shown that:

- the prevalence of illicit drug use is higher among offender populations than the general community;
- although polydrug use is common among drug users, there is a moderate association between alcohol and violent offending and illicit drug use and property offending;
- methamphetamine misuse continues to increase among offenders;
- over half (55%) of adult offenders sentenced to supervision (either in the community or in prison) have a substance misuse issue;
- substance misuse issues are higher among people sentenced to prison than people sentenced to community supervision; and
- the offender population is characterised by relatively high levels of unstable accommodation, mental health issues, association with anti-social peers and low levels of involvement in employment and education.

4.8 Review implications

The data in this chapter suggest that:

- offenders characterised by problematic alcohol use should be considered when setting referral criteria and treatment responses for the reinstated drug court;
- the drug court program will need to address a range of factors that may affect a participant's ability to engage in alcohol and other drug treatment and could contribute to their offending behaviour;
- there may be benefit in reviewing the use of brief interventions supported by criminal justice agency referrals to ensure they are targeting appropriate people; and
- there is a growing need for best-practice interventions that address amphetamine dependency.

²⁶ Source: DJAG program data.

5 Alcohol and other drug treatment services

Alcohol and other drug treatment services support people to address their drug use.

This chapter provides information on treatment episodes finalised by publicly funded alcohol and other drug treatment services. This information is collected by the AIHW as part of a national minimum data set.²⁷ These data show differences in the delivery of alcohol and other drug treatment in Queensland compared with other jurisdictions.

5.1 How many services are there and where are they located?

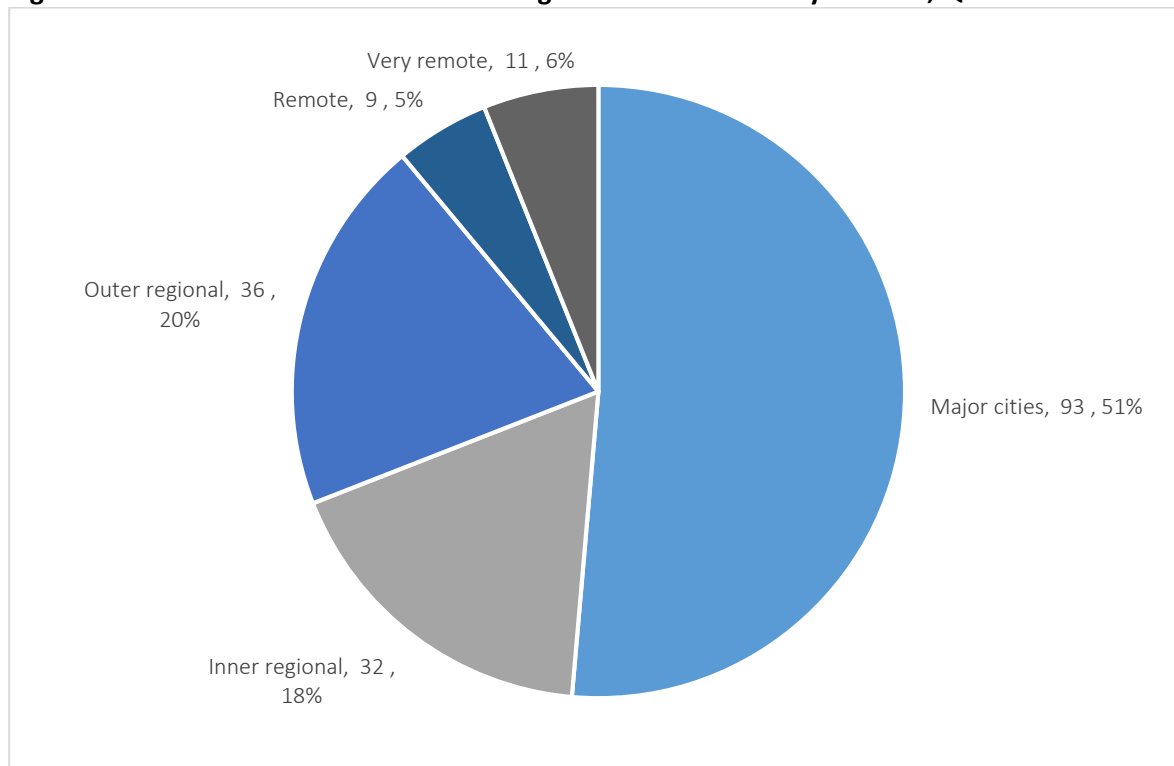
Alcohol and other drug treatment service providers tend to be located in major city and regional locations.

In 2014–15, a total of 843 service providers assisted people seeking support for their alcohol and other drug use across Australia, with 181 (21%) of these providers based in Queensland (AIHW 2016).

Nationally, there was a 27% increase in the number of service providers between 2009–10 and 2014–15 (from 666 to 843) (AIHW 2016a). The number of providers in Queensland grew from 109 to 181 over the same time period (an increase of 66%) (AIHW 2016a).²⁸

In 2014–15, service providers were more likely to be non-government (66%) than government agencies (34%). Figure 19 also shows that about half (51%) of alcohol and other drug treatment service providers were located in major cities and 38% were located in inner or outer regional locations (AIHW 2016a).

Figure 19: Number of alcohol and other drug treatment services by location, Queensland 2014–15



Source: AIHW 2016b.

²⁷ See Chapter 1 for further information on the AIHW national minimum data set. Importantly, these data reflect information reported by in-scope alcohol and other drug treatment services and some data in particular (such as source of referral) may be affected by self-reporting issues.

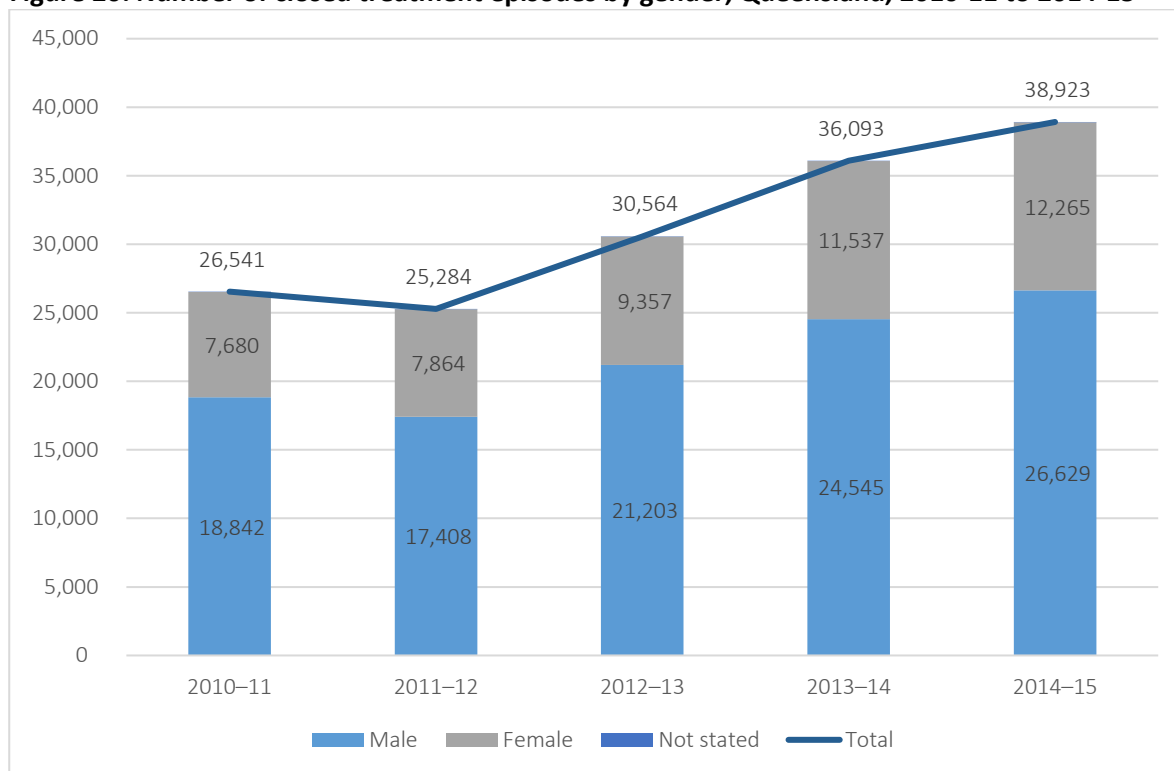
²⁸ It is noted that increases in the number of service providers does not necessarily equate to equitable increases in service capacity. Increases may also reflect growing number of service providers contributing to national data set.

5.2 How many services are provided and who are they provided to?

There has been an increase in the number of treatment episodes provided by Queensland-based alcohol and other drug services in recent years.²⁹

Figure 20 shows that the number of closed treatment episodes increased from 26,541 in 2010–11 to 38,923 in 2014–15 (an increase of 47%) (AIHW 2016b). Nationally, the number of closed treatment episodes increased by 13% between 2010–11 and 2014–15.

Figure 20: Number of closed treatment episodes by gender, Queensland, 2010-11 to 2014-15



Source: AIHW 2016b.

5.3 What are the main drugs of concern?

Alcohol and cannabis were the most common principal drugs of concern treated by Queensland alcohol and other drug treatment service providers.

Nationally, alcohol was the most common principal drug of concern in 2014–15 (38% of treatment episodes), followed by cannabis (24%), amphetamines (20%) and heroin (6%) (AIHW 2016). However, the most common principal drug of concern in Queensland shifted to cannabis in 2014-15 (36% of treatment episodes), followed by alcohol (34%) and amphetamines (15%) (AIHW 2016a).

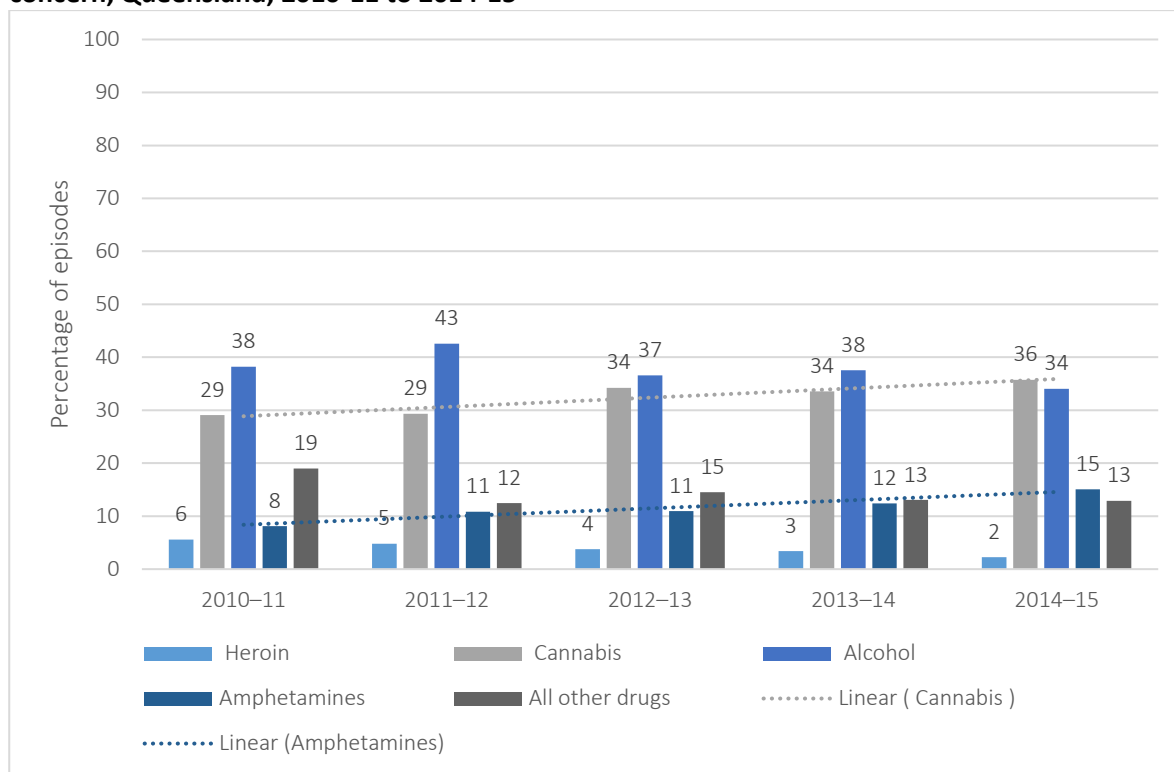
The proportion of treatment episodes involving cannabis and amphetamines as the principal drug of concern has been increasing over time in Queensland.

Figure 21 shows that cannabis was a principal drug of concern for 29% of treatment episodes in 2010–11 compared with 36% in 2014–15; amphetamines were the principal drug of concern for 8% of treatment episodes in 2010–11 compared with 15% in 2014–15 (AIHW 2016b).

²⁹ Increases in the number of treatment episodes will in part reflect the number of service providers contributing to the AODT NMDS.

On a national level, alcohol and other drug treatment episodes were more likely to relate to cases where amphetamines or heroin were the principal drug of concern (26%) than Queensland (17%) in 2014–15 (AIHW 2016b).

Figure 21: Closed alcohol and other drug treatment episodes for own drug use by principal drug of concern, Queensland, 2010-11 to 2014-15



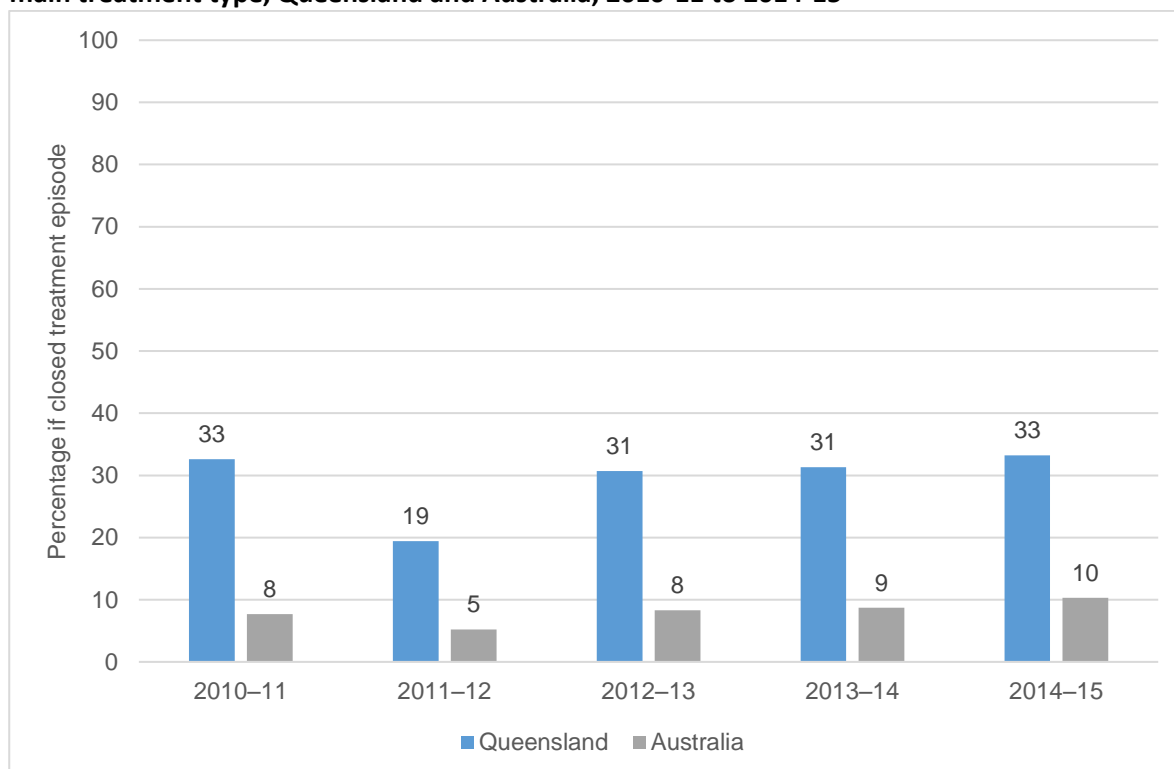
Source: AIHW 2016b.

5.4 What type of treatment is provided?

Treatment delivery differed in Queensland when compared with national patterns, with greater use of treatment interventions which involved the provision of information and education only.

While across Australia, counselling was the most common main treatment type (40% of treatment episodes in 2014–15), in Queensland interventions involving information and education only were the most prevalent main treatment mode (33%) (AIHW 2016a). Figure 22 shows that the use of information and education only forms of treatment in Queensland was around 3 times higher than the national use of this type of treatment modality (AIHW 2016b).

Figure 22: Proportion of closed treatment episodes where information and education only was the main treatment type, Queensland and Australia, 2010-11 to 2014-15



Source: AIHW 2016b.

The relatively high use of information and education as a form of treatment is likely to reflect the operation of the Police Drug Diversion Program³⁰ and the Illicit Drug Court Diversion Program³¹ in Queensland during the reporting period. These programs aim to divert minor drug offenders from the criminal justice system to brief health interventions³² and tend to focus on minor offences involving cannabis. This will partially explain why cannabis, rather than alcohol, is the most common principal drug of concern among Queensland alcohol and other drug treatment services.

The potential use of information and education programs was further expanded on 1 December 2015 with the introduction of referral to a Drug and Alcohol Assessment Referral (DAAR) course under the *Bail Act 1980*.³³

³⁰ The Police Drug Diversion Program enables police officers to divert people apprehended for minor drug offence/s to the Drug Diversion Assessment Program instead of progressing a court action. The program is available to both adults and children and can only be offered once. A minor drug offence includes the possession of not more than 50 grams of cannabis or an implement used for smoking cannabis.

³¹ The Illicit Drug Court Diversion Program enables the courts to divert adults and children pleading guilty to minor drug offences from the criminal justice system to an education and information session. Minor drug offences included certain offences proscribed under the *Drugs Misuse Act 1986*. This program was reviewed and re-launched in early 2016.

³² These programs involve a two-hour treatment session that includes assessment (to determine drug dependency and risk-taking behaviours) and the provision of advice on reducing drug use and ways to minimise harm, motivational intervention, resources and referral (if assessed as appropriate).

³³ As originally introduced, the referral to DAAR was a mandatory condition for the granting of bail for people charged with certain prescribed offences alleged to have been committed in public while the person was adversely affected by alcohol or another intoxicating substance. Amendments that came into effect in March 2016 made further changes to provide greater discretion around the making of this condition. DAAR sessions involve an assessment of the person's drug or alcohol use and the provision of information about appropriate options for treatment. The person may also be offered counselling or education. DAAR sessions are only offered by contracted non-government providers who have to be listed in the Government Gazette.

The high use of brief information and education treatment interventions will partially explain why the proportion of treatment episodes finalised within one month in Queensland (66%) was higher than that found in other Australian jurisdictions (AIHW 2016a).

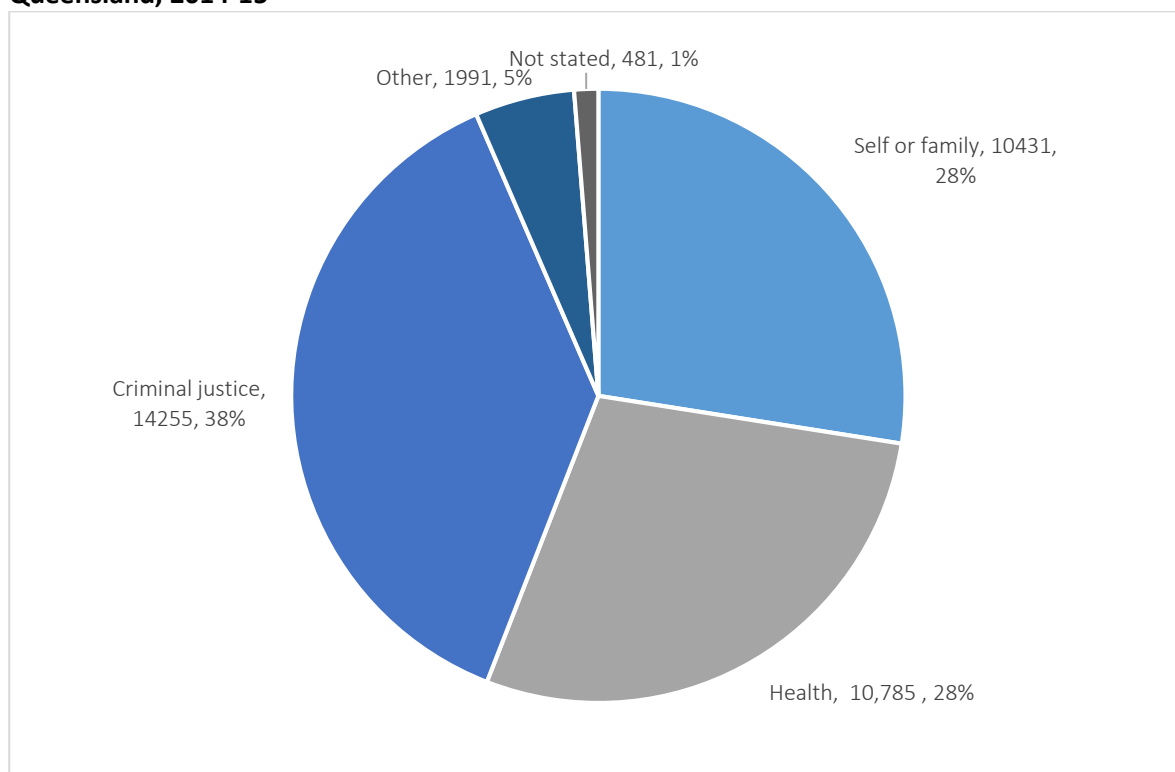
Most Queensland service delivery took place in a non-residential treatment facility (63% of closed treatment episodes) or outreach setting (25% of closed treatment episodes) in 2014–15. Just under one in ten (9%) treatment episodes had residential treatment facility as the delivery setting (AIHW 2016b).

5.5 What were the referral pathways to treatment?

Queensland was characterised by a relatively high proportion of referrals to alcohol and other drug treatment services made by criminal justice agencies. The majority of these referrals related to cannabis use.

Figure 23 shows that criminal justice agencies (corrections, police and courts) accounted for 38% of referrals to treatment services in 2014–15, which was more than health (29%) or self/family referrals (28%). Among criminal justice agencies, the police (19%) were most likely to refer, followed by the courts (11%) and correctional services (8%) (AIHW 2016b). Nationally, criminal justice agencies accounted for 27% of referrals to alcohol and drug treatment services (AIHW 2016b).³⁴

Figure 23: Closed alcohol and other drug treatment episodes *for own drug use* by referral source, Queensland, 2014-15



Source: AIHW 2016b.

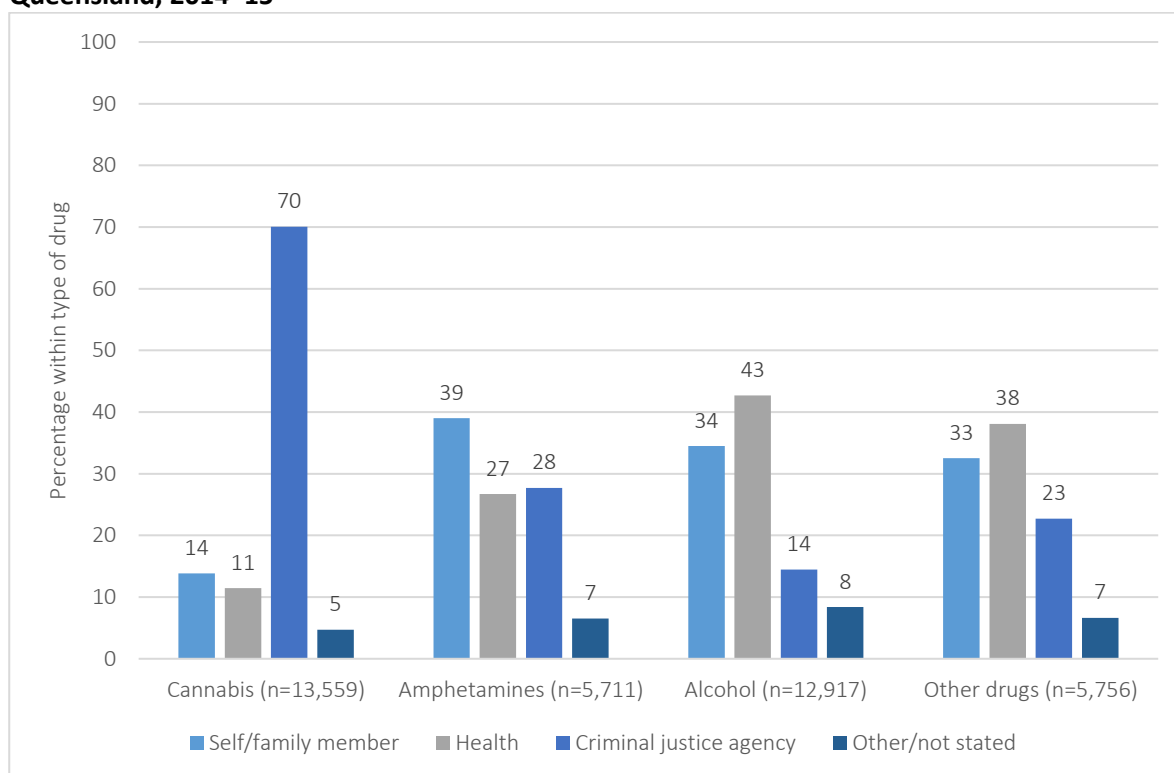
Note: These data relate to a person's own drug use only.

Figure 24 shows that treatment for different types of drug use were associated with different referral pathways. In 2014–15, the majority (70%) of closed treatment episodes where cannabis was the main drug of concern related to criminal justice referrals. Amphetamine related episodes were driven by self and family referrals (39%), although health agencies (27%) and criminal justice agencies (28%) also made referrals relating to treatment for amphetamine use. Alcohol related treatment episodes were driven by health agencies (43%) and self and family referrals (34%).³⁵

³⁴ National information includes closed episodes relating to own and other's drug use.

³⁵ National data on principal drug of concern by referral source are not available in AIHW publications.

Figure 24: Closed episodes for own drug use, by principal drug of concern and referral source, Queensland, 2014–15



Source: AIHW 2016b.

5.6 To which types of treatment do criminal justice agencies refer people?

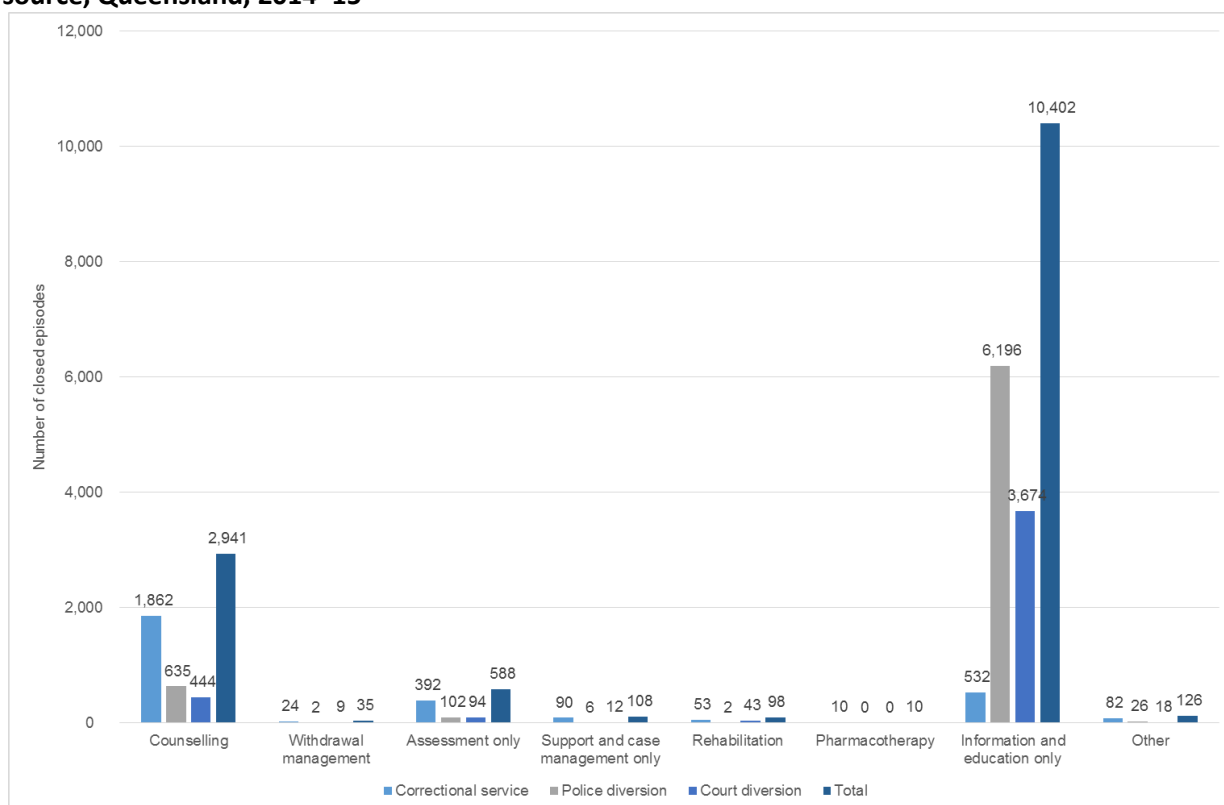
Criminal justice agencies tended to refer to information and education treatment services. There were indications of low utilisation of residential treatment facilities.

The treatment modalities associated with Queensland criminal justice agency referrals is shown in Figure 25. In 2014–15, there were 10,402 criminal justice referrals to information and education only treatment services. Police accounted for 60% (6,196) of these referrals, while the courts accounted for 35% (3,674) (AIHW 2016b).

Counselling was the second most common main treatment type among criminal justice referred episodes. In total, there were 2,941 treatment episodes involving counselling that were referred by criminal justice agencies. There were substantially fewer referrals to rehabilitation (98), withdrawal treatment (35) or pharmacotherapy (10) by criminal justice agencies. Other data show that rehabilitation and withdrawal services constituted the most common treatment type (88%) at Queensland-based residential treatment facilities in 2014–15 (AIHW 2016b). These data suggest very few criminal justice referrals to residential alcohol and other drug treatment facilities (at least as captured by the AODTS NMDS).³⁶

³⁶ Information on referral source and treatment delivery setting is not currently published by the AIHW.

Figure 25: Number of closed treatment episodes, by main treatment type and criminal justice referral source, Queensland, 2014–15



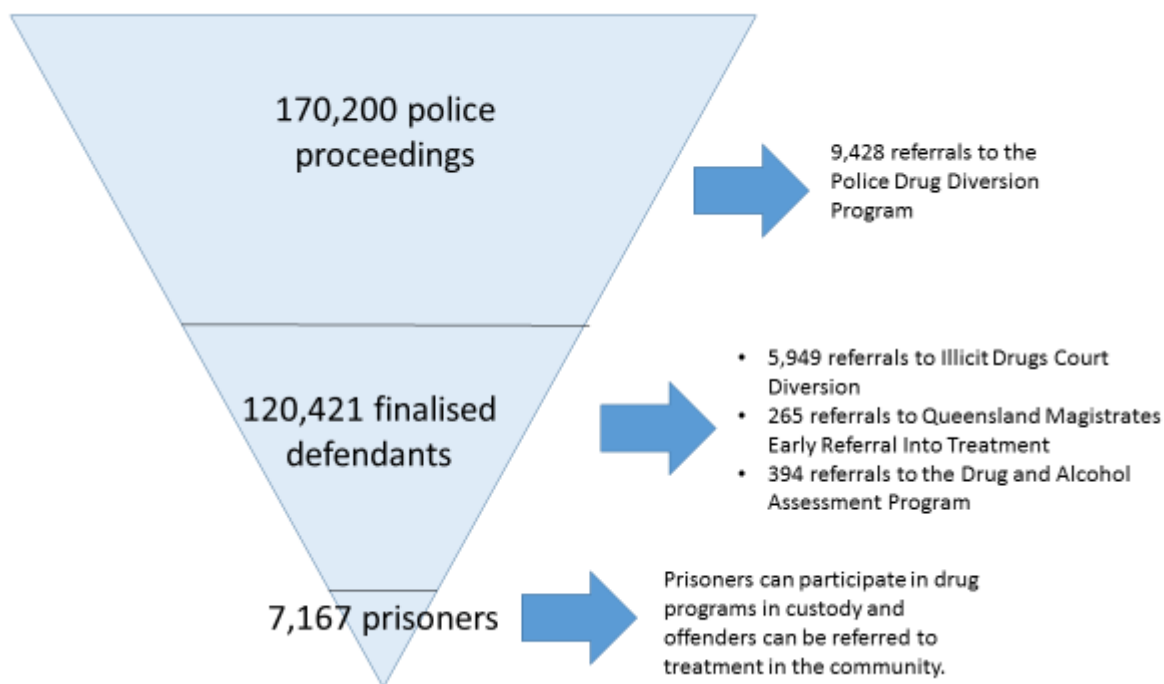
Source: AIHW 2016b.

5.7 Criminal justice referrals to illicit drug interventions

Although criminal justice agencies account for the largest share of referrals to alcohol and other drug treatment services in Queensland, a small proportion of total people in contact with the criminal justice system are referred to alcohol and other drug interventions (see Figure 26).

In 2014–15, there were approximately 170,000 alleged offenders, 120,000 finalised defendants and 7,300 sentenced and unsentenced people (in custody on 30 June 2015) in Queensland. Criminal justice agencies referred about 14,300 people to alcohol and other drug treatment services, with the majority of these referrals (10,400) relating to brief information assessment sessions. Other data sources indicate that about 6,000 people were referred to the Illicit Drugs Court Diversion Program, 265 people were referred to Queensland Magistrates Early Referral into Treatment and 394 people were referred to the Drug and Alcohol Assessment and Referral program.

Figure 26: Indicators of criminal justice system and number of criminal justice referrals to illicit drug interventions, 2014–15



Source: ABS *Recorded Crime, Offenders, 2014–15* (number of alleged adult offenders in 2014–15), ABS *Criminal Courts, Australia 2014–15* (number of finalised defendants in 2014–15), ABS *Prisoners in Australia, 2015* (number of adult sentenced and unsentenced prisoners in 2015), QPS program data 2015–16 and DJAG program data (number of referrals to programs in 2014–15).

Note: The number of referrals to the Police Drug Diversion Program, Illicit Drug Court Diversion and Drug and Alcohol Assessment Program align closely to the number of people completing the program. Of the 265 referrals to the QMERIT program, 70% (185) were accepted onto the program and 43% of accepted referrals resulted in program completion.

5.8 Summary

This chapter has shown that:

- the increasing number of people in contact with the criminal justice system is apparent in the increasing number of people referred to alcohol and other drug treatment services;
- when compared with other jurisdictions, Queensland has a high number of referrals to brief treatment interventions – these referrals are made as part of criminal justice diversionary activity rather than assessed need;
- brief interventions are not likely to address drug dependency issues or respond to other criminogenic factors that may be present among offenders;
- while there were 170,000 police proceedings in 2014–15, the number of referrals to treatment services as part of the Police Drug Diversion Program was less than 10,000;
- while there were around 120,000 defendants finalised by the Queensland courts in 2014–15, the number of people referred to drug treatment services was less than 10,000; and
- amphetamines are increasingly becoming the primary drug of concern presenting at alcohol and other drug treatment services.

5.9 Review implications

The data in this chapter suggest that:

- there may be benefit in reviewing the use of brief interventions supported by criminal justice agency referrals to ensure they are targeting appropriate people;
- there is a growing need for best-practice interventions that address amphetamine dependency; and
- the need for alcohol and other drug interventions for offenders is likely to be higher than currently available in Queensland.

6 Youth system demand

In Queensland, the *Youth Justice Act 1992*, provides laws for children aged 10–16 years old who are alleged to have committed an offence and are guilty of committing offences.

This chapter provides information on children subject to statutory supervision between 2010–11 and 2014–15 in relation to illicit drug offending and presents information on the efficacy of drug courts for children.

The data included in this chapter use different counting rules precluding the ability to make direct connections between the different data sets.³⁷ However, the data do enable an initial exploration of the nature of child offending, the prevalence of child drug offending and the potential demand for drug interventions among children in contact with the criminal justice system.

6.1 Do young people commit drug offences?

Property offences are the most common type of offences committed by children and the number of proven illicit drug offences committed by children has increased in recent years.

Figure 27 shows that children mostly commit property offences.³⁸ Property offences accounted for 65% of total offences in 2014–15, while drug offences accounted for 5% of total offences.

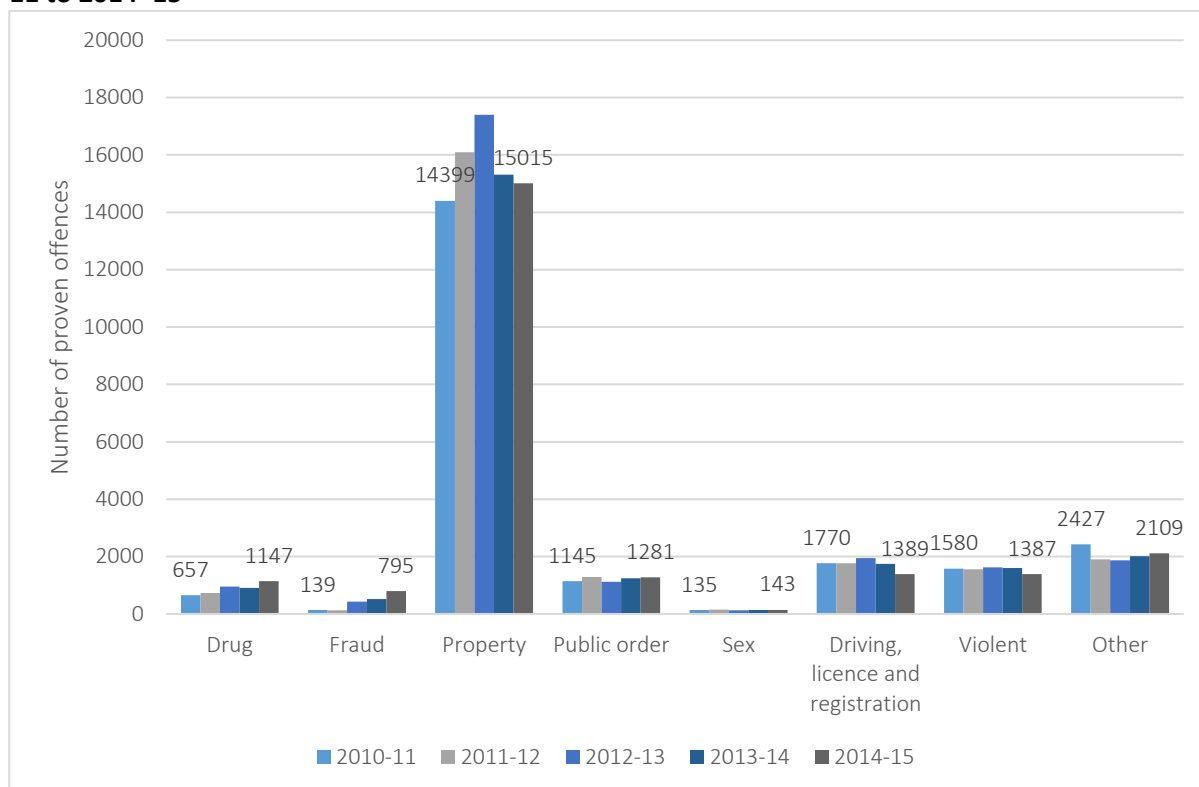
The number of drug offences committed by children in Queensland increased from 657 in 2010–11 to 1,147 in 2014–15. This increase was substantially higher (increase of 75%) than the growth in total number of offences over the period (increase of 7%) and property offences (an increase of 4%). Fraud and sex-related offences also increased in number over the period, while driving, licence and registration, violent and 'other' offences declined.

Further analysis shows that there were changes in the types of property offences committed by children between 2010–11 and 2014–15. The number of proven property damage and trespass offences grew, while unlawful entry/burglary offences remained the same and theft and related offences decreased. Having said this, theft and related offences accounted for 26% of total proven offences and 41% of all property offences in 2014–15. Other research has shown a relationship between illicit drug use and property offending (AIC 2015).

³⁷ For example, sometimes distinct individuals are counted, other times data provide a count of offences and distinct individuals can have multiple offences.

³⁸ These data relate to proven offences. They are *not* a count of the principal offence of distinct young people.

Figure 27: Number of proven offences committed by children by offence category, Queensland, 2010–11 to 2014–15



Source: *Youth Justice annual summary statistics: 2010–11 to 2014–15*.

6.2 What are the characteristics of children who commit crime/drug offences?

The majority of youth crime is committed by males and Aboriginal and Torres Strait Islander children are over-represented in the youth justice system.

In 2014–15, of distinct children with any proven offence:

- 73% were male;
- 44% identified as Aboriginal and Torres Strait Islander;
- 6% were aged 10–12 years;
- 48% were aged between 13–15 years; and
- 46% were aged 16 years and over (Youth Justice 2016).³⁹

There is some indication that the profile of children who commit drug offences is different to the profile of all children under youth justice supervision.

In 2014–15, of distinct children with a drug offence as their principal offence:

- 80% were male; and
- 23% identified as Aboriginal and Torres Strait Islander.

These data suggest that non-Indigenous children are more likely to be involved in illicit drug offences than Aboriginal and Torres Strait Islander children and young males are slightly more likely than young females to be convicted of illicit drug offences.⁴⁰

³⁹ These data relate to distinct children with a charge finalised that resulted in a proven outcome during the reporting period. A distinct young person is only counted once during the reference period.

⁴⁰ These data should be interpreted with caution and are not entirely comparable. Total n size is 56 and use of principal offence means counts do not include all young people convicted of an illicit drug offence.

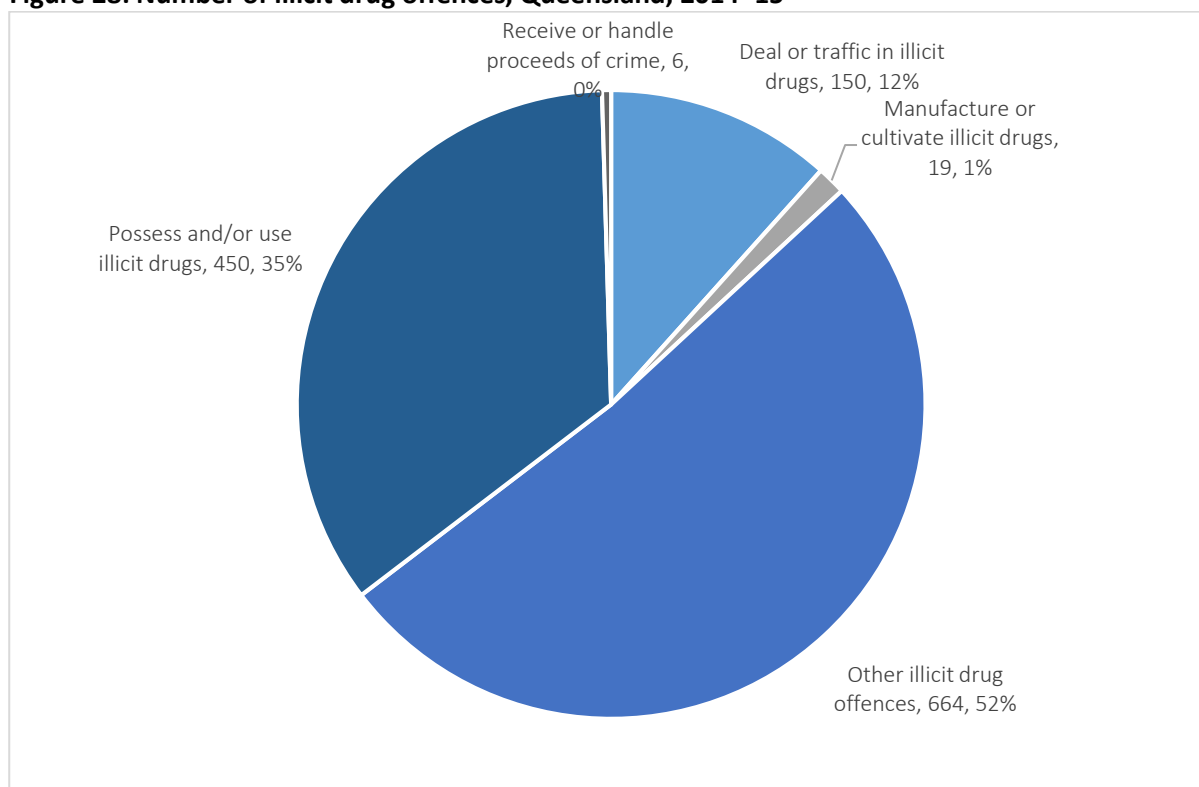
6.3 What types of drug offences do children commit?

Possess and/or use of illicit drugs or possession of drug utensils are the most common type of drug offences committed by children.

The use of the principal offence to support analysis of information at the individual levels obscures the real number and type of offences committed by individuals. For this reason, the number and type of illicit drug offences committed by children in 2014–15 are shown in Figure 28.

In 2014–15, about half of illicit drug-related offences (52%) related to other illicit drug offences (which mostly consisted of possession of drug utensils) and one third (35%) related to possess and/or use illicit drugs (35%). Relatively few offences involved drug dealing/trafficking (12%) or drug manufacture (1%).

Figure 28: Number of illicit drug offences, Queensland, 2014–15



Source: Youth Justice unit data.

Note: Total number of offences is 1,289.

6.4 How many children commit illicit drug offences and where are they located?

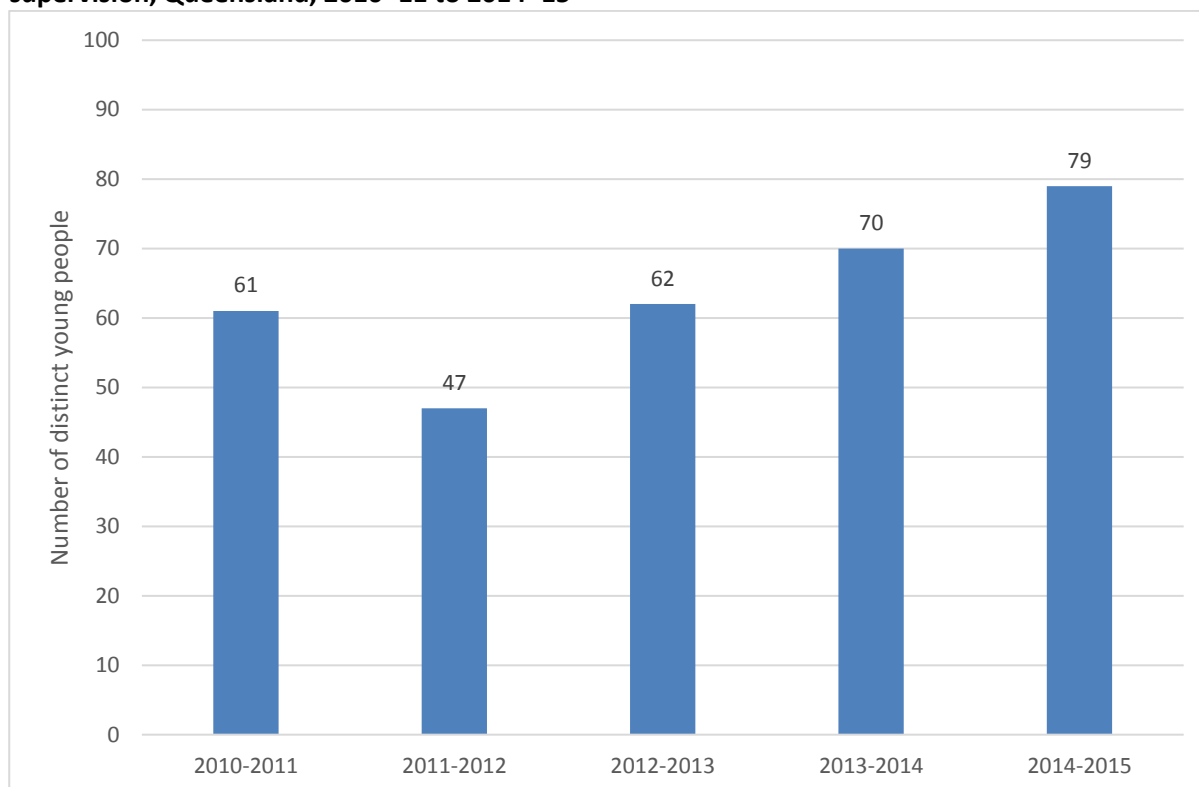
The number of distinct children with a drug offence as the principal offence is relatively small and illicit drug offence matters are most often heard in urban court locations.

Figure 29 shows that around 50 to 80 children a year were admitted to supervised orders with a drug offence as their principal offence between 2010–11 and 2014–15 in Queensland.

As a point of reference, in 2014–15, the number of Queensland adult defendants with a drug offence as their principal offence sentenced to a custodial order was 1,925; 19,648 adult defendants with a drug offence as their principal offence were sentenced to a non-custodial order (ABS 2016b).⁴¹

⁴¹ The ABS data use different counting rules to Youth Justice data so data is not directly comparable. The custodial order count includes custody in a correctional institution, custody in the community and fully suspended sentences. The non-custodial order includes community supervision/work orders, monetary orders and other non-custodial orders.

Figure 29: Number of distinct children with a drug offence as principal offence admitted to supervised supervision, Queensland, 2010–11 to 2014–15



Source: Youth Justice unit data.

Further analysis shows that children admitted to supervised orders with an illicit drug offence as the principal offence were located at multiple locations across Queensland. Between 2010–11 and 2014–15, no one Queensland court sentenced more than five children (within a financial year) to statutory supervision where an illicit drug offence was their principal offence.

When analysing total proven illicit drug offences committed by children, rather than individuals with an illicit drug offence as the principal drug offence, it is apparent that some court locations hear more matters related to illicit drug offences than others and are therefore exposed to greater opportunity to refer children to court-based illicit drug interventions.⁴²

Youth Justice data show that out of the 80 Children’s Court locations across Queensland, eight locations were characterised by 50 or more proven illicit drug offences during 2014–15.⁴³ These locations were Brisbane, Southport, Beenleigh, Townsville, Toowoomba, Cairns, Maroochydore and Cleveland. The three locations with the highest number of proven illicit drug offences (Brisbane, Southport and Beenleigh) accounted for 24% of total proven drug offences.

6.5 What is the demand for drug interventions among children subject to statutory supervision?

About one in three children under statutory supervision have been assessed as having a drug issue where treatment would assist in reducing their likelihood of reoffending.

The data reported above relating to distinct children and illicit drug offences are likely to under-report the likely demand for alcohol and other drug interventions among children in contact with the criminal justice

⁴² The number of proven illicit drug offences heard at any court location will reflect the total number of matters heard by these courts. That is, some courts will hear more illicit drug offence matters because they are busier courts.

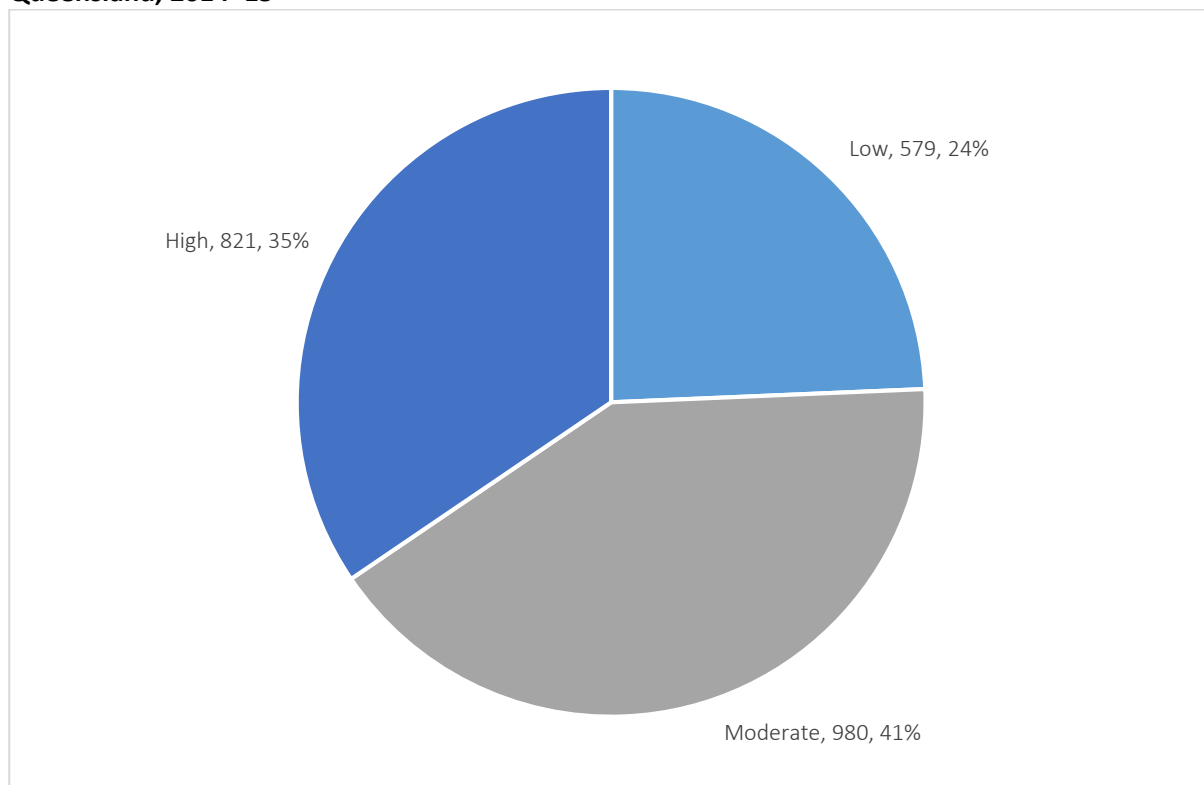
⁴³ Not all of these proven offences will have resulted in statutory supervision. Other court locations had fewer than 50 proven illicit drug offences.

system. The use of principal offence (to count number of individuals rather than number of offences) can obscure the prevalence of illicit drug offences among children also sentenced for more serious offences and drug use may contribute to offending behaviour in circumstances where illicit drug offences were not brought to the attention of the criminal justice system.

A better estimation of likely demand for drug interventions is potentially found by applying levels of assessed need to the total number of children under statutory supervision.

In 2014–15, 35% of young people under statutory supervision and assessed using the Youth Level of Service/Case Management Inventory (YLS/CMI) had a 'high' substance abuse score indicating that the development of case plans that addressed this problematic drug use would reduce recidivism more effectively.⁴⁴ See Figure 30.

Figure 30: Substance abuse score as assessed by YLS/CMI, young people under statutory supervision, Queensland, 2014–15



Source: Youth Justice unit data.

Note: Total number of youth under statutory supervision is 2,380.

In 2014–15, 3,495 distinct children were under statutory supervision either in the community or in detention.⁴⁵

It is therefore estimated that more than 1,000 children in 2014–15 may have benefited from a drug intervention.

⁴⁴ The substance abuse category in the YLS/CMI includes five risk items – occasional drug use, chronic drug use, chronic alcohol use, substance abuse interferes with life and substance use linked to the offence. In 2014-15, YLS/CMI information was available for 2,380 young people.

⁴⁵ Youth Justice Queensland Summary Statistics, 2016

While these figures need to be interpreted with caution in terms of establishing absolute demand⁴⁶, they clearly demonstrate a greater need for drug interventions among young offenders than using the principal offence to determine demand. It is also noted that Youth Justice refer children to drug treatment services if need is identified and appropriate services are available.

6.6 Are drug courts suitable for children?

There is currently one youth drug court operating in Australia. The Perth Drug Court operates in the Perth Children's Court and, similar to other drug courts, involves regular appearances at court, regular urine testing and participation in treatment programs and support services.

Meta-analyses of drug treatment courts operating outside of Australia have shown that they are less promising for children than adults. For example, Latimer, Morton-Bourgon and Chretien (2006) found that the effect size for young participants was not statistically different from zero (based on a small number of studies).

The former Queensland Drug Court experience also showed that younger participants were less likely than older participants to graduate from the program. Twenty per cent of offenders issued with an Intensive Drug Rehabilitation Order (IDRO) and aged 17 to 25 years graduated drug court compared with 31% of those aged over 25 years.⁴⁷

Consultation with Youth Justice highlighted a number of possible explanations for the lower efficacy of drug courts when treating children:

- developmentally young people are less mature than adults and may be less suitable for cognitive behavioural programs and less responsive to developing a therapeutic relationship with the judiciary;
- the requirement to work with young people for extensive periods of time to effect behavioural change (often longer than the length of orders); and
- young people may also be less likely than adults to comply with intensive interventions attached to orders.

Youth Justice also noted that there are children with a high-risk of reoffending who would benefit from a court-based therapeutic response to their drug use. This intervention however, would need to be youth specific, family-centred and supported by appropriate services.

6.7 Summary

This chapter has shown that:

- the recent high levels of growth in the number of offenders with an illicit drug offence as their principal offence evident among adult offenders is also apparent among children in contact with the criminal justice system;
- there is a level of problematic drug use among children in contact with the criminal justice system which would benefit from a therapeutic response;
- the number of children on statutory orders (including detention orders) is very low when compared with the number of adults under supervision; and
- there is limited information on the efficiency of drug courts for children, however available information suggests that they are less effective for children than adults.

⁴⁶ A YLS/CMI score was not available for all children under supervision and those not assessed may have less need for drug interventions than children; any child in contact with Youth Justice relating to different incidents in the same reporting year will only be counted once in distinct child counts.

⁴⁷ Source: DJAG program data.

6.8 Review implications

The data in this chapter suggest that:

- very few children would be eligible for an intensive drug court intervention if eligibility criteria included a requirement to be sentenced to imprisonment for more than 12 months; and
- there is a need for drug interventions for children in contact with the youth justice system, however identifying the types of interventions most likely to benefit children may be out of scope for the Review.

7 Operation of the former drug court

This chapter provides information on the operation of the former drug court in relation to program referrals and completion rates with reference to the demographic characteristics of participants.

7.1 How many people were referred and accepted onto the former drug court program?

The number of referrals to the former Queensland Drug Court by year is shown in Figure 31.

In total, there were 2,798 referrals made to the former drug court between 2000 and 2012. Of people referred to the drug court, 61% commenced the program and were issued with an IDRO. Reasons for non-program commencement included:

- an assessment of unsuitability;
- absconding; and
- declining to participate (after being assessed as suitable).

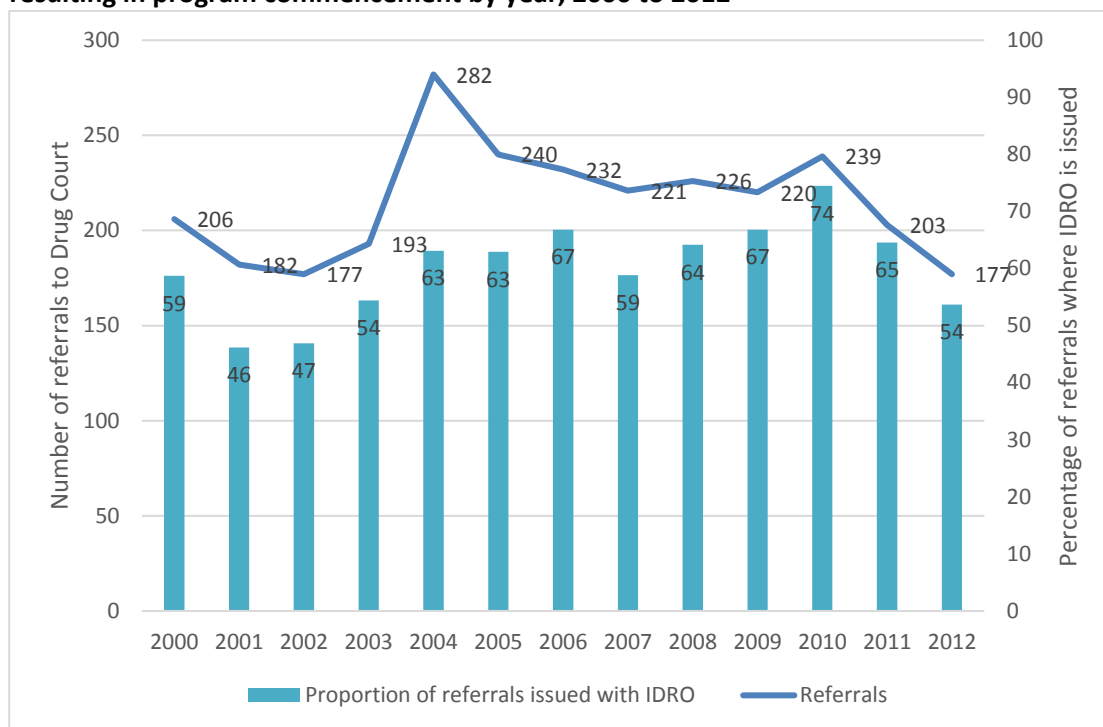
Over time, there was an overall increase in the proportion of referrals to drug court resulting in program commencement. On average, there were 215 referrals and 131 program commencements during each year of the drug court's operation.⁴⁸

There was a noticeable spike in the number of drug court referrals in 2004. This increase is likely to reflect legislative amendments in August 2003 that expanded the Beenleigh, Southport and Ipswich catchment areas for making an IDRO. Indeed, most of the 2004 growth is attributable to increases in referrals to the Beenleigh, Southport and Ipswich Drug Courts.

Overall, the number of referrals to drug court was greatest at Beenleigh (average of 64 per year) and Southport (average 62 per year). Townsville (average 33 per year) and Ipswich (average 32 per year) had a similar number of referrals and Cairns (average 24 per year) had the smallest number of referrals.

⁴⁸ There was an uncharacteristic reduction in program activity in 2012 due to the program's abolition. The average number of referrals per year (excluding 2012 information) was 134.

Figure 31: Number of referrals to the former Queensland Drug Court and proportion of referrals resulting in program commencement by year, 2000 to 2012



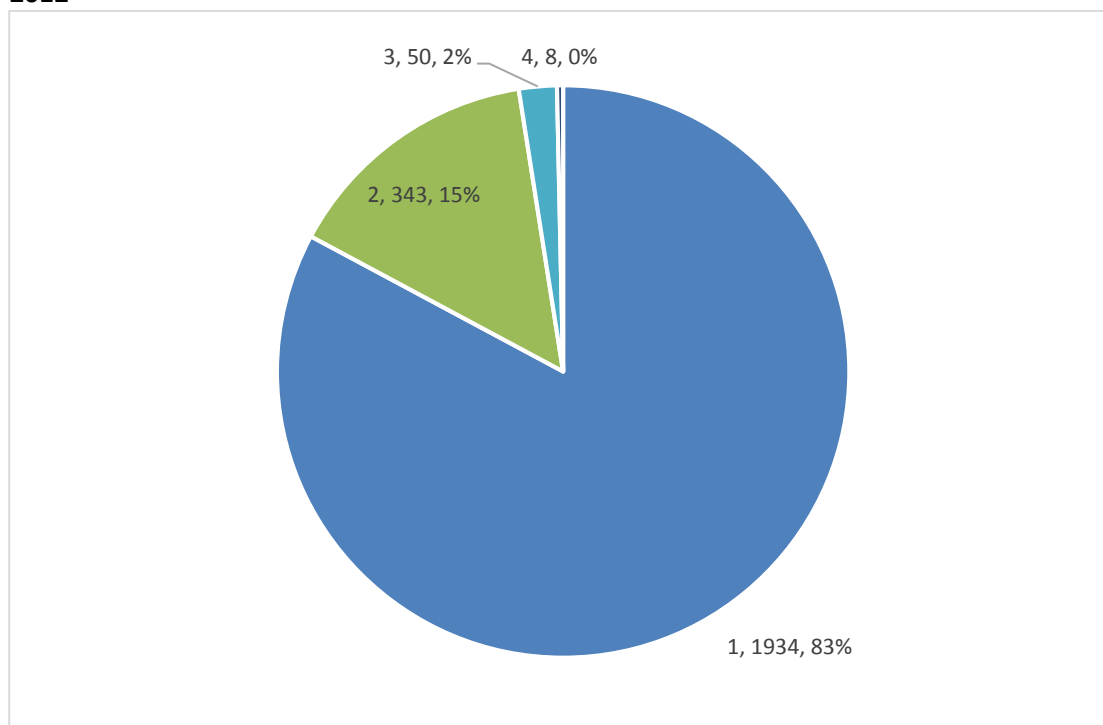
Source: DJAG program administration data.

Note: High levels of caution are advised when interpreting 2012 information since the drug court was abolished during the year and number of referrals do not reflect a full year of operation.

Some people were considered more than once for drug court, with 2,798 total referrals to drug court comprising of 2,335 individuals. A range of trajectories is evident among individuals referred to drug court more than once. For example, some individuals were accepted into the program after previously being assessed as being unsuitable, some individuals were assessed as unsuitable for the program having previously participated in the program, while other individuals were accepted onto the program more than once.

Figure 32 shows the number of times unique individuals were referred to the Queensland Drug Court. Just under 350 people were referred twice, 50 people were referred three times and eight people were referred four times.

Figure 32: Number of times unique individuals were referred to former Queensland Drug Court, 2000 to 2012



Source: DJAG program administration data.

Note: Total number is 2,335.

7.2 How many people completed the former drug court program?

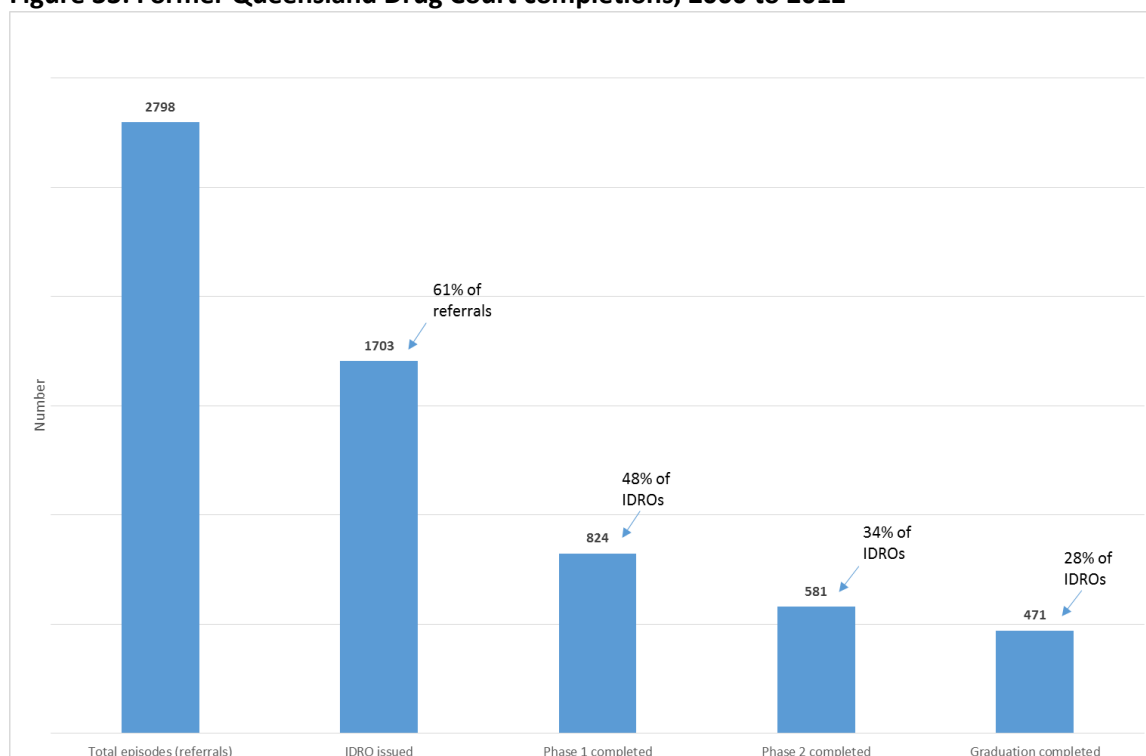
About a half (48%) of offenders commencing the drug court program completed phase one of the program, one-third (34%) completed phase two and 28% graduated the program (see Figure 33). These results indicate that program participants were most likely to terminate from phase one of the program.

Indeed, the longer a person stayed on the program the greater likelihood of their graduation. For example, while 28% of people issued with an IDRO graduated, 57% of people completing phase one of the program graduated and 81% of people completing phase two of the program graduated.

In total, 471 people (36 per year on average) graduated from the drug court program during its operation.

The evaluation of the former drug court found that the average time on the program was 420 days for program completers and 281 for program terminators (Payne 2008). The overall average time on the program was likely to be less than one year given that 72% of people commencing the program did not complete the program. This suggests that the former drug court operated under capacity given that there were 241 places on the program and 131 people commenced the program each year.

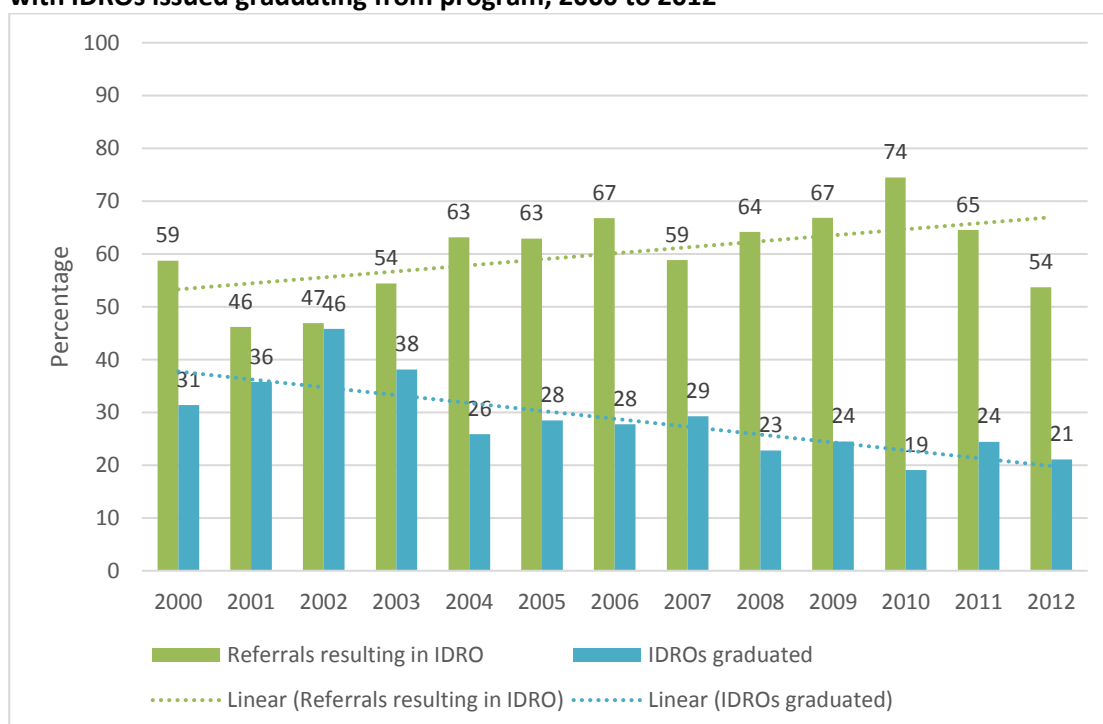
Figure 33: Former Queensland Drug Court completions, 2000 to 2012



Source: DJAG program administration data.

Figure 34 shows the proportion of referrals resulting in program commencement (also referred to above) and the proportion of program commencements resulting in graduation by year. It shows that the number of referrals resulting in program commencement increased over time, while the proportion of people graduating from the program decreased. This may indicate issues with program fidelity, changes in the implementation of assessment tools or pressures to increase the number drug court participants.

Figure 34: Proportion of referrals to Drug Court with IDRO issued compared with proportion of people with IDROs issued graduating from program, 2000 to 2012



Source: DJAG program administration data.

7.3 What was the demographic profile of former drug court participants?

Demographic information on drug court participants by program outcome is summarised in Table 7.

The majority of participants were male, aged over 25 years and non-Indigenous.

Females were slightly more likely to graduate the drug court program than males (88% of people issued with an IDRO were male compared with 83% of program graduates).

Older people (aged 26 years or more) were slightly more likely to graduate the drug court program than young people (71% of people issued with an IDRO were aged over 25 years compared with 79% of program graduates).

Non-Indigenous people were slightly more likely to graduate the drug court program than people identifying as Aboriginal and/or Torres Strait Islander (87% of people issued with an IDRO were non-Indigenous compared with 91% of program graduates).

Table 7 Drug court participants by program outcome, 2000 to 2012

Demographic characteristic	Referrals to drug court (%)	IDRO issued (within referrals to drug court) (%)	Program graduated (within IDROs issued) (%)
Male	86	88	83
Female	14	12	17
Aged 25 years and under	30	29	21
Aged 26 or more	70	71	79
Average age	30.3	30.3	32.2
Aboriginal and/or Torres Strait Islander	13	13	9
Non-Indigenous	87	87	91
Total (n)	2,798	1,703	471

Source: DJAG program administration data.

Note. Information regarding Aboriginal and Torres Strait Islander status excludes missing information (258). Total number of referrals is 2,540; Total number of IDROs issued is 1,573 and total number of graduates is 443.

7.4 How much did the former drug court cost per referral?

The overall whole-of-government per annum cost of the former Queensland Drug Court was estimated to be \$14.3 million during its last year of operation. This equates to approximately \$107,000 per referral. The average cost per referral would have been reduced substantially if the program achieved higher levels of program utilisation.

7.5 Summary

This chapter has shown that:

- on average, there were 215 referrals to former drug court, 131 program commencements and 36 program completions (graduates) during each year of its operation;
- some people were referred to former drug court more than once;
- overall the proportion of referrals to former drug court resulting in program commencement increased slightly over time, while the proportion of people graduating from the program declined slightly;
- the majority of former drug court participants were male, aged over 25 years and non-Indigenous; and
- females were slightly more likely to complete the former drug court program than males; older people were slightly more likely to complete the program than young people and non-Indigenous people were

slightly more likely to complete the program than people identifying as Aboriginal and/or Torres Strait Islander.

7.6 Review implications

The data in this chapter show that:

- it will be important to monitor and evaluate the reinstated drug court to support program fidelity, measure cost-effectiveness and assess program efficacy.

Glossary of terms

Aboriginal and Torres Strait Islander. A category used denote people that self-identify as Aboriginal and/or Torres Strait Islander. No disrespect is intended by the use of this descriptor.

Alleged offender (Queensland Police Service data). The Australian Bureau of Statistics publishes police information expressed as alleged offenders. Each alleged offender count is a unique person dealt with by the police during the reporting period. That is, an alleged offender is counted once, regardless of how many offences they have committed and how times they have had contact with the police during the reporting period. Not all alleged offenders are found guilty at court.

Australian Standard Offence Classification. An offence classification scheme developed by the Australian Bureau of Statistics used to classify criminal behaviour in a consistent manner for the production and analysis of crime and justice statistics.

Custodial sentence. A custodial sentence in Queensland includes imprisonment, intensive correction orders, partially or wholly suspended imprisonment and indefinite imprisonment.

Defendant finalised (Queensland Courts data). The Australian Bureau of Statistics publishes courts information expressed as a count of defendants finalised. The method of finalisation describes how criminal charge/s are concluded by a criminal court. One method of finalisation is allocated to each defendant. Some individuals may have more than one case finalised within the reporting period; in these instances defendants are counted more than once.

Drug-related offences. A descriptive category that can include illicit drug offences and/or offences that have been committed due to drug use, such as alcohol-related violence.

Illicit drug offence. A category used by criminal justice agencies to describe a range of illicit drug offences. These offences can include import illicit drugs; export illicit drugs; deal or traffic in illicit drugs – commercial quantity; manufacture illicit drugs; cultivate illicit drugs; deal or traffic in illicit drugs – non-commercial quantity; licit drug offences; possess illicit drugs, use illicit drugs, possess and/or use illicit drugs and other illicit drug offences. These offences are categorised using the Australian Standard Offence Classification.

Imprisonment. Imprisonment is time served in prison according to a term imposed by the judiciary. People sentenced to imprisonment may be eligible for court order parole or can apply for parole enabling some of their imprisonment term to be served in the community.

Indefinite prison sentence. A prison sentence of an indefinite term. These sentences are usually imposed on serious offenders to protect the community.

Intensive correction order. A prison sentence of one year or less served in the community under intensive supervision.

National Offence Index. An index developed by the Australian Bureau of Statistics that ranks offence seriousness against offences (as categorised by the Australian Standard Offence Classification scheme). The National Offence Index is provided at Appendix A.

Non-court action. The Queensland Police Service may initiate a non-court action when proceeding against an alleged offender. Non-court actions include informal or formal cautions/warnings, conferencing, counselling, drug diversionary schemes and penalty notices.

Police proceeding (Queensland Police Service data). The Australian Bureau of Statistics publishes police information expressed as police proceedings. Each police proceeding represents a count of the most

serious legal proceeding initiated against a person for a particular event. A person may be counted more than once during a reporting period if they are proceeded against on separate occasions by the police.

Non-custodial order. Penalties imposed for criminal offences served in the community. These penalties include absolute release; good behaviour bonds; restitution or compensation orders; non-contact or banning orders, fines, community service orders and probation.

Principal offence. The most serious offence in matters where more than one offence has been committed in the same event. The National Offence Index is used to identify the most serious offence.

Principal order. The most serious order in matters where more than one order has been imposed on offenders for offences finalised in the same event.

Queensland Standard Offence Classification. The offence classification scheme used by Queensland Corrective Services to classify offences. This scheme is a variation of the Australian Standard Offence Classification.

Suspended sentence. A suspended prison sentence available for people sentenced for a term of up to five years. The sentence can be partially or wholly suspended.

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Appendix A

National offence index

Ranking	Australian Standard Offence Classification
1	Murder
2	Attempted murder
3	Manslaughter
4	Driving causing death
5	Manslaughter and driving causing death, n.f.d
6	Homicide and related offences, n.f.d
7	Aggravated sexual assault
8	Non-assaultive sexual offences against a child
9	Sexual servitude offences
10	Child pornography offences
11	Non-aggravated sexual assault
12	Non-assaultive sexual offences, n.e.c
13	Sexual assault and related offences, n.f.d
14	Import illicit drugs
15	Export illicit drugs
16	Import or export illicit drugs, n.f.d
17	Deal or traffic in illicit drugs - commercial quantity
18	Manufacture illicit drugs
19	Cultivate illicit drugs
20	Manufacture or cultivate illicit drugs, n.f.d
21	Deal or traffic in illicit drugs - non-commercial quantity
22	Deal or traffic in illicit drugs, n.f.d
23	Serious assault resulting in injury
24	Abduction and kidnapping
25	Aggravated robbery
26	Deprivation of liberty/false imprisonment
27	Serious assault not resulting in injury
28	Common assault
29	Assault, n.f.d
30	Other acts intended to cause injury, n.e.c
31	Stalking
32	Other acts intended to cause injury, n.f.d
33	Acts intended to cause injury, n.f.d
34	Neglect or ill-treatment of persons under care
35	Other dangerous or negligent acts endangering persons, n.e.c
36	Other dangerous or negligent acts endangering persons, n.f.d
37	Drive under the influence of alcohol or other substance
38	Dangerous or negligent operation (driving) of a vehicle
39	Dangerous or negligent acts endangering persons, n.f.d
40	Non-aggravated robbery
41	Blackmail and extortion
42	Threatening behaviour
43	Procure or commit illegal abortion
44	Property damage by fire or explosion
45	Offences against government security n.e.c
46	Import or export prohibited weapons/explosives
47	Sell, possess and/or use prohibited weapons/explosives
48	Prohibited weapons/explosives offences, n.e.c
49	Prohibited weapons/explosives offences, n.f.d
50	Unlawfully obtain or possess regulated weapons/explosives
51	Misuse of regulated weapons/explosives
52	Deal or traffic regulated weapons/explosives offences
53	Regulated weapons/explosives offences, n.e.c

Ranking	Australian Standard Offence Classification
54	Regulated weapons/explosives offences, n.f.d
55	Prohibited and regulated weapons and explosives offences, n.f.d
56	Counterfeiting of currency
57	Bribery involving government officials
58	Subvert the course of justice
59	Unlawful entry with intent/burglary, break and enter
60	Obtain benefit by deception
61	Forgery of documents
62	Possess equipment to make false / illegal instrument
63	Fraudulent trade practices
64	Dishonest conversion
65	Misrepresentation of professional status
66	Other fraud and deception offences, n.e.c
67	Illegal non-fraudulent trade practices
68	Theft of a motor vehicle
69	Illegal use of a motor vehicle
70	Theft from a person (excluding by force)
71	Theft of motor vehicle parts or contents
72	Motor vehicle theft and related offences, n.f.d
73	Theft of intellectual property
74	Theft from retail premises
75	Theft (except motor vehicles), n.e.c
76	Theft (except motor vehicles), n.f.d
77	Receive or handle proceeds of crime
78	Illegal use of property (except motor vehicles)
79	Commercial/industry/financial regulation
80	Import/export regulations
81	Offences against privacy
82	Harassment and private nuisance
83	Exceed the prescribed content of alcohol or other substance limit
84	Graffiti
85	Property damage, n.e.c.
86	Air pollution offences
87	Water pollution offences
88	Soil pollution offences
89	Noise pollution offences
90	Environmental pollution, n.e.c.
91	Environmental pollution, n.f.d
92	Sanitation offences
93	Disease prevention offences
94	Occupational health and safety offences
95	Transport regulation offences
96	Dangerous substances offences
97	Licit drug offences
98	Public health and safety offences, n.e.c.
99	Public health and safety offences, n.f.d
100	Environmental regulation offences
101	Immigration offences
102	Quarantine offences
103	Offences against justice procedures, n.e.c.
104	Offences against government operations, n.e.c.
105	Escape custody offences
106	Breach of home detention
107	Breach of suspended sentence
108	Breach of custodial order offences, n.f.d
109	Breach of parole
110	Breach of community service order
111	Breach of bond - probation
112	Breach of bail

Ranking	Australian Standard Offence Classification
113	Breach of violence order
114	Breach of bond - other
115	Breach of community based order, n.e.c.
116	Breach of community based order, n.f.d
117	Prison regulation offences
118	Bribery (excluding government officials)
119	Breach of non-violence orders
120	Defamation and libel
121	Censorship offences
122	Vilify or incite hatred on racial, cultural or ethnic grounds
123	Cruelty to animals
124	Possess illicit drugs
125	Use illicit drugs
126	Possess and/or use illicit drugs, n.f.d
127	Other illicit drug offences, n.e.c
128	Riot and affray
129	Trespass
130	Offensive language
131	Offensive behaviour
132	Criminal intent
133	Disorderly conduct, n.e.c
134	Betting and gambling offences
135	Liquor and tobacco offences
136	Prostitution offences
137	Offences against public order sexual standards
138	Resist or hinder police officer or justice official
139	Resist or hinder government officer concerned with government security
140	Resist or hinder government official (excluding police officer, justice official or government security officer)
141	Drive while licence disqualified or suspended
142	Drive without a licence
143	Driver licence offences, n.e.c.
144	Driver licence offences, n.f.d
145	Registration offences
146	Roadworthiness offences
147	Vehicle registration and roadworthiness offences, n.f.d
148	Exceed the legal speed limit
149	Parking offences
150	Regulatory driving offences, n.e.c.
151	Consumption of legal substances in regulated spaces
152	Regulated public order offences, n.e.c
153	Pedestrian offences
154	Traffic and vehicle regulatory offences, n.f.d
155	Other miscellaneous offences n.e.c.
156	No data provided
157	Inadequate data provided.