

statistical report 1

drug offences 1971

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Background Note

From January 1970 onwards, a statistical report has been prepared by Clerks of Petty Sessions throughout New South Wales in each case where a person is convicted under Parts III and IV of the Poisons Act, 1966 (as amended). The report covers a number of personal and social characteristics of offenders, the nature of their offence and details of previous convictions (see specimen form, Appendix A, page

An analysis of 1970 offences was presented in a report prepared by the Department of the Attorney General and of Justice in May, 1971. The present report on 1971 convictions is based on similar data.

The scope of the statistical material furnished by the Courts has recently been widened to conform with the requirements of a comprehensive system of reporting introduced by the Bureau of Crime Statistics and Research. These changes will be reflected in the report on 1972 offences.

NATURE OF OFFENCES

The offences detailed in this report relate to drugs of addiction and restricted substances. Specific offences are as follows:

- (i) USE (i.e., take orally, smoke)
- (ii) ADMINISTER (i.e., intravenously)
- (iii) POSSESS
- (iv) SELL
- (v) MANUFACTURE
- (vi) SUPPLY and/or DISTRIBUTE
- (vii) FORGE and/or UTTER PRESCRIPTIONS.

Following the precedent of the 1970 report, the drugs and restricted substances implicated in offences have been grouped under the following headings:

- OPIATES (including morphine, heroin, pethidine, omnipon)
- CANNABIS (including marihuana, hashish, Indian hemp)
- HALLUCINOGENS (including methadrine, amphetamines)
- SEDATIVES (including phenobarb, seconal)
- COCAINE
- OTHER

In many cases, individuals were convicted for offences which involved combinations of the above categories of restricted substances. In addition, therefore, to indicating the number of times each separate type of substance was involved in an offence, several of the analyses presented in this report revolve around the more frequent combinations of prohibited substances.

INTERPRETING CRIME STATISTICS

Any agency which compiles crime statistics is under an obligation to alert the general reader to a number of factors which may need to be taken into account in arriving at a balanced interpretation of apparent trends. For example, in its annual publication UNIFORM CRIME REPORTS, the American F.B.I. indicates the need to consider such factors as density, composition and size of the population, when interpreting crime statistics.

To these general remarks must be added a caution which applies specifically to a new system of data collection. It takes time for those responsible for supplying the information to become fully conversant with requirements of the system. There is every possibility, therefore, that the volume of reported crime may, for a time, increase as respondents become more familiar with the method of reporting.

While it is not possible to say at precisely what point this problem becomes unimportant, obviously three years experience would represent a better basis on which to assess 'trends' than the two years for which drug statistics have been available.

Against these considerations must be weighed the fact that the Courts involved in supplying statistical information are part of a single administration. Also the offences documented, are restricted both in variety and number. Considerable care has been taken from the outset to acquaint respondents with the correct method of reporting.

Finally in a society where policy is strongly directed towards preventing the young from becoming users of proscribed drugs, there is the possibility that official statistics will understate drug usage among older age groups.

STATISTICAL NOTE

In the results that follow the word 'significant' is used in the statistical sense to refer to the probability of less than 5 in a 100 that a suspected relationship could have arisen by chance. The symbols used for less than 5, 2, or 1 chance in a 100 are $P < 5\%$, $P < 2\%$ and $P < 1\%$.

The Overall Picture (1971)

A total of 879 persons were convicted under Parts III and IV of the Poisons Act during 1971. This represents an increase of 36.4 per cent over the total number convicted during the previous year.

A balanced interpretation of the significance of this increase must include consideration of the factors discussed in the background note (see page 2).

The ages of those convicted of drug offences ranged from 14 years (two girls) to twelve offenders who were over 40 years of age. However, 95 per cent were under 29 years of age. Males accounted for 80.7 per cent of the total and females 19.3 per cent.

Age of Offenders	Age in years	Percentage	Number
	14	0.2	2
	15	1.4	12
	16	3.9	34
	17	7.3	64
	18	12.4	109
	19	15.5	136
	20	16.2	142
	21	11.0	97
	22	8.8	77
	23	5.1	45
	24	4.9	43
	25	2.5	22
	26	1.9	17
	27	2.4	21
	28	0.6	5
	29	1.1	10
	30 - 34	2.4	21
	35 - 39	0.9	8
	40+	1.4	12
	Not known	0.2	2

Sex of Offenders	Sex	Percentage	Number
	Male	80.7	709
	Female	19.3	170

There was only a slight difference in the proportion of the 1970 and 1971 groups reported as being employed at the time of their offence. The 1971 offenders included fewer unemployed people. This difference does not appear to be related to a disparity in the age structure of the two groups. While it was not possible to compare the age distributions in any detail*, in each case an almost identical percentage was under 21 years of age:

Under 21 years	1970		1971	
	Percentage	Number	Percentage	Number
	54.5	351	56.7	499

Only a small number of those convicted for drug offences were employed in medical or paramedical positions. Among the 1971 offenders were 18 nurses, 2 doctors and 4 others whose work was of a paramedical nature.

General occupations were classified in two ways. First, in terms of the descriptive categories which formed the basis of the 1970 analysis. The second classification, with categories ranging from A (high) to D (low), was based on 'occupational prestige' - the relative social standing which the Australian public accords different occupations. The results of many sociological studies have indicated that occupational prestige is an effective 'indicator' of variation in life style and opportunities associated with the concept of 'class'.

*The 1970 figures were grouped in roughly 5 and 10 year categories.

EMPLOYMENT STATUS

Category	1970		1971	
	% of individuals	Number	% of individuals	Number
Employed/ Self-employed	56.2	362	61.7	542
Unemployed	39.8	255	31.9	280
Student	4.0	26	5.2	46
Not Stated	-	-	1.2	11

Both methods of classification have their limitations. The descriptive categories were so heterogeneous* as to limit their value to distinguishing two broad classes of occupation, (a) Professional, white collar/technical workers and (b) Other. This grouping at least permitted some comparison of the 1970 and 1971 findings.

When the above two-fold classification was used, there appeared to be a slight reduction in the proportion of 1971 offenders belonging to the professional, white collar and technical workers category:

	1970		1971	
	Percentage	Number	Percentage	Number
Professional white collar & technical workers	20.5	132	16.6	146

The complete results of this analysis are presented in appendix C.

The second method of ordering the data in terms of occupational prestige suffers from the limitation that there are few relevant previous findings with which to compare the present results. This is a problem which will be overcome as the Bureau of Crime Statistics completes studies of different groups of offenders.

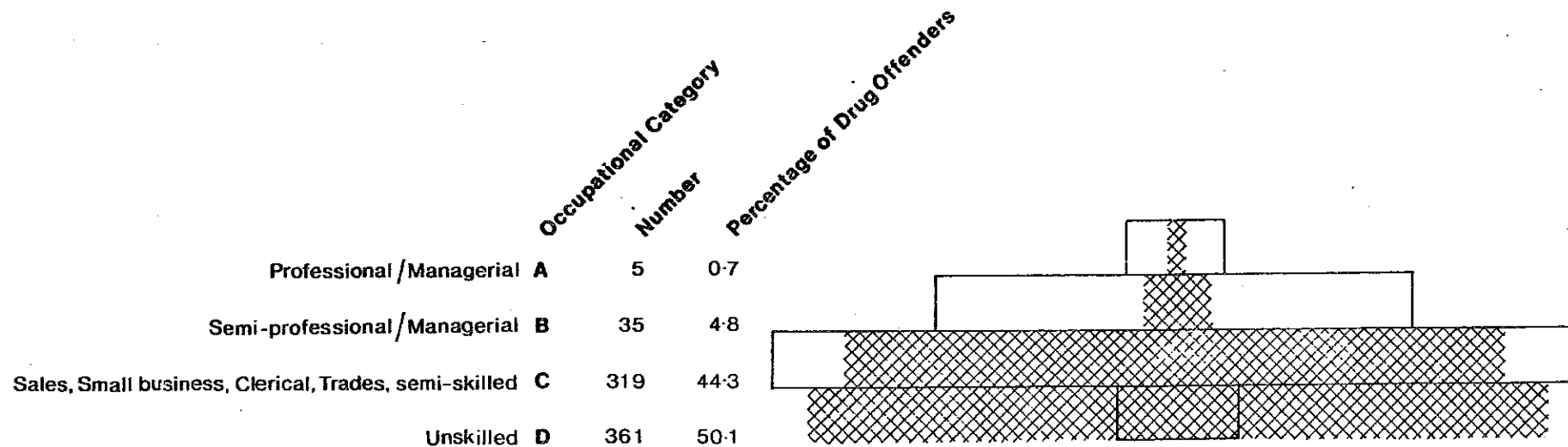
*One category combined tradesmen, semi and unskilled workers. Another ('Miscellaneous') combined pensioners, students, farmers and occupations 'not stated'. This category accounted for 33 per cent of the 1970 cases.

DRUG OFFENCES X OCCUPATIONAL GROUPINGS

	1970		1971	
	Percentage	Number	Percentage	Number
Professional	0.8	5	1.4	12
White Collar & technical workers	19.7	127	15.2	134
Tradesmen, semi & unskilled	45.5	293	57.6	507
Armed Services	1.1	7	1.0	10
Miscellaneous/ Not Stated	32.9	212	24.8	216

Meanwhile, estimates are available of the proportions of the SYDNEY metropolitan population occurring in each of the four occupational strata (see accompanying figure). Unfortunately 18 per cent of the statistical returns did not specify the occupation of the offender. (There will always be some difficulty in compiling information from Court papers but it is anticipated that this level of non-reporting will be greatly reduced under the modified system introduced by the Bureau).

When the results for the drug offender group were re-calculated on the basis of the 720 cases in which occupations were known, the results were as follows:



Proportion of drug offenders by occupation shown shaded against proportion (est.) of general population in occupational categories

The majority of offences were committed in company. Approximately 65% occurred in these circumstances compared with 33 per cent of the cases in which a single individual was charged.

Attention has already been drawn to the youthfulness of the offender groups. Consistent with this earlier findings was the fact that 86% were unmarried. People who were either married or living in a de facto relationship accounted for only 7.6% of the drug offenders.

Circumstances of offence	% of individuals	Number
In Company	64.9	571
Alone	32.9	289
Not Stated	2.2	19

Marital Status	% of individuals	Number
Single	86.4	759
Married	6.5	57
Widowed	0.1	1
Divorced	0.7	6
Permanently separated	2.4	21
De facto	1.1	10
Not Stated	2.8	25

DISTRIBUTION OF DRUG OFFENCES BY GEOGRAPHICAL AREA

In this report two ways of classifying drug offenders by geographical area are examined. The first is to classify them according to area of residence (see table opposite); the second is to classify them according to where the offence was committed (see Appendix B). The following comments relate to the first method of classification, that is, the usual area of residence of those convicted.

It is clearly unwise to compare the figures for drug convictions of people from various areas without first taking into account a number of factors. At the very least a figure for a local government area must be related to the gross population of that area. When this is done, we find that certain municipalities of Sydney have a rate of drug convictions per 1000 of population which is significantly higher than the average. Most noticeable among these are the City of Sydney and the Municipality of Waverley, with conviction rates of 2.76 and 1.80 respectively. Three other municipalities (Botany, Manly and South Sydney) have conviction rates exceeding 0.50; all others are 0.30 or less.

However, by the same token certain municipalities have a significantly low conviction rate. Burwood, Camden and Baulkham Hills had no convictions at all in 1971, while a number of other populous areas had only one or two.

It is clear that caution must be exercised when attempting to deduce anything from this data about the incidence of drug abuse among people living in various areas. For example, when it is remembered that 95 per cent of all convictions for drug offences are of people between the ages of 15 and 29, it is obviously important to take into account the age distribution of people within each municipality (as well as other social factors).

AREAS OF RESIDENCE, RANKED ACCORDING TO THE RATE OF DRUG CONVICTIONS PER 1000 OF POPULATION*

Municipality or Shire	Number of Convictions	Rate per 1000
Sydney (City)	171	2.76
Waverley	117	1.80
Manly	34	0.87
Botany	22	0.58
South Sydney	20	0.52
Woollahra	18	0.30
North Sydney	15	0.28
Randwick	34	0.28
Kogarah	13	0.28
Leichhardt	18	0.26
Strathfield	6	0.22
Bankstown	34	0.21
Blacktown	28	0.18
Campbelltown (City)	6	0.18
Warringah	27	0.17
Mosman	5	0.17
Ashfield	7	0.16
Hornsby	15	0.16

*Population as at 30th June, 1971. Figures are taken from the Field Count Statement, and so are subject to amendment.

Up to date figures on the age structure of local government areas were not available at the time this report was prepared. However, by using the 1966 census figures, it is possible to obtain rough estimates of the number of young people between the ages of 15 and 29. Thus we may obtain some idea of the rate of drug convictions per 1000 of the population at risk. When this is done, we find that the City of Sydney has a rate of approximately 11 per 1000 and Waverley a rate of approximately 7 per 1000. Provided we bear in mind the tentative nature of the estimates, and the fact that a small proportion of drug offenders were convicted more than once, it seems that something of the order of one in a hundred people in the age range 15 - 29 living in the Sydney City municipality were convicted of drug offences in 1971.

The table opposite gives the total number of convictions for each municipality and shire of Sydney, as well as some other areas of N.S.W. They have been ranked according to the conviction rate per 1000 of total population. Ranking them according to the rate per 1000 of population in the age range 15 - 29 produces only minor changes in the order. For example, the Blue Mountains (City) area has a smaller percentage of people aged 15 - 29 than average, and so the rate of convictions is correspondingly increased (to the Rockdale level).

It is instructive to compare the figures in this table with those in Appendix B. The number of people apprehended for drug offences in a given area is generally less than the total number of people who live in that area who were convicted of drug offences. The notable exceptions to this rule are the City of Sydney and the Wollongong area. Of the 281 offences which took place in the City of Sydney, only 171 were by people living in the area. The corresponding figures for Wollongong are 40 and 28. Other exceptions include Newcastle, Leichhardt and South Sydney, but in these cases the differences between the figures are much less.

Municipality or Shire	Number of convictions	Rate per 1000
Newcastle Statistical District*	52	0.15
Hunters Hill	2	0.14
Wollongong Statistical District*	28	0.14
Sutherland	19	0.13
Marrickville	11	0.11
Fairfield	12	0.11
Lane Cove	3	0.11
Ku-ring-gai	10	0.10
Ryde	9	0.10
Rockdale	7	0.08
Concord	2	0.08
Hurstville	5	0.08
Liverpool	6	0.07
Windsor	1	0.07
Drummoyne	2	0.06
Parramatta (City)	7	0.06
Blue Mountains (City)*	1	0.05

*Newcastle Statistical District comprises the Cities of Newcastle and Maitland, part of the City of Greater Cessnock and the Shires of Lake Macquarie and Port Stephens; Wollongong Statistical District comprises the City of Wollongong and the Municipalities of Kiama and Shellharbour. Blue Mountains (City) includes that part lying East of the township of Linden.

	Municipality or Shire	Number of convictions	Rate per 1000
	Holroyd	4	0.05
	Canterbury	6	0.05
	Other specified places in N.S.W.	51	0.04
	Auburn	2	0.04
	Penrith (City)	2	0.03
	Willoughby	1	0.02
	Burwood	0	0.00
	Camden	0	0.00
	Baulkham Hills	0	0.00
	No fixed address	16	-
	Usual residence outside N.S.W.	28	-
	Not stated	2	-

Bearing in mind that nearly two-thirds of the offences recorded took place in company with other people, it seems a reasonable inference from the data that certain areas are centres for drug taking. The City of Sydney is certainly one such area, as well as the Municipality of Waverley, although there is a slight tendency for people living in Waverley to commit offences somewhere else.

COURT ACTION

Four out of every five offenders were either fined or placed on some form of recognizance. One in four (27 per cent) were placed on probation and, in approximately 6 per cent of cases, the additional penalty of a fine was imposed.

Of the 146 people who were imprisoned, 88 per cent were sentenced to terms in excess of 3 months. In 16 cases a fine was also imposed.

	% of offenders	Number
Offence proved, discharged(556A)	0.9	8
Fined	27.1	238
Recognizance	15.9	140
Recognizance and fined	10.5	92
Probation	7.4	65
Recognizance and Probation	13.8	122
Recognizance, probation, fine	5.5	48
Committed to an institution	2.0	18
Imprisonment		
14 days or less	0.6	5
Over 14 days less than 1 month	-	-
1 month, less than 2 months	0.6	5
2 months less than 3 months	0.9	8
3 months less than 6 months	2.9	25
6 months less than 9 months	4.3	38
9 months less than 1 year	2.4	21
1 year less than 18 months	3.9	34
18 months and over	1.1	10
Not Stated	0.2	2

From the Court papers, it was possible to establish in each case whether the offender had a record of previous drug offences and/or offences of other kinds (more detailed information will be available concerning non-drug offences in 1972).

A substantial proportion of the group (approximately 19 per cent) had a history of previous drug offences. However, an even larger percentage (approximately 28 per cent) had a record of non-drug offences (P < 1%).

NUMBER OF PREVIOUS CONVICTIONS

Number of offences	Non-drug offences		Drug offences	
	% total individuals	Number	% total individuals	Number
Nil	71.6	629	80.6	708
One	12.5	114	10.8	95
Two	5.4	48	4.2	37
Three	3.4	30	2.3	20
Four	1.6	14	1.0	9
Five or more	5.1	44	1.1	10

As already indicated, a number of offenders (11 per cent) were convicted for offences involving more than one type of restricted substance (see accompanying table). The main combinations will be discussed later in this report. At this preliminary stage, discussion will be confined to an examination of the number of instances in which each distinct category of drug was associated with an offence.

To the extent that comparisons are possible with the 1970 report*, the proportion of cases involving opiates (30 per cent) appeared to be relatively unchanged. The number of offences involving hallucinogens increased slightly from approximately 7 to 12 per cent but there was a corresponding drop in the number of cases involving stimulants. This reduction follows the introduction of more stringent restrictions on the manufacture of stimulant type drugs.

NUMBER OF PROHIBITED SUBSTANCES USED

	Number of substances	% total individuals
one	89.0	783
two	9.8	85
three	1.0	9
four	0.1	1
five	0.1	1
	<u>100.0</u>	<u>879</u>

Because of the way in which the 1970 report was compiled, it is not possible to draw further comparisons, between the two sets of figures. However, cannabis type products were involved in well over half (56 per cent) of the 1971 convictions.

*The previous report did not itemise distinct substances involved in offences.

DISTINCT CATEGORIES OF PROHIBITED SUBSTANCES USED

Category of substances	% total substances	Number
Opiates	30.2	265
Cannabis	56.2	494
Hallucinogens	12.5	110
Stimulants	5.9	52
Sedatives	5.8	51
Cocaine	1.6	14
Other	0.2	2

+Because multiple drugs used, adds to more than 100 per cent.

In considering types of offences it is again necessary to recognise that many individuals were involved in multiple offences. When analysis is confined to distinct categories of offences, it is possible to compare the 1970 and 1971 figures (see accompanying table).

The 1970 offenders were convicted on an average of 1.7 offences compared with an average of 1.4 in 1971.

The offence of administering drugs occurred in significantly fewer of the 1971 cases than those occurring in 1970 ($P < 1\%$). Significantly fewer of the 1971 cases involved the offence of possessing prohibited substances ($P < 1\%$).

DISTINCT TYPES OF OFFENCES

Offences	1970		1971	
	% total individuals*	Number	% total individuals*	Number
Possess	70.6	455	55.4	487
Use (i.e take orally)	35.7	230	37.8	332
Administer (i.e intravenously)	42.4	273	27.2	239
Distribute	13.0	84	10.1	89
Sell	1.8	12	4.6	40
Forge, and/or utter prescriptions	8.8	57	4.6	40
Manufacture	0.3	2	0.1	1
Not Stated	-	-	0.2	2

Mean = 1.7 offences/person

Mean = 1.4 offences/person

*Because of multiple offences, adds to more than 100 per cent.

Combinations of Drugs

The major individual and combined categories of drugs involved in 1971 offences are presented in the accompanying table. These categories form the basis of a number of the tables which follow

	Combinations of drugs	% of individuals	Number
Cannabis	48.6	427	
Opiates	24.6	216	
Hallucinogens	7.6	57	
Stimulants	3.9	34	
Hallucinogens + Cannabis	3.9	34	
Sedatives	3.5	31	
Opiates + Cannabis	2.0	18	
Sedatives + Opiates	1.0	9	
Cocaine	0.7	6	
Stimulants + Cannabis	0.6	5	
Stimulants + Opiates	0.5	4	
Cocaine + Opiates	0.5	4	
Hallucinogens + Opiates	0.3	3	
Other	2.3	21	

DRUGS X AGE

For the purpose of further analysis, the range of individual and combined drugs was reduced to the eight categories which occurred most frequently together with a residual or 'other' category.

When this information was cross-tabulated with data concerning the age of offenders, certain broad trends were discernible. A noticeably higher proportion of offenders over 24 years of age were convicted for offences involving sedatives. Fewer than 4% of each of the younger age groups were in this category

compared with 12 per cent and 13 per cent respectively of the 25-29 year olds and those over thirty.

The most common group of offences in every age group were those involving cannabis. Expressed as a proportion of offences in each age category, cannabis (alone or in combination with opiates or hallucinogens) reached its peak in the 21-24 years interval.

There was a slightly greater tendency for older offenders to use cannabis in combination with other drugs but the numbers involved were small and the age trend far from uniform.

DRUGS X AGE IN YEARS

	Under 17		17-20		21-24		25-29		30+		Unstated	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Opiates	12	25.1	124	27.5	58	22.1	14	18.7	8	19.5	0	0.0
Cannabis	23	47.9	208	46.1	141	53.8	37	49.3	16	39.0	2	100.0
Opiates + Cannabis	1	2.1	9	2.0	7	2.7	0	0.0	1	2.4	0	0.0
Hallucinogens	5	10.4	40	8.9	17	6.5	2	2.7	3	7.3	0	0.0
Hallucinogens + Cannabis	1	2.1	19	4.2	8	3.1	4	5.3	2	4.9	0	0.0
Stimulants	4	8.3	11	2.4	11	4.2	5	6.7	3	7.3	0	0.0
Sedatives	1	2.1	12	2.7	5	1.9	9	12.0	4	9.8	0	0.0
Sedatives + opiates	0	0.0	5	1.1	2	0.8	1	1.3	1	2.4	0	0.0
Other	1	2.1	23	5.1	13	5.0	3	4.0	3	7.3	0	0.0
Total	48	100.0	451	100.0	262	100.0	75	100.0	41	100.0	2	100.0

SEX

Men (57%) were more likely than women (44%) to be convicted for offences involving cannabis. On the other hand, more females (33%) than males (26%) were convicted for opiate type offences. Although the numbers involved were small, women were convicted more frequently than men for offences relating to stimulants.

Type of offences (distribute, administer etc.) have also been analysed in terms of the sex of the offender. No significant trends were apparent.

SOCIAL SETTING

Offences involving cannabis and hallucinogens were generally more likely to be committed in company than offences involving opiates, stimulants and sedatives. The relevant table appears in Appendix C.

	Male		Female	
	Number of offenders	Percentage	Number of offenders	Percentage
Opiates	166	23.4	50	29.4
Cannabis	364	51.3	63	37.1
Opiates + Cannabis	14	2.0	4	2.4
Hallucinogens	51	7.2	16	9.4
Hallucinogens + Cannabis	27	3.8	7	4.1
Stimulants	21	3.0	13	7.7
Sedatives	25	3.5	6	3.5
Sedatives + Opiates	7	1.0	2	1.2
Other	34	4.8	9	5.3
Total	709	100.0	170	100.0

PREVIOUS CONVICTIONS

(i) NON-DRUG OFFENCES

When attention is confined to offences involving the two most commonly cited types of drugs, (cannabis and opiates), a highly significant difference ($P < 1\%$) in 'criminal' histories is apparent. Whereas 20.6% of those involved in cannabis type offences had a history of previous non-drug offences, approximately twice as many (38.9%) of those whose offences were in the opiate category had a similar history:

	Cannabis		Opiate	
	No.	%	No.	%
History of non-drug offences	88	20.6	84	38.9
No History of non-drug offences	339	79.4	132	61.1

Unfortunately, details concerning the nature of previous offences were not compiled during 1971. (The new system introduced by the Bureau requires that such details be recorded in each case). A better appreciation of the significance of the above figure should be possible after the 1972 figures have been analysed.

(ii) DRUG OFFENCES

A difference similar to that described in the previous section emerged when the 'drug' records of individuals whose offences involved cannabis or opiate substances, were compared. Again, a significantly higher proportion (30%) of opiate compared with cannabis type offences (10%) were committed by persons with a history of previous drug offences:

	Cannabis		Opiate	
	No.	%	No.	%
History of non-drug offences	42	9.9	64	29.6
No History of non-drug offences	385	90.1	152	70.4

NUMBER PREVIOUS CONVICTIONS (NON-DRUG)

	None		One		More than one	
	No.	%	No.	%	No.	%
Opiates	132	61.1	41	19.0	43	19.9
Cannabis	339	79.4	41	9.6	47	11.0
Opiates + Cannabis	9	50.0	6	33.3	3	16.7
Hallucinogens	56	83.6	2	3.0	9	13.4
Hallucinogens + Cannabis	28	82.4	2	5.9	4	11.8
Stimulants	23	67.7	5	14.7	6	17.7
Sedatives	13	41.9	7	22.6	11	35.5
Sedatives + Opiates	4	44.4	3	33.3	2	22.2
Other	25	58.1	7	16.3	11	25.6

	None		One		More than one	
	No.	%	No.	%	No.	%
Opiates	152	70.4	30	13.9	34	15.8
Cannabis	385	90.2	31	7.3	11	2.6
Opiates + Cannabis	13	72.2	4	22.2	1	5.6
Hallucinogens	57	85.1	6	9.0	4	6.0
Hallucinogens + Cannabis	28	82.4	4	11.8	2	5.9
Stimulants	24	70.6	6	17.7	4	11.8
Sedatives	16	51.6	5	16.1	10	32.3
Sedatives + Opiates	5	55.7	2	22.2	2	22.2
Other	28	65.1	7	16.3	8	18.6

ACTION TAKEN BY THE COURT

From the details of the table which follows on the next page, certain data may be extracted which suggest that the Courts differentiate between different categories of drugs when imposing penalties. Imprisonment was used comparatively infrequently in cases involving cannabis or stimulants. Fines and/or forms of recognizance were the more common penalties in these types of cases.

Imprisonment occurred more frequently where sedatives, hallucinogens or opiates were the substances involved. However, even here, a form of recognizance was imposed in approximately 50% of cases:

	Cannabis %	Stimulants %	Sedatives %	Hallucinogens %	Opiates %
Recognizance, with or without probation/fine	45.6	52.9	48.4	56.6	59.3
Fine	44.7	29.4	9.7	10.5	10.2
Institution	0.5	5.9	3.2	0.0	5.1
Imprisonment	7.7	11.8	35.5	31.4	24.5
Other	1.5	0.0	3.2	1.5	0.9
	100.0	100.0	100.0	100.0	100.0

The relation between type of penalty and the occupational status of the defendant, is discussed in the section which follows.

ACTION TAKEN

<u>Percentages</u>		Opiates	Cannabis	Opiates + Cannabis	Hallucinogens	Hallucinogens + Cannabis	Stimulants	Sedatives	Sedatives + Opiates	Other
Probation	9.7	6.1	16.6	1.5	14.7	11.2	6.5	0.0	7.0	
Offence proved discharged (556A)	0.9	1.2	0.0	1.5	0.0	0.0	0.0	0.0	0.0	
Recognizance	15.1	15.9	16.6	31.3	11.2	11.8	6.5	11.1	7.0	
Recognizance with probation	25.9	4.2	5.7	14.9	2.1	29.4	29.0	11.1	32.5	
Recognizance with probation & fined	4.3	4.2	33.3	0.0	23.8	0.0	3.2	11.1	9.3	
Recognizance & fined	3.2	15.2	11.1	8.9	23.8	0.0	3.2	0.0	7.0	
Fine only	10.2	44.3	0.0	10.5	5.9	29.4	9.7	0.0	7.0	
Committed to an institution	5.1	0.5	5.6	0.0	0.0	5.9	3.2	0.0	2.3	
Imprisonment up to 6 months	6.5	3.0	0.0	7.5	3.0	2.9	22.6	22.2	0.0	
Imprisonment 6 months & over	18.1	4.7	11.1	23.9	8.7	8.8	12.9	44.5	27.9	
Don't know/Other	0.0	0.2	0.0	0.0	0.0	0.0	3.2	0.0	0.0	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
<u>Number of offenders</u>										
Probation	21	26	3	1	5	4	2	0	3	
Offence proved discharged (556A)	2	5	0	1	0	0	0	0	0	
Recognizance	34	68	3	21	4	4	2	1	3	
Recognizance with probation	56	18	1	10	3	10	9	1	14	
Recognizance with probation & fined	10	18	6	0	8	0	1	1	4	
Recognizance & fined	7	65	2	6	8	0	1	0	3	
Fine only	22	191	0	7	2	10	3	0	3	
Committed to an institution	11	2	1	0	0	2	1	0	1	
Imprisonment up to 6 months	14	13	0	5	1	1	7	2	0	
Imprisonment 6 months & over	39	20	2	16	3	3	4	4	12	
Don't know/Other	0	1	0	0	0	0	1	0	0	
Total	216	427	18	67	34	34	31	9	43	

SOCIAL CLASS X PENALTY

Obviously, a number of factors including the age and previous record of the offender, may influence the Court's decision. Of particular interest to the sociologist, is the possibility that the status background of the defendant may have directly or indirectly influenced the determination of the 'appropriate' penalty. The discovery of such an influence would hardly be surprising in view of the ubiquitous nature of social class. For example, studies in the field of psychiatry have shown how even a trained professional's assessment of the degree of disturbance in a person and the selection of a course of treatment, may be influenced by the psychiatrist's perception of his patient's social standing or 'class'.

To test the possible influence of a person's social status on the penalty received for drug offences, a number of 'controls' must first be introduced in order to standardise the influence of other factors which may have a bearing on the Court's decision. Obviously there are more such factors than it is possible to control statistically. It is a case of doing the best possible job with the available data. Certainly it would be wise to check our findings against those which emerge from the more detailed analyses which will be possible in 1973.

The present data was analysed in the following way:

OFFENCE CONTROL (i) The range of cases considered was restricted to a common offence category, namely, 'use/possess',

AGE CONTROL (ii) Only offenders 18 years of age or older were included,

STATUS CONTROL (iii) Offenders were classified 'A/B', 'C' or 'D' according to their occupational prestige,

NO HISTORY OF DRUG OFFENCES

	Imprisonment		Penalty other than Imprisonment		Total
	No.	%	No.	%	
A/B status	0	0.0	22	100.0	22
C "	13	6.6	185	93.4	198
D "	31	16.6	156	83.4	187
					<u>407</u>

HISTORY OF DRUG OFFENCES

	Imprisonment		Penalty other than Imprisonment		Total
	No.	%	No.	%	
A/B status	0	0.0	5	100.0	5
C "	8	25.0	24	75.0	32
D "	20	41.7	28	58.3	48
					<u>85</u>

'RECORD' CONTROL (iv) whether or not an individual had a history of drug offences, was noted,

(v) the cases which fulfilled the above requirements were then divided into two categories:

- (a) those which resulted in a term of imprisonment,
- (b) those where the penalty took some form other than imprisonment.

When these procedures had been completed, it was possible to obtain a clearer view of the effect of social status on the type of penalty imposed. The accompanying table shows the percentage of each status group with or without previous convictions who were sentenced to a term of imprisonment or awarded some other form of penalty.

Among those without previous drug convictions, members of the A/B status group were clearly less at risk of being sentenced to a term of imprisonment. All 22 members of this group received penalties other than imprisonment.

Overall the table shows that the risk of imprisonment varied inversely with social status. The differences between the three strata were of a high order of statistical significance ($P < 1\%$)* Although a smaller number of people were involved in the second comparison (i.e. those with a history of drug offences), a similar pattern prevailed. Again the risk of imprisonment varied inversely with social rank ($P < 5\%$).

*Statistical note:

The expected values for this contingency table were calculated as follows: the cells A/B X prison and C X prison were pooled, and the marginal proportions for the table re-estimated by the method of maximum likelihood. That is, if p_1 and q_1 are the

marginal proportion for prison and not prison, and p_2, q_2, r_2 are the marginal proportions for the occupational classes, then on the hypothesis of independence the probability of the observed frequencies is proportional to

$$[(p_2 + q_2) p_1]^{13} [p_2 q_1]^{22} [q_2 q_1]^{185} [r_2 p_1]^{31} [q_1 r_2]^{156}$$

The expected frequencies were calculated on the basis of the values of the parameters p_1, q_1, p_2, q_2, r_2 which maximize this quantity.

The value of chi-square (1.d.f.) obtained was 11.93, which is significant at the 0.1% level.

DRUG USED IN RELATION TO OCCUPATIONAL STATUS

It is clear from the accompanying tables that for offences involving every type of drug except cannabis, people of occupational status D were most frequently represented, followed by people of occupational status C, then B, then A. The most frequent users of cannabis were people of occupational status C. People of every occupational group preferred cannabis, opiates and hallucinogens, in that order.

As previously noted, an average of 20% of those convicted were not classified in any one of the occupational groups. This was either because occupation was not reported, or because it was simply reported as 'student'. In keeping with the principles outlined by researchers in the field of social stratification we may assume that the students, most of whom were 17 years and over, were of status rank A or B, and so we may make the appropriate adjustments. Furthermore, we may conjecture that people of status rank A or B are more likely to withhold their occupation, or to understate it, than people from the other groups. However, in the absence of any evidence to this effect, it is not possible to make any adjustments. (In 1972 it will be possible to exercise greater control over the reporting procedures). When one distributes the students throughout classes A and B according to the proportions already in those classes, and the non-respondents throughout all classes in the same proportions as the original figures, no significant changes are made to the overall trends.

OCCUPATIONAL STATUS (NUMBER OF CASES)

	A	B	C	D	Other	Total
Opiates	1	5	75	102	33	216
Cannabis	2	19	179	150	77	427
Opiates and Cannabis	0	0	8	9	1	18
Hallucinogens	0	4	19	30	14	67
Hallucinogens & Cannabis	0	3	12	12	7	34
Stimulants	0	2	8	16	8	34
Sedatives	1	1	7	17	5	31
Sedatives & Opiates	0	0	0	7	2	9
Other	1	1	11	18	12	43
Total	5	35	319	361	159	879

OCCUPATIONAL STATUS (ROW PERCENTAGES)

	A	B	C	D	Other	Total
Opiates	0.5	2.3	34.7	47.2	15.3	100.0
Cannabis	0.5	4.5	41.9	35.1	18.0	100.0
Opiates and Cannabis	0.0	0.0	44.4	50.0	5.6	100.0
Hallucinogens	0.0	6.0	28.4	44.8	20.8	100.0
Hallucinogens + Cannabis	0.0	8.8	35.3	35.3	20.6	100.0
Stimulants	0.0	5.9	23.5	47.1	23.5	100.0
Sedatives	3.2	3.2	22.6	54.9	16.1	100.0
Sedatives + Opiates	0.0	0.0	0.0	77.8	22.2	100.0
Other	2.3	2.3	25.6	41.9	27.9	100.0

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APPENDIX A (Questionnaire)

Charge Case No(s) at

STATISTICAL SHEET - DRUGS

PERSONS CONVICTED UNDER PARTS III OR IV,

POISON ACT, 1966-67.

- | | |
|--|--|
| 1. Date of Conviction | 12. Result of the case(s) |
| 2. Name of Offender | 13. Was offender a nurse, doctor or affiliate? |
| 3. Sex of Offender | 14. Was offence committed in company? |
| 4. Age of Offender | 15. Highest level of education attained |
| 5. Name of drug(s) | 16. Occupation |
| 6. Type of offence(s) | 17. Marital status |
| 7. Number of previous convictions
(excluding drugs) | 18. Country of birth |
| 8. Number of previous convictions
(drugs) | 19. Previous convictions |
| 9. Area where offence was committed | |
| 10. Area of residence of offender | |
| 11. Employed/Unemployed | |

A SEPARATE FORM SHOULD BE USED FOR EACH OFFENDER - THE SAME FORM SHOULD BE USED WHERE THERE IS MORE THAN ONE CONVICTION FOR THE SAME OFFENDER.

APPENDIX B

DRUG CONVICTIONS CLASSIFIED ACCORDING TO THE MUNICIPALITY IN WHICH THE OFFENCE OCCURRED

Municipality or Shire	Number of convictions	Municipality or Shire	Number of convictions
Sydney (City)	281	Rockdale	6
Waverley	106	Concord	1
Manly	30	Hurstville	5
Botany	11	Liverpool	9
South Sydney	23	Windsor	0
Woollahra	18	Drummoyne	2
North Sydney	5	Parramatta (City)	6
Randwick	29	Blue Mountains (City)*	0
Kogarah	5	Holroyd	0
Leichhardt	21	Canterbury	8
Strathfield	1	Other specified places in N.S.W.	78
Bankstown	19	Auburn	2
Blacktown	19	Penrith (City)	1
Campbelltown (City)	6	Willoughby	1
Warringah	28	Burwood	0
Mosman	3	Camden	0
Ashfield	1	Baulkham Hills	0
Hornsby	13	Not Stated	2
Newcastle Statistical District*	55		
Hunters Hill	0		
Wollongong Statistical District*	40		
Sutherland	16		
Marrickville	10		
Fairfield	4		
Lane Cove	1		
Ku-ring-gai	8		
Ryde	5		

*Newcastle Statistical District comprises the Cities of Newcastle and Maitland, part of the City of Greater Cessnock, and the Shires of Lake Macquarie and Port Stephens; Wollongong Statistical District comprises the City of Wollongong and the Municipalities of Kiama and Shellharbour. Blue Mountains (City) includes that part lying East of the township of Linden.

APPENDIX C

SOCIAL SETTING IN WHICH OFFENCE OCCURRED

		<i>In company</i>	<i>Not in company</i>	<i>Don't know</i>
Opiates	116	96	4	
Cannabis	297	118	12	
Opiates + Cannabis	13	5	0	
Hallucinogens	53	14	0	
Hallucinogens + Cannabis	26	7	1	
Stimulants	20	14	0	
Sedatives	17	13	1	
Sedatives + Opiates	4	5	0	
Other	25	17	1	

APPENDIX D

DRUG X OFFENCE

		Distribute	Administer	Use	Use & Distribute	Possess	Possess & Distribute	Possess & Use	Possess Use & Sell	Possess Use & Distribute	Forging	Possess & Administer	Forge & Administer	Other
Opiates	216	5	112	3	0	28	2	0	0	0	17	25	11	13
Cannabis	427	5	1	108	5	145	12	114	9	11	0	0	0	17
Opiates + Cannabis	18	0	0	0	0	3	0	0	1	1	0	4	1	8
Hallucinogens	67	8	6	18	3	15	9	1	1	0	0	1	0	5
Hallucinogens + Cannabis	34	0	0	10	3	6	1	8	1	3	0	0	0	2
Stimulants	34	5	10	1	0	13	1	0	0	0	0	4	0	0
Sedatives	31	1	14	0	0	9	0	0	0	0	3	3	1	0
Sedatives + Opiates	9	0	0	0	0	3	1	0	0	0	1	2	0	2
Other	43	1	7	2	0	10	3	1	1	0	0	8	0	0
Total	879	25	150	142	11	232	29	124	13	15	21	47	13	57

APPENDIX E

OUTCOME X PREVIOUS DRUG CONVICTIONS

NUMBER OF PREVIOUS DRUG CONVICTIONS

	None	One	More than one
Probation	62	2	1
Offence Proved ,Discharged (556A)	8	0	0
Recognizance	129	7	4
Recognizance with Probation	84	22	16
Recognizance with Probation & Fined	41	4	3
Recognizance & Fined	85	4	3
Fine only	208	23	7
Committed to an institution	8	6	4
Imprisonment up to six months	23	8	12
Imprisonment six months plus	59	18	26
Other/Don't know	1	1	0

APPENDIX F

OFFENCES X OUTCOME

	Total	Probation	Offence Proved, Discharged (556A)	Recognizance	Recognizance with Probation	Recognizance with Probation & Fined	Fine Only	Committed to an institution	Imprisonment up to 6 months	Imprisonment 6 months +	Other/Don't know	
Distribute	25	0	0	4	1	1	1	8	1	0	9	0
Administer	150	15	0	19	48	3	8	17	10	7	23	0
Use	142	18	4	34	10	3	8	58	2	2	3	0
Use & Distribute	11	1	0	0	1	1	3	1	0	3	1	0
Possess	232	7	1	46	19	8	17	99	2	16	17	0
Possess & Distribute	29	1	0	2	4	2	1	4	0	4	11	0
Possess & Administer	47	4	1	5	12	7	0	6	1	3	8	0
Possess & Use	124	9	0	19	2	11	42	37	0	1	3	0
Possess Use & Sell	13	1	1	0	0	4	0	1	0	0	6	0
Possess Use & Distribute	15	2	0	0	1	4	1	2	0	1	4	0
Forging	21	0	1	4	5	0	3	0	0	4	4	0
Forging & Administer	13	1	0	1	4	1	0	0	1	2	2	1
Other	57	6	0	6	15	3	8	5	1	0	12	1
Total		65	8	140	122	48	92	238	18	43	103	2

