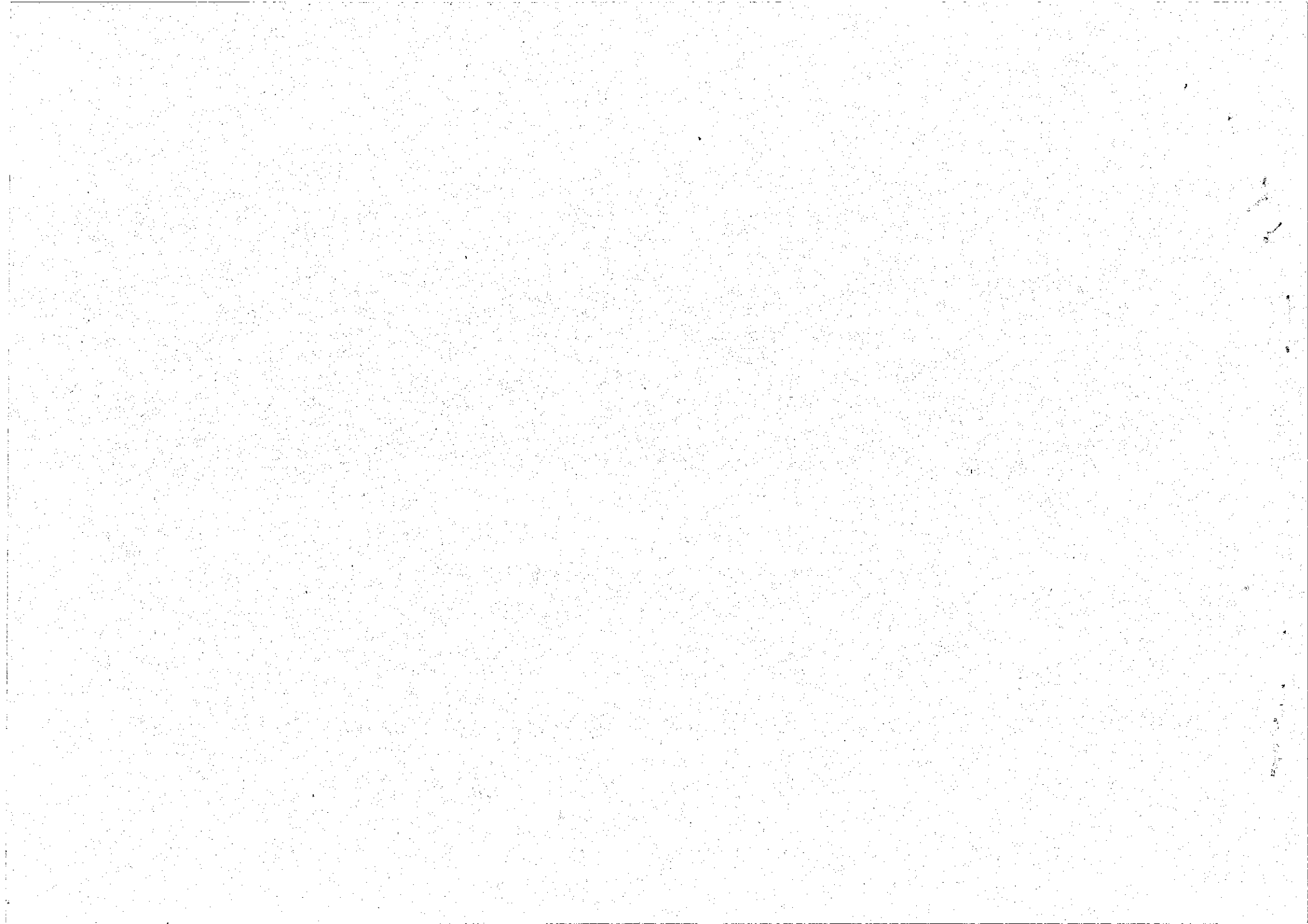


statistical report **15**

drug offences 1973 analysis of trends

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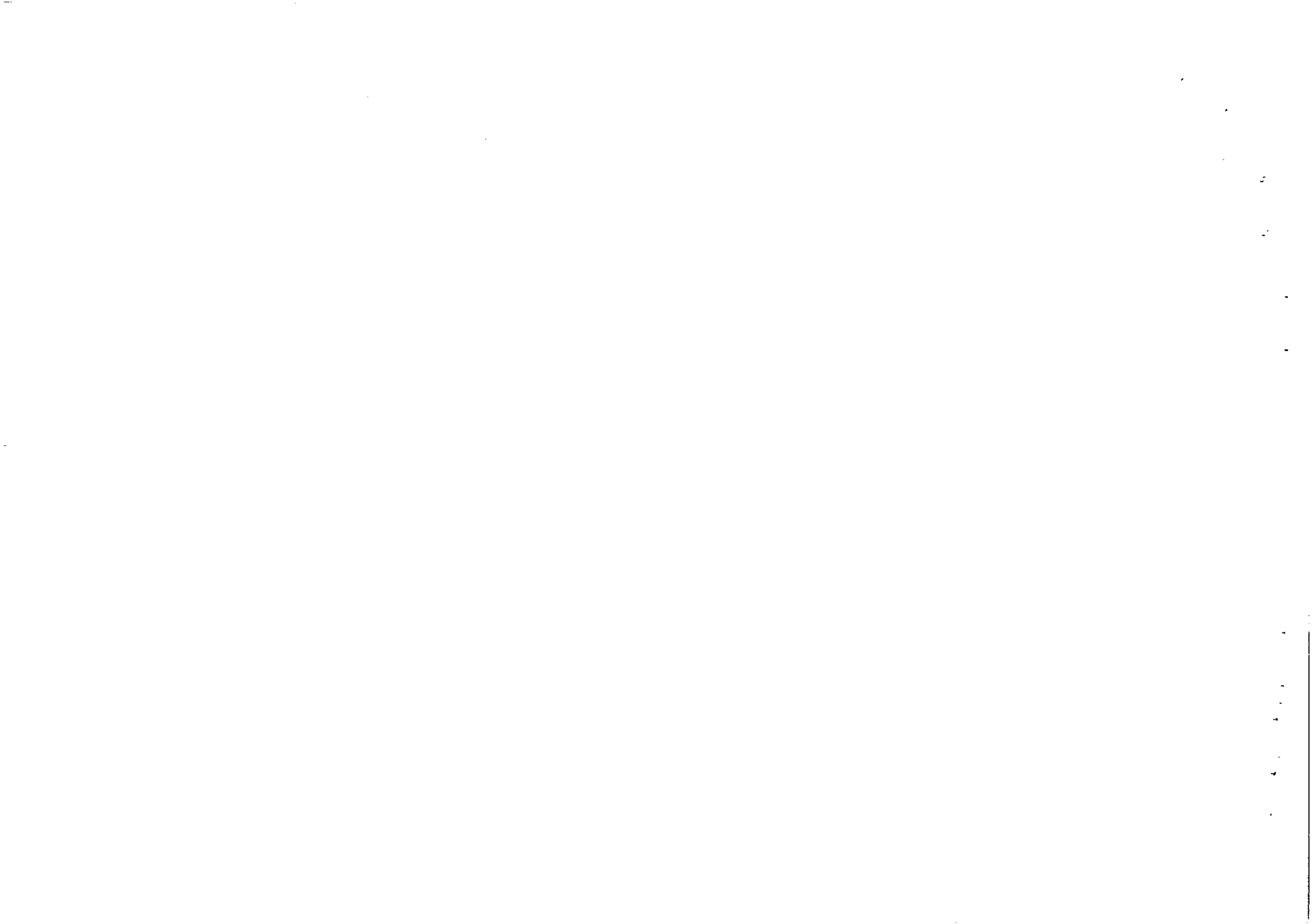
Acknowledgements

The Bureau of Crime Statistics and Research is indebted to the Commonwealth Bureau of Narcotics for its help in tabulating details of Commonwealth drug offences dealt with by Courts operating in New South Wales.

The Bureau also acknowledges the help received from the Research Section of the New South Wales Department of Youth and Community Services.

Note to the Reader

The Bureau publishes annually statistics on drug offences and 'breathalyser' offences in New South Wales. Previously, these reports have contained a detailed discussion of the statistical tables. Since the variations which occur from year to year tend to be slight, it has been decided to alternate between a detailed report and comparatively brief trend report every other year. However, regardless of the form of the report, every effort will be made to ensure the continuity of basic statistical tables.



Background Note

Since 1972 it has been possible to publish comprehensive statistics on drug offences. The basic data is derived from the Courts of Petty Sessions throughout New South Wales. A statistical return is filed in each case where a person is dealt with under Parts III and IV of the Poisons Act. These reports have been prepared since January 1970 and useful comparisons can be made between the results for 1973 and the findings reported in earlier years (see Part I of the present report).

But a complete picture of drug convictions in New South Wales demands that attention be paid to a number of other sources of information. First, there is a comparatively small number of 'serious' cases heard by Higher Criminal Courts. An overall assessment of the penalties imposed on drug offenders needs to take account of the cases dealt with on indictment (see Part II of this report).

A somewhat larger number of cases occur in the category 'drug offences involving Commonwealth legislation'. With the cooperation of the Commonwealth Bureau of Narcotics it has been possible to prepare a separate analysis of drug offences under Commonwealth legislation, dealt with by Courts based in New South Wales. The focus in this section of the report (Part III) is upon the importation of prohibited substances.

Not all drug cases involving juveniles are prosecuted in accordance with the provisions of the Poisons Act. A comparatively small number of young people are treated as 'neglect' cases under Section 72 (b) of the Child Welfare Act. A brief note on these cases is presented in Part IV of the report.

Finally, an attempt is made in the concluding section of the report (Part V) to present an overview of the total range of drug convictions which occurred in New South Wales during 1972 together with the ages of offenders and the prohibited substances involved in their offences.

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.

Moreover, 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.

Part I Offences under Parts III & IV of the Poisons Act, NSW

A total of 1352 persons were convicted under Parts III and IV of the Poisons Act during 1973. This represents an increase of 27.8 per cent on 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.

Those convicted ranged in age from two boys who were thirteen years of age and three boys and three girls who were fourteen to eleven people who were over forty.* However, 95.2 per cent were under thirty years of age. How similar the age distribution was to that observed in the previous year can be seen from the fact that 94.7 per cent were under thirty years of age in 1972.

Males accounted for 87.4 per cent of the total convictions. (In 1972 the figure was 87 per cent). Nine out of ten (91.9 per cent) pleaded guilty and two out of five (43.1 per cent) were legally represented.

Two out of three of those convicted under Parts III and IV of the Poisons Act during 1973, had no previous convictions for drug or other types of offences. Two hundred (14.8 per cent) previously had been dealt with by Children's Courts and 442 (32.7 per cent) by other Courts. In 16.2 per cent of cases the offender had a history of previous drug convictions.

*The 22 cases in which the offender's age was not known, were eliminated from this calculation.

Age of Offenders	Agc in years	Number	Percentage
	13	2	0.1
	14	6	0.4
	15	16	1.2
	16	47	3.5
	17	97	7.2
	18	176	13.0
	19	175	13.0
	20	190	14.1
	21	141	10.4
	22	127	9.4
	23	89	6.6
	24	69	5.1
	25	54	4.0
	26	27	2.0
	27	17	1.3
	28	24	1.8
	29	10	0.7
	30 - 34	38	2.8
	35 - 39	14	1.0
	40+	11	0.8
	Not known	22	1.6

Sex of Offenders	Sex	Number	Percentage
	Male	1182	87.4
	Female	165	12.5
	Not established	1	0.1
		<hr/>	
		1352	100.0

The majority of offences were committed in company. Approximately 57 per cent occurred in these circumstances compared with 58 per cent in the previous year.

Birthplace of Drug Offenders

The country of birth of drug offenders is tabulated opposite. Eighty-six per cent of the offenders were born in Australia, and only eight per cent were born outside Australia, New Zealand or the U.K.

By looking at the number of people who were born overseas and who were resident in N.S.W. at the time of the 1971 census it is possible to put the conviction figures on a more equal footing. A comparison of the conviction rates per 1000 of population reveals a high rate for Americans (1.48), New Zealanders (1.10) and people from the residual category (all other countries).**

Country of birth	Number of convictions	Number resident in N S W at 1971 census	Rate per 1000
Australia	1168	3,708,165	0.31
New Zealand	40	36,634	1.10
U K and Ireland	34	349,443	0.10
Malta	1	22,420	0.04
Germany	8	36,709	0.22
Greece	5	53,646	0.11
Italy	4	80,416	0.04
Netherlands	6	27,033	0.22
Yugoslavia	5	52,618	0.09
Other Europe	19	102,684	0.19
Africa	3	24,873	0.12
United States	17	11,448	1.48
Asia	8	67,525	0.12
All other countries*	14	22,300	0.63
Not stated	19		

** In all these cases, the rates may have been inflated by the presence of recent arrivals or visitors.

* Mainly Canada and South American Countries.

Substances Used

TREND

Compared with 1972, the proportion of total offences involving opiates dropped from 15.7 per cent to 12.4 per cent. This followed a reduction of 10.5 per cent in the previous year. The major increase has been in the number of cases involving cannabis: from 56.2 per cent in 1971 to 69.3 per cent in 1972 and 79.8 per cent in 1973. There have been further slight reductions in the number of cases involving hallucinogens, stimulants, sedatives and cocaine.

Distinct Categories of Prohibited Substances Used

Category of substance	Number of offenders	% total offenders*
Opiates	167	12.4
Cannabis	1079	79.8
Hallucinogens	98	7.8
Stimulants	20	1.5
Sedatives	24	1.8
Cocaine	6	0.4

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

Types of Offences

Many individuals were involved in multiple offences. As part of a uniform method of handling such cases, court officers were required to base their reports on the 'principal offence' (essentially, the offence which incurred the most severe penalty).

The vast majority (81.0 per cent) of drug offences dealt with under the Poisons Act in Courts of Petty Sessions concerned either the 'possession' or 'use' of drugs (1972 = 76.1 per cent). In fact, the only substantial alteration in the pattern of offences during 1973 was an increase in the number of 'possess' cases and a decrease in the number of 'use' cases:

Principal Offence	Number	Percentage (1973)	Percentage (1972)
Possess	646	47.8	38.5
Use (i.e. take orally)	448	33.2	37.6
Administer (i.e. intravenously)	92	6.8	9.5
Distribute	25	1.9	2.4
Sell	88	6.5	6.5
Forge and/or utter prescriptions	34	2.5	4.5
Manufacture	18	1.3	1.0
Not stated	1	0.1	-
	<u>1352</u>	<u>100.0</u>	<u>100.0</u>

Distribution of Drug Offences by

Geographical Areas

As in previous reports, drug offenders have been classified by area of residence. The table overleaf lists the number of drug convictions of people resident in various local government areas.

It is clearly unwise to compare these figures without first taking into account a number of factors, especially the total population of each of the areas. Consequently the figures have been expressed as rates per 1000 of population.

Whereas in 1971, 33 per cent of offenders lived either in the Municipality of Sydney or the Municipality of Waverley, in 1972 only 19 per cent were resident in these areas. During 1973, Sydney and Waverley's share of total convictions dropped to 12.1 per cent. There has been a corresponding rise in the conviction rates for almost all other municipalities and shires in the metropolitan area, as well as Wollongong and the country areas of New South Wales.

The relative stability of the ranking of municipalities and shires is reflected in the fact that twelve of the fifteen suburbs with the highest conviction rates in 1972, reappeared in the fifteen highest ranking municipalities in 1973.

Despite the general flattening out of conviction rates there was still a wide variation in scores, ranging from 1.31 for Sydney to 0.00 for the Blue Mountains, Camden and Concord.

Area of residence, ranked according to the Rate of Drug Convictions per 1000 of Population

Municipality or Shire	Number of convictions	Rate per 1000 in 1973	Rate per 1000 in 1972
Sydney (City)	82	1.31	1.92
Waverley	82	1.25	1.25
Woollahra	64	1.07	0.82
Manly	32	0.84	1.02
Randwick	72	0.58	0.29
Leichhardt	37	0.52	0.30
Mosman	15	0.51	0.51
North Sydney	27	0.50	0.41
Warringah	77	0.49	0.23
Sutherland	68	0.45	0.32
Campbelltown (City)	13	0.38	0.15
Wollongong Statistical District	76	0.38	0.30
Botany	13	0.34	0.37
Willoughby	18	0.33	0.37
Drummoyne	10	0.32	0.13
South Sydney	12	0.30	0.21
Burwood	9	0.28	0.22
Lane Cove	8	0.28	0.35
Newcastle Statistical District	100	0.28	0.12
Strathfield	7	0.26	0.15
Hurstville	17	0.25	0.27
Kogarah	11	0.23	0.17

Municipality of Shire	Number of convictions	Rate per 1000 in 1973	Rate per 1000 in 1972
Marrickville	18	0.19	0.06
Hornsby	18	0.19	0.23
Ashfield	8	0.18	0.16
Barkstown	25	0.18	0.23
Hblroyd	14	0.18	0.05
Ryde	16	0.19	0.07
Parramatta (City)	19	0.17	0.19
Other specified places N.S.W.	212	0.17	0.10
Canterbury	21	0.16	0.05
Rockdale	11	0.13	0.06
Windsor	2	0.13	0.32
Liverpool	11	0.13	0.24
Blacktown	17	0.10	0.18
Baulkham Hills	6	0.10	0.12
Fairfield	10	0.09	0.14
Hunters Hill	1	0.09	0.07
Ku-ring-gai	9	0.09	0.12
Auburn	3	0.06	0.04
Penrith	3	0.05	0.23
Blue Mountains (City)	0	0.00	0.00
Camden	0	0.00	0.09
Concord	0	0.00	0.11

Occupation

The results of many sociological studies have shown that occupational prestige - the relative social standing which the Australian public accords different occupations - is an effective indicator of variation in life style and opportunities associated with the concept of 'class'. The categories of occupation range from A (high) to D (low). Estimates are available of the proportions of the Sydney metropolitan population occurring in each of the four occupational strata (see the figure on the next page).

In 2.4 per cent of cases, the occupation of the offender was not stated. In a further 6.4 per cent of cases the convicted person was a student or school child. An equal number were unemployed.

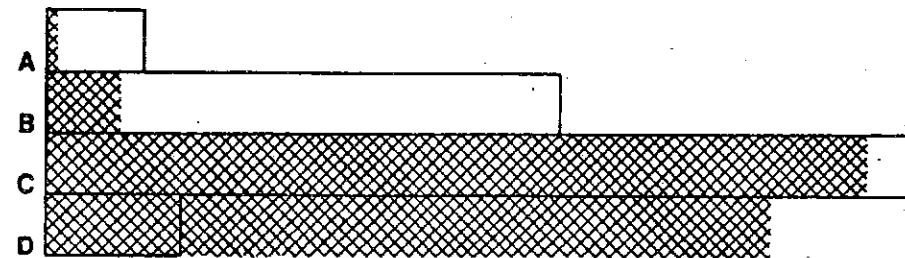
There were also 22 housewives and one pensioner. This meant that 1121 offenders could be classified according to the prestige of their respective occupations. As can be seen in the accompanying figure, the offender group contained very few A and B status people but unskilled workers (D category), were grossly over-represented. Again the social structure of the group was very similar to that reported in 1971 and 1972, the only difference being a slight increase in the number of 'C' level offenders:

Occupational Prestige

Occupational category	1973		1972		1971	
	Number	% drug offenders	Percentage	Percentage	Percentage	Percentage
Professional/Managerial A	7	0.6	0.3	0.7		
Semi-professional/middle management B	51	4.5	4.2	4.8		
Sales, small business, clerical, trades skilled C	564	50.3	44.3	44.3		
Unskilled D	499	44.5	51.2	50.1		

Figure 1

Proportion of drug offenders (1973) by occupation shown shaded against proportion (est.) of general population in occupational categories.



Combinations of Drugs

The major individual and combined categories of drugs involved in 1973 offences are presented in the accompanying table.

There was a higher proportion of 'single drug' offences in 1972 than there was in 1971. This trend was sustained during 1973. Furthermore, offences involving cannabis alone formed a higher percentage of the total than they did in 1971 and 1972.

Combinations of Drugs

	Number	% of individuals 1973	% of individuals 1972	% of individuals 1971
Cannabis	1027	75.9	64.5	48.6
Opiates	146	10.9	19.0	24.6
Hallucinogens	69	5.1	7.1	7.5
Hallucinogens + Cannabis	25	1.9	3.4	3.9
Sedatives	22	1.6	2.4	3.5
Stimulants	17	1.3	2.0	3.9
Opiates + Cannabis	16	1.2	0.7	2.0
Cocaine	3	0.2	0.6	0.7
Cocaine + Opiates	-	-	0.5	0.5
Other	27	2.0	1.0	4.7

Drugs Used by Penalty

The accompanying table suggests that the Courts differentiate between different categories of drugs when imposing penalties. Cannabis users were approximately three times less likely than the users of opiates and hallucinogens to be sent to prison. Of course, it should be remembered that previous research has shown that opiate users are more likely to have a history of both drug and non-drug convictions.

On the other hand almost as many opiate users as those convicted for offences involving cannabis were dealt with under the provisions of section 556A of the Crimes Act:

	Opiates (N=146)	Cannabis (N=1027)	Opiates + Cannabis (N=16)	Hallucinogens (N=69)	Hallucinogens+Cannabis (N=25)	Stimulants (N=17)	Sedatives (N=22)
	%	%	%	%	%	%	%
556A dismissal/ discharge recognizance	9.9	9.5	0.0	4.4	4.0	5.9	31.8
Recognizance, with or without probation/ fine	52.4	30.6	56.2	48.5	48.0	47.1	22.8
Fine	15.2	52.4	5.3	22.1	24.0	17.6	31.8
Institution	2.8	0.4	6.3	1.5	0.0	0.0	4.5
Imprisonment	20.7	7.1	31.2	23.5	24.0	29.4	9.1

Part II Drug Convictions in New South Wales — Higher Criminal Courts

In addition to the sections of the Poisons Act which provide for the prosecution of drug offenders at Courts of Petty Sessions, section 45A of the same Act provides for the prosecution on indictment before Higher Criminal Courts of individuals involved in supplying or selling prohibited substances. Under the terms of section 45A (3), an offender is liable to imprisonment for a period not exceeding ten years.

Eighteen drug offenders — one more than the previous year — were prosecuted before Higher Criminal Courts during 1973. All were males and three out of four were 24 years of age or older (see Appendix A).

The eighteen cases involved just three categories of prohibited substances. Cannabis accounted for approximately two-thirds of the cases and opiates and hallucinogens the remainder. The pattern was virtually unaltered from the previous year.

Type of substance	Number
Cannabis	13
Hallucinogens	6
Opiates	2*

* Multiple substances involved in some cases.

All but three of the eighteen cases resulted in the defendant being given a prison sentence. Ten offenders received sentences of two years or more:

Decision	Number
Recognizance	2
Recognizance and probation	1
Less than 12 months	1
12 months — 18 months	3
18 months — 2 years	1
2 years — 3 years	5
3 years — 4 years	2
4 years — 5 years	2
5 years — 6 years	1
	<hr/> 18

Part III Drug Convictions in New South Wales - Commonwealth Legislation

Section 233B (i) of the Customs Act 1901 - 1968 provides for the following drug offences:

- (a) possess on board ships, aircraft
- (b) import/export
- (c) possess prohibited import
- (c)(i) possess prohibited import - reasonably suspected of being imported
- (d) aid/abet etc. import/export
- (e) fail to disclose information

In New South Wales during 1973, sixty three offenders were convicted for one or a combination of the above Commonwealth offences. This was 13 cases (17 per cent) less than for the previous year. In the Bureau's 1972 report attention was drawn to the fact that, compared with convictions under the N.S.W. Poisons Act, a substantially higher proportion of the Commonwealth offenders were 30 years of age or older. This age difference was far less pronounced in 1973 (for details see Appendix B).

	N.S.W. Poisons Act %	Customs Act %
Under 30 years	95.2	84.2
30 years+	4.8	15.3

The percentage of females among the Commonwealth offenders (N=6...9.5%) was approximately the same as for 1972.

Almost half (49.2 per cent) of all convictions were for direct involvement in importing prohibited substances or aiding or abetting such activities (1972 = 70 per cent). The remaining offences involved the possession of imported drugs or drugs suspected of having been imported (Appendix B).

In contrast to the penalties imposed under the N.S.W. Poisons Act Commonwealth offences generally resulted in the imposition of one of two basic penalties, namely, a fine or term of imprisonment.

Almost half the cases (49.2 per cent) resulted in a fine (with or without recognizance). This figure was almost identical with the 1972 result. However, the number of offenders who were imprisoned in 1973 (34.9 per cent) was slightly lower than in the previous year (40.8 per cent). In ten cases the Court imposed a recognizance (see next page).

Court Action

	Number	Percentage
Fine	29	46.0
Fine and recognizance	2	3.2
Recognizance	10	15.9
Recognizance and probation	-	-
Imprisonment		
Less than 6 months	-	-
6 months less than 9 months	-	-
9 months less than 12 months	-	-
1 year less than 18 months	5	7.9
18 months less than 2 years	2	3.2
2 years less than 3 years	4	6.3
3 years less than 4 years	6	9.5
4 years less than 5 years	1	1.6
5 years less than 6 years	2	3.2
6 years less than 7 years	1	1.6
7 years less than 8 years	1	1.6

**Part IV Drug Offences in New South Wales — Neglect Cases,
Section 72(h) Child Welfare Act**

Age/Sex

Seven young people, three boys and four girls, were dealt with under the drug provisions of the Child Welfare Act. One boy and three girls were sixteen years of age and two boys and one girl were aged seventeen.

In five cases the prohibited substance was cannabis. The other two cases involved hallucinogens (L.S.D.).

Probation was imposed in five cases, one person was placed on recognizance ('suspended committal') and one was committed to an institution.

The number of cases dealt with under Section 72 (h) was one more than last year.

Part V The Overall Picture (1973)

The cases described in Parts I - IV of this report may be combined to provide a total picture of drug convictions in New South Wales during 1973. In all, 1440 people were convicted. Of this number, 1257 (87.4 per cent) were males and 92.9 per cent were under 30 years of age (1976 = 93 per cent).

Cannabis accounted for three-quarters of the drugs specified in the 1973 convictions. Opiates accounted for one in eight and hallucinogens less than the one in ten recorded in the previous year.

	Number*	Percentage
Opiates	187	12.6
Cannabis	1143	76.8
Hallucinogens	109	7.3
Stimulants	20	1.3
Sedatives	24	1.6
Cocaine	6	0.4
	<hr/>	
	1489	100.0

*More than one drug involved in some cases.

Appendix A

Higher Criminal Courts

Age of offenders	Age in years	Number
	19	1
	20	1
	21	1
	22	1
	23	-
	24	4
	25	2
	26	1
	27	-
	28	-
	29	-
	30 - 34	4
	35 - 39	3
	40+	-

Appendix B

Commonwealth Offences

	Age in years	Number	Percentage
Age of offenders	18	-	-
	19	1	1.6
	20	6	9.5
	21	10	15.9
	22	5	7.9
	23	2	3.2
	24	9	14.3
	25	7	11.1
	26	1	1.6
	27	4	6.3
	28	6	9.5
	29	2	3.2
	30 - 39	7	11.1
	40+	3	4.8

Sex of offenders	Number	Percentage
Male	57	90.5
Female	6	9.5

Type of offences	Number	Percentage
Possess on board ship/aircraft	4	6.0
Import	26	38.8
Possess prohibited import	11	16.4
Possess prohibited import - reasonably suspected of being imported	19	28.4
Aid/abet import	7	10.4

Types of substances	Number of instances	Percentage of total drugs involved
Cannabis	46	68.6
Opiates	18	26.9
Hallucinogens	3	4.5

