

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: 3

Program: Other Agency

Question: BE14/001

Senator Xenophon asked the following question at the hearing on 26-29 May 2014:

Senator XENOPHON: Mr Dawson, I will confine my questions to one issue: the comments you made last month that Australia is in the grip of an ice pandemic akin to the problems caused by crack cocaine in the US—of course, in respect of crystal methamphetamines. Given that the use of amphetamines can lead to extreme and violent behaviour in users, has the ACC investigated the correlation between increased drug use, crime rates and violent behaviour? In other words, when there is an arrest made, do law enforcement agencies routinely drug test in relation to violent offending?

Mr Dawson: In the Illicit drug data report, which the commission published and from which I drew those comment about an impending pandemic, we drew down from a number of different sources. One of the key sources was one known colloquially as DUMA. That is a survey of all prisoners going through police lockups and watch-houses across the nation. In that survey instrument, prisoners who are in custody for offences are directly surveyed and asked questions as to what substances they may have been taking. There is very rich research data which shows that there is an increasing number of prisoners who, right at the point where they are taken into custody, have just consumed illicit drugs, and there is a major increase in the use of methylamphetamine. The correlation with violence is the subject of further academic research studies.

Senator XENOPHON: Because of time constraints, could you provide on notice some more information on that.

Mr Dawson: Yes, I will.

The answer to the honourable senator's question is as follows:

Links between Methylamphetamine Use, Crime Rates and Violent Behaviour

In line with the three pillars of the National Drug Strategy: demand, supply and harms reduction, the Australian Crime Commission (ACC) assesses the harms posed by all illicit drug markets. The ACC's 2013 Harms Statement for the methylamphetamine market notes the following in relation to the link between methylamphetamine use and violence:

Findings from both international and national studies have indicated an increasing association between methylamphetamine use and property offences. Research studies indicate that property offences are more common among regular or heavy users of methylamphetamine.¹ Results from a New South Wales Bureau

¹ Crime and Misconduct Commission 2005, 'Property Crime in Queensland: A strategic assessment', *Crime Bulletin No. 7*, Brisbane: Crime and Misconduct Commission; McKetin, R, McLaren, J, & Kelly, E 2005, 'The Sydney methamphetamine market: Patterns of supply, use, personal harms and social consequences', *National Drug Law Enforcement Research Fund Monograph Series (No. 13)*, Adelaide: Australasian Centre for Policing Research; Gizzi, M & Gerkin, P 2010, 'Methamphetamine use and Criminal Behaviour', *International Journal of Offender Therapy and Comparative Criminology*, vol. 54(6), pp. 915-936.

of Crime Statistics research study using regression modelling revealed that heavy users of amphetamine²—who reported at least 16 days of use in the month prior to arrest—had 53 per cent more property charges recorded at arrest compared to detainees who were less frequent users and non-users.³ Higher rates of property offences among methylamphetamine users were also associated with younger individuals, being unemployed and having reported illicit use of benzodiazepines in the 30 days prior to arrest.⁴

There also appears to be a correlation between the amount of money spent on methylamphetamine and earnings from property offences and drug dealing in the 30 days prior to arrest. Among a sample of New Zealand Police detainees, those who reported having spent \$1,000 or more on methylamphetamine per month obtained, on average, \$2,367 more in proceeds from property crime and \$2,679 more from drug dealing per month than those detainees who had not spent any money on methylamphetamines.⁵

One of the most well publicised psychological manifestations of regular methylamphetamine use is aggression, sometimes accompanied by violence. A 2006 St Vincent's Hospital (SVH) study of the characteristics of methylamphetamine-related and other non-methylamphetamine-related presentations to the SVH Emergency Department (ED) found that methylamphetamine users were more aggressive, violent and dangerous than persons not under the influence of methylamphetamine. This poses a safety risk to ED staff and other personnel.⁶ Extremely agitated and aggressive patients accounted for 18 per cent and violent and self-destructive patients accounted for 3 per cent of methylamphetamine-related presentations. These figures were much higher compared with the non-methylamphetamine-related presentations, which recorded presentation rates of 2 per cent agitated and aggressive patients and a figure of nil for recorded violent and self-destructive patients.⁷ The study also found that methylamphetamine users were more likely to have a history of mental health problems, with 39 per cent of methylamphetamine-related presentations requiring scheduling under the Mental Health Act 1990 (NSW), compared with 19 per cent of other non-methylamphetamine-related presentations.⁸

Although the question of whether persons arrested for violent behaviour are routinely drug tested is primarily one for state and territory police services, the ACC understands that such tests are not routinely requested.

DUMA Data

The Australian Institute of Criminology (AIC) operates the Drug Use Monitoring in Australia (DUMA) program. The DUMA program is a quarterly collection of criminal justice and drug use information from police watch house detainees across multiple sites in Australia. The data collection includes: i) a self-report questionnaire regarding substance use and crime, that detainees complete with the assistance of a trained, independent interviewer, and ii) a urine sample, that is sent to a toxicology unit and tested for seven classes of drug. These drugs are Cannabis, Heroin, Methadone, Cocaine, Amphetamine, Methamphetamine, MDMA (ecstasy), Benzodiazepines and Buprenorphine.

² The term 'amphetamine' in this study included both amphetamine and methylamphetamine.

³ Bradford, D, & Payne, J, 2012, 'Illicit Drug Use and Property Offending among Police Detainees', NSW Bureau of Crime Statistics and Research, Sydney.

⁴ Ibid.

⁵ Wilkins, C & Sweetser, P 2011a, 'The association between spending on methamphetamine and cannabis for personal use and earnings from acquisitive crime among police detainees in New Zealand', *Addiction*, Volume 106, pp. 789–797.

⁶ Bunting, PJ, Fulde, GWO & Forster, SL 2007, 'Comparison of crystalline methamphetamine ('ice') users and other patients with toxicology-related problems presenting to a hospital emergency department', *Medical Journal of Australia*, vol. 187(10), pp. 564-566, viewed 14 May 2013, <<https://www.mja.com.au/journal/2007/187/10/comparison-crystalline-methamphetamine-ice-users-and-other-patients-toxicology>>.

⁷ Ibid.

⁸ Ibid.

Participation in the survey and the provision of a urine sample is voluntary and all information provided by the detainee (including the results of the urinalysis) is confidential and cannot be linked back to the detainee. In the fourth quarter of 2013, data was collected at five sites—Adelaide, Bankstown, Brisbane, East Perth and Surry Hills, Sydney.

The most recent DUMA quarterly report received by the ACC, covering the last quarter of 2013, indicated that cannabis remained the drug most commonly detected in the system of police detainees, followed by amphetamine and speed (the powder form of methylamphetamine). The respective figures for the percentages of detainees who tested positive to amphetamine and speed were the highest since DUMA reporting commenced in 1999.