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Offending profiles of SA Drug Court Pilot Program 'completers'

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Executive Summary

The Drug Court Pilot Program, which commenced operation in May 2000 at the Adelaide Magistrates Court, aims (amongst other things) to prevent further offending by ensuring effective interventions and treatment for participants whose offending is linked in some way to illicit drug use. This evaluation examines whether this aim is being achieved by comparing the offending profiles of participants before and after program completion.

It does this by focusing on those 43 participants who had completed the program by the 31 March 2004 and who had at least six months 'free time'¹ in which to offend post-program. Within this group, it compares both the frequency and severity of their recorded offending before and after involvement with the program.

For the purposes of this analysis, criminal events that resulted in a police apprehension were used as the measure of both pre- and post-offending. Since not all criminal events are detected by police or, if detected, result in a formal apprehension, this measure potentially underestimates the offending levels of participants. It should also be stressed that any observed shifts in recorded offending may not be directly attributable to the program itself but may be reflective of other factors such as a change in policing practices or in the individual's personal circumstances.

Other limitations of this study include:

- the lack of a control group to provide a base-line measure against which to assess changes amongst Drug Court participants; and
- the small number of subjects available for analysis. By late March 2004, only 43 persons had completed the 12 month Drug Court program and had at least six months 'free time' post-program in which to offend. Given these small numbers, the results must be treated with some caution.

¹ The time in which the individual was not in custody and was therefore 'free' to offend.

Despite these caveats, the findings do suggest that the program is having a positive influence in reducing the incidence and seriousness of offending amongst that group of individuals who succeed in finishing the program.

Key findings

Some background details

- Of the 43 'completers' included in this study, the majority were male (n=37) and were aged between 18 and 29 (n=23).
- Overall, these individuals had experienced considerable contact with the criminal justice system prior to their involvement with the Drug Court. For example:
 - All but four had spent time in either a juvenile or adult correctional facility during the five years prior to their entry onto the program and the average time spent in custody was 11.5 months.
 - The majority had been charged with at least five separate criminal events in the period leading up to entry onto the program; and
 - The overwhelming majority (almost 91%) had been charged with at least one serious offence over that same time period.

A pre-post comparison of recorded offending

All completers (n=43)

Overall, there was a reduction in the number of 'completers' who were charged with a criminal event following program completion as well as a reduction in the actual number of criminal events charged against them.

- For the group as a whole, one quarter (10 or 23.3% of the 43 'completers') were not charged with any offence in the 'free time' following program completion.
- At an individual level, 34 of the 43 'completers' (79.1%) were either not apprehended or were apprehended for fewer events post-program. In contrast, three were charged with the same number of events in both the pre- and post-program period, while six were charged with more events post-program.
- The total number of events charged against the 'completers' dropped from 420 pre-program to just 183 post-program. This difference was statistically significant.
- There was a substantial decrease in the number of property offences charged against this group following program completion - from 318 pre-program to 67 post-program. This was primarily due to a reduction in the number of *break and enter* offences (down by 88%, from 106 before to 13 after) and *retail theft* offences (down by 72% from 60 to 17). There was also a drop in *drug offences*, from 14 pre-program to 1 post-program.
- However there were also increases in some offence types, notably *driving and traffic offences*, which rose by 54%, from 46 to 71. This was largely due to an increase in *registration offences* where numbers more than doubled from 23 pre- to 53 post-program. This

increase seems to be the result, at least in part, of a change in recording practices adopted by SAPOL in July 1999 rather than a real shift in actual offending behaviour.

- To identify any differences in the actual seriousness of offending in the pre- and post-program periods, the 43 graduates were categorised as *minor*, *moderately serious* or *serious* offenders according to the single most serious offence² charged against them in each of the two time periods. The results showed that:
 - At a group level, prior to entry into the program, no completers fell within the *non-offending* or *minor offending* category while the overwhelming majority (n=39) were classified as *serious* offenders. However, post program, over half had either not been charged with fresh offences (n=10) or had been charged with a minor offence only (n=15). Only one third (n=15) fell within the *serious* category post program.
 - In terms of shifts per individual, of the four graduates who had been charged with at least one *moderately serious* offence pre-program, one had not been apprehended post-program, and two had been charged with minor offences only. Of the 39 *serious* offenders pre-program, nine had not been charged with any offence post-program, while 13 had been apprehended for *minor* offences only and three had been apprehended for a *moderately serious* offence.
 - In total then, nearly two-thirds of the ‘completers’ (65.1% or 28 of the 43) had either not offended or were charged with less serious offences post-program.
 - In contrast to these positive findings, for 15 of the group there was either no change post-program or, in one instance, the charges laid after program completion were more serious than those recorded pre-program.

Post-program offenders only

As noted, of the 43 ‘completers’, 33 continued to offend post-program. Yet even within this group, there were clear differences in their post-program offending profiles when compared with their pre-program profiles. In particular:

- At a group level, pre-program only 13 participants (39.4% of the 33 post-program offenders) were charged with *one to five events* but post program, this increased to 23 (69.7%). At the other end of the scale, 20 (60.6%) had been apprehended for *six or more* criminal events pre-program, but post program, this had halved to 10 (30.3%).
- At an individual level, 24 (72.7%) of the 33 who continued to offend after program completion were charged with fewer events while three (9.1%) remained at the same level. However, the fact that six individuals recorded more events post-program than pre-program suggests that further research may be required to identify the reasons for this.
- Given the results detailed above, it is not surprising to find that the number of events charged against this group in the post-program period (n=183) was significantly lower than in the pre-program period (n=355). This difference was statistically significant.

² The pre-program seriousness ranking was based on the person’s most major charge prior to program commencement using the National Offence Index (NOI). Similarly, the post-program seriousness ranking was based on the most major charge in the post-program period.

- In addition to a reduction in the frequency of recorded offending amongst this group, over one half (18 of the 33, or 54.5%) were also charged with less serious offences after program completion. Of the remainder, 14 remained at the same level of seriousness while one person was actually charged with a more serious offence post-program.

Conclusion

While this evaluation was not in a position to prove conclusively that the Drug Court Pilot Program is achieving its aim of reducing offending amongst drug dependent individuals, the fact that 10 individuals were not apprehended during the post-program 'free time' interval and that, of those who continued to offend, the majority were charged with fewer and/or less serious offences in the post-program period provides some indication that the program may be having a positive effect. In the main, these findings are in line with the results from other Drug Court evaluations, both within Australia and overseas.

However, despite these positive results, some aspects may benefit from further investigation. For example, it was noted that a small group continued to offend at the same or at a slightly higher level post-program. Further analysis of this group is needed to determine the reasons for this and to identify potential strategies that may be more appropriate for these individuals, such as an extended program duration or individually tailored post-program follow-ups.

It would also be worthwhile to repeat this evaluation of the South Australian Drug Court at some future date, once a larger number of participants have completed the Drug Court program and a longer follow-up period is available to assess re-offending levels.

Introduction

Criminal courts are constantly evolving in response to changing social, economic and political pressures. One recent change has been the introduction of problem solving courts established to deal with particular groups of defendants whose offending is linked with a specific 'problem' such as a drug habit or mental illness. These courts are based on a therapeutic model of jurisprudence, wherein the court seeks to use its authority to link individuals into appropriate treatment programs designed to address these underlying problems and, by extension, reduce the likelihood of re-offending.

Drug Courts constitute one type of problem solving courts. The first of these was established in Dade County, Florida in 1989 when Judge Herbert M. Klein decided to "solve the problem of large numbers of people on drugs" (Finn and Newel, 1993). This model has since been introduced into other jurisdictions in the USA, Canada, Great Britain and Australia. New South Wales was the first Australian state to set up a Drug Court in 1998 (Freeman, 2003) and other states have since followed suite.

The South Australian Drug Court Pilot Program commenced in the Adelaide Magistrates Court on 1 May 2000 and, although initially scheduled to run for two years, is now funded on an on-going basis. As with similar courts in other jurisdictions, it was established to respond to a "burgeoning illicit drug problem that is resistant to traditional criminal justice system interventions" (Pilot Drug Court Manual, 1999, 3). It targets persons aged 18 years and over with significant drug problems who have committed offences that would probably attract a term of imprisonment.

The key aims of the program are to:

- minimise or stop the use of illicit drugs by offenders; and
- prevent or decrease any further drug related offending.

The program is premised on combining intensive judicial supervision, mandatory drug testing and access to treatment/support services to help drug abusing offenders break the cycle of crime and drug use. It requires the Departments of Human Services³ and Justice to work collaboratively to ensure that clients have access to a range of treatment and support programs that will best meet their needs and offer an opportunity for sustained changes to their lifestyle.

Central to the Drug Court Pilot Program model is the concept of a specialist team attached to the court, which combines the expertise of workers from different agencies. The 'inner team' consists of a case management advisor and a clinical advisor, together with case managers whose task is to provide strict supervision and constant monitoring of participants' progress and regularly report back to the Drug Court Magistrate (Pilot Drug Court Manual, 1999; 3). Funding is provided to selected treatment and support services to ensure that clients have access to appropriate support networks.

Evaluating the Pilot Drug Court program

In early 2000, the Office of Crime Statistics and Research was commissioned to undertake an evaluation of the Drug Court Pilot Program. The purpose of the evaluation, as specified in the original brief, was to determine:

³ Now the Department of Health.

- Whether the program had achieved its aims;
- If so, how well it had achieved them; and
- If not, why not.

More specifically, the evaluation was required to;

- Assess the extent to which the Drug Court has diverted offenders in line with the requirements of procedural guidelines;
- Assess the extent to which the Drug Court has achieved its objectives;
- Determine the strengths and weaknesses of the Drug Court;
- Determine the level of satisfaction with the Drug Court process from the perspective of key organisations and clients; and
- Include comparisons with national and international findings, if relevant.

To meet these objectives the evaluation was divided into two stages: a process component that focused on whether the program was implemented as intended, and an outcomes component that aimed to determine whether the key objectives of the program had been achieved. The process evaluation was completed in May 2002 (see Harrison and McRostie: 2002). However, the outcomes evaluation had to be delayed until a sufficient number of participants had completed the program. Although the number of program 'completers' is still comparatively low, by the end of March 2004 there was a sufficient number to allow at least a preliminary assessment of the levels of post-program offending.

The aim of this report is to consider whether there is any evidence to indicate that the program is achieving its aim of preventing or reducing further offending. It does this by examining differences in the extent and/or seriousness of offending amongst 'completers' before and after program involvement.

Findings from other evaluations

The evaluation of the South East Queensland Drug Court (Makkai & Veraar, 2003) indicated that recidivism was significantly reduced for those who successfully completed the program, with few graduates reoffending post program. In the post program period 9% of graduates offended compared with 32% of terminates, 47% of the prisoner comparison group and 61% of those who refused to participate in the program. When they did reoffend, graduates took longer to do so and had greater reductions in the frequency of offending from pre- to post-program than the comparison groups.

In Western Australia, the Drug Court administers three programs (Crime Research Centre, 2003), namely the:

1. Brief Intervention Regime (BIR): this is a pre-sentence option for offenders who plead guilty to a second/subsequent charge of possession of cannabis or of a smoking implement and consists of attending three group sessions of a drug treatment program;
2. Supervised Treatment Intervention Regime (STIR): a pre-sentence option for drug dependent offenders who plead guilty to minor offences, which consists of treatment of drug dependency and supervision; and

3. Drug Court Regime (DCR): a pre-sentence option for drug dependent offenders with more serious offending or drug dependence. The intervention is more intensive than that provided on STIR but like STIR, consists of treatment of drug dependency and supervision.

The DCR is the one most similar to South Australia's Drug Court except that it is a maximum of four to six months in duration. Initial results showed that post-program, those who completed the DCR or STIR had a lower probability of re-arrest (0.75) and took longer to re-offend (0.6 year) than those who were either not accepted onto the program (0.87, 0.2 years) or who were terminated from either program (0.90, 0.2 years).⁴ It is worth noting that the follow-up period analysed was a maximum of two years from the start date on the drug court, excluding days spent in prison. While not statistically significant, a higher proportion of the DCR/STIR 'completers' had reduced the seriousness of their offending in the post-program period (nearly 70%) in comparison to the terminated or not accepted groups. The evaluation identified that the number of arrests prior to program commencement was a significant predictor of program completion. A higher number of arrests pre-program decreased the likelihood of the individual completing the program.

The only Drug Court evaluation in Australia that used a randomised control group was that conducted in NSW (Lind, Weatherburn, & Chen, 2002). That state's Drug Court is similar to South Australia's Drug Court except that it operates as a post-sentencing rather than as a pre-sentencing option and its participants are required to attend a detoxification facility prior to program commencement. The NSW results indicated that the control subjects spent more than half (54%) of their 'free-time' post-program in custody compared to the treatment subjects who spent just over one-third (34%) of their time in custody. Significant differences were identified between the three groups (accepted-terminated, completers, and control) in terms of the time to first 'theft' and 'drug' offences. Those in the accepted but terminated group re-offended more quickly than the control group. Completers were the slowest to re-offend. Re-offending frequency for theft offences per 365 free days followed a similar pattern to time to re-offend, with those terminated having the highest average (5.8 offences), followed by the 'control' group (4 offences), and completers (only 1 offence). Completers had the lowest offending frequency in all offence types.

Overall then, the results from both the Western Australian and New South Wales evaluations indicate lower rates of re-offending amongst those who complete the program when compared with either a control group or non-completers.

Evaluating the South Australian Drug Court: some methodological issues

It is extremely difficult to prove that change (or lack of change) in a Drug Court client's offending behaviour is directly attributable to their involvement in a program. A range of factors outside the program's control may also impact on re-offending levels, including changes in the individual's personal circumstances. As noted elsewhere (Skrzypiec, Wundersitz and McRostie, 2004), the most rigorous way of measuring the impact of a program is to use a randomised experimental design or, if this is not possible, to use a matched sampling approach whereby the client group is compared with a group of offenders dealt with through the normal court who have been carefully matched on a range of factors, such as age, seriousness of offending and prior criminal record. Any differences in re-

⁴ Due to small numbers offenders who completed or were terminated from STIR or DCR were reported together.

offending between the client and control groups could be attributed to involvement in the program.

While the Western Australian, Queensland and NSW Drug Court evaluations were able to identify suitable matched or control groups, this was not possible in South Australia because information on the key variable on which matching was required - namely, whether the individual had a drug problem that was related to their offending - was not available for offenders dealt with through the 'normal' court system.

Instead, this study had to rely on comparing the frequency and severity of offending amongst Drug Court clients before and after their involvement in the program. The conclusions that can be drawn from this approach are limited. While evidence of a reduction in offending post-program may indicate that the program is having a positive effect, there is no way to prove a 'causative' link. For example, it may be that, for some individuals, having contact with the court system itself may be a sufficient deterrent against future offending. Or there may be a change in the offender's personal circumstances which is totally unrelated to their participation in the Drug Court.

Several other points should also be noted:

- In this study, pre- and post-program offending was measured by the number of criminal events with which each individual had been charged, as recorded on a police apprehension report. An event was defined as that offence or group of offences charged against an individual that occurred on the same day. For example, on the one apprehension report, an individual might be charged by police with breaking into a house, assaulting a person and stealing a car. If these three charges were committed on the one day, this was counted as one criminal event. However, if they were committed on different days, each was counted as a separate event.
- The charges laid against an individual do not necessarily reflect the full magnitude of a person's offending behaviour. If an individual commits an offence which goes undetected, or for which he/she is not charged by police, such events do not appear in official databases. Hence, the information presented here represents the minimum amount of offending allegedly committed by persons who completed the Drug Court Program.
- It should be noted that the frequency of apprehension and the type of charges laid may be influenced by a range of other factors, such as changes in police operations or data recording practices. Two such changes may be relevant to this analysis:
 - First, a shift within SAPOL to a problem-solving model of policing which, from approximately late 1999 onwards, resulted in closer police surveillance of recidivist offenders and more intense monitoring of offenders' adherence to breaches of bail and bond conditions;
 - Second, a change in SAPOL data recording practices which, from mid 1999 onwards, resulted in a formal apprehension report being lodged for those individuals detected for certain driving and traffic offences, such as drive unregistered/uninsured. Prior to this, such individuals were the subject of a police Traffic Breach Report, which was not counted as an apprehension.

The possible impact of these two changes on the pre/post recorded offending levels of Drug Court 'completers' is considered more fully at a later point in this report, but overall, they could have resulted in an inflation of recorded offending in the post-program period, which may not be reflective of any real change in the individual's offending behaviour.

- Finally, re-offending levels should not be construed as the only indicator of the program's success. For example, a decrease in illicit drug use, the ability to function more effectively in their day-to-day lives, and improvements in the quality of their relationship with significant others may also be viewed as positive outcomes. This study makes no attempt to measure these other elements.

The Study Group: a description

As at the 11 June 2003, the Drug Court Pilot Program had received 595 referrals, of which 273 (46%) had been accepted onto the program. As shown in Table 1, by 31 March 2004, just under one quarter (60) had completed the twelve month program, while a further 17 were still actively involved. Of the 256 who were no longer on the program, almost six in ten had had their involvement terminated⁵ while almost 20% had voluntarily withdrawn. This meant that less than one quarter actually completed the program⁶.

For the purposes of this study, only the 60 'completers' will be considered.

Status	Number	Percentage
Completed	60	23.4
Withdrawn	48	18.8
Terminated	146	57.0
Deceased	2	0.8
Subtotal	256	100.0
Ongoing	17	
Total	273	

To enable reliable comparisons between the number of criminal events charged against the 60 program 'completers' before and after participation in the Drug Court, pre-program time to offend was matched with post-program time to offend for each of these individuals, with 31 March 2004 constituting the cut-off date in the post-program period. For example, if, by the 31 March 2004, an individual had nine 'free' months in which to offend after program completion, the number of events charged against him/her in that nine months was compared with the number of events charged against him/her in the equivalent nine months 'free time' before program commencement. The calculations of pre- and post-program time periods for each individual excluded time spent in custody, either on remand or sentenced, in adult or juvenile facilities as this was time in which the person was not 'free' to offend. If time in custody is not excluded it can artificially reduce the actual offending rate. To illustrate, if an individual had completed the program six months earlier, but had spent one of those months in custodial remand, he/she was considered to have five 'free' months in which to offend.⁷ The extent of post-program offending in that five month period was then

⁵ It is worth noting, though, that some terminated clients were on the program for more than 12 months prior to termination (n=7). The longest term recorded for a terminated client was 15.0 months.

⁶ This low rate of completion is the subject of another study currently being undertaken by OCSAR.

⁷ The extent of time spent in custody as a proportion of total time following program completion is detailed in Appendix 1. As shown, in the post-program period, 10 of the 43 'completers' spent time in prison, with four spending between 30% to 60% of their time after program completion in gaol.

compared with the five months immediately preceding entry onto the program when the individual was 'free' to offend.

The 'free time' available to offend varied amongst the 'completers' (see Table 2). The minimum 'free time' available to offend in the post-program period was two days and the maximum was 34 months. The majority of 'completers' (87%) had a minimum of three months available in which to offend. Only four graduates had less than one month available while just over half (53.3%) had 12 months or more available to offend post-program.

To enable a valid pre/post offending comparison to be drawn, it was necessary to identify a time frame that would contain a sufficient number of clients, as well as be long enough to enable comparisons of offending behaviour. It was decided that at least six months 'free time' post-program would allow a sufficient follow-up period for an adequate number of participants (n=43).

The pre- and post-offending comparisons involved different time periods for different clients. Of the 43 graduates, 29 had a pre- and post-offending period of at least 15 months; four graduates had between 12 and 15 months, three had between 12 and 15 months, four had between nine and 12 months, and seven had between six and nine months. (See Appendix 1 for further details).

Table 2 Completer's 'Free Time' Available to Offend Post-program

Months	Number	Percentage
At least 3 months	52	86.7
At least 6 months	43	71.7
At least 9 months	36	60.0
At least 12 months	32	53.3
At least 15 months	29	48.3

Sources of Data

The data used in this study were derived from a number of sources. Client referral details, such as gender, date of birth and assessment data, were obtained from the Drug Court database and hardcopy files. The time spent in custody or on remand by each individual was extracted from the Department of Correctional Services database, while information on pre- and post-offending was based on SAPOL's apprehension data.

Description of the 43 'Completers'

The majority of the 43 completers were male (37 or 86.0%). Only one graduate was Indigenous. As Table 3 indicates, 65.1% were under 30 years of age, with the youngest aged 19 years and the oldest 45 years. The mean age of females was slightly lower than that of males (26.6 years compared with 29.9 years), while the mean age of the total group was 29.5 years.

Table 3 Age and Gender of 'Completers'

Age in years	Male	Female	Total Number	Total Percentage
	Number	Number		
18-24	10	3	13	30.2
25-29	13	2	15	34.9
30-39	7	1	8	18.6
40-49	7	0	7	16.3
Total	37	6	43	100.0

Sixteen of the 43 'completers' (four females and 12 males) had been apprehended for at least one offence as a juvenile (37.2%). The average age at the first offence for which an individual was apprehended was 22.5 years. The youngest was 13 years old when apprehended for their first offence and the oldest was 44 years.

In the five years prior to their acceptance on to the Drug Court Program the majority of 'completers' (39 or 90.7%) had spent some time in prison⁸. Four of the six female 'completers' had been in custody during this period, as had 35 of the 37 males.

The total number of months spent in custody (either on remand or sentenced) in the five years prior to their involvement with the program is shown in Table 4. Nearly one third (13 or 30.2%) had spent more than one year in custody in the five years prior to their program participation. Four individuals had not been in custody prior to their program involvement and five had spent 32.9 months in a correctional facility, with the maximum being 50 months (just over four years). The average number of months spent in custody was just under a year (11.5 months).

Table 4 Number of Months Spent in Custody Five Years Prior to Program Involvement

Number of months	5 Years Pre-program		5 Years Pre-program	
	Number	Percentage		
0	4	9.3	Mean:	11.5
up to 2mths	8	18.6	SD:	13.8
2-6mths	10	23.3	Variance:	191.2
6-9mths	4	9.3	Min:	0
9-12mths	4	9.3	Max:	50.0
12-24mths	4	9.3		
24 or more mths	9	20.9		
Total	43	100.0	Total months	494.2

⁸ This includes either juvenile or adult prison.

The Number of ‘Completers’ Offending and the Number of Events recorded pre and post program

A Group Comparison

All ‘completers’ with at least six months ‘free time’ post-program (n=43)

In the six months or more ‘free time’ that had elapsed after they had completed the program, nearly one quarter of program ‘completers’ (10 out of 43 or 23.3%) had not been re-apprehended, while conversely over three quarters had been charged in relation to at least one criminal event.

Moreover, as Table 5 indicates, in the pre-program period:

- Only 4.7% of ‘completers’ had been charged with one criminal event, whereas post-program, this had increased to one quarter (25.6%);
- At the other end of the scale, pre-program, 30.1% had been apprehended in relation to 11 or more events, compared with only 16.3% post-program.

These results indicate that, for these ‘completers’, the frequency of detected offending post-program, was clearly lower than in the equivalent pre-program period.

The total number of detected events committed prior to program entry was also significantly higher than the number detected in the post-program period⁹. Pre-program, the 43 ‘completers’ were charged in relation to 420 discrete events. Post-program, the number of detected events had decreased to 183 - a reduction of 237 or 56.4%. The mean number of events more than halved, from 9.8 per ‘completer’ before the program to 4.3 following their involvement with the Drug Court.

Table 5 Number of Events Before and After Program Completion - All Completers With at Least Six Months ‘Free’ Time Post-Program

Number of events	Before		After			Before	After
	No.	Percentage	No.	Percentage			
0	0	0	10	23.3	Mean:	9.8	4.3
1	2	4.7	11	25.6	SD:	10.1	5.8
2-3	7	16.3	10	23.3	Variance:	101.7	33.4
4-5	8	18.6	2	4.7	Min:	1	0
6-10	13	30.2	3	7.0	Max:	58	20
11-15	7	16.3	3	7.0	Total events:	420	183
16-20	2	4.7	4	9.3			
21 +	4	9.3	0	0			

⁹ Wilcoxon Signed-Ranks test, Z = -3.68, p<.001

Post-Program Offenders Only (n=33)

While the above results suggest an overall reduction in the number of events, the inclusion of all completers in the above table tends to obscure the extent of change amongst those who did continue to offend post-program. While the obvious aim of the Drug Court is to prevent all further offending, it could still be considered ‘successful’ if those who did continue to offend did so less frequently. A comparison between the frequency of offending in the pre- and post-program periods for post-program offenders only is detailed in Table 6.

As shown, of the 33 ‘completers’ who offended both before and after involvement in the program:

- Only 3.0% were charged with one event pre-program, compared with 33.3% post-program.
- At the other end of the scale, in the pre-program period 60.6% had been apprehended for six or more criminal events, but post-program this had halved to 30.3%.
- The average number of events charged against these individuals pre-program was 10.8, but post program this dropped to 5.6. This difference was statistically significant¹⁰.

These findings suggest that overall, there has been a decrease in the number of detected events in the post-program period amongst those who continued to offend.

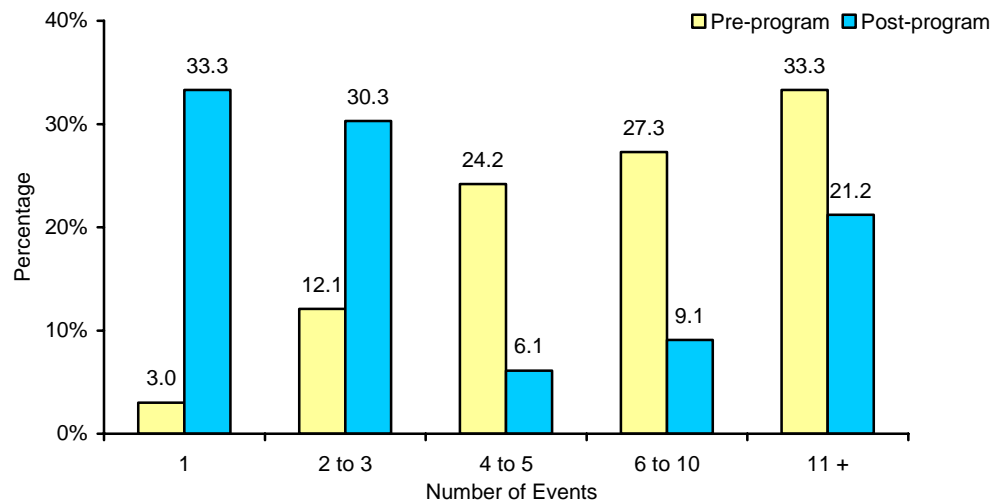
Table 6 Number of Events Before and After Program Completion Amongst Post-Program Offenders (n=33)

Number of events	Pre-program		Post-program			Pre-program	Post-program
	No.	%	No.	%			
1	1	3.0	11	33.3	Mean:	10.8	5.6
2-3	4	12.1	10	30.3	SD:	11.0	6.0
4-5	8	24.2	2	6.1	Variance:	121.4	36.5
6-10	9	27.3	3	9.1	Min:	1	1
11 or more	11	33.3	7	21.2	Max:	58	20
Total	33	100.0	33	100.0	Total events:	355	183

The differences are illustrated more clearly in Figure 1.

¹⁰ Wilcoxon (Paired) Signed Ranks Test, Z= -2.699, p<0.01

Figure 1 Number of Events Before and After Program Completion Amongst Post-Program Offenders (n= 33)



Individual Differences in the Number of Events Recorded Pre- and Post-Program

While the previous section focused on differences in offending for the group as a whole, this analysis focuses on shifts per individual. In Table 7, shown in yellow, is the number of 'completers' who either did not offend or who were involved in fewer events in the post-program period. The unshaded part of the table shows the number of persons who were involved in the same number of events before and after the program. The blue shading indicates the number of individuals who allegedly committed a greater number of events during the post-program period.

As shown, nearly one quarter (23.3% or 10 of the 43 graduates) became 'non-offenders' while over half (24 or 55.8%) continued to offend but were charged with fewer events post-program. In total then, 34 of the 43 (79.1%) had lower detected offending levels post-program compared with pre-program.

Again, these results suggest that the program may be having some effect in reducing re-offending levels of this particular group of clients.

Table 7 Individual Shifts in the Number of Events Before and After Program Completion

Number of Events Pre-program	Number of Events Post-program								Total
	0	1	2-3	4-5	6-10	11-15	16-20	21+	
0	0	0	0	0	0	0	0	0	0
1	1	1	0	0	0	0	0	0	2
2-3	3	1	2	0	0	0	1	0	7
4-5	0	2	3	0	1	1	1	0	8
6-10	4	4	2	2	0	1	0	0	13
11-15	1	3	0	0	2	0	1	0	7
16-20	1	0	0	0	0	1	0	0	2
21+	0	0	3	0	0	0	1	0	4
Total	10	11	10	2	3	3	4	0	43

There is also some indication that, even amongst those who continued to offend post-program, the number of criminal events charged against them was lower than previously. In fact, as Table 7 indicates, of the 33 post-program offenders, 24 (72.7%) were apprehended for fewer events following their involvement with the Drug Court. However, there were six (18.2%) who recorded more events post-program while three were charged with the same number of events pre- and post-program.

In summary then, the majority of post-program offenders had lower levels of detected offending, while only a handful were apprehended for more events post-program.

A Profile of the Type of Offences Committed in Equal Time Before and After Program Completion

The aim of the following analysis is to identify whether the types of offences charged against program participants before and after the program were different. For the purposes of this investigation, only the major (or most serious) charge per detected event has been included in the analysis. While this means that not all offences charged against the individual are counted, the major charge provides a reliable indicator of the spread of offences committed.

Again, only those 43 graduates with a minimum of six months 'free time' in the post-program period were included. For this group, the major charge per event pre-program was compared with the major charge from each detected event post-program.

Major Charge Per Criminal Event Before and After Program Completion

The major charge per event for which the 43 'completers' were apprehended in an 'equal time' period before and after program involvement is shown in Table 8¹¹. As indicated in the previous section, there was a decrease in the number of events committed by 'completers' following program completion when compared to the same period pre-program. This is reflected in a commensurate decrease in the total number of major charges from 420 to 183.

In terms of shifts within individual offence categories, particularly strong decreases were observed in relation to:

- *Property offences* - listed as the major charge in 318 events pre-program compared with 67 post-program - a decrease of 78.9%; and
- *Drug offences* – dropped from 14 events pre-program to one event post-program.

At a more detailed level, strong decreases were evident for:

- *Burglary, break and enter/serious criminal trespass* - down by 87.7%, from 106 pre-program to 13 post-program;
- *Retail theft* - down by 71.7%, from 60 to 17¹²;
- *Fraud or forgery offences nec*¹³- 33 pre-program compared to none post-program;
- *Receiving offences* - down by 65.6%, from 32 to 11;
- *Theft (non motor vehicle) nec* - down from 31 to six, and
- *Driving whilst licence suspended or cancelled* - down from 18 to 10 post-program.

However, increases were observed within the following categories:

- *Offences against the person* - up from eight events to 15 events post-program; and
- *Driving and traffic offences* - up by 54%, from 46 pre-program to 71 post-program.

At a more detailed level, increases were evident for:

- *Non-aggravated assault* - from three events pre-program to 10 post-program;
- *Registration offences* - up from 23 events to 53 post-program; and
- *Breach of bail* - more than doubled, from six to 18.

¹¹ Note that the number of events recorded greatly exceeds the number of individual 'completers'. Collectively, the 43 'completers' were charged with 420 events in the pre-program period compared with 183 events. This table reflects all major changes per event, not the number of individuals charged.

¹² The Shop Theft (Alternative Enforcement) Act commenced operation on the 11 November 2001. However, of the 48,201 retail thefts recorded in 2002 only 211 resulted in a Shop Infringement Notice. Hence, the drop in retail theft does not appear to be the result of this legislative change.

¹³ Not elsewhere classified

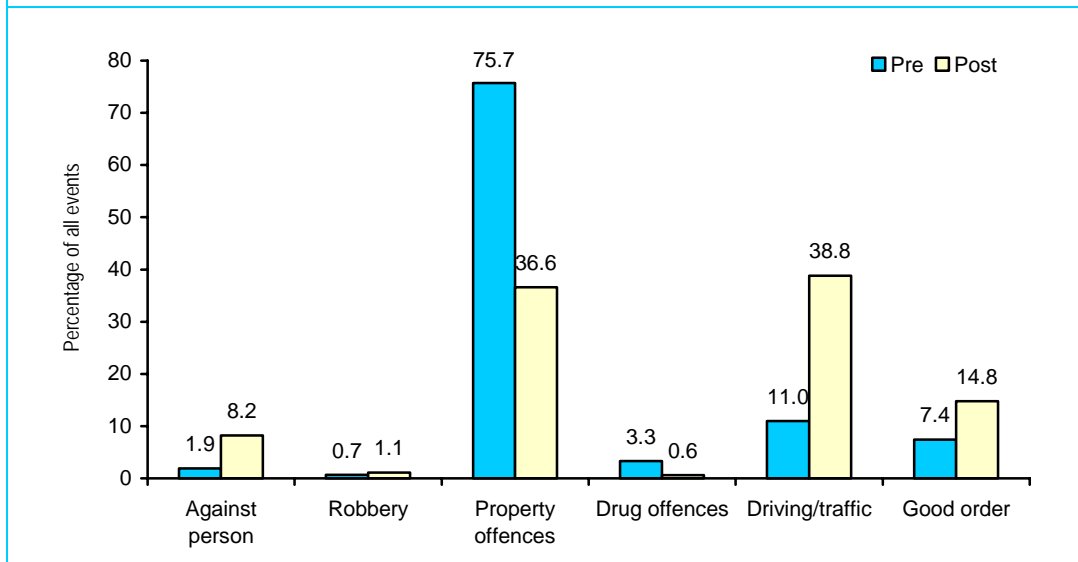
Table 8 Type of Major Charge per Criminal Event

Type of Major Charge	Pre-program Number (n=43)	Post-program Number
Non-aggravated assault	3	10
Threatening behaviour	2	0
Attempted murder	0	1
Aggravated assault	3	4
Total against the person	8	15
Non-aggravated robbery	0	2
Aggravated robbery	3	0
Total robbery	3	2
Burglary/break and enter	106	13
Theft of motor vehicle parts/contents	14	4
Illegal use of motor vehicle	9	8
Theft-motor vehicle	1	0
Theft (non-motor vehicle) nec	31	6
Retail theft	60	17
Dishonest conversion	4	0
Fraud or forgery nec	33	0
Deception offences nec	6	1
Theft from person excluding by force	4	0
Receiving	32	11
Cheque or credit card fraud	5	0
Property damage by fire or explosion	0	2
Property damage nec	13	5
Total against property	318	67
Possess illicit drugs	5	1
Manufacture/cultivate illicit drugs	5	0
Licit drug offences	1	0
Deal in illicit drugs nec	1	0
Prescription drug fraud	2	0
Total drug offences	14	1
Dangerous driving	2	0
Exceeding PCA limit	1	1
Driving without a licence	2	5
Driving: suspended/cancelled licence	18	10
Registration offence	23	53
Driving licence offence nec	0	2
Total driving and traffic offences	46	71
Resist police officer/justice official	7	2
Resist/hinder government official	1	0
Offences against justice procedures	0	1
Offensive language	2	0
Trespass	2	0
Other dangerous/negligent acts	1	0
Criminal intent	4	2
Breach of other restraining order	1	0
Breach of domestic violence order	1	1
Breach of bail	6	18
Graffiti	1	0
Harassment and private nuisance	1	0
Disorderly conduct	1	2
Weapons/explosives	3	1
Total against good order	31	27
Total	420	183

nec = not elsewhere classified

Because of these shifts, the profile of offences committed before and after program completion also changed. As Figure 2 indicates, before entry into the Drug Court, *property offences* were listed as the major charge in three quarters of all events while *driving and traffic offences* accounted for only 11.0%. In the post-program period, the proportion of events involving a *driving/traffic offence* increased to 38.8% while property offences had dropped to 36.6%.

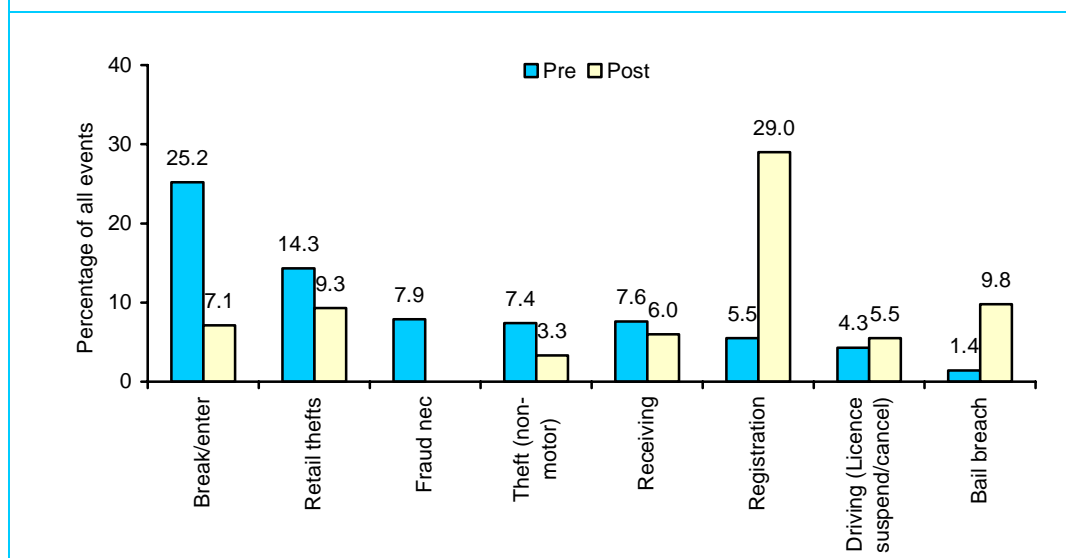
Figure 2 Profile of the Major Charge per Criminal Event: Major Offence Categories



A more detailed breakdown of the types of offences listed as the major charge per event is provided in Figure 3. This figure depicts the eight most frequently occurring charges laid against ‘completers’. Again, there were some shifts in the types of offences detected pre- and post-program. In particular, while approximately one quarter of offences detected pre-program involved *burglary/break and enter*, post-program this offence type was less prominent, accounting for only 7.1% of all major charges. *Retail thefts* and *theft (non-motor vehicle)* offences were also less prominent post-program, while no *fraud* offences were identified in the post-program period. In contrast, *registration offences* featured more prominently post-program, accounting for just over 29% of all major charges compared to 5.5% pre-program, as did *breach of bail offences* (1.4% of all major charges pre-program compared with 9.8% post-program).

Overall then, not only has there been an overall reduction in the actual number of offences committed, but there has been a shift in the type of offences committed, with some offence categories being more strongly affected than others.

Figure 3 Profile of Major Charge per Criminal Event: Major Offence Categories



In interpreting these results, however, it must be borne in mind that factors other than the behaviour of program 'completers' (such as changes to legislation, police practices and recording procedures) need to be taken into account. In particular, in mid 1999 there was a change in police recording practices for driving and traffic offences which may help to explain the substantial increase in the number of *registration* offences recorded in the post-program period (n=53) in contrast to the pre-program period (n=23). This change meant that, as of the 1st July 1999, an apprehension report was generated for these offences, whereas previously they were dealt with by a Traffic Breach Report. This variation in work practices caused a dramatic upswing in the number of apprehensions recorded in the Police Information Management System (PIMS) for minor driving offences, with such offences more than doubling from 5,299 in 1998/99 to 12,340 in 1999/00.

The number of *registration* offences recorded against Drug Court 'completers' could have been affected by this change. To illustrate, if a participant's 'free time' period pre-program did not commence prior to the 1st July 1999, then all of their driving and traffic related offences detected both before and after program completion would be recorded in accordance with the new work practices. However, if a participant's 'free time' pre-program did commence before the 1st July 1999, then their offending record during this time frame would not capture driving and traffic matters dealt with by way of a Traffic Breach Report, whereas their post-program period would contain all such offences recorded in accordance with the new work practices.

As shown in Table 9, for 28 of the 43 participants, the pre-program 'free time' period encapsulated the date of change (1 July 1999) in SAPOL work place practices. Within this group, the number of major charges involving a *registration* offence increased substantially, from 11 in the pre-program period to 36 in the post-program period. This means that post-program the average number of offences per person more than doubled going from 1.6 pre-program to 3.6. In contrast, of the 15 participants whose pre-program period did not pre-date the 1 July 1999, the number of major charges involving a registration offence increased only slightly, from 12 in the pre-program period to 17 in the post-program period. This means that the average number of offences per person increased only slightly, going from 3.0 per person in the pre-program period to 4.3 in the post-program period. These results suggest that the change in work practices appears to be responsible, at least in part, for the subsequent increase in the number of registration offences recorded in the post-program period.

In effect then, it could be argued that, if this work practice change had not occurred, the level of post-program offending recorded for at least some of the ‘completers’ would have been lower, and by extension, the pre/post reduction in offending events would have been greater than the statistics indicate.

Table 9 Number of Events Involving a Registration Offence as the Major Charge Before and After Program Completion: Impact of Change in Recording of Registration Offences

Pre-program ‘offending’ period	Number of ‘completers’	Number of events involving a registration offence as the major charge		Number of persons charged with at least one registration offence		Number of registration offences per person	
		Before	After	Before	After	Before	After
Includes a period prior to July 1999	28	11	36	7	10	1.6	3.6
Does not include a pre July 1999 period	15	12	17	4	4	3.0	4.3
Total	43	23	53	11	14		

The increase in the number of ‘breach of bail’ offences (from 6 to 18) could also be due to the shift within SAPOL towards a problem solving model of policing. Under this new model, which commenced in late 1999, police keep a close watch over individuals bailed by the courts and so are more likely to detect any breaches of those bail conditions.

Proportion of Individuals Involved in Each Major Offence Type Before and After the Program

All program ‘completers’ (n=43)

While the above analysis considered all the major charges laid against participants before and after the program, it does not indicate how many individuals actually committed particular types of offences. For example, although there were seven events pre-program that involved *resist police officer/justice official* as the major charge, were these committed by seven discrete individuals or the same individual?

Table 10 details, for each major offence category, the proportion of discrete individuals who had at least one such offence listed as their major charge before and after program completion. For example, in the pre-program period, of the 43 individuals under consideration, 22 had at least one *retail theft* listed amongst their major charges, compared with nine individuals following program completion.

As shown, the most pronounced shift occurred in *property offences*. Pre-program, almost three quarters (74.4%) of participants had been apprehended for at least one *burglary/break and enter*

offence where that offence was listed as the major charge. However, post-program only eight (18.6%) participants had this type of offending listed amongst their most serious charge. Other noticeable decreases occurred in the proportion of individuals involved in *retail theft*, *theft (non-motor vehicle)*, *receiving* and *fraud*.

However, it should be noted that the number of individuals charged with some offence types actually increased post-program. The most substantial increases occurred in *breach of bail* offences which rose from three to nine post-program and *registration offences*, which increased from 11 to 14. Again, the increase in the number of *registration offences* could, at least in part, be due to a change in police recording practices. As evidence of this, of the 28 participants whose pre-program period extended back before July 1999 when the new recording practices commenced, the number charged with at least one *registration offence* increased from seven in the pre-program period to 10 in the post-program period. In contrast, as shown in Table 9, of the 15 participants whose pre-program period did not extend back before July 1999, the number charged with at least one *registration offence* stayed the same (n=4).

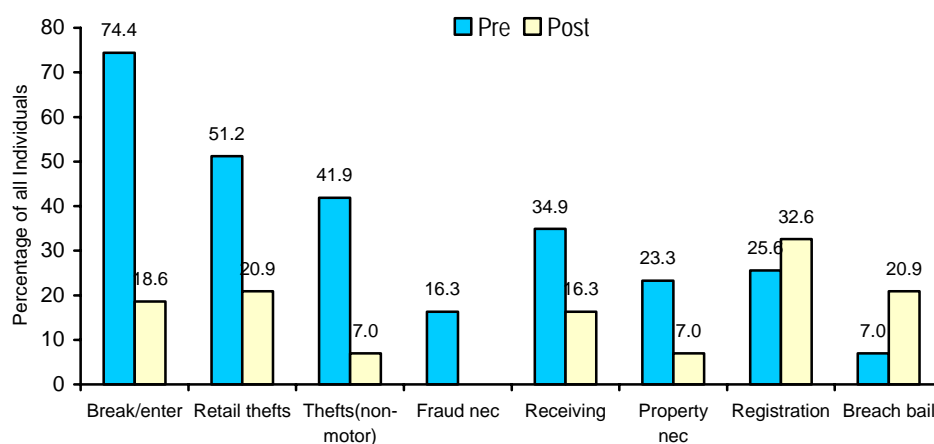
Table 10 Individuals Involved in Each Major Offence Type: a Pre- and Post-program Comparison

Type of Major Charge	Pre-program		Post-program	
	Number	%	Number	%
Against the person				
Attempted murder	0	0	1	2.3
Aggravated assault	3	7.0	2	4.7
Non-aggravated assault	3	7.0	6	14.0
Threatening behaviour	2	4.7	0	0
Robbery				
Aggravated robbery	3	7.0	0	0
Non-aggravated robbery	0	0	2	4.7
Against Property				
Burglary/break and enter	32	74.4	8	18.6
Theft of motor vehicle parts/contents	10	23.3	3	7.0
Illegal use, theft of motor vehicle	7	14.0	6	14.0
Theft (non-motor vehicle) nec	18	41.9	3	7.0
Retail theft	22	51.2	9	20.9
Dishonest conversion	2	4.7	0	0
Fraud or forgery nec	7	16.3	0	0
Deception offences nec	2	4.7	1	2.3
Theft from person excluding by force	2	4.7	0	0
Receiving	15	34.9	7	16.3
Cheque or credit card fraud	4	9.3	0	0
Property damage by fire or explosion	0	0	2	4.7
Property damage nec	10	23.3	3	7.0
Drug offences				
Possess illicit drugs	4	9.3	1	2.3
Manufacture/cultivate illicit drugs	4	9.3	0	0
Licit drug offences	1	2.3	0	0
Deal in illicit drugs nec	1	2.3	0	0
Prescription drug fraud	1	2.3	0	0
Driving and traffic offences				
Dangerous driving	2	4.7	0	0
Exceeding PCA limit	1	2.3	1	2.3
Driving without a licence	2	4.7	5	11.6
Driving: suspended/cancelled licence	9	20.9	5	11.6
Registration offence	11	25.6	14	32.6
Driving licence offence nec	0	0	2	4.7
Against Good Order				
Resist police/government/justice official	6	14.0	2	4.7
Resist/hinder government official	1	2.3	0	0
Offences against justice procedures	0	0	1	2.3
Offensive language	2	4.7	0	0
Trespass	2	4.7	0	0
Other dangerous/negligent acts	1	2.3	0	0
Criminal intent	2	4.7	2	4.7
Breach of other restraining order	1	2.3	0	0
Breach of domestic violence order	1	2.3	1	2.3
Breach of bail	3	7.0	9	20.9
Graffiti	1	2.3	0	0
Harassment and private nuisance	1	2.3	0	0
Disorderly conduct	1	2.3	2	4.7
Weapons/explosives	3	7.0	1	2.3

Note that this table shows the number of individuals involved in each offence type, not the number of times that an individual allegedly committed that particular type of offence.
nec = not elsewhere classified

The main shifts in offence profiles are illustrated more clearly in Figure 4.

Figure 4 Proportion of Individuals Charged at Least Once Per Major Offence Type: a Pre- and Post-Program Comparison

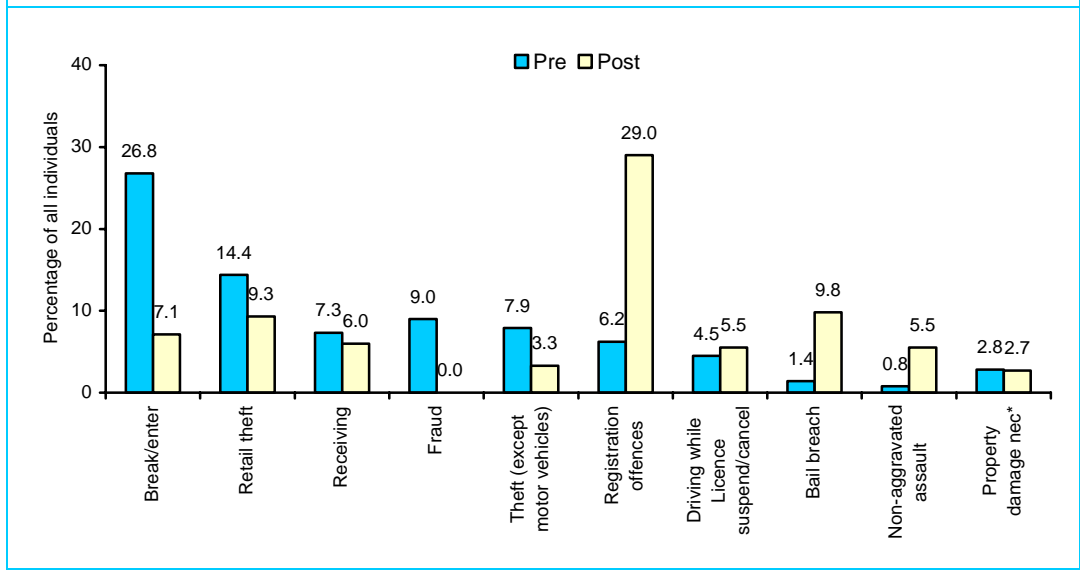


Post-program offenders only (n=33)

Because the results presented above include those who did not offend after involvement with the Drug Court, they tend to obscure shifts amongst those 33 participants who did continue to be apprehended in the post-program period. If the analysis is limited to this group only, the results show a substantial decrease in the proportion of participants apprehended post-program in most of the key offence categories. As indicated in Figure 5, in the pre-program period just over one quarter of post-program offenders were charged with at least one *break and enter* before joining the program, but this declined to 7.1% in the period after program completion. The proportion charged with *retail theft*, *receiving*, *fraud* and *theft (except motor vehicles)* was also lower in the post-program period.

In contrast, a higher proportion were charged with *registration*, *driving licence* and *breach bail* offences in the post-program period. Again, changes in police practices are a likely contributor to these increases.

Figure 5 Proportion of Post-Program Offenders Involved in Each Major Offence Type: a Pre- and Post-Program Comparison



Seriousness of Offending

As indicated in the last section, overall there was a clear shift in the types of offences committed post-program compared with pre-program. This section takes the analysis one step further, by examining shifts in the actual seriousness of the offences charged against Drug Court ‘completers’.

To do this, the major charge per event listed against the participants in the pre- and post-program interval was identified and assigned a seriousness ranking, based on a modified version of the National Offence Index developed by the Australian Bureau of Statistics (ABS, 2003). This index *rank*s all offence classifications contained in the ASOC¹⁴ system in order of seriousness. The index starts with the most serious offence of *murder*, which is given an index value of one, and then continues through 157 ranked offences. The index is organised so that a low index score represents a very serious offence and a high score indicates a minor offence. For the purposes of this analysis the NOI was modified in one key aspect. As we wished to include “did not offend” as part of the index, rather than assigning a score greater than 157 to “did not offend” it was decided to invert the index so that a high score would represent a very serious offence and “did not offend” would be represented by a score of “0”.

For those individuals who had multiple events the single, most serious offence with which the individual had been charged pre-program and the single most serious offence detected post-program were identified. Offenders were then categorised into four groups according to the most serious offence detected pre-program and this was then compared with their most serious offence post-program.

The four categories used were as follows:

- Those in Category 1 (i.e. rank seriousness score of 0) were **non-offenders**. This group committed no offences during the period under investigation.

¹⁴ ASOC is the Australian Standard Offence Classification developed by the Australian Bureau of Statistics, 1997.

- Those in Category 2 (i.e. rank seriousness score of less than 65) were classified as **minor offenders**. Examples of offences committed by this group included *disorderly conduct, retail theft, resist police and driving licence offences*.
- Those in Category 3 (i.e. rank seriousness score of between 65 and 96) were classified as **moderately serious offenders**. Examples of offences committed by this group included *property damage, dangerous driving, receiving, thefts and fraud*.
- Those in Category 4 (i.e. rank seriousness score of more than 96) were considered to be **serious offenders**. Example of offences committed by this group included *burglary/break and enter, threatening behaviour, weapons/explosives offences, aggravated assault, aggravated sexual assault and aggravated robbery*.

Proportion of Individuals within Each Offence Seriousness Grouping Before and After the Program

All 'completers' (n=43)

Shifts in seriousness categories for the group as a whole are detailed in Table 11. As shown:

- In the pre-program period, the overwhelming majority of participants (39 or 90.7%) had been charged with at least one *serious* offence. Post program, the percentage in this category decreased to 15 (34.9%).
- In contrast, while there were no participants who fell within the *non-offending* or *minor offender* categories pre-program, after completion of the Drug Court program well over one half (10 and 15 respectively) fell within these two categories.

Table 11 Changes in Offender Seriousness Pre- and Post-program for All 'Completers'

	Pre-program		Post-program	
	Number	%	Number	%
Non-offenders	0	0	10	23.3
Minor Offenders	0	0	15	34.9
Moderately-serious Offenders	4	9.3	3	7.0
Serious Offenders	39	90.7	15	34.9
Total	43	100	43	100

Post Program offenders only (n=33)

The results outlined above do not change a great deal if analysis is limited only to those 33 participants who continued to offend post-program. As shown in Table 12, amongst this group none were classified as *minor* offenders pre-program, but post program 45.5% fell within this category. At the other end of the scale, in the post-program period a much lower percentage of 'completers' fell within the *serious offence* classification (45.5% compared with 90.9% pre-program). This suggests an overall reduction in the seriousness of detected offences amongst those who continued to be apprehended after their involvement in the Drug Court.

Table 12 Changes in Offender Types of Post-Program Offenders Pre- and Post-Program

	Pre-program		Post-program	
	Number	%	Number	%
Minor Offenders	0	0	15	45.5
Moderately Serious Offenders	3	9.1	3	9.1
Serious Offenders	30	90.9	15	45.5
Total	33	100	33	100

Individual shifts

Table 13 details the changes in offence seriousness at an individual rather than a group level.

As shown, of the 43 participants who completed the program and had at least six months in which to offend post-program:

- Ten participants (23.3%) who were classified as either *serious* or *moderately serious* offenders pre-program did not offend in an equal time period post-program.
- Of the 33 who continued to offend post-program, 18 were apprehended for less serious offences after involvement with the Drug Court. This included:
 - two *moderately serious* and 13 *serious* pre-program offenders who, post-program, were apprehended for *minor* offences only; and
 - three *serious* pre-program offenders who were charged with *moderately serious* offences post-program.
- In contrast, there were 14 *serious* offenders pre-program who continued to commit serious offences post-program (ie their level of seriousness did not change) while one participant's offence seriousness shifted from *moderately serious* to *serious*. This was the only person for whom the seriousness of offending was actually higher after involvement with the Drug Court.

In total then, of the 43 'completers' 28 (65.1%) showed a clear improvement (yellow shaded part of the Table). Even amongst those 33 who continued to offend post-program, 18 (54.5%) were apprehended for less serious offences than before their involvement with the Drug Court. In contrast, only one person in the post-program offender group recorded an increase in the seriousness level of their offending, while 14 people (42.4%) stayed the same.

Although not conclusive, these results suggest that the program, while not stopping all offending, may have contributed to a reduction in the seriousness of offences committed.

Table 13 Individual Shifts in Offence Seriousness

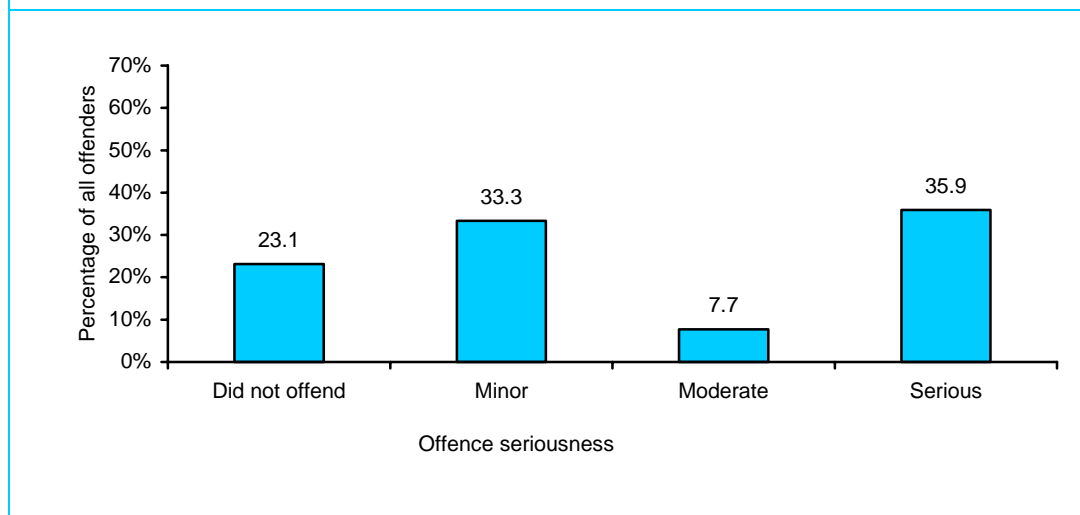
Pre-program offending seriousness	Post-program offending seriousness			
	Non-offenders	Minor Offenders	Moderately Serious Offenders	Serious Offenders
Non-offenders	0	0	0	0
Minor Offenders	0	0	0	0
Moderately Serious Offenders	1	2	0	1
Serious Offenders	9	13	3	14

Of particular note is the strong positive shift that occurred in the post-program period amongst *serious* pre-program offenders. As indicated earlier, just over 90% of participants (n=39) fell within this category during the pre-program period, based on the single most serious offence charged against them during this period. However, as indicated in Figure 6, of these 39:

- Nine (23.1%) were not charged with any offence in the post-program period;
- 13 (33.3%) were charged with *minor* offences only, while three faced at least one *moderately serious* offence post program; and
- Just over a third 14 (35.9%) continued to offend at the same seriousness level in the post-program interval

Overall then, nearly two-thirds (64.1%) of the 39 *serious* pre-program offenders either did not offend or were charged with less serious offences post-program.

Figure 6 Post-Program Offences Committed by Serious Pre-program Offenders



Conclusion

This evaluation set out to investigate the effect, if any, of the South Australian Drug Court Pilot Program on post-program offending amongst those who had completed the program. To do this, it focused on those 43 participants who had been accepted onto the program by

11 June 2003 and who, by 31 March 2004, had not only completed the program but had at least six months 'free time' in which to offend post-program. For this group, it assessed the extent of detected offending as well as the seriousness of that offending during the post-program period when compared with an equal pre-program period.

Prior contact with the criminal justice system was measured by the number of criminal events charged against them on police apprehension reports. It should be stressed that such a measure does not necessarily reflect all offences committed by these individuals, simply because some events may go undetected while others may be dealt with in different way. Also, while this measure may reflect changes in actual offending behaviour, it may also be influenced by changes in police practices and recording procedures.

Because of these methodological limitations, it is not possible to prove conclusively that any difference between the pre- and post-offending profiles of the 43 'completers' is directly attributable to their involvement with the Drug Court. Nevertheless, the results are encouraging.

Overall, the study found that nearly one quarter (23.3%) of these 43 'completers' did not offend in the post-program period. And even amongst the 33 who continued to offend, there was evidence of a reduction in both the frequency and seriousness of offending. More specifically, when compared with their pre-program record, of this re-offending group:

- Over three quarters (n=24) were charged with fewer offences; while
- Over one half (n=18) were charged with less serious offences than during the pre-program period.

In summary then, almost 80% of the 43 program 'completers' had lower detected offending levels post-program compared with pre-program. This is despite the fact that certain changes to police practices and data recording procedures occurred during the study period that would have contributed to an increase in the number of offences *recorded* in the post-program period, irrespective of any behavioural changes.

Nor were these changes limited to the more minor offenders. Of the 39 'completers' who, prior to joining the program, were classified as 'serious offenders', almost one quarter were not charged with any offences post-program while another one third, although they did continue to re-offend, were charged with only minor offences after program completion.

Given these shifts, it is not surprising that there was a substantial reduction in the actual number of events charged against this group in the post-program period. Prior to involvement in the Drug Court, the 43 'completers' were charged with 420 discrete criminal events whereas post program, this had more than halved to 183 events. While *property offences* were the most common type of crime charged against 'completers' both before and after their involvement with the South Australian Drug Court, the number of such offences recorded in the post-program interval was substantially lower (by 79%) than the number recorded during the pre-program period. Of particular note is the fact that, within the broad *property offences* category, *burglary/break and enter* decreased the most (from 106 to 13). Decreases were also recorded for *retail theft*, *receiving* and *fraud or forgery* offences.

Despite these positive findings, it should be noted that not all 'completers' recorded a reduction in offending following program completion. A small number (6 of 43) had a greater number of events charged against them during the post-program period while a further three 'completers' continued to offend at a similar rate post-program. Clearly, drug addicted offenders are not a homogeneous group and, as Makkai & Payne (2004) suggest, further investigations, including more detailed examination of the social and behavioural factors that lead to involvement in both crime and drug use may assist in the identification of

more appropriate interventions for the small group who did not show a reduction post-program.

Nevertheless, the overall results do suggest that the South Australian Drug Court may be having a positive effect in reducing offending levels amongst those who manage to complete the program. While the lack of a suitable control group meant that our evaluation could not compare how those on the Drug Court program fared in comparison to those dealt with by normal court processes, the findings bear some similarities to the evaluation results obtained for the South East Queensland and Western Australian Drug Courts, where suitable comparison groups were available. These other evaluations found that program 'completers' had lower levels of recidivism than those offenders who had their matters dealt with by the traditional court system. The Perth Drug Court evaluation (Crime Research Centre, 2003) suggested that this lower recidivism level may be a reflection of the Drug Court participants' higher motivation and readiness to change their existing behaviour patterns.

Evaluations of Drug Courts operating in the United States also indicate that an overall reduction in detected offending in the post-program period is sustainable for some graduates over a relatively long time period. For example, Goldkamp, White and Robinson (2001) reported that these positive effects are sustainable for at least one year after program completion. In light of this overseas research, it would be worthwhile to repeat the evaluation of the South Australian Drug Court using a longer follow-up period when such data become available.

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Appendix 1

Amount of 'free time' available within which to offend post-program per individual

The 'free time' available post-program varied amongst the 43 program 'completers'. This time period extended from the date of program completion until the census data on the 31 March 2004. A detailed breakdown of the months of 'free time' available that 'completers' had post-program is shown in Table 14¹⁵. The amount of 'free time' that the 'completers' had in the post-program period determined the amount of 'free time' selected to assess offending in the pre-program period. As can be seen, 22 completers had two years or more 'free time' available in the post-program period, while only two had the minimum period of 6 months.

Table 14 Months of 'free time' available pre- and post-program

Months	Number of individuals	Percentage
6	2	4.7
7	1	2.3
8	4	9.3
10	2	4.7
11	2	4.7
12	3	7.0
15	1	2.3
16	1	2.3
19	1	2.3
20	1	2.3
21	1	2.3
22	1	2.3
23	1	2.3
24	2	4.7
25	1	2.3
27	4	9.3
28	2	4.7
29	3	7.0
30	6	14.0
31	2	4.7
32	1	2.3
33	1	2.3
Total	43	100.0

¹⁵ This table shows the minimum number of months available i.e. figures were rounded down.

Appendix 2

Amount/proportion of time spent in custody post-program

The total amount of time between completion of the program and the census date of 31 March 2004 varied from one individual to another, as did the amount of time spent in custody. In Table 15 the months available post-program from the date they finished until the 31 March 2004 are shown, as well as proportion of this time spent in custody. As noted earlier, the time available in the post-program period minus the time spent in custody provided the period of 'free time' that was used in the re-offending analysis. As shown, 10 of the 43 participants had spent time in custody in the post-program period.

Table 15 The total time available post-program and the proportion of that time spent in custody

Time in months	No time spent in custody	up to 15%	15 to 30%	30 to 60%
6	1	-	-	-
7	1	-	-	-
8	4	-	1	-
10	1	-	-	-
11	2	-	-	-
12	1	-	-	-
15	1	-	-	-
19	1	-	-	-
20	1	-	-	-
24	1	-	-	-
27	6	-	-	-
28	2	-	1	-
29	2	1	-	1
30	6	1	-	2
31	2	-	-	-
32	-	1	-	1
33	1	-	1	-
Total	33	3	3	4