



M A Y 2 0 0 6

The South Australian Drug Court

A profile of participants during its first thirty eight months of operation

GRACE SKRZYPIEC

EDITING: JOY WUNDERSITZ

DATA EXTRACTION: CAROL CASTLE

EXECUTIVE SUMMARY

The South Australian Drug Court was established in May 2000. The Office of Crime Statistics and Research (OCSAR) has been involved in evaluating this program since its inception. The aim of this paper was to simply provide a descriptive profile of those people who participated in the Drug Court program during the first 38 months of its functioning from May 2000 to June 2003 and determine whether those accepted onto the program bore similarities to Drug Court participants in other jurisdictions. A second aim was to determine whether this profile changed over that period.

The analysis provided the following profile of Drug Court participants:

- 89.0% were male;
- 92.8% were non-Indigenous;
- the average age was 29.1 years;
- 66.1% were single;
- 94.3% were unemployed;
- 68.4% had left school at year 10 or before;
- 76.5% were charged with at least one *break and enter and related offence* during the five year period before being accepted onto the Drug Court, while 93.7% had at least one *theft and related offences* charge, 60.8% had at least one *road traffic and motor vehicle regulatory offence* charge, and 56.7% had at least one *offences against justice procedures and government* charge;

RESEARCH FINDINGS

- 82.9% had spent time in custody at least once sometime before being accepted onto the Drug Court;
- 52.9% had spent at least six months in custody during the five year period before being accepted onto the Drug Court;
- 61.2% had a criminal career which spanned 10 years or more;
- 65.7% reported abusing drugs prior to adulthood (ie turning 18);
- 68.8% reported they had commenced using drugs as a juvenile;
- 49.6% reported they had children;
- 48.5% reported they had impaired family relationships at the time of assessment; and
- 47.4% reported having financial difficulties at the time of assessment.

The overall description of the average Adelaide Magistrate's Drug Court client was comparable with the description of clients in other jurisdictions, although Makkai and Veraar (2003) reported that clients in the South East Queensland Drug Court were more likely to be married or in a de facto relationship than single. The average Adelaide Magistrate's Drug Court client was, in this respect, more like the average Western Australian Drug Court client (CRC, 2003).

Differences in the characteristics of Drug Court participants also changed over time. A greater proportion of Cohort 3 participants (ie those accepted in the third year of the Program) reported ongoing physical health problems as well as being on prescribed mental health medication, having sub clinical feelings of depression/ anxiety/ hopelessness or feeling socially isolated, than participants in Cohort 1 (those accepted in the first year). The results also suggest that Drug Court participants accepted in the third year may have been more troubled by social/family relationships and financial difficulties than those first accepted onto the program. The proportion of participants reporting impaired family relationships, parents who were/are drug users/alcoholics or divorced/separated, or having financial difficulties at the point of assessment increased from Cohort 1 (Year 1) to Cohort 3 (Year 3). The general health of Drug Court participants also appeared to have been more favourable for those accepted onto the Drug Court during the first year. Since that time the proportion of participants reporting ongoing physical health problems more than doubled, going from 11.3% of Cohort 1 clients to 28.8% of Cohort 3 clients. However, it is not known if these differences reflect real changes or changes in the way information was elicited. For example, it may be that Drug Court assessors became more efficient at assessing clients and collecting this information by the third year of operation.

Introduction

Drug Courts are a part of the current trend in justice towards therapeutic jurisprudence. Therapeutic jurisprudence involves a consideration of the “law’s impact on emotional life and psychological well-being” (Winick and Wexler, 2003, p.7) which encourages the use of tools from the behavioural sciences in a way which can assist offenders in gaining insight and making appropriate behavioural changes (McMahon and Wexler, 2002). It is an approach that was first developed for persons with a mental impairment in the United States in the late 1980s and was employed when the first problem solving court, in the form of a Drug Court, was set up in the USA in 1989 (Freiberg, 2005). Since that time the concept of problem solving courts based on the principles of therapeutic jurisprudence has been embraced by justice agencies all over the world.

Other problem solving courts include domestic violence and mental impairment courts. The aim of these courts is to break the cycle of crime by taking into account the relationship between offending and the offender’s condition and circumstances. Drug Courts, for example, consider that a person may be offending because of their drug habit and so offer offenders help to end their drug abuse. Drug Courts are now operating in nearly all state jurisdictions around Australia, with New South Wales having initiated the first of these problem-oriented courts in February 1999.

Like other Drug Courts, the South Australian Drug Court combines “intensive judicial supervision, mandatory drug testing, escalating sanctions, and treatment and support services to help drug-abuse offenders break the cycle of drug abuse and crime” (Adelaide Magistrates Court, 2004). It advocates a “harm minimisation” approach which aims to prevent or reduce further offending and drug use.

The pilot program, which was planned to last for two years, was started in the Adelaide Magistrates Court. The Court has now been ‘rolled out’ to other selected suburban and country courts in South Australia. However, this report, like other reports on the Drug Court published by OCSAR, focuses only on those cases heard by the Adelaide Magistrates Court.

Clients accepted on to the Drug Court program are offered services which are tailored to suit their personal needs and requirements so that they have an opportunity for real and sustained change. In addition, the court enforces mandatory drug testing, escalating sanctions and clearly defined rules which encourage participants to take personal responsibility for their rehabilitation.

During its first three years of operation, to be eligible for the program offenders had to be over 18 years of age, be charged with an offence that was linked to their drug use, be willing to admit the elements of the offence, be willing to participate in the program and be facing a probable prison term for their offending. In terms of their drug dependency, it needed to be current, or, if they had experienced forced or involuntary abstinence, be highly likely to return to a dependency level. Those specifically excluded from the program were those having a record of violent or sexual offending, who seemed to lack insight into their behaviour or who had complex mental health issues. Participants who fell into the last category may have been referred to the Magistrates Court Diversion Program, but only if their offending was considered relatively minor.

Overall, these criteria have remained constant, although there has been a change in one key area. Initially, a key aim was to target those charged with major indictable offences. For this reason, prosecutorial responsibility rested with the Office of the Director of Public

Prosecutions (DPP), with a prosecutor from this Office being assigned to the Magistrates Court. Normally, all Magistrates Court prosecutions are handled by a police prosecutor. However, after about three years this emphasis was dropped. Since March 2003, people with major indictables are no longer accepted onto the program, although a prosecutor from the DPP still operates in the court.

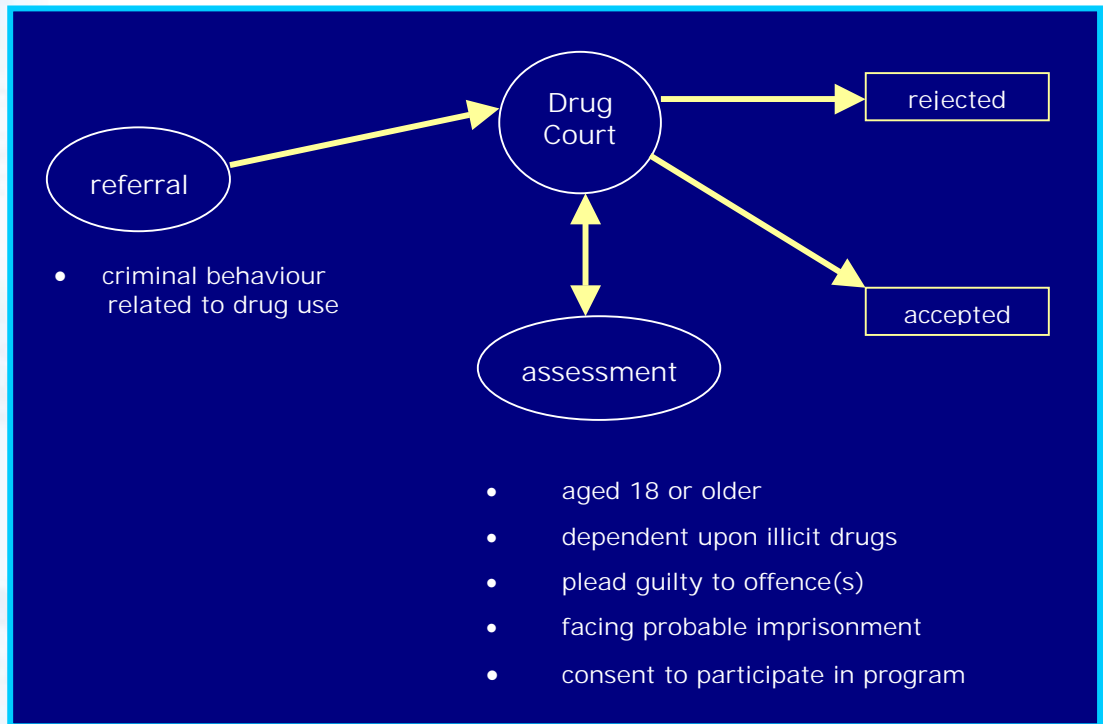
Referrals to the Adelaide Drug Court may be made by a charge sergeant at a police station, a legal practitioner, a magistrate, a service provider or even offenders themselves. Generally a referral will be made if it seems that a client’s offending is related to their drug problem – either they offended to help support their habit or they committed an offence while under the influence of a drug.

As illustrated in Figure 1, once referred, the offender attends Drug Court for an application hearing where the Magistrate decides whether the person should be sent for an assessment. If the client meets the eligibility criteria (described above) they are sent for an assessment.

If sent for assessment offenders are interviewed by the Drug Court clinical advisor before returning to the Drug Court for another hearing about whether or not they will be accepted into the program. During the first three years of operation just under 50% of all referrals and about 65% of those assessed were accepted as participants in the program.

Once accepted onto the program, participants are assigned a case manager who develops a suitable case plan involving a referral to appropriate treatment and service agencies. The participants are also required to attend court regularly so that their progress can be monitored, as well as present themselves for urinalysis three times a week (in the beginning), stay in touch with their case manager and comply with conditions set for them while they are on the program. The program is scheduled to run for about 12 months.

Figure 1 Adelaide Magistrates Drug Court Referral Process



This study

The South Australian Drug Court was established in May 2000. The Office of Crime Statistics and Research (OCSAR) has been involved in evaluating this program since its inception. Initially, the evaluation focused on process issues (see McRostie and Harrison, 2002). More recently, however, the evaluation has focused on outcomes. In particular, the research has considered whether the program was achieving its objective of reducing offending amongst the client group (Corlett, Skrzypiec and Hunter, 2004).

The aim of this paper is more modest. It is simply to provide a descriptive profile of those people who participated in the Drug Court program during the first 38 months of its functioning from May 2000 to June 2003 and determine whether those accepted onto the program bore similarities to Drug Court participants in other jurisdictions. A second aim was to determine whether this profile changed over that period.

Profile of Drug Court participants

Data collected at the point of assessment formed the basis for profiling Drug Court participants. These data were then merged with official offending statistics available from data bases held within OCSAR.

Thus, in profiling participants a range of variables were available for analysis. These included demographic variables, details on the participants' official offending records, information on drug use and drug history, as well as data on a range of other aspects of the participants' lives.

In assessing this range of variables, one of the objectives was to determine how comparable Drug Court clients from the Adelaide Magistrates Court were with Drug Court participants in other jurisdictions. Makkai and Veraar (2003) described the typical Drug Court client referred to the South East Queensland Drug Court as "male, aged in their late twenties, more likely to be married or in a de facto relationship and to be Australian-born" (p 16). The typical offender referred to the Drug Court in Western Australia was described as "a young, single, non-Aboriginal male with limited education who was currently unemployed ... facing multiple criminal charges ... (and had) relatively severe drug-related problems with amphetamines and heroin the most problematic drugs" (p 112). Both studies found that Drug Court clients tended to include offenders with a history of frequent property offending but few prior violent offences. Do participants in South Australia possess a similar profile?

Has this profile changed over time?

In South Australia, the Drug Court process has evolved since its inception. This is true of all Drug Courts which, once established, are required to "hit the ground running" (Makkai and Veraar, 2003, p.10).

Inevitably, there were changes in the operation of the Adelaide Magistrates Drug Court during the first three years of its existence. Initially a larger number of participants were referred and accepted into the Drug Court program than anticipated. In the first year 159 people were referred and 115 accepted into the program (see McRostie and Harrison, 2002). These high numbers resulted in the development of a large backlog. When combined with a range of implementation problems encountered by the Drug Court, it was decided to introduce a six month moratorium on referrals which began in November 2000.

Throughout the moratorium period from 15 November 2000 to 14 May 2001 no new clients were referred to the Drug Court, although 20 people were accepted during this time. These were clients for whom an application had been made prior to the announcement of the moratorium. Following the moratorium in May 2001, the Drug Court began accepting referrals once again.

A further aim of this study was to assess if there were changes in the type of participant accepted into the Drug Court during the first years of its operation. In the ensuing analysis participants who were accepted onto the Drug Court program during its first three years of operation were isolated into three separate groups and examined for differences.

Age of Drug Use Initiation

A further aim of this research was to investigate the age at which Drug Court participants reported that they first began using drugs. Recent findings by Johnson (2001) and Degenhardt, Lynskey et al (2000) has indicated that the age of first drug use amongst Australian youth has been decreasing and that youth in different subgroups begin using drugs at different times. Generally, for all types of illicit drugs, drug use initiation was found to take place during the late teens and early twenties, although for a population of convicted property offenders drug use initiation was reported by Johnson (2001) to have occurred at a younger age - about four years earlier than average.

An association between early drug use and criminal activity has also been reported in the literature (Zhang, Wiczorek et al, 1997; Lynskey and Hall, 1998; Johnson, 2001), although the nature of this relationship “remains highly contested” (Makkai and Payne, 2005, p 160), with some debate about whether drug use precedes or follows an individual’s involvement in offending, or whether the two simply co-exist. A recent Australian study of incarcerated male offenders by Makkai and Payne (2005) found that for drug users in this population of offenders, minor criminal activity generally preceded the onset of illicit drug use, while for regular and/or violent offenders it commenced after drug use initiation. The only exception was regular drug sellers for whom illicit drug use and offending was initiated at about the same time.

Because an accurate measure of first criminal activity was not available for all South Australian Drug Court participants, our study was not able to test this finding. However, it was possible to examine the age at which drug use was initiated from information provided by Drug Court participants at the point of assessment.

Methodology

As noted earlier, data collected at the point of assessment as well as official offending data available from data bases within OCSAR formed the basis for profiling clients participating in the Drug Court program. The types of variables available for analysis are described in more detail below.

Demographic details

Information on gender, age, Indigenous status, marital status, educational attainment and employment status were obtained from the Drug Court data base and these variables were considered to be reliable.

Official offending records

Drug Court participants' criminal histories were examined using three sets of data, namely Police apprehension records, the Offender History data base and the Correctional Services database.

Police apprehension records

The South Australian Police (SAPOL) apprehensions data base incorporates statistics on all persons reported or arrested by SAPOL from 1991 onwards. This means that for Drug Court participants aged 23 years or younger in 2004 this study had access to their full apprehension record (except for any interstate or federal offences). However, for older Drug Court participants, any juvenile and young adult offending that pre-dated 1991 would not have been recorded in this data base. Hence, to ensure consistency it was decided that only the last five years before joining the Drug Court program would be used to measure a participant's offending history.

Information taken from each apprehension report was used to determine the level of offending by considering discrete incidents for which the individual was apprehended. Each time a person is formally apprehended by police, an apprehension report is lodged. Each apprehension report may contain charges arising from one or more criminal incidents or 'events'. For the purposes of this analysis a 'criminal event' is viewed as that combination of charges listed on the apprehension report that occurred on the same day. When more than one 'criminal event' was included on the same apprehension report, each was counted separately. To illustrate, if an apprehension report contained a charge of *break/enter* that occurred on 15 September and charges of *disorderly behaviour* and *assault police* that occurred on the 21 September, this would be counted as two discrete criminal events.

However, in using apprehension data as a measure of 'offending', two points need to be stressed. First, not all those apprehended by police are subsequently found guilty or admit guilt. Second, criminal events listed on apprehensions do not necessarily constitute a valid measure of actual levels of offending, for several reasons:

- First, people may commit offences which go undetected by police;
- Second, even if detected, not all offenders are dealt with via a formal apprehension. For example, since 1987 persons aged 17 and over detected in possession of cannabis receive a Cannabis Expiation Notice (CEN). Since late 2001, under the Police Drug Diversion Initiative (PDDI), police may refer young persons and adults detected in possession of any type of drug to a brief intervention/assessment, again without the need to lodge an apprehension report. For individuals aged 16 and over detected for certain traffic violations, there is also the option of Traffic Infringement Notices (TIN).

Despite these limitations, the Apprehension data base provides the most comprehensive source of information on an individual's contact with the criminal justice system. For the purposes of this study, it provided details on:

- ***Age of first 'criminal event'*** recorded for each individual in the apprehensions data base. This was therefore limited to events which occurred post 1991. This provided an approximate date of offending initiation for those individuals who reached the age of criminal responsibility (ie 10 years) in or later than 1991.

- **Number of criminal ‘events’.** Information taken from each apprehension report was used to determine the level of participants’ offending by considering the total number of criminal events recorded five years pre-acceptance.
- **The type of offences committed** by offenders was based on the major charge for each criminal event. If there was more than one charge listed per criminal event, the major charge was defined as the one which attracted the greatest statutory penalty. For instance, in the example above, the major charge for the second criminal event which involved two charges would be *assault*.
- **The seriousness level of each major charge** was then determined using the ABS National Offence Index (NOI). This index *ranks* all offence classifications contained within the Australian Standard Offence Classification (ASOC) 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. All major charges were grouped into three ‘seriousness’ categories¹:
 - Scores ranging from 97-157 formed Category 1 and consisted of minor offences. Charges in this category included driving and registration offences, shoplifting, disorderly conduct, offensive behaviour, possession and use of illicit drugs.
 - Scores ranging from 65-96 were classified as moderately serious and formed Category 2 offences. Charges in this category included graffiti, property damage, dangerous and negligent driving, receiving proceeds of crime, theft of a motor vehicle and fraud.
 - Scores ranging from 1-64 were the most serious offences and formed Category 3. Charges in this category included weapons/explosives offences, sexual offences, threatening behaviour, dealing/manufacturing illicit drugs, serious assault and murder.

The NOI was also used in this study to determine the single, most serious charge laid against an offender during the five year period prior to being accepted into the Drug Court.

Offender History Data Base

SAPOL’s Offender History database provides full details on all charges for which a defendant has been found guilty or convicted in court. It differs from the apprehension data base in that it is not restricted to information that is dated post 1991, but rather, has an individual’s *full* court history dating back to 1926. From this data base it was possible to determine the age of an offender’s first court hearing where there was a finding of guilt. This provided an *approximate* age of offending initiation for those offenders who reached the age of criminal responsibility before 1991 when the apprehension data base came online.

¹ It is serendipitous that the top and bottom groups were equally sized – a subjective evaluation of offences in each group was well matched with the seriousness ranking “cut-off” of offences.

Corrections Data Base

The Corrections database is an operational data base maintained by South Australian Department of Correctional Services. It contains information about people being housed in correctional facilities across South Australia, both in remand or as sentenced prisoners. Data obtained from this database provided information about the total amount of time spent in custody (both on remand and as a sentenced prisoner, and as a juvenile and/or adult) for each Drug Court participant. Only time spent incarcerated five years prior to program acceptance was considered.

Time spent in custody is an important factor for consideration when comparing individuals' offending as this represents time during which an offender is not free to offend. To make adjustments for this, the total time spent in custody must be considered and a measure of "exposure time" (ie time free in which to offend) calculated. For this study only the total amount of time spent in custody five years pre-acceptance was available, with no other details of when custody periods actually occurred. This made it impossible to determine which offences would have occurred in a standardised, free period, pre-acceptance. However, when comparisons were made between sub-groups of participants, no significant differences were found in the total amount of time spent in custody five years pre-acceptance. This suggests that any differences in offending would not be directly related to time spent incarcerated. Thus, for the purposes of this study, exposure time has not been accounted for.

Length of Criminal Career

Using the Police apprehensions data base and the Criminal History data base it was possible to approximate the time span of each Drug Court participant's criminal career. This was calculated by considering the age of an individual at the first recorded criminal event (as recorded on the apprehensions data base), with the age of their first court hearing where the outcome was a finding of guilt (as recorded in the Criminal History data base) and subtracting the younger of these two from the age at acceptance into the Drug Court.

It should be stressed, however, that neither the apprehensions nor the Criminal History data base provide an exact measure of the age at which offending was initiated. As noted earlier, it is possible that an individual may have offended a number of times before being apprehended by police. Similarly, an individual may have been apprehended several times before it resulted in a court hearing, particularly amongst juvenile offenders who pre 1991 could be sent to a Children's Aid Panel. However, while the length of criminal career used in the ensuing analysis may not be accurate, it does provide an indication of the span of time over which Drug Court participants had been involved with the criminal justice system before being accepted onto the Drug Court.

Drug use details

Information about the types and amount of drugs² used by clients was collected at assessment. Unfortunately this information was not consistently recorded for all Drug Court clients. Additionally, in instances where the amount of drug used was reported information indicating the units involved (eg a cone, points, caps etc) was not. Inconsistencies with these variables rendered information about the types of drugs used, as well as the amount used and spent on drugs daily, unreliable and not suitable for analysis.

² This includes use of illicit drugs as well as any prescribed licit drugs used in an abusive or illegal manner.

However, other (more reliable) details on participants’ drug use history were collected by Drug Court personnel at the time of the assessment interview. As detailed in Table 1, information on seven variables were recorded, including two that related to alcohol abuse.

Table 1 Information Recorded at the Point of Assessment re Drug Abuse history

Substance Abuse	Periods of drug abstinence greater than six months Drug abuse prior to adulthood Age of regular drug use Alcohol abuse prior to adulthood Age Alcohol abuse started Experienced overdoses History of poor compliance with treatment Previous failed drug treatment Lack of insight into their drug use behaviour
------------------------	--

However, extreme caution must be exercised in using these data. Because no standardised measures of drug dependency were administered during the assessment process, the information was not elicited in any uniform way. It seems that assessors did not specifically ask each participant their response to the variables listed above but only recorded pertinent details if the information emerged during the course of the assessment discussion. As a result, the lack of reference to, for example, any drug use prior to adulthood may simply have meant that the issue was not raised by the participant during the assessment, not that no such record existed for this individual.

This data collection process also produced some major ambiguities for interpretation. For example, while the assessor may have noted that a participant had a poor record of compliance with treatment, the converse cannot be assumed – ie that those for whom poor attendance was not observed had a good record of treatment compliance. Instead, the absence of any notation could simply mean that the individual in question had never received drug treatment and therefore the issue was moot.

Another potential source of information on drug use which was explored for inclusion in this study was the cumulative results from the regular urinalysis tests conducted for each participant during their period on the program. However, further investigation indicated that for approximately 50% of participants there was missing data. Hence, this information was considered unhelpful and so was not used.

Personal details

Thirty one dichotomous variables were collected by assessors for each participant at the Drug Court assessment. These are listed in Table 2 and they included factors such as family relationships and support, health and accommodation issues, as well as questions about finances, gambling and employment. In addition, variables about age, Indigenous status, level of education and gender, were also recorded.

Again, in using the variables outlined below, the same limitations observed for the drug use variables apply here. Notably, no systematic data collection procedures were used during the assessment process to ensure that information on each of these variables was specifically

elicited from participants. Instead, it was recorded only if the issue happened to arise during discussions. The absence of any reference to, for example, a gambling problem, does not mean that the individual did not have such an issue, but that information about it simply did not emerge during the interview or, if it did, was not considered sufficiently relevant for the assessor to record.

The lack of a systematic data recording process during assessment placed serious limitations on the analyses documented in this report.

Defining the three Drug Court Cohorts

For the purposes of comparing whether there have been any changes in the characteristics of participants during the first three years of the Drug Court’s operation, individuals were grouped into three cohorts.

- *Cohort 1* comprised people who participated in the Drug Court program during its first year of operation, from May 2000 to the end of May 2001 - a period of 13 months. It included people who were accepted into the Drug Court during the moratorium period.
- *Cohort 2* included people accepted into the Drug Court during the second year of operation from June 2001 to the end of June 2002, also a period of 13 months.
- *Cohort 3* comprised clients accepted into the Drug Court during the third year of operation from July 2002 to the end of June 2003, a period of 12 months. (Five people were outside the 12 month cut-off for this cohort and they were not included in most cohort-based analyses as the total number accepted during this 13th month was incomplete. They are included in other analyses where the effect of the cohort is not critical.)

Table 2 Information Recorded at the Point of Assessment relating to personal characteristics	
Physical Health	Ongoing physical health problems Hepatitis C HIV
Social/Family	Social Isolation Undefined social/family issues Victim of past abusive relationship Victim of present abusive relationship Perpetrator of abusive relationship Have children Limited family supports Good family supports Impaired family relationships Good family relationships Divorced/separated parents Parents are/were drug users/ alcoholics

Childhood	History of physical abuse/neglect as a child History of sexual abuse as a child Removed from home as a child/foster care placement History of schooling difficulties
Living Skills/Accommodation	Problems with independent living skills Accommodation difficulties Had periods of homelessness Financial difficulties at assessment Needs employment/education/training
Mental Health	Depression/anxiety/hopelessness (sub clinical) Known past psychiatric hospitalisation Currently prescribed mental health medication Diagnosed personality disorder Diagnosed mental health problem
Other	Legal issues other than current offending Gambling problem

Structure of the Report

This report is divided into two main sections.

Section 1: Profile of Drug Court Participants. This section examines all participants in order to develop a general profile of Drug Court clients from May 2000 to June 2003.

Section 2: Cohort Differences. This section analyses the differences between participants in each of the three cohorts of the Drug Court’s first 38 months of operation.

Section 1: Drug Court Participants

Profile

During the first 38 months of operation until June 30, 2003, 263 people had been accepted³ into the Adelaide Magistrates Drug Court Program⁴. Of these participants three had been accepted twice, but only their first experience is considered in this analysis. This is because repeated experiences in the Drug Court are likely to be different from the first. Familiarity with Drug Court procedures and protocols is also likely to influence the outcome of participants accepted on subsequent occasions.

³ only participants who had finished their participation in the Drug Court are counted here.

⁴ The data from five other people who had participated in the program but who were accepted after June 30, 2003 was also available but they were not included in this part of the analysis.

Demographic Characteristics

Gender

Males outnumbered females by nine to one, with females comprising only 11.0% of all participants. As shown in Table 3, only 29 females were accepted onto the Drug Court program.

Table 3 Drug Court participants: Gender		
Gender	Number	Percent
Male	234	89.0
Female	29	11.0
Total	263	100.0

Indigenous Status

As shown in Table 4, the majority (92.8%) of Drug Court participants were non-Indigenous, with Indigenous participants numbering less than twenty.

Table 4 Drug Court participants: Indigenous Status		
Indigenous Status	Number	Percent
Non-Indigenous	244	92.8
Indigenous	19	7.2
Total	263	100.0

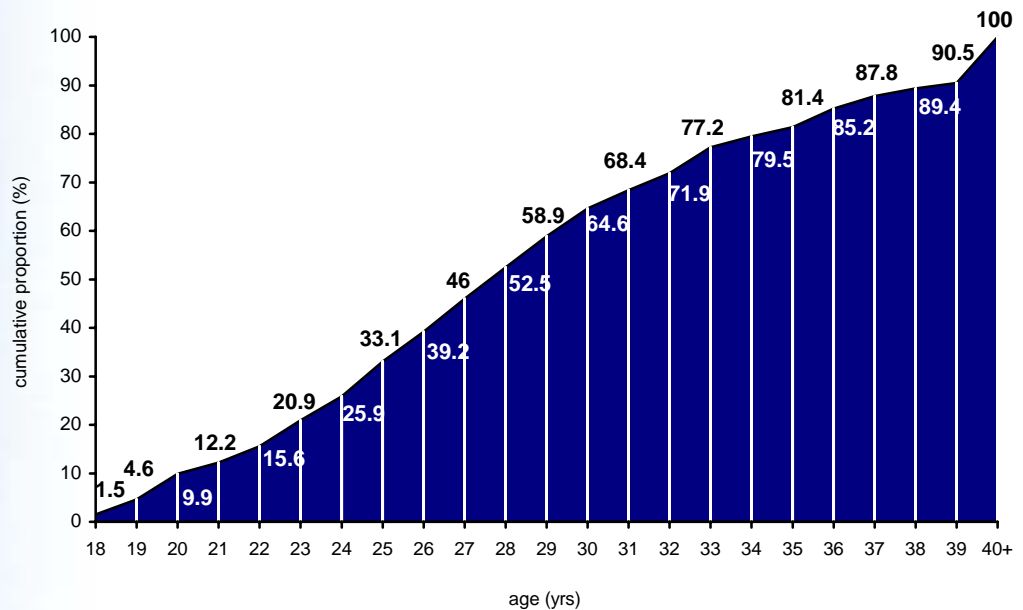
The low participation rate of Indigenous offenders in the Drug Court was evident amongst both genders. As shown in Table 5, Indigenous females comprised 10.3% of female participants while the rate of Indigenous male participation was less, comprising 6.8% of all male participants.

Table 5 Drug Court participants: Gender by Indigenous Status			
		Number	Percent
Male	Non-Indigenous	218	93.2
	Indigenous	16	6.8
	Total	234	100.0
Female	Non-Indigenous	26	89.7
	Indigenous	3	10.3
	Total	29	100.0

Age

The average age of participants accepted onto the program (calculated at the time of acceptance) was 29.1 years⁵. The youngest participants were aged 18 and the oldest participant was 49. As shown in Figure 2, nearly two thirds (64.6%) of the participants were aged 30 years or younger.

Figure 2 Age of Drug Court Participants



Marital Status

Of the participants for whom marital status was available (n=180), nearly two thirds (66.1%) were single, 7.8% were separated or divorced, nearly one quarter (23.9%) were in a de facto relationship and only a small proportion (2.2%) were married.

Employment

As shown in Table 6, most (94.3%) of the Drug Court participants were unemployed at the time they were interviewed to be accepted into the Drug Court Program.

⁵ standard deviation of 6.7 years

Table 6 Employment Status at Assessment for Drug Court Participants

Employment Status	Number	Percent
Casual	3	1.2
Full time	6	2.4
Part time	5	2.0
Unemployed	231	94.3
Total	245⁶	100.0

Education

The educational attainment for the majority of participants was Year 10 or less. As shown in Table 7, over two thirds (68.4%) of participants reported that they had left school at year 10 or before and only 10 percent (9.9%) had gone as far as Year 12 or 13.

Table 7 Drug Court Participants: Education

Year Level	Number	Percent
7	3	1.3
8	28	12.1
9	48	20.8
10	79	34.2
11	50	21.6
12	22	9.5
13	1	0.4
Total	231⁷	100.0

Criminal History of Drug Court Participants

Total number of criminal events charged in the five years pre-acceptance

This group of participants were apprehended during the five years preceding their acceptance by the Drug Court for a total of 4,803 criminal events, giving an average of 18.3 events per participant.

As shown in Table 8, over one-third (37.7%) of these events involved *theft and related offences* as the major or most serious charge and a further 19.4% were for *break and enter and related offences*.

Figure 3 illustrates the distribution of these offences. The dominance of *theft and related offences* as well as *break and enter* and *road traffic and motor vehicle regulatory offences* is clearly visible.

⁶ for 18 cases employment status was unknown

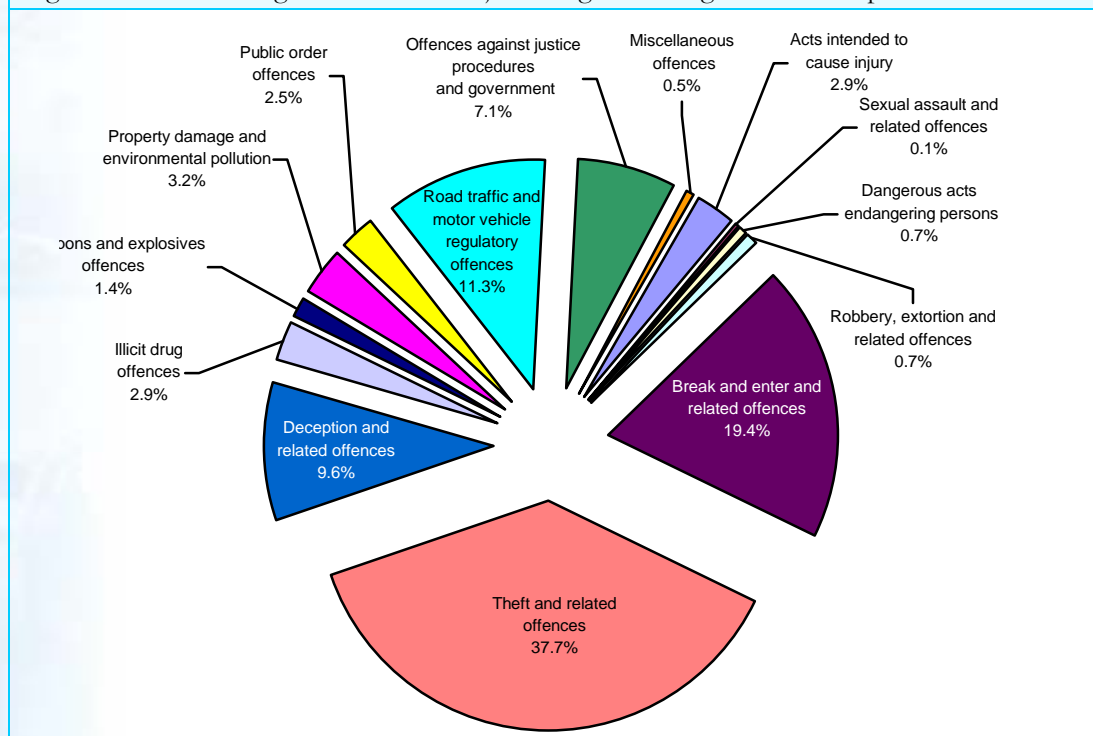
⁷ for 32 cases education attainment was unknown

These results show that the offending history of this group of Drug Court participants is comparable with offenders in other jurisdictions who were found to be high property offenders (Makkai and Veraar, 2003).

Table 8 ASOC Categories of Total Major Charges of Drug Court Participants

Major Charge Category	Major Charges	
	Number	Percent
Homicide and related offences	0	0.0
Acts intended to cause injury	138	2.9
Sexual assault and related offences	4	0.1
Dangerous acts endangering persons	33	0.7
Abduction and related offences	0	0.0
Robbery, extortion and related offences	36	0.7
Break and enter and related offences	930	19.4
Theft and related offences	1,809	37.7
Deception and related offences	461	9.6
Illicit drug offences	141	2.9
Weapons and explosives offences	66	1.4
Property damage and environmental pollution	154	3.2
Public order offences	122	2.5
Road traffic & motor vehicle regulatory offences	544	11.3
Offences against justice procedures & government	341	7.1
Miscellaneous offences	24	0.5
Total	4,803	100.0

Figure 3 ASOC Categories of Total Major Charges of Drug Court Participants



Whereas the previous table included all major charges, Table 9 and Figure 4 show the number of discrete participants who had at least one charge in each offence category in the five years prior to being accepted into the Drug Court program.

As shown, nearly all (93.7%) participants had been apprehended for at least one incident of *theft and related offences*, while just over three quarters (76.5%) had been apprehended for *break and enter and related offences*.

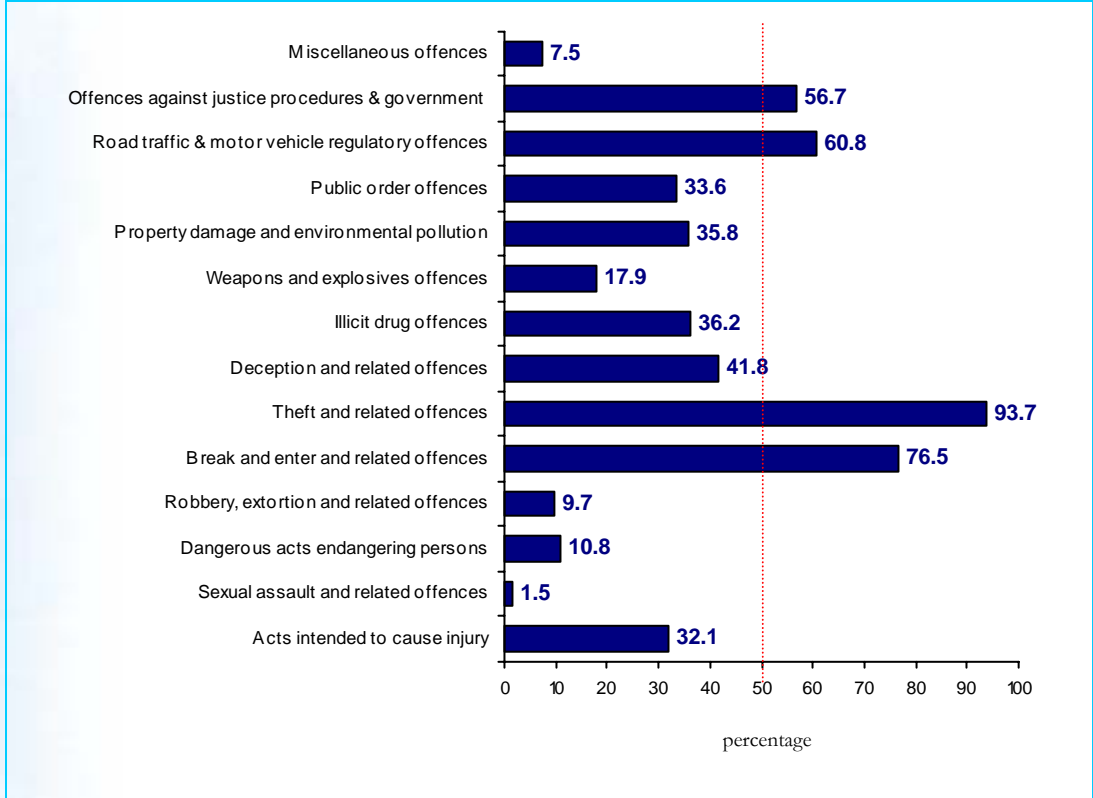
Despite their drug dependence, only about one third (36.2%) of Drug Court participants were charged at least once for *illicit drug offences* in the five year period preceding their acceptance onto the Drug Court.

Table 9 Drug Court Participants with at Least One Major Charge per ASOC Category		
Major Charge Category	Drug Court Participants	
	Number	Percent ⁸
Homicide and related offences	0	0.0
Acts intended to cause injury	86	32.1
Sexual assault and related offences	4	1.5
Dangerous acts endangering persons	29	10.8
Abduction and related offences	0	0.0
Robbery, extortion and related offences	26	9.7
Break and enter and related offences	205	76.5
Theft and related offences	251	93.7
Deception and related offences	112	41.8
Illicit drug offences	97	36.2
Weapons and explosives offences	48	17.9
Property damage and environmental pollution	96	35.8
Public order offences	90	33.6
Road traffic & motor vehicle regulatory offences	163	60.8
Offences against justice procedures & govt	152	56.7
Miscellaneous offences	20	7.5

As shown by the proportion exceeding the vertical line in Figure 4, over half of the participants were charged at least once with a *road traffic and motor vehicle regulatory offence* (60.8%) and *offences against justice procedures and government* (56.7%). The latter category includes breach offences and so is likely to have been influenced by problem solving policing where known offenders are kept under police surveillance while they are on parole or other non-custodial orders. Similarly, the high proportion of *road traffic and motor vehicle regulatory offences* could also be related to policing as known offenders are stopped and checked by police.

⁸ Because these categories are not mutually exclusive the sum of the percentages exceeds 100.

Figure 4 Drug Court Participants with at Least One Major Charge per ASOC Category



Seriousness of Offending Prior to Drug Court Acceptance

As noted earlier, all major charges listed against participants in the five years prior to being accepted into the Drug Court program were given a seriousness ranking based on the ABS NOI ranking scale and the single most serious charge for each participant was determined. As shown in Table 10, nearly all (92.4%) of the participants had at least one serious charge against them pre-acceptance. Only 20 clients had committed offences which were not considered serious and only three of these people were minor offenders.

Offence Seriousness	Number	Percent
Minor	3	1.1
Moderately-Serious	17	6.5
Serious	243	92.4
Total	263	100.0

Previous Imprisonment

Over eight in ten (82.9%) of Drug Court participants had spent some time in prison prior to being accepted into the Drug Court program (see Table 11).

Table 11 Spent Time in Custody		
	Number	Percent
No	45	17.1
Yes	218	82.9
Total	263	100.0

The amount of time spent incarcerated, either on remand or as a sentenced prisoner, in adult or juvenile detention centres, five years before joining the program is shown in Table 12. The majority (52.9%) of participants had spent six months or more in custody five years pre-acceptance.

Table 12 Total Time Spent in Custody Five Years Pre-Acceptance		
Time in months	Number	Percent
0-6 months	124	47.1
6-9 months	24	9.1
9-12 months	14	5.3
12-24 months	42	16.0
24+ months	59	22.4
Total	263	100.0

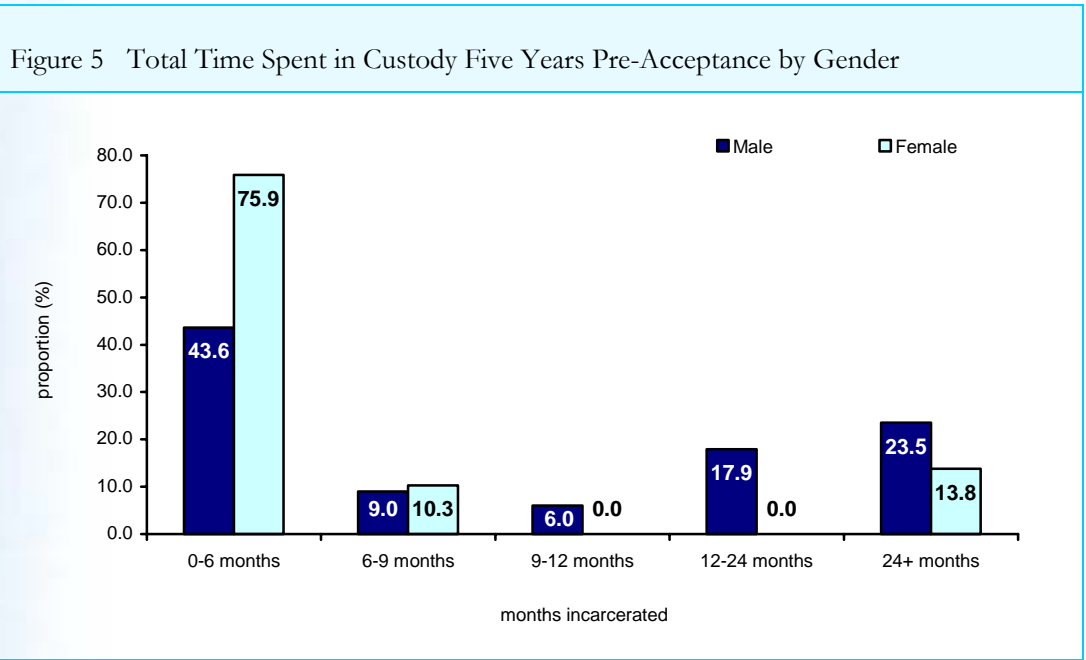
Time spent incarcerated five years prior to acceptance differed according to gender⁹. As shown in Table 13, just over three quarters (75.9%) of female Drug Court participants had spent six months or less in prison prior to being accepted onto the program. In contrast, this was the case for less than half (43.6%) of the male participants.

The proportion of males (23.5%) who had spent two years or more in prison in a five year period prior to acceptance was nearly twice that of females (13.8%).

Table 13 Total Time Spent in Custody Five Years Pre-Acceptance by Gender				
Time in months	Males		Females	
	Number	Percent	Number	Percent
0-6 months	102	43.6	22	75.9
6-9 months	21	9.0	3	10.3
9-12 months	14	6.0	0	0.0
12-24 months	42	17.9	0	0.0
24+ months	55	23.5	4	13.8
Total	234	100.0	29	100.0

⁹ Mann-Whitney U, Z=-3.72, p<0.0001

The difference between males and females in the time spent incarcerated five years prior to Drug Court is more clearly illustrated in Figure 5.



Although the number of Indigenous offenders was small, there were no statistical differences between Indigenous and non-Indigenous participants in terms of the time spent incarcerated five years before joining the program¹⁰

However, as shown in Table 14, there was an indication that Indigenous offenders had experienced longer incarceration periods five years pre-acceptance. This is suggested by the proportion of Indigenous offenders who had spent 12 months or more in custody, compared to non-Indigenous offenders - over half (52.6%) of Indigenous compared to just over one-third (37.3%) of non-Indigenous participants.

Table 14 Total Time Spent in Custody Five Years Pre-Acceptance by Indigenous Status

Time in months	Non-Indigenous		Indigenous	
	Number	Percent	Number	Percent
0-6 months	118	48.4	6	31.6
6-9 months	21	8.6	3	15.8
9-12 months	14	5.7	0	0.0
12-24 months	37	15.2	5	26.3
24+ months	54	22.1	5	26.3
Total	244	100.0	19	100.0

¹⁰ Mann-Whitney U, Z=-1.6, p<0.108

Span of Criminal Career

Shown in Table 15 is the estimated span of each Drug Court participant’s criminal career. This was calculated using the time from either the age of first recorded criminal event or age of first recorded finding of guilt, which ever was the earlier, and the age at acceptance into the Drug Court program.

As shown, about one in eight (12.9%) of the Drug Court participants had criminal careers that spanned a period of less than five years, while one quarter (25.9%) spanned from five to nine years. The average criminal career spanned 12.0¹¹ years and the median was 11.4 years. The shortest criminal career was one month and the longest, 33.5 years.

Table 15 Span of Criminal Career of Drug Court Participants

Criminal Career (years)	Number	Proportion
<1	5	1.9
1-4	29	11.0
5-9	68	25.9
10-14	85	32.3
15-19	48	18.3
20+	28	10.6
Total	263	100.0

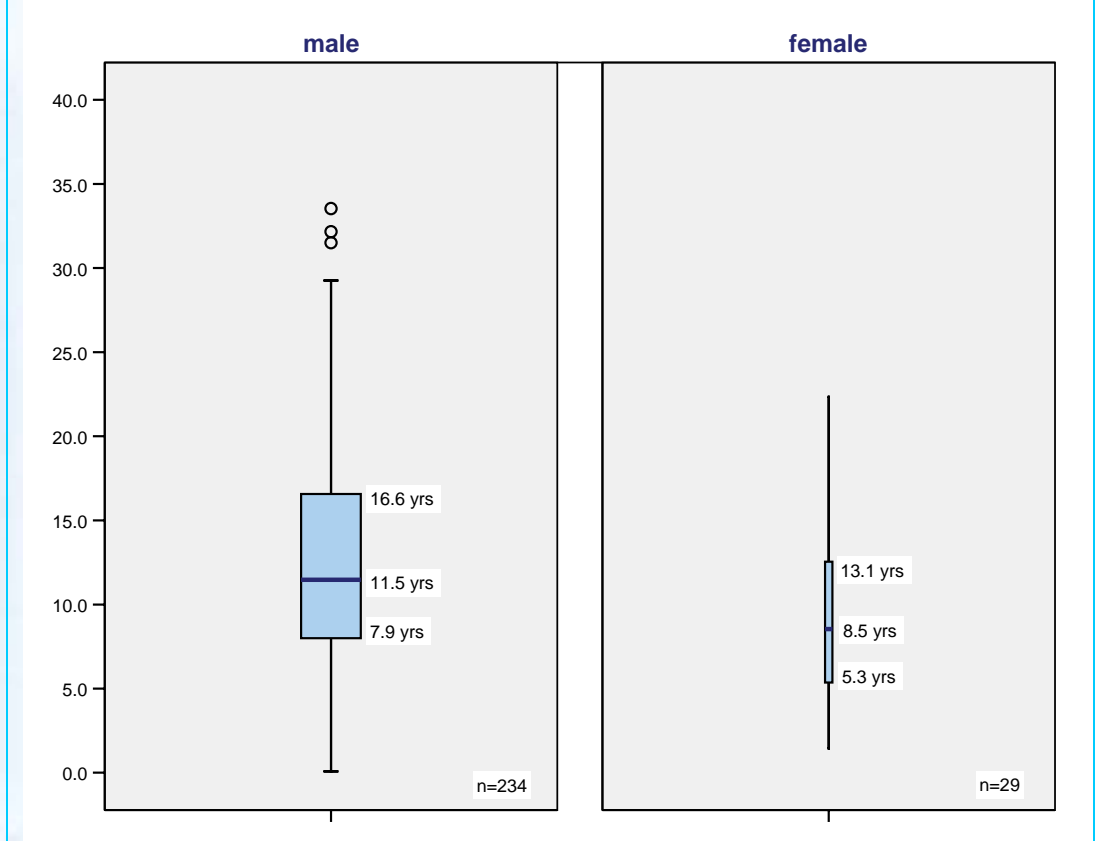
While there were no statistical differences in the criminal career span of Indigenous and non-Indigenous participants¹², differences between male and female participants¹³ were found. As shown in Figure 6, the small group of female participants had a shorter criminal career span than males, with half extending over 8.5 years or less compared to 11.5 years or less for half the males.

¹¹ standard deviation = 6.6

¹² Mann-Whitney U, Z=-0.79, p<0.43

¹³ Mann-Whitney U, Z=-2.2, p<0.028

Figure 6 Span of Criminal Career of Drug Court Participants by Gender¹⁴



Drug Use History of Drug Court Participants¹⁵

History of Substance Use

At the point of assessment participants were interviewed and asked to provide a history of their substance abuse¹⁶. A summary of their responses is shown in Table 16.

Table 16 Reported Substance Use of Drug Court Participants

Substance Use	No		Yes	
	Number	Percent	Number	Percent
Periods of drug abstinence greater than six months	235	87.7	33	12.3
Previous failed drug treatment	259	96.6	9	3.4
History of poor compliance with treatment	265	98.9	3	1.1
Drug abuse prior to adulthood	92	34.3	176	65.7
Alcohol abuse prior to adulthood	188	70.1	80	29.9
Experienced overdoses	188	70.1	80	29.9
Lack of insight into their drug use behaviour	258	96.3	10	3.7

¹⁴ The bottom of each box is the 25th percentile, the middle line is the 50th percentile, while the top of each box is the 75th percentile.

¹⁵ Data collected from all participants (n=268) including those outside the cohorts was analysed

¹⁶ All participants who were assessed at their first Drug Court episode were included in this analysis.

Periods of drug abstinence greater than six months

As shown, only one in eight (12.3%) reported they had experienced periods of drug abstinence greater than six months following the occurrence of an addiction/dependency stage.

Previous failed drug treatment

A smaller proportion (3.4%) reported that they had experienced failure with a previous drug treatment. Failure with a drug treatment in this case may have included alcohol and other drug relapse prevention courses as well as any instances where a client terminated their involvement with group therapy and/or counselling appointments prior to the counsellor/facilitators' wishes. Relapses into illicit drug use whilst on a drug therapy (such as methadone, buprenorphine and naltrexone) also constituted a failed treatment episode. Returning to illicit drug use at some point after having some form of drug based therapy, however, was not automatically construed as having a failed treatment episode.

History of poor compliance with treatment

Whether a client had a history of poor compliance with treatment was based on recorded evidence from psychologists or previous case workers who stated that the applicant had experienced problems adhering to treatment or treatment plans. It included compliance with drug based therapies (such as methadone, buprenorphine and naltrexone), counselling appointments, group therapy or with live-in therapeutic communities. As shown, there were only three people for whom poor compliance with previous treatment was recorded. Therefore, most (98.9%) of the Drug Court participants did not have a history of poor compliance with treatment. This may have been due to the fact that only a small proportion of participants had experienced any previous drug treatments.

Overall, it appears that the treatment programs offered by the Drug Court were for most participants the first opportunity they had experienced to address their drug addiction and offending problems.

Drug abuse prior to adulthood

Drug abuse prior to adulthood included information about recreational use as well as abuse of speed (amphetamine or methamphetamines), heroin, benzodiazepines or any type of prescribed medication. Drug abuse prior to adulthood did not include using drugs intermittently or only on weekends. Solely using marijuana prior to adulthood was not included unless it had reached abusive levels.

As shown, nearly two thirds (65.7%) of Drug Court participants reported that they had experienced some form of drug abuse prior to adulthood.

Alcohol abuse prior to adulthood

Nearly one third (29.9%) of the participants reported that they had abused alcohol prior to adulthood. This included 'binge drinking', any 'problem' drinking or alcoholism.

Experienced overdoses

Participants were listed as having experienced an overdose in cases where there was a clear statement that this had been the case or where the assessment team suspected an overdose had occurred. This applied to nearly one third (29.9%) of Drug Court participants.

Lack of insight into their drug use behaviour

Of the 268 participants assessed only 10 were reported to have lacked insight or awareness into the underlying reasons for their behaviour and drug use. This suggests that nearly all (96.3%) of the Drug Court participants acknowledged their drug and offending issues.

Age of Self-Reported Drug Use Initiation

Information on the self-reported age at which drug use commenced was available for 250 of the 268 participants and this is shown in Table 17. The youngest age of drug use initiation reported by three participants was eight years and the oldest was 48 years.

The average age at which drug use was reported to have begun was 17.0 years¹⁷. Nearly seven in 10 (68.8%) reported having started drug use as juveniles before they turned 18 and nearly one quarter (22.4%) reported initiating drug use at 16-17 years of age. There was only a small minority (six people) who reported commencing drug use after the age of 30.

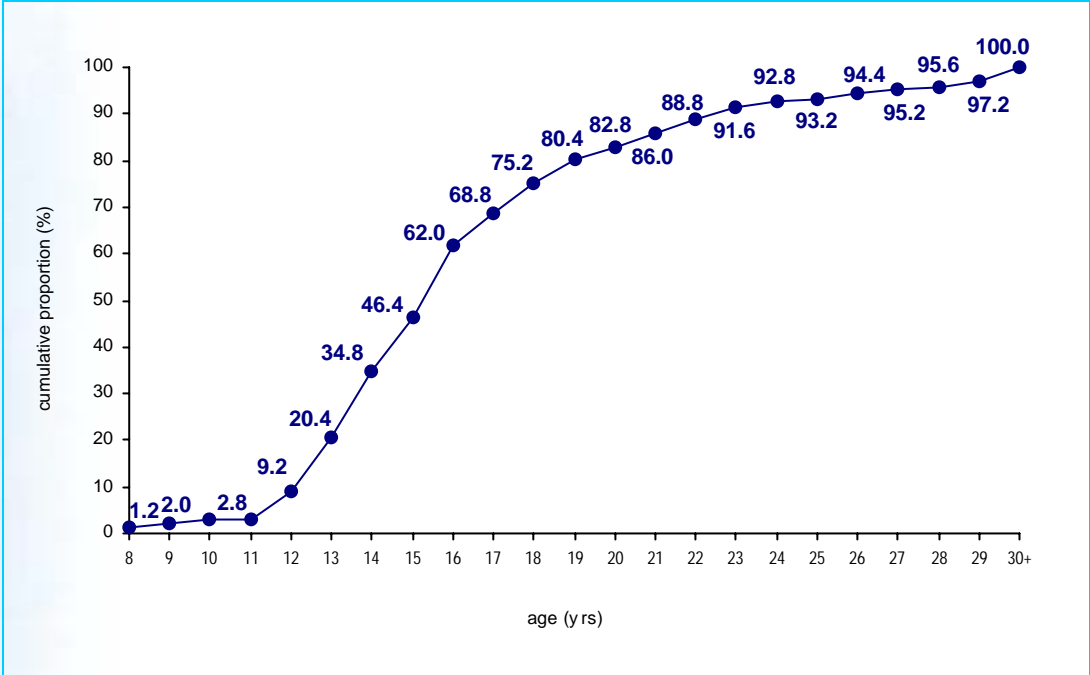
As shown in Figure 7, there was a substantial increase in self-reported drug use initiation between the ages of 12 and 16.

The age at which self-reported drug use commenced did not vary by gender¹⁸ or Indigenous status¹⁹.

Table 17 Drug Court Participant’s Self-Reported Age at which Drug Use Commenced			
Age (yrs)	Number	Proportion (%)	Cumulative proportion (%)
8-12	23	9.2	9.2
13-15	93	37.7	46.4
16-17	56	22.4	68.8
18-20	35	14.0	82.8
21-30	37	14.8	97.6
31+	6	2.4	100.0
Total	250²⁰	100.0	

¹⁷ standard deviation of 5.2
¹⁸ Mann-Whitney U, Z=-0.17, p<0.87
¹⁹ Mann-Whitney U, Z=-1.2, p<0.23
²⁰ data not available for 18 cases

Figure 7 Drug Court Participant’s Self-Reported Age at which Drug Use Commenced



Age at Acceptance by Age of Drug Use Initiation

Shown in Table 18 is the age of participants at the time they were accepted onto the Drug Court and the corresponding age at which they reported starting drug use²¹. There was a general pattern of drug use initiation during the teenage years for Drug Court participants in all age groups. This trend is shown more clearly in Figure 8.

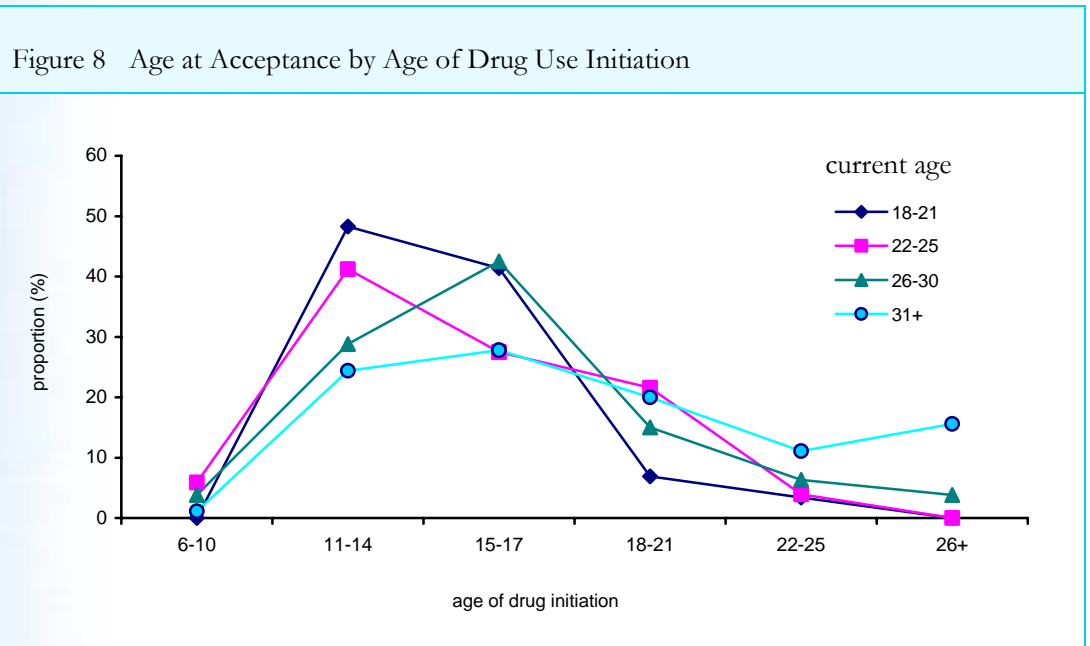
Table 18 Age at Acceptance by Age of Drug Use Initiation

Age Drug Use Started	Age at Acceptance onto Drug Court Program							
	18-21		22-25		26-30		31+	
	Number	%	Number	%	Number	%	Number	%
6-10	0	0.0	3	5.9	3	3.8	1	1.1
11-14	14	48.3	21	41.2	23	28.8	22	24.4
15-17	12	41.4	14	27.5	34	42.5	25	27.8
18-21	2	6.9	11	21.6	12	15.0	18	20.0
22-25	1	3.4	2	3.9	5	6.3	10	11.1
26+	0	0.0	0	0.0	3	3.8	14	15.6
Total	29	100.0	51	100.0	80	100.0	90	100.0

However, the specific age of drug use initiation varied by participant age group. For Drug Court participants aged 25 or younger, the age of drug abuse initiation peaked at 11-14 years,

²¹ data not available for 18 cases

whereas for participants aged 26 or older it peaked at 15-17 years²². This supports Johnson’s (2001) finding that drug use is being initiated at an earlier age amongst younger cohorts. This trend suggests that intervention strategies which target juveniles aged 11-14 might be of benefit to the current youth cohort.



Age of Self-reported Alcohol Abuse

Some Drug Court participants (n=81) also reported the age at which they had started abusing alcohol. These results are shown in Table 19, which also shows the age of drug use initiation by these same participants. As shown, more participants reported having started alcohol abuse at 15 -17 years of age (39.5%) than reported having started using drugs (29.6%) within that same period. After 18, as adults, more reported having commenced drug use (19.8%) than having commenced alcohol abuse (9.8%).

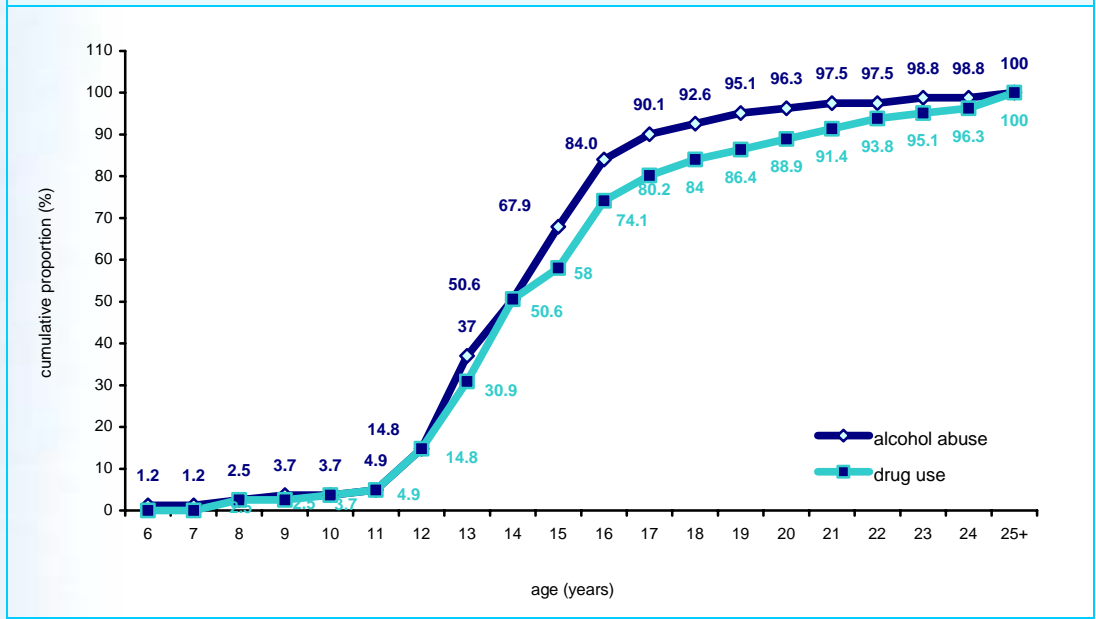
Table 19 Age of Self-reported Substance Use of Drug Court Participants

Age started	Alcohol Abuse		Drug Use	
	Number	Percent	Number	Percent
6-10	3	3.7	3	3.7
11-14	38	46.9	38	46.9
15-17	32	39.5	24	29.6
18+	8	9.9	16	19.8
Total	81	100.0	81	100

²² Mann-Whitney U, Z=-3.0, p<0.003

As shown in Figure 9, up until the age of 14 alcohol and drug use appeared to co-occur. However, at 15 and older drug use appeared to lag behind alcohol abuse.

Figure 9 Age of Self-reported Substance Use Initiation of Drug Court Participants



Characteristics of Drug Court Participants at Assessment

Drug Court participants were also asked about their physical health, their family and social relationships as well as any issues they were experiencing with accommodation and finances at their assessment. The results of these assessment variables for all participants in this study (n=268) are listed below. There were some differences between the demographic groups and these are reported in instances where they were found to be statistically significant.

Physical Health

Participants' responses to questions about their physical health at the time of assessment are shown in Table 20.

Table 20 Self-Reported Physical Health of Drug Court Participants at Assessment

Physical Health	No		Yes	
	Number	Percent	Number	Percent
Ongoing physical health problems	219	81.7	49	18.3
Hepatitis C	156	58.2	112	41.8
HIV	0	0.0	0	0.0

Ongoing physical health problems/disability

Ongoing physical health problems/disability included any form of long term physical complaint requiring some form of medical intervention that was still of concern to the individual. For example, having chronic pain, cancer or any other ongoing health problems were included in this category. As shown, the majority (81.7%) of Drug Court participants did not report any chronic health issues or disabilities.

In contrast to the small proportion (18.3%) reporting physical health problems, just over two in five (41.8%) reported that they had Hepatitis C.

Of the applicants accepted onto Drug Court none were HIV positive.

Social/Family

Details on the participants’ social and family relationships and support are listed in Table 21.

Table 21 Social/Family Support and Relationships of Drug Court Participants at Assessment				
Social/Family	No		Yes	
	Number	Percent	Number	Percent
Social Isolation	234	87.3	34	12.7
Victim of past abusive relationship	257	95.9	11	4.1
Victim of present abusive relationship	262	97.8	6	2.2
Perpetrator of abusive relationship	247	92.2	21	7.8
Have children	135	50.4	133	49.6
Limited family supports	162	60.4	106	39.6
<i>Good family supports</i>	142	53.0	126	47.0
Impaired family relationships	138	51.5	130	48.5
<i>Good family relationships</i>	141	52.6	127	47.4
Undefined social/family issues	257	95.9	11	4.1
Divorced/separated parents	163	60.8	105	39.2
Parents are/were drug users/ alcoholics	221	82.5	47	17.5

Social Isolation

A participant was described as being socially isolated if, during the assessment interview, the applicant made reference to suffering from loneliness or having a history of becoming depressed when they were by themselves. If they reported that they felt affected by social isolation at the time of the assessment or if they could foresee this would be a problem while on the program they were also categorised as being socially isolated.

As shown, one in eight (12.7%) of the Drug Court participants were described as having feelings of social isolation at the time of assessment.

Victim of a past abusive relationship

A small group of participants (4.1%) reported that they had been a victim of a past abusive relationship. The abuse they had experienced may have been physical or emotional /mental.

Those reporting that this had been the case were more likely to be females than males. As shown in Table 22, of the 11 who reported that they had been a victim of a past abusive relationship, only one was male.

Victim of present abusive relationship

A person was described as being in an abusive relationship if they stated that they had been physically or emotionally abused in their current relationship or if they mentioned that they were attending domestic violence counselling as a couple or if only their partner was attending.

Only six people (2.2%) reported that they were in a current relationship that could be described as abusive. Of these six people, as shown in Table 22, all but one was female.

	Male		Female	
	Yes	No	Yes	No
Victim of past abusive relationship ²³	0.4 (1)	99.6 (237)	33.3 (10)	66.7 (20)
Victim of present abusive relationship ²⁴	0.4 (1)	99.6 (237)	16.7 (5)	83.3 (25)
Have children ²⁵	46.2 (110)	53.8 (128)	76.7 (23)	23.3 (7)

Perpetrator of abusive relationship

Participants were also asked whether they were perpetrators of an abusive relationship. This abuse may have been physical or emotional/mental and may have occurred during a past and/or present relationship. The assessor described an applicant as a perpetrator if it was apparent that there was a lack of awareness of the impact of his/her abusive behaviour or a lack of insight/acceptance of the domestic violence aspect of the relationship.

As shown, nearly one in twelve (7.8%) of the Drug Court participants were described as being perpetrators of abusive relationships. There were no statistical differences between males and females in this category²⁶.

Have Children

Nearly half (49.6%) of the Drug Court participants reported that they were parents irrespective of whether or not they were living with them.

²³ $\chi^2 = 73.3, df=1, p<0.0001$

²⁴ $\chi^2 = 32.1, df=1, p<0.0001$

²⁵ $\chi^2 = 9.9, df=1, p=0.001$

²⁶ $\chi^2 = 0.95, df=1, p=0.29$

Over three quarters (76.7%) of the female Drug Court participants reported that they had children compared to less than half (46.2%) of the male participants.

Indigenous participants were more likely than non-Indigenous participants to report that they were parents - over four in five (84.2%) Indigenous compared to less than half (47.0%) of the non-Indigenous participants.

Table 23 Characteristics of Drug Court Participants at Assessment by Indigenous Status

Have children ²⁷	Yes		No	
	Number	Percent	Number	Percent
Non-Indigenous	117	47.0	132	53.0
Indigenous	16	84.2	3	15.8

Family Support/Relationships

Drug Court participants were also asked to describe their family relationships and support. The term family support related to the more practical types of support that the applicants' family were able to provide, such as help with accommodation or lifestyle issues.

A participant was described as having impaired family relationships if there were any relationships within the family unit that were a source of ongoing distress and anxiety for the participant. For example, if a participant was receiving positive emotional support from his or her parents yet was estranged from his or her brother and this was distressing for the applicant, then this was counted as an impaired family relationship. If the estrangement with this sibling, however, was not a cause for concern, then the participant was said to have good family relationships.

It is acknowledged that there may be some crossover between the areas of 'family support' and 'family relationships'. During an interview it was hence possible for an applicant to discuss both limited family supports as well as describe an excellent relationship with his/her parents. In this scenario the applicant's family were emotionally supportive yet could not provide any physical assistance. Alternatively, a family could be assisting the applicant with accommodation and payment of debts yet references would be made by the applicant about conflicts within the family. In some instances limited family supports and impaired family relationships were surmised from only one statement made by the applicant. For example, if the client mentioned that they had no contact with their family then both limited family supports and impaired family relationships were inferred.

As shown in Table 21, less than half (47.0%) of the Drug Court participants reported that they had good family support while just over one third (39.6%) reported that their family support was limited.

Similarly, nearly half of the Drug Court participants reported good family relationships (47.4%) and impaired family relationships (48.5%).

²⁷ $\chi^2 = 9.8, df=1, p=0.001$

Undefined social/family issues

Undefined social/family issues included any other social or family based issues discussed by the applicant that could not be included in any other category in the data base. As shown, few (4.1%) reported other family and social issues.

Divorced/separated parents

Just over one third (39.2%) reported that their parents were divorced or separated.

Parents are/were drug users/alcoholics

Any mention made by applicants that their parents or caregivers had a history of alcohol or substance abuse was also recorded. Just over one in six (17.5%) reported that they had parents with a history of substance abuse.

Childhood experiences

At the assessment interview applicants were also asked about their childhood experiences and their responses are shown in Table 24.

Table 24 Self-reported Childhood Experiences of Drug Court Participants				
Childhood	No		Yes	
	Number	Percent	Number	Percent
History of physical abuse/neglect as a child	211	78.7	57	21.3
History of sexual abuse as a child	233	86.9	35	13.1
Removed from home as a child/foster care placement	240	89.6	28	10.4
History of schooling difficulties	223	83.2	45	16.8

History of physical abuse/neglect as a child

Just over one in five (21.3%) Drug Court participants reported that they had experienced some form of neglect and/or physical abuse as a child. This may have included discrete episodes or extended abuse involving physical violence.

The history of physical abuse/neglect as a child differed between Indigenous and non-Indigenous participants. As shown in Table 25, a greater proportion of Indigenous Drug Court participants reported a history of abuse and childhood neglect compared to non-Indigenous participants. However, it should be noted that the number of Indigenous participants was very small, so results must be treated with caution.

Table 25 Characteristics of Drug Court Participants at Assessment by Indigenous Status

	Non-Indigenous		Indigenous	
	Yes	No	Yes	No
History of physical abuse/neglect as a child ²⁸	19.7 (49)	80.3 (200)	42.1 (8)	57.9 (11)
Removed from home /foster care as a child ²⁹	9.2 (23)	90.8 (226)	26.3 (5)	73.7 (14)
History of schooling difficulties ³⁰	14.9 (37)	85.1 (212)	42.1 (8)	57.9 (11)

History of sexual abuse as a child

Just over one in eight (13.1%) participants reported that they had been sexually abused as a child. Again, this may have involved discrete or extended episodes of abuse.

There were differences between males and females in their reported history of child sexual abuse. As shown in Table 26, one in three (33.3%) females compared to one in ten (10.5%) males reported that they had been sexually abused as a child.

Table 26 Characteristics of Drug Court Participants at Assessment by Gender

History of sexual abuse as a child ³¹	Yes		No	
	Number	Percent	Number	Percent
Male	25	10.5	213	89.5
Female	10	33.3	20	66.7

Removed from home as a child/foster care placement

Whether a participant was removed at any time from his/her parents or care givers and was placed in a home or foster care or was made a ward of the state as a child, was investigated during the assessment interview. Only circumstances which involved government intervention where a child was removed from the home for psychological or physical safety reasons were included in this category. Instances where a child was sent to live with relatives, but which did not involve government authorities, were not included.

As shown in Table 24, one in ten (10.4%) reported that they had been removed from parents/care givers for protection or had experienced a foster care placement as a child.

There were differences between Indigenous and non-Indigenous participants in this category. As shown in Table 25, just over one quarter (26.3%) of Indigenous compared to 9.2% of non-Indigenous participants reported removal/foster care placement as a child.

²⁸ $\chi^2 = 5.3, df=1, p=0.028$

²⁹ $\chi^2 = 5.5, df=1, p=0.036$

³⁰ $\chi^2 = 9.4, df=1, p=0.006$

³¹ $\chi^2 = 12.3, df=1, p=0.002$

History of schooling difficulties

About one in six (16.8%) of the participants reported that they had experienced difficulties while at school. This may have been related to issues of coping with the work, having behavioural or emotional difficulties that impacted on their school life, having a history of truancy or being expelled. This question was independent of the time that a participant left school.

Again, there were differences between Indigenous and non-Indigenous participants. As shown in Table 25, just over two in five (42.1%) Indigenous compared to just over one in seven (14.9%) non-Indigenous participants reported having difficulties at school.

Living Skills/Accommodation/Financial Issues

At the assessment participants were asked about their living skills and any accommodation issues. The results of the questions asked are shown in Table 27.

Living Skills/Accommodation	No		Yes	
	Number	Percent	Number	Percent
Problems with independent living skills	254	94.8	14	5.2
Accommodation difficulties	205	76.5	63	23.5
Had periods of homelessness	236	88.1	32	11.9
Financial difficulties at assessment	141	52.6	127	47.4
Needs employment/education/training	261	97.4	7	2.6

Table 27 Reported Living Skills/Accommodation Issues of Drug Court Participants at the Point of Assessment

Problems with independent living skills

Only a small proportion of participants (5.2%) were assessed as having problems with independent living skills. Problems identified included being unable to maintain a house and difficulty in managing without some form of support. Any difficulties in managing finances were not recorded in this category.

Accommodation difficulties

Nearly one quarter (23.5%) of the participants reported some accommodation issue at the point of assessment. This included a lack of suitable accommodation or difficulties keeping their current accommodation as well as wanting to move because of problems with neighbours or living in an area with other known drug users.

As shown in Table 28 problems with accommodation were more pronounced amongst non-Indigenous than Indigenous participants, with nearly one quarter (24.9%) of the 249 non-Indigenous participants reporting issues at assessment compared to only one (5.3%) of the 19 Indigenous participants.

Table 28 Characteristics of Drug Court Participants at Assessment by Indigenous Status

Accommodation difficulties at assessment ³²	Yes		No	
	Number	Percent	Number	Percent
Non-Indigenous	62	24.9	187	75.1
Indigenous	1	5.3	18	94.7

Periods of homelessness

Nearly one in eight (11.9%) Drug Court participants reported that they had experienced at least one period of homelessness at some point in their lives.

Financial difficulties at assessment

Problems being experienced with finances included issues around high levels of debt, such as money owed for utilities, rent and fines, or owing large amounts of money due to drug based transactions. In addition, if an applicant was anxious about her/his financial situation, or stated that they had limited funds available, they were assessed as having financial difficulties. Being on ‘Centrelink’ payments was not included in this category although a person who did not have any income and was having to wait several weeks to start receiving benefits was counted as having financial difficulties at the point of assessment.

Nearly half (47.4%) of Drug Court participants reported having some kind of financial difficulties at the point of assessment.

Employment/education/training requirements

To identify whether a participant would benefit from suitable programs during the initial case plan s/he was asked whether they needed education or training or other employment assistance. As shown, only a few (2.6%) participants seemed to require any such assistance.

Mental Health

The general mental health of participants was also assessed at the initial interview and the findings are shown in Table 29. Overall, mental health was not an issue with the majority of participants.

Table 29 General Mental Health of Drug Court Participants at the Point of Assessment

Mental Health	No		Yes	
	Number	Percent	Number	Percent
Depression/anxiety/hopelessness (sub clinical)	208	77.6	60	22.4
Known past psychiatric hospitalisation	258	96.3	10	3.7
Currently prescribed mental health medication	217	81.0	51	19.0
Diagnosed personality disorder	253	94.4	15	5.6
Diagnosed mental health problem	232	86.6	36	13.4

³² $\chi^2 = 3.8, df=1, p=0.037$

Depression/anxiety/hopelessness (sub clinical)

Nearly one quarter (22.4%) of participants reported (sub clinical) feelings of anxiety, hopelessness or depression at the point of assessment. However, it was self-assessment rather than an applicant having been *diagnosed* with a depressive or anxiety/panic based disorder.

Known past psychiatric hospitalisation

As shown, few (3.7%) drug participants had experienced any past hospitalisation in a psychiatric wing. This included any short term hospitalisation for drug induced psychotic episodes, or longer term stays for psychiatric disorders (eg acute schizophrenia) or suicide attempts.

Currently prescribed mental health medication

About one in five (19.0%) participants reported that they were taking prescribed mental health medication for disorders such as depression, schizophrenia etc at the time of assessment. This did not include using self-medicating illicit drugs such as marijuana or heroin.

Diagnosed personality disorder

A small proportion (5.6%) of participants had a diagnosed personality disorder at the point of assessment. This included conditions such as anti-social personality disorder, narcissistic personality disorder, schizo-typal personality disorder and borderline personality disorder, as well as any personality disorder referred to as an *Axis 2* diagnosis.

Diagnosed mental health disorder

Just over one in eight (13.4%) of Drug Court participants had a diagnosed mental health disorder at the point of assessment. This included Major Depression, Schizophrenia, Obsessive Compulsive Disorder (OCD), Adjustment disorder, ADD (Attention Deficit Disorder), ADHD (Attention Deficit Hyperactivity Disorder) or any disorder described as an *Axis 1* diagnosis.

Other issues

Applicants were asked about legal issues as well as gambling problems at the time of assessment and as shown in Table 30, these were not generally a concern for most Drug Court participants.

Table 30 Other Issues of Drug Court Participants at the Point of Assessment				
Other	No		Yes	
	Number	Percent	Number	Percent
Legal issues other than current offending	259	96.6	9	3.4
Gambling problem	253	94.4	15	5.6

Legal issues other than current offending

Only a small number (9) of participants reported that they had any other outstanding legal matters other than their offending which were *currently* before the court. These included matters in the family court or other private matters (eg suing for damages) that were being pursued through the courts.

Gambling problem

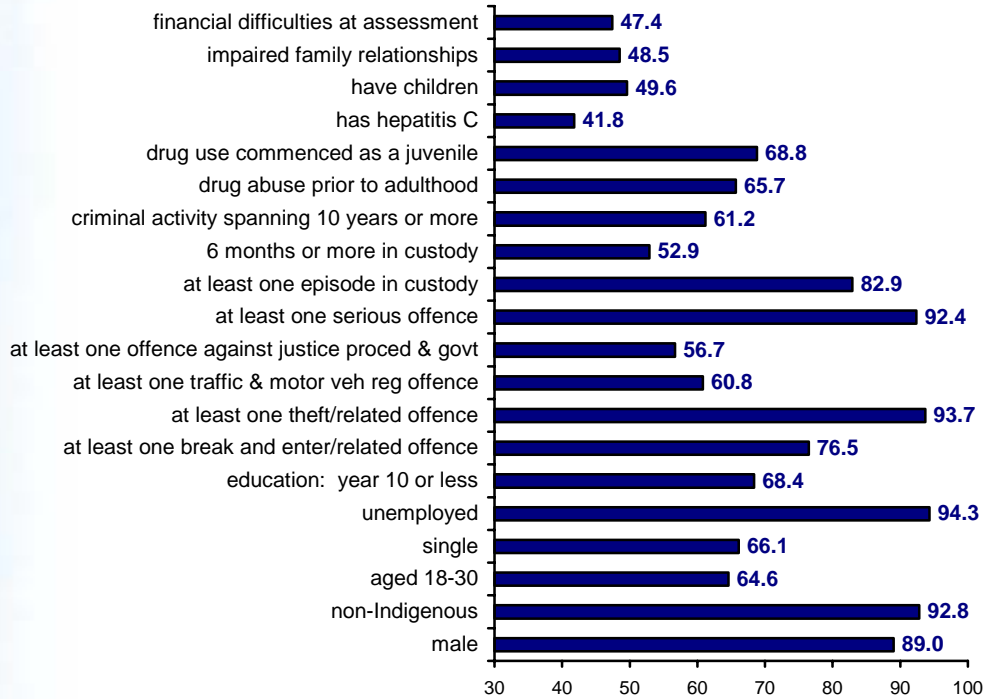
A small proportion (5.6%) of participants reported that they had experienced any gambling problems either in the past or currently. While this included any form of gambling it generally referred to use of poker machines.

Summary

Illustrated in Figure 10 are the key attributes of people who participated in the Drug Court Program during the first 38 months of its inception. From this information, the average Drug Court client can be described as a non-Indigenous, single, unemployed male, aged 29-30 years, who had experienced at least one custody period of more than 6 months, had a history of theft, break and enter and related charges, and had at least one serious major charge laid against him five years before being accepted into the Drug Court program. Characteristically he is likely to have had a childhood where he was not removed from his parents/care givers and, while reporting good family support and relationships, may have at least one impaired family relationship which causes him concern. He is likely to be in reasonable health, although he may have Hepatitis C, and is likely to have left school at Year 10 or earlier. He is highly likely to have commenced abusing drugs during his teens or younger.

This description of the average Adelaide Magistrate's Drug Court client is comparable with the description of clients in other jurisdictions, although Makkai and Veraar (2003) report that clients in the South East Queensland Drug Court were more likely to be married or in a de facto relationship than single. The average Adelaide Magistrate's Drug Court client is, in this respect, more like the average Western Australian Drug Court client (CRC, 2003).

Figure 10 Profile of Drug Court Participants: 2000-2003



Cohorts

This next part of the analysis examined the first thirty eight months that the Drug Court had been in operation in order to determine if there were changes in the profile of clientele. To do this, three cohorts of participants were compared, as described earlier.

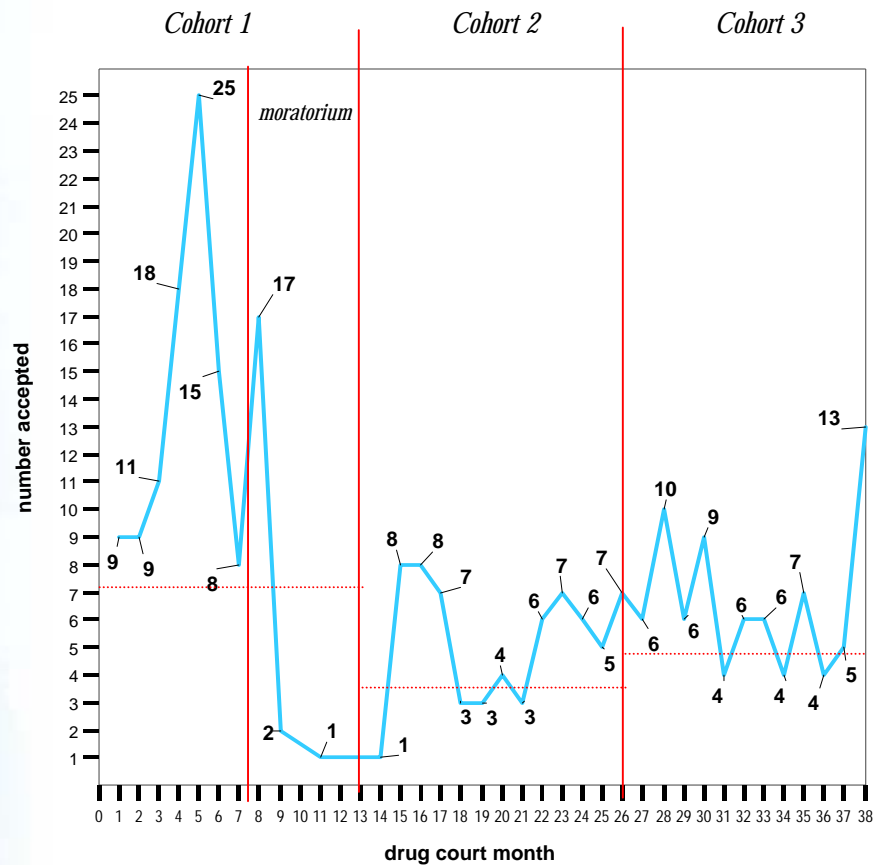
As expected, the key factor impacting on the rate of acceptance was the moratorium, which was in place from November 2000 to mid- May 2001. As shown in Figure 11, the average number of people accepted into the Drug Court during the first six months was 14.5 people per month, while for the first six months following the moratorium it fell to 5 people per month. The rate of acceptances following the moratorium was much slower than it had been prior to that.

Cohort 1 involved 115 participants. The average number of acceptances during this period was 8.8 people per month

Cohort 2 contained 68 participants, with an average acceptance during this period of 5.2 people per month.

Cohort 3 involved 80 participants, with the average acceptance level during this period of 6.7 people per month.

Figure 11 Number of People Accepted into Drug Court 2000-2003



Cohort Differences

Participants in each of the three cohorts were compared according to demographic variables as well as offending history to see if there were any significant differences between people who participated in the three different periods of the Drug Court’s operation. Differences in a broad range of background factors were also assessed. Only variations which were statistically significant are reported in any detail below.

Demographic Characteristics by Cohort

The demographic profile of participants accepted for the Drug Court program did not differ between cohort participants. There were no significant differences between people in each of the cohorts in terms of their gender, Indigenous status, age, marital status, employment status and education level.

Offending History of Participants by Cohort

The criminal histories of participants in the different cohorts were also examined for differences. These findings are reported below.

Time Spent in Custody Five Years pre-Acceptance

Overall, no significant differences in the time spent in custody five years before joining the program were found between participants in different cohorts³³.

Nevertheless, as shown in Table 31, there was a slight difference between cohorts in the proportion of offenders who had spent six months or less in custody before being accepted into the Drug Court. Cohort 3 had the smallest proportion of participants in this category (41.3%) while Cohort 2 had the largest proportion (54.4%). Generally, other categories were similar, although there was a smaller proportion (2.9%) of participants in Cohort 2 who had spent 9-12 months in custody prior to joining the program.

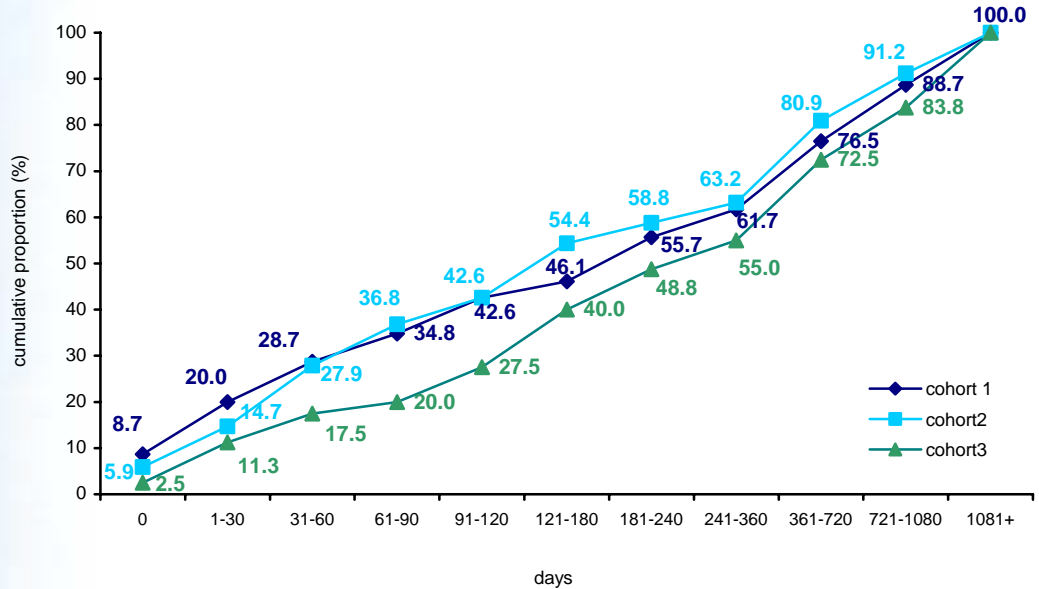
Months	Cohort 1		Cohort 2		Cohort 3	
	Number	Percent (%)	Number	Percent (%)	Number	Percent (%)
0-6 months	54	47.0	37	54.4	33	41.3
6-9 months	12	10.4	5	7.4	7	8.8
9-12 months	5	4.3	2	2.9	7	8.8
12-24 months	18	15.7	11	16.2	13	16.3
24+ months	26	22.6	13	19.1	20	25.0
Total	115	100.0	68	100.0	80	100.0

Cumulatively, however, the amount of time spent in custody for cohort participants was similar, particularly for Cohort 1 and Cohort 2 (see Figure 12). Given this finding then, an

³³ Kruskal Wallis, $\chi^2 = 3.76$, $df=2$, $p<0.15$

assumption can be made that any differences in pre-offending (five years pre-acceptance) would not primarily be due to time spent in custody. Hence no consideration of time spent in custody has been made in any of the following analyses.

Figure 12 Time Spent in Custody Five Years Pre-Acceptance by Cohort



Number of Criminal Events

There were differences in the total number of criminal events associated with members of each cohort³⁴ five years pre-acceptance³⁵. As shown in Table 32, participants in Cohort 3 had the greater number per person.

Table 32 Total Number of Criminal Events for Each Cohort

	Number of participants	Total number of criminal events	Average per person
Cohort 1	115	1,803	15.7
Cohort 2	68	1,159	17.0
Cohort 3	80	1,741	21.8

Type of Criminal Events Five Years Pre-Acceptance

To gain some idea of the proportion of offenders charged with different offences, offending data five years preceding acceptance was examined.

³⁴ Kruskal Wallis, $\chi^2 = 12.3$, $df=2$, $p<0.002$

³⁵ time in custody has not been considered

Table 33 shows the type of offences charged against participants at least once during the five years prior to being accepted onto the Drug Court program. Except for two ASOC categories, there were no significant differences between cohorts.

As shown, a lower proportion of participants in Cohort 1 (47.0%) were charged with at least one *road traffic and motor vehicle regulatory offence*³⁶ compared with Cohort 2 (67.6%) and Cohort 3 participants (73.8%).

Differences in the proportions charged with *offences against justice procedures and government* were also evident between cohorts³⁷, with Cohort 3 having the greatest proportion (75.0%).

ASOC Category of Major Charge	Number of Offenders per Category					
	Cohort 1		Cohort 2		Cohort 3	
	Number	%	Number	%	Number	%
Homicide and related offences	0	0.0	0	0.0	0	0.0
Acts intended to cause injury	39	33.9	22	32.4	25	31.3
Sexual assault and related offences	2	1.7	0	0	2	2.5
Dangerous acts endangering persons	12	10.4	3	4.4	12	15.0
Abduction and related offences	0	0	0	0	0	0
Robbery, extortion & related offences	16	13.9	4	5.9	6	7.5
Break and enter and related offences	83	72.2	53	77.9	65	81.3
Theft and related offences	109	94.8	63	92.6	74	92.5
Deception and related offences	51	44.3	23	33.8	35	43.8
Illicit drug offences	40	34.8	23	33.8	31	38.8
Weapons and explosives offences	21	18.3	13	19.1	14	17.5
Property damage & environmental pollution	51	44.3	18	26.5	26	32.5
Public order offences	32	27.8	26	38.2	32	40.0
Road traffic & motor vehicle regulatory offs	54	47.0	46	67.6	59	73.8
Offences against justice procedures & govt	56	48.7	34	50.0	60	75.0
Miscellaneous offences	8	7.0	6	8.8	5	6.3

A closer examination of offences within these ASOC categories further elucidated these differences, as shown in Table 34.

Specifically, a higher proportion of participants in Cohort 3 were charged with *registration offences*³⁸, *driving while license suspended*³⁹, *car parts theft*⁴⁰ and *illegal motor vehicle use*⁴¹, while Cohort 2 had the greatest proportion *exceeding prescribed content of alcohol* (pca)⁴² offences.

³⁶ $\chi^2 = 16.2$, $df=2$, $p<0.0001$

³⁷ $\chi^2 = 15.2$, $df=2$, $p<0.001$

³⁸ Kruskal Wallis, $\chi^2 = 22.9$, $df=2$, $p<0.0001$

³⁹ Kruskal Wallis, $df=2$, $\chi^2 = 7.1$, $p<0.029$

⁴⁰ Kruskal Wallis, $df=2$, $\chi^2 = 11.4$, $p<0.003$

⁴¹ Kruskal Wallis, $df=2$, $\chi^2 = 8.0$, $p<0.018$

Most of these changes are likely to have been due to changes in policing practices rather than a shift in offending (see Corlett, Skrzypiec and Hunter, 2004) as initiatives which have improved offender detection, particularly in the area of car thefts, have been implemented.

Table 34 Type of Offence Pre-Acceptance by Cohort

At least one offence	Cohort 1		Cohort 2		Cohort 3	
	Number	%	Number	%	Number	%
Registration offences	27	23.5	29	42.6	42	52.5
Driving while license suspended	29	25.2	24	35.3	32	40.0
Car parts theft	30	26.1	22	32.4	38	47.5
Illegal motor vehicle use	37	32.2	30	44.1	38	47.5
Exceeding pca ⁴³	6	5.2	11	16.2	5	6.2

Seriousness of recorded offending

Participants in the three cohorts did not differ significantly⁴⁴ in the seriousness of their single most serious offence five years before joining the Drug Court program. As shown in Table 35, about 90% or more of the participants in all three groups had been charged with at least one serious offence before being accepted onto the Drug Court program.

Table 35 Seriousness of Offending Five Years Pre-Acceptance by Cohort

Seriousness of offence	Cohort 1		Cohort 2		Cohort 3	
	Number	Percent	Number	Percent	Number	Percent
minor	2	1.7	0	0.0	1	1.3
moderately-serious	11	9.6	2	2.9	4	5.0
serious	102	88.7	66	97.1	75	93.8
Total	115	100.0	68	100.0	80	100.0

Span of Criminal Career

Overall, no significant differences in the span of the criminal career before joining the program were found between participants in the three cohorts⁴⁵.

Substance use by Cohort

Of the seven variables pertaining to drug use profiles, there was no significant differences between the three cohorts in relation to periods of drug abstinence greater than six months,

⁴² Kruskal Wallis, df=2, $\chi^2 = 7.3$, p<0.26

⁴³ pca: prescribed concentration of alcohol

⁴⁴ df=4, $\chi^2 = 4.8$, p<0.32

⁴⁵ Kruskal Wallis, $\chi^2 = 3.85$, df=2, p<0.15

previous failed drug treatment, history of poor compliance with treatment, drug abuse prior to adulthood and lack of insight into drug use behaviour.

However, as shown in Table 36, reported alcohol abuse prior to adulthood and experiences of overdoses did differ between cohorts. Cohort 1 participants were the least likely to have reported alcohol abuse prior to adulthood (20.0%) compared to Cohort 2 (38.2%) and Cohort 3 (37.5%) participants⁴⁶.

Similarly, Cohort 1 participants (11.3%) were the least likely to have experienced an overdose (or have such an episode recorded by the assessor) compared to Cohort 2 (44.1%) and Cohort 3 (46.3%) clients where nearly half reported having such an experience⁴⁷.

Table 36 Reported Substance Abuse of Drug Court Participants by Cohort						
Substance Abuse	Cohort1		Cohort2		Cohort3	
	Yes		Yes		Yes	
	Number	Percent	Number	Percent	Number	Percent
Alcohol abuse prior to adulthood	23	20.0	26	38.2	30	37.5
Experienced overdoses	13	11.3	30	44.1	37	46.3

Age of Self-reported Substance Use Initiation

No statistical differences in the self-reported age of initiation of drug use or alcohol abuse was found between participants in the different cohorts.

Characteristics of Participants at Assessment by Cohort

While the three cohorts did not differ demographically there were significant differences between cohort participants at the point of assessment in a range of background variables. These are reported below.

Physical Health

While there were no significant differences in relation to the incidence of Hep C and HIV amongst participants in the different cohorts, reported ongoing physical health problems did vary between cohort participants. As shown in Table 37, Cohort 1 (11.3%) participants were the least likely to report that they had ongoing physical health issues compared to Cohort 2 (19.1%) and Cohort 3 (28.8%)⁴⁸. Just over one quarter (28.8%) of Cohort 3 participants reported that they had ongoing physical health problems.

⁴⁶ $\chi^2 = 9.8, df=2, p<0.007$

⁴⁷ $\chi^2 = 35.4, df=2, p<0.0001$

⁴⁸ $\chi^2 = 9.5, df=2, p<0.009$

Table 37 Self-Reported Physical Health of Drug Court Participants at Assessment by Cohort

Physical Health	Cohort1		Cohort2		Cohort3	
	Yes		Yes		Yes	
	Number	Percent	Number	Percent	Number	Percent
Ongoing physical health problems	13	11.3	13	19.1	23	28.8

Social/Family relationships

Of the twelve factors assessed under this broad heading, no significant differences between cohorts were identified for undefined social/family issues; victim of past abusive relationship; victim of present abusive relationship; perpetrator of abusive relationship; having children; having limited family supports; having good family supports; and having good family relationships.

However, Cohort 3 individuals were more likely to report social isolation, impaired family relationships, divorced/separated parents and parents who are/were drug users or alcoholics than any of the other cohort participants.

As shown in Table 38, over one quarter (27.5%) of Cohort 3 participants were assessed as socially isolated at the assessment interview compared to 6.1 % of Cohort 1 and 4.4% of Cohort 2 participants⁴⁹.

Nearly two thirds (65.0%) of Cohort 3 Drug Court clients reported an impaired family relationship compared to less than half (45.6%) of Cohort 2 and just over one third (39.1%) of Cohort 1 participants⁵⁰.

Over half (58.8%) of Cohort 3 Drug Court participants stated that their parents were divorced or separated at the time of assessment compared to one third (33.8%) of Cohort 2 and less than one third (29.6%) of Cohort 1 participants⁵¹.

Just over one quarter (28.8%) of Cohort 3 participants reported that their parents were currently, or had at some time been drug users and/or alcoholics compared to 17.6% of Cohort 2 and 10.4% of Cohort 1 participants⁵²

⁴⁹ $\chi^2 = 25.4, df=2, p<0.0001$

⁵⁰ $\chi^2 = 13.0, df=2, p<0.002$

⁵¹ $\chi^2 = 18.1, df=2, p<0.0001$

⁵² $\chi^2 = 10.8, df=2, p<0.005$

Table 38 Social/Family Support and Relationships of Drug Court Participants at Assessment by Cohort

Social/Family	Cohort1		Cohort2		Cohort3	
	Yes		Yes		Yes	
	Number	Percent	Number	Percent	Number	Percent
Social Isolation	7	6.1	3	4.4	22	27.5
Impaired family relationships	45	39.1	31	45.6	52	65.0
Divorced/separated parents	34	29.6	23	33.8	47	58.8
Parents are/were drug users/ alcoholics	12	10.4	12	17.6	23	28.8

Childhood Experiences

No significant differences between cohorts were found for childhood experiences such as history of physical abuse/neglect as a child, a history of sexual abuse as a child, being removed from home as a child/foster care placement and a history of schooling difficulties.

Living Skills/Accommodation/Financial Issues

While there were no significant differences in relation to problems with independent living skills, accommodation difficulties, having had periods of homelessness, or needing employment/education/training, there were differences in the financial difficulties experienced by cohort participants at the point of assessment. As shown in Table 39 over three quarters (78.8%) of Cohort 3 participants reported difficulties compared to half (50.0%) of Cohort 2 and less than one quarter (22.6%) of Cohort 1 participants⁵³.

Table 39 Reported Living Skills/Accommodation Issues of Drug Court Participants at the Point of Assessment by Cohort

Living Skills/ Accommodation	Cohort1		Cohort2		Cohort3	
	Yes		Yes		Yes	
	Number	Percent	Number	Percent	Number	Percent
Financial difficulties at assessment	26	22.6	34	50.0	63	78.8

Mental Health

Of the five mental health variables assessed at the assessment interview, there were no significant differences in relation to known past psychiatric hospitalisation, having a diagnosed personality disorder or a diagnosed mental health problem. But, as shown in Table 40, Cohort 3 participants were more likely to report sub clinical depression, anxiety or

⁵³ $\chi^2 = 60.1, df=2, p<0.0001$

hopelessness at the point of assessment - two in five (40%) compared with one in five (20.6%) of Cohort 2 and just over one in ten (11.3%) of Cohort 1 participants⁵⁴.

Cohort 1 participants were the least likely to report that they were currently taking prescribed mental health medication - only 7.8% of Cohort 1 participants compared with over one quarter of Cohort 2 (29.4%) and Cohort 3 (26.4%) participants⁵⁵.

Table 40 General Mental Health of Drug Court Participants at the Point of Assessment

Mental Health	Cohort1		Cohort2		Cohort3	
	Yes		Yes		Yes	
	Number	Percent	Number	Percent	Number	Percent
Depression/anxiety/ hopelessness (sub clinical)	13	11.3	14	20.6	32	40.0
Currently prescribed mental health medication	9	7.8	20	29.4	21	26.3

Other Issues

No significant differences between cohorts were found for other issues such as having a gambling problem or having legal issues other than current offending.

Summary of Cohort Differences

The results above suggest that the Drug Court program may be recruiting a different sort of clientele than in did in its first year of operation.

There is some suggestion that participants accepted onto the Drug Court in its second and third year of operation may have been more severe substance abusers than those accepted during the first year. This is evidenced by the finding that participants in Cohort 1 were less likely than participants in other cohorts to report an overdose experience or alcohol abuse prior to adulthood.

The results also suggest that Drug Court participants may have been more troubled by social/family relationships and financial difficulties than those first accepted onto the program. The proportion of participants reporting impaired family relationships, parents who were/are drug users/alcoholics or divorced/separated, or having financial difficulties at the point of assessment increased from Cohort 1 to Cohort 3.

The general health of Drug Court participants also appeared to have been more favourable for those accepted onto the Drug Court during the first year. Since that time the proportion of participants reporting ongoing physical health problems more than doubled, going from 11.3% of Cohort 1 clients to 28.8% of Cohort 3 clients.

⁵⁴ $\chi^2 = 22.5, df=2, p<0.0001$

⁵⁵ $\chi^2 = 16.8, df=2, p<0.0001$

Conclusion

The AMDC appears to be servicing similar clientele to those Drug Courts operating in other jurisdictions in Australia – single, non-Indigenous males who have a history of property offences and who have experienced some time in prison prior to being accepted into the Drug Court program. However, female and Indigenous offenders are under-represented.

One possible reason for the low participation of Indigenous people is the fact that currently, the Drug Court only operates within the Adelaide's Magistrates Court whereas a high proportion of matters involving Aboriginal offenders are heard in other courts around South Australia. Additionally, willingness to plead guilty could be another factor as it is well known that the Aboriginal Legal Rights Movement discourages Indigenous clients from admitting allegations. Furthermore, the fact that offenders with major indictables, which include a high proportion of Indigenous offenders, are not accepted onto the Drug Court could also be another reason.

Noteworthy was the finding that for most participants, drug use had commenced prior to adulthood, with nearly 70% reporting that they had started abusing drugs before they turned 18. This suggests that some intervention strategies might be possible through the juvenile justice system. Some jurisdictions around Australia (such as New South Wales) have already instigated youth Drug Courts and this might also be a possibility for South Australia.

Also of interest was an indication that some Drug Court participants abused alcohol, particularly at a young age. This may be an indicator that substance abuse was occurring in a variety of ways for some participants during their juvenile years and as such warrants further investigation.

There is also a suggestion that there may be a significant link between alcohol and drug use, with nearly one third (30.1%) of participants reporting that they had initiated alcohol abuse prior to adulthood. Further research is needed to determine the nature of this relationship, and in particular to ascertain whether alcohol abuse precedes drug abuse or if it is initiated at the same time, or whether it is independent of drug abuse.

Like other Drug Courts, the Adelaide Magistrates Drug Court (AMDC) has evolved since it first began operating in 2000. There have been many changes to the way in which it operates but it appears that there has been no overall change in the demographic profile of participants.

However, other differences between cohort participants were found. For example, a greater proportion of Cohort 3 participants reported ongoing physical health problems as well as being on prescribed mental health medication, having sub clinical feelings of depression/ anxiety/ hopelessness or feeling socially isolated, than participants in Cohort 1. However, it is not known if these were responses which applicants, wishing to be accepted onto the Drug Court (and avoid being jailed), thought would be advantageous in qualifying them for acceptance. This is something which later cohort participants may have been more likely to consider as the Drug Court program moved out from its pilot stage and became a more viable alternative for drug addicted offenders. Alternatively, it may be that Drug Court assessors had become more efficient at assessing clients and collecting this information by the third year of operation.

Another influence on these results may have been due to the way clients in Cohort 1 were assessed. It is known that participants in Cohort 1 were not assessed on all variables. According to Drug Court staff, up until mid June 2002 and even as late as December 2002,

assessments were constrained by a number of factors. For example, assessors were only permitted to see clients in their cells during a lunch hour and only if lawyers and other parties did not wish to see the client. This meant that often an assessment was ended before it could be completed, resulting in fragmented information. By the second and third cohorts however, the process changed. Assessments became more streamlined and a time and place for interviewing clients was made available. It is possible then, that the difference in the number of participants reporting a drug overdose or other physical health problems in Cohort 2 and Cohort 3 could be attributed to the lack of this information in Cohort 1. The extent of the effect that this may have had on the results, however, is unknown and requires further investigation.

Comparable with clients in other Drug Courts around Australia was the high incidence of property offences in the criminal history of participants. However, the difference between cohorts in offender histories was an unexpected result. Participants in Cohort 3 were found to have a larger number of road traffic and motor vehicle regulatory offences and offences against justice and government charged against them. The former could be explained by changes to police data recording practices while the latter could be due to a shift towards 'problem solving policing', which has meant that known offenders, particularly those on a court order or bail are more likely to be targeted by police. This means that offenders breaching conditions would be more likely to be caught. However, these suggestions are purely speculative and further research is needed to explain these findings.

References

- Corlett, E., Skrzypiec, G. and Hunter, N. (2004). *Offending Profiles of SA Drug Court Pilot Program "Completers"*. Office of Crime Statistics and Research, Attorney-General's Department, Adelaide, South Australia.
- Crime Research Centre (2003). *Evaluation of the Perth Drug Court Pilot Project: Final Report*. Department of Justice. University of Western Australia.
- Degenhardt, L., Lynskey, M. and Hall, W. (2000). *Cohort Trends in the Age of Initiation of Drug Use in Australia*, National Drug and Alcohol Research Centre, University of New South Wales, Sydney.
- Freiberg, A. (2005). Problem-Oriented Courts: An update. *Journal of Judicial Administration*, 14, 178-219.
- Johnson, D. (2001). Age of Illicit Drug Initiation. *Trends and Issues in Crime and Criminal Justice*, 201, Australian Institute of Criminology, Canberra, Australia.
- Lynskey, M. and Hall, W. (1998). *Age of Initiation to Heroin Use: Cohort Trends and Consequences of Early Initiation for Subsequent Adjustment*. NDARC Technical Report No. 61, National Drug and Alcohol Research Centre, University of New South Wales, Sydney.
- Makkai, T. and Payne, J. (2005). Illicit drug use and offending histories: A study of male incarcerated offenders in Australia. *Probation Journal*, 52(2), 153-168.
- Makkai, T. and Veraar, K. (2003). *Final Report on the South East Queensland Drug Court*. Australian Institute of Criminology Technical Background Paper, Series No. 6.

- McRostie, H. and Harrison, A. (2002). *Evaluation of the Drug Court Pilot Program: Interim Report 1*. Office of Crime Statistics and Research, Attorney-General's Department, Adelaide, South Australia.
- Skrzypiec, G. (2006). *The South Australian Drug Court: An Analysis of Participant Retention Rates*. Office of Crime Statistics and Research, Attorney-General's Department, Adelaide, South Australia.
- Winick, B. and Wexler, D. (eds) (2003). *Judging in a Therapeutic Key: Therapeutic Jurisprudence and the Courts*. Carolina Academic Press, Durham.
- Zhang, L., Wiczorek, W. and Welte, J. (1997). The impact of age of onset of substance use on delinquency. *Journal of Research in Crime and Delinquency*, 34(2), 253-268.