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Speech presented by Adam Graycar, Director,  
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"Drugs and law enforcement: actions and options"

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AUSTRALIAN INSTITUTE OF CRIMINOLOGY



*Drugs and Law Enforcement:  
Actions and Options*

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## Introduction

The overwhelming majority of those who use illicit drugs do not commit property crime or violent crime. There is however, a strong link between predatory crime and illicit drug use and my focus today will be on law enforcement and the reduction of crime associated with illicit drug use. This includes two key groups: those whose “drug” crimes are directly associated with drugs (such as possession, dealing, trafficking and manufacturing) and those whose “drug-related” offences are to support a drug habit (that is acquisitive crime) or while intoxicated (that is violent crime). I want to focus today on police activities on the ground here in Australia that tackle illicit drugs and crime. In focusing on these activities I want to examine the targets, programs and strategies that are used, and most importantly, how to assess the effectiveness of drug law enforcement.

In crime prevention there are really only two stories:

1. How to reduce the supply of motivated offenders; and
2. How to make crime harder to commit.

Both of these activities involve a multitude of social interventions, a variety of law enforcement activities and a good dose of situational crime prevention. We can reduce the supply of motivated offenders by intervening early in people’s lives, providing tangible and social supports for families, instilling pro-social behaviour focussing on civility and decent behaviour towards others, or locking up people who do the wrong thing – or various combinations of these. We can make crime harder to commit by implementing a range of enforcement activities, increasing the risks and reducing the rewards.

These same principles apply in reducing illicit drug use and its criminal connections and consequences. Drug Law Enforcement involves a range of activities on a long spectrum. At the most basic level are police who interact with people using illicit substances. At the next level there are police who interact with those selling or distributing, then there are activities relating to importing – and these involve a wider range of law enforcement officials in addition to State police – Australian Federal Police, Australian Customs Service and a host of intelligence agencies – both Australian and international.

Overlaying all of this is a plethora of law enforcement activities that involve courts, prosecutors, magistrates and judges, prisons, probation and parole workers, volunteers etc. Law enforcement also involves itself in a range of international activities that aim at limiting the growth of certain crops, and the interdiction of transport and trafficking routes. The spectrum in which law enforcement works involves dealing with users in the park over the road, to transnational organised crime groups, to villagers in far away places trying to eke out a meagre living. Along the way a lot of people get rich and a lot of people get hurt.

## Drug Law Enforcement Activity in Australia

Drug offenders are a very small proportion of the total number of offenders that police arrest throughout a year. There is no national data on the number of offenders in Australia. In ~~Victoria~~ South Australia police recorded that there were ~~154,640~~ 36,447 persons arrested throughout ~~1999~~ 2000/01; of those ~~15,724~~ 2,123 (~~10.25~~ 5.8 percent) were

for drug offences ([South Australian Police Department 2002](#)). In 2000 police recorded 1,432,771 offences in nine main areas covering the major property and violent crimes ([Recorded Crime 2000 – ABS 2001](#)). In the 12 months to June 2000 82,395 offenders were arrested/ proceeded against for a drug related offence (Year Book 2002 p 330). While these two figures are in no way comparable, for every 100 serious offences recorded 6 people were arrested for drug related offences. We are not able to precisely say how many people are arrested for drug-related offences as a proportion of the total number of offenders nor are we able to determine how many offences one offender commits. Allowing for these problems, what both these examples suggest is that of the total number of people or crimes that the police deal with in any one year, the overall number that are directly associated with “drug” crimes is not as large as some might imagine.

However, we all know that many who are involved in robbery, theft and burglary are users of illicit drugs but their offences and arrests do not appear in those columns labelled “drug crimes”. It is these collateral activities that are the core focus of police activity at a local level.

Different law enforcement intervention strategies are appropriate for different user groups.

- One user group is involved in possession and use of drugs but are not engaged in any other criminal activity. Most of these people never come to the attention of law enforcement, as their activities are not disruptive or on a large scale.
- A second group are involved in selling/ producing/ trafficking drugs and represent a relatively small group of those engaged in criminal activity even though the ramifications of their activity are widely felt across the general community.
- A third group is composed of people who use drugs and commit crime to either finance their drug habit (often property offences), or while under the influence of drugs (often violent offences).
- A fourth group commit crime and use drugs but their activities are not causally related.

The **first** group can be targeted with strategies that push the market indoors and generally raise the price of drugs. Strategies might include a greater police presence in an area, a police crackdown in an area or disrupting the drug distribution network through greater surveillance of a border [or problem-oriented policing](#). Partnership strategies would include the establishment of Drug Action Teams (DAT) which work with a range of local service providers (such as human services, welfare, education and local government) to tackle local drug problems (Canty et al, 2001).

People who might enter this group may be dissuaded through the use of primary prevention strategies. These strategies focus on groups who are considered at risk, usually school children. They are educated on drugs and drug use and the problems associated with the use of drugs. Health problems, the possibility of addiction and potential legal repercussions are usually highlighted.

The **second** group are often not users of the drugs they distribute and market. Considerable resources are required to identify, monitor and prosecute this group. They are often characterised by strong family and ethnic ties that are difficult for law enforcement personnel to penetrate. Strategies for dealing with this group can include closer co-operation between law enforcement and different ethnic communities, overseas police liaison that attempts to stop drugs even before they reach the border, monitoring of growing and manufacturing regions in the world and the supply routes, research to identify emerging markets and new supply routes through programs such as the heroin signature program and finally border interdiction.

The **third** group is more problematic from a law enforcement perspective, as we cannot determine if a person is a member of this group until after they have been caught. Strategies for this group are based in criminal justice procedures – if we can get them off drugs, or at least stabilise their use, then they will probably reduce the number of crimes they commit. Targeting this group with broader crime prevention strategies is difficult as their decision to cause crime is not rational. However, research has shown that one of the reasons addicts enter treatment is either to avoid police activity on the streets or they are sick of being arrested (Weatherburn et al, 1999).

The **fourth** group is unproblematic. Those who commit crimes should be apprehended and appropriately dealt with by the criminal justice system. Their drug use, although it may have significant health ramifications, is not a key concern of law enforcement and strategies designed to stop or reduce their drug use will not affect their engagement in crime.

Law enforcement thus, essentially plays a role in three main areas

- Deterrence;
- Drug market disruption
  - supply-side
  - demand-side; and
- Coerced treatment.

Before going through a catalogue of activities in these areas, I want to stress the message of this paper - we don't know as much as we would like to about what works, as very few, if any, evaluations have been done. We are also not sure which strategies may have affected which groups, as we don't know enough about the groups and the amount of crime they commit to be able to tell. However, identifying and evaluating traditional policing approaches, and proposing new multi agency approaches is a significant way forward, and we will focus on these later in the paper.

### **The knowledge base**

Knowing that some strategies may not have worked, we need to remember that all schemes/ strategies need to be continually evaluated and evolved to assess that they worked in the first place and continue to work. Police need to ensure that they work with evaluation teams, health professionals and groups, the criminal justice area and research

teams to continue to monitor the strategies, the issues and the various concerns, and produce sound data. At times this might seem like a big ask for police, but surely it is part of the process of making sure that they get the most bang for the buck!

At present there are three significant holes in our knowledge base that hinder purposive and positive law enforcement

- We do not know how much crime is drug-related;
- There are gaps in the current knowledge of the street price and availability of drugs; and
- We do not know why people don't take drugs and ~~don't~~ break the law.

### *How much crime is drug-related?*

We are hampered by lack of appropriate data with which to answer this question. In most cases what we know about offenders is what we know about those who are caught, and we know that many offences are never cleared. Even when dealing with those who are caught, we know that current police data is not standardized across states. Both classification systems and offence names can differ across the country. Furthermore counting rules in police jurisdictions have changed over time, and what may have been counted once may not today, and vice versa.

One contribution to answering this question comes from the AIC's Drug Use Monitoring in Australia project (DUMA). This is a quarterly collection and involves voluntary interviews and urinalysis with individuals who have been brought into designated police stations within the previous 48 hours. In terms of criminal justice agencies, it highlights strategic priority areas for those responsible for policing the national border, local illicit drugs markets and drug-related crime. For treatment agencies, it indicates the potential for a significant increase in problematic use that will affect resources and the development of appropriate programs. It must be noted that while the DUMA project is collecting important data on drug use and crime it only collects data on those people that have been apprehended by police. Current DUMA data is also limited to ~~four~~ seven sites including Southport and Brisbane in Queensland, Bankstown and Parramatta in NSW, East Perth in Western Australia and Elizabeth and Adelaide in South Australia. The ~~in~~ Australia though new sites however have only just been established and will be included in the 2002 data. DUMA results are reported in numerous AIC and other publications

Figure 1 (located at the end of the paper) shows the percent testing positive to opiates across the four original sites currently participating in the DUMA project, and preliminary results for the Elizabeth site; one of the two new sites in South Australia. The data show enormous differences between sites. There are much higher rates of positive opiate tests in the Sydney sites than in either the East Perth site and the Southport site. In addition, we see the need for on-going monitoring as there are noticeable differences over time. Since mid 2000 the proportions testing positive to opiates have been declining (well before the reported heroin drought) in Bankstown while there has been a noticeable drop in the Parramatta site between late ~~1999~~ last year and early ~~2000~~ this year. Yet, there has been no change in ~~the~~ the other two sites have also experienced a fall in the percent testing positive to opiates, but it has occurred later than the Sydney sites. Data collection is still currently underway in the South Australian sites,

however preliminary results for the Elizabeth site would indicate the percent testing positive to opiates is marginally lower than the other DUMA sites. We clearly need to understand more about the dynamics of drugs and crime at the local level if we are to effectively deal with the problems – national data can inform strategic national policy making, but local data are necessary to develop and evaluate local strategies tailored to the local environment.

Figure 2 (located at the end of the paper) shows the percent that test positive to opiates by their most serious charge. This graph highlights the link between drug use and crime is strongest for opiates and property crime, however many property offenders do not test positive to opiates. Furthermore some offenders who are arrested for minor matters such as breaches or disorderly activities test positive to opiates. This figure aptly illustrates that we need far more detailed analyses of the criminal and drug using careers of offenders. Those who are apprehended by the police and who use drugs are not a homogenous group. The AIC is currently running a major survey of incarcerated offenders (DUCO) that will provide unique data that will help us to understand the career trajectories of criminals and where drug use is and is not of critical importance in their lives.

In addition to DUMA, the AIC is currently running a major survey of incarcerated offenders that will provide unique data that will help us to understand the career trajectories of criminals and where drug use is and is not of critical importance in their lives. The Drug Use Careers of Offenders (DUCO) project has in the initial stages surveyed over 2,100 adult sentenced male inmates in four Australian jurisdictions: Queensland, Western Australia, Tasmania and the Northern Territory. Initial data from this project indicates that while drug use is endemic within the incarcerated population, the connection between drug use and criminality is complex.

The DUCO data shows that only 16% of offenders had used drugs before their first offence, and just 6% of offenders might have been considered dependent on illicit drugs at the time of their first offence. In the case of heroin, 97% of inmates reported that regular heroin use did not precede regular offending. Similar results are mirrored across almost all drug types and therefore there is little evidence to corroborate the perception that the bulk of crime is caused by drugs. It would appear that for most offenders drug use and criminality are just two facets of a general deviant or anti-social lifestyle rather than one causing the other.

### ***Gaps in the current knowledge of the street price of drugs***

While drug markets are localized as shown by the DUMA data in Figure 1 they are by no means static. An important aspect of the local drug market is the price. The price of drugs can fluctuate on a daily or even hourly basis and the price of a specific drug can be very different depending on where you are. The ABCI collects data from law enforcement agencies on the street cost of different drugs (Australian Illicit drug report 1999-2000-2001-2000). It reports it only on a state-by-state basis and often some data are missing. We see for example that for heroin a full gram for the Jan-March 2000 period cost between \$200-500 in NSW, \$350 in South Australia, \$500 in Western Australia, \$400-500 in Tasmania, \$600-800 in the Northern Territory, while Victoria reported that the street price was \$200 but price for pure heroin was between \$350-600. We see for example that for heroin, a full gram for the Jan-March 2001 period cost between \$350-500 in NSW, \$800 in Queensland and \$400-500 in Tasmania. No data were available for

~~Queensland-Victoria~~ or ~~ACT-Western Australia, South Australia, Northern Territory and the ACT~~ for that particular quarter.

Clearly, we need better data than this. Where we do have data it is interesting to see how the prices for drugs differ in different states, but it does not help when trying to evaluate smaller initiatives like Operation Puccini or the impact of a major seizure such as occurred recently in Fiji. As community policing is done at a station-by-station level, knowledge of the price of drugs in that particular area needs to be known, recorded and tracked over time. If the object of a crackdown or raid is to increase the price of heroin in Cabramatta then the price of heroin before, during and after the crackdown needs to be known. Also, like any assessment of economic conditions the standard price fluctuations need to be known so that a normal cyclic price rise isn't mistaken for the success of a particular initiative. This requires a commitment and investment to the on-going collection of data, in this case prices, at a local level.

#### ***Why people don't take drugs or break the law***

In attempting to better understand drugs and crime, researchers have focused enormous attention on why people break the law. However, the vast majority of people do not break the law, and even today, the majority of Australians do not use illicit drugs. What are the factors that 'stop' or 'deter' most people from these activities? Is it to do with the basic values that have been instilled in them since birth? Is it to do with their fear of getting caught by the police? Is it to do with their fear of embarrassing their close family and friends? Is it to do with whether they view the law to be fair and just? It is highly likely that these factors are interrelated but we have little knowledge of how, when and why these factors come together guiding a person away from criminal behaviour when such opportunities arise.

What I am suggesting here is we need to know less about the 'risk' factors and more about the 'protective' factors. We know very little of why most children do not end up in a 'life of crime'. This is an area that needs further research.

#### **Law enforcement prevention activities**

Notwithstanding the gaps in our data, let us now turn to a range of prevention activities in the law enforcement and partnership basket. There are essentially 5 major activities (Weatherburn et al, 2000) and these are:

1. Primary Prevention.
2. Treatment programs - government and non-government.
3. Diversion schemes/ coerced treatment.
4. Deterrence of illicit drug use.
5. Police Crackdowns.

Let me discuss each of these in turn.



### ***1. Primary Prevention***

In order for primary prevention to be effective it must be undertaken at the right time. If it comes too early it may not be relevant, if too late, destructive behavior patterns may already have been established. There has been considerable work and interest in primary prevention in Australia today. Much of this literature is focused on building resilience in children (Hawkins et al, 1992). Resilient children are those who are least likely to be involved in crime and problematic drug use. In the drug field most primary prevention has been focused on drug education. However, few drug education programs in Australia have been formally evaluated with a focus on the outcomes of illicit drug education – persistence or reduction in illicit drug use. The only formal “outcome” evaluation that has been published in Australia found that where best practice elements are incorporated into drug education they do reduce later drug use (see Wragg, 1990).

International evaluations have identified the key components of drug education programs central to effective reduction or delay in the onset of illicit drug use. In Australia there has been in the past few years a strong focus on alcohol education programs; we need to implement best practice in drug education programs focused on illicit drugs (McBride et al, 2000). The potential cost savings through drug education are significant. US research on cocaine has estimated that for every dollar spent on drug education, savings of US\$2.40 in social costs would be achieved through reduced cocaine use (Caulkins et al, 1999).

However we need to be better informed of the pathways or developmental processes before we can put in place primary prevention programs. It is important however, that interventions don’t just focus on the individual but also encompass the circumstances (Homel et al, 1999). For this we need to have better data on which to target illicit drug education programs and then to evaluate these programs.

### ***2. Treatment programs***

National drug policy in Australia has at its core harm minimization that is to be achieved through supply reduction, demand reduction and harm reduction strategies (Ministerial Council on Drug Strategy, 1998). An important component of this approach has been public health strategies, such as treatment, to reduce demand. Studies of treatment have consistently shown that appropriate treatment programs reduce both drug use and the crime associated with use; they do not however eradicate illicit drug use completely. Evaluations of treatment in Australia have largely been focused on methadone maintenance (MMT) however other treatment modalities have also been found effective (Gerstein & Harwood, 1990). There are currently major evaluations of alternative treatments, such as buprenorphine, underway in Australia. The results from these studies are yet to be published. MMT is the more popular form of treatment in that it attracts and retains a greater proportion of illicit drug users (Ward, et al, 1992) and was widely expanded during the 1980s in Australia.

Methadone maintenance seeks to take injecting heroin users and decrease their reliance on heroin. Three key goals are the reduction in the likelihood of heroin overdose, a reduction in engagement in drug-related crime and a decrease in the health risks associated with needle sharing.

In Australia there has been limited research on the impact of MMT on drug use and crime (Hall, 1996). The few evaluations that have been conducted confirm the US findings: MMT reduces involvement in drugs and crime. A study of 300 MMT patients at three Sydney private clinics found that:

- The percent reporting drug selling declined from 40 to 12 percent;
- The percent engaging in property crime declined from 35 to 9 percent; and
- The percent engaging in any income-generating crime in the previous 30 days declined from 59 to 20 percent.

An important finding from MMT studies has been that the benefits only continue as long as the patient remains in treatment. We will return to this point later when I discuss coerced treatment.

There has been an evaluation of a non-MMT program in Australia that has shown encouraging results (Timboli and Coumarlos, 1998). PALM (Program for Adolescent Life Management) is a three-month intensive residential program for 14-18 year olds with drug problems run by the Ted Noffs Foundation. This program specifically targets adolescents and focuses on all drug use. Treatment is a multi-faceted, holistic approach incorporating 'best practice'.

After completing the PALM program it is expected that clients show:

- significantly reduced criminal activity;
- reduced harmful drug use behaviors;
- increased involvement in training/employment; and
- increased stable accommodation.

An evaluation showed that those who completed the program had reduced drug use and criminal behaviour seven months after treatment (Spooner, Mattick and Noffs, 2001).

### ***Diversion schemes/ coerced treatment***

The Commonwealth Government has committed itself to a range of diversion programs through its drug diversion initiative. A total of \$221 million over four years has been allocated for a range of measures including the diversion of illicit drug users from the criminal justice system into education and treatment, including the establishment of assessment services and additional treatment places. The evaluation of the Diversion Program will be undertaken through a process managed by the Department of Finance and Administration. As these are new programs the evaluation has not concluded.

Diversion can occur at various stages through the criminal justice system Essentially individuals can be diverted before they are formally arrested, such as occurs with the cannabis cautioning system in various jurisdictions or the cannabis expiation notice (CEN) scheme in South Australia. Once arrested, offenders can again be diverted pre-

trial, such as occurs with the South Australian Drug Assessment and Aid Panel (DAAP). If they do come before the courts there are two points for diversion: pre and post sentencing. An example of pre-trial diversion is the Court Referral Evaluation and Drug Intervention Treatment (CREDIT) scheme in Victoria, while drug courts in various states are examples of post sentencing diversion schemes. I will not go into detail here as you can find examples of these programs from various sources (see Spooner, Hall and Mattick, 2000; Makkai, 1998 and 2000).

Many of these programs are relatively new so that evaluations are rare. There has been an attempt to evaluate the impact of the pre-arrest Cannabis Expiation Notice (CEN) that was established in 1987 in South Australia. Evaluations of the impact of CENS have found some degree of net-widening, in that the number of minor cannabis offences detected under the scheme increased about two and a half times between 1987 and 1996 (Ali et al, 1998). This increase seems to be due to the greater ease with which a CEN can be issued under the scheme. However, comparisons in patterns of cannabis use between South Australia and the other states have shown that although there were increases in use in SA similar increases occurred in TAS and VIC, where there was no change in the legal status of cannabis use. Furthermore there was no differential change in weekly cannabis use in SA as compared to the rest of Australia, and there was no greater increase in cannabis use among young adults aged 14-29 years in SA.

Further work has compared surveys of samples of cannabis offenders in South Australia and Western Australia where offenders are treated differently. The research found that being apprehended and arrested in Western Australia as compared to being issued a CEN in South Australia had no impact on patterns of cannabis or other drug use (Lenton, 1999).

Perhaps the most contentious program with the diversion strategy has been Drug Courts. There are number of factors that might account for this however an important aspect as been the notion of coerced treatment as opposed to voluntary treatment. Coerced treatment is based on two pieces of empirical work. The first is that the length of time a person spends in treatment is a significant factor in predicting success. The second is that there appears to be no difference in outcomes between people coerced into treatment and those who enter voluntarily. To effectively implement these two pieces of research evidence drug courts have been introduced. Drug courts have been operating in the US for some time. Evaluations have been patchy although they seem to indicate successful outcomes in terms of drug use and recidivism. In Australia there are now drug courts in New South Wales, Queensland, South Australia and Western Australia. All of them are being subjected to formal evaluations. The New South Wales Drug court evaluation, conducted by the NSW Bureau of Crime Statistics and Research has since reported that despite a 40% drop-out rate among the programs participants, the drug court proved more cost effective than imprisonment in reducing the number of drug offences and in delaying the onset of further offending.

I would however sound a note of caution. In the US system Drug Courts deal with a range of offenders; in the Australian context the offenders are only those who are likely to face a period of imprisonment. These then are people with serious offending and dependency problems; they are the group least likely to succeed. Those of you who are treatment workers will know how difficult it is to treat people with significant social

problems. It may be that Australian drug courts do not show high rates of success because they deal with the most difficult clients in the system.

#### **4. Deterrence of illicit drug use**

As with the other activities most of the research has been conducted in the United States. As noted by others little research has examined the efficacy of deterrence on drug use in Australia (Weatherburn et al, 2000). An important question is if we had no laws prohibiting the use of heroin would the number of users increase? The law may not have deterred those who currently use but it may deter a large number who currently do not. Or alternatively the law reduces the level of consumption of those who are users. It is also possible that deterrence works through informal social controls such as the opinions of significant others. It may not be the fear of legal consequences but what others think, or a fundamental moral view of what is morally right and wrong. We clearly need more research and evaluation on deterrence and this fits within a need to better understand why people obey the law rather than why they do not.

#### **Police Crackdowns**

Police crackdowns may have the following benefits:

- Distribution networks may be disrupted and therefore drugs are harder to get;
- Some people may buy fewer drugs, others may stop altogether; and
- Street crime may be displaced making the area safer and more pleasant for the law-abiding residents.

Police crackdowns are very resource intensive and police rarely have the money to sustain such long-term initiatives. As a result crackdowns can and do achieve striking results in the early days however they need to be coupled with other crime prevention initiatives if long-term benefits are to be achieved. In Australia there are few proper evaluations that tell us about the short and long term effects of crackdowns. Furthermore, criminology is replete with unintended consequences (Grabosky, 1996).

In July 1997 the NSW police began an intensive operation to decrease the illicit drug trade in Cabramatta. Operation Puccini placed an additional 35 to 40 police on the beat in Cabramatta's CBD from 7am to 11pm, seven days a week. Between July 1997 and late 1999, police charged 8,922 persons with a total of 13,032 offences (449 for supply). This reduced fear of crime in the CBD and made the community feel safer and more secure (NSW Government). However, an unintended consequence was that unsafe injecting practices were reported to have increased (Maher et al, 1998).

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#### **Poor data**

These five sets of examples outline a wide range of interventions. There are, of course, many more. Which of these interventions work? Perhaps that is a simplistic question, for we also need to know "works for what?" And "at what cost?" Recognising that we still have not, and probably never will, acquire the necessary methodological tools in most

circumstances to produce unequivocal, non-trivial findings concerning policy problems, we need to ensure that our data sources are as good as possible, and our communication techniques are clear and simple.

We are skating on very thin ice given the quality of the data that underpins policy decisions. Furthermore, we must always be aware that researchers and decision makers have different resources. While researchers have a certain range of expertise and methodological skills, decision makers have a political knowledge of daily events, a time frame, political orientation and access to funds at their disposal. Not all of these resources can always be shared and a trade-off situation develops. Communicating research findings to decision makers is also often fraught with difficulty. Decision makers seldom have the time or the inclination to read the researchers' most favoured output - the research report that consists of hundreds of typed pages replete with jargon, tables, statistics, and footnotes.

Better communication techniques are desirable, and often research results are disseminated through conferences such as this, roundtables such as we run at the Australian Institute of Criminology, seminars, meetings, teaching situations and abstracts of research. There is no guarantee, however, that once confronted with research outputs, the political decision makers will know what to do with it all. But at least we can try by gathering and providing impeccable data.

It has become clear that as I have talked I have mentioned how little we know and how few evaluations are undertaken in Australia. Good policy, and hence good drug law enforcement, requires good information. Unfortunately, in many policy areas, data are not adequate and policymakers often have to "fly blind". Criminal justice policy, and especially illicit drug policy, often suffers from poor data. As a result, where we invest our limited resources, and what differences they make in the long run, are often the product of hunch rather than fact.

We put an enormous amount of effort and energy into drug law enforcement, and getting a handle on what is successful and what isn't, is a key task for researchers. Sharing this knowledge with law enforcement and policy makers is a significant justification for the conduct of research and evaluation. We need to be clear on our targets and evaluative activities to help us understand what works, what doesn't, and what's promising. We are not helped by the paucity of data in Australia and the lack of a commitment to data driven policy.

There are a number of factors that are hindering the collection of data that would allow us too more effectively understand and evaluate the impact of law enforcement initiatives. There has been historically a lack of investment in data and research in drug law enforcement in Australia. When the national drug research institutes were created in 1985 no comparable agency or research unit was funded to specifically examine drugs and crime. It is only in the past 3 years that we have seen a significant investment by the Commonwealth in drugs and crime research. We still have a long way to go to build a credible evidence base to underpin the policy process.

So, what do we need?

It is trite to say that we need interventions that are evaluated and monitored to ensure that they are successful. We need also to develop:

- Clear, well-defined success indicators;
- Localised action-plans; and
- Multi-agency initiatives.

With all of these we can blend data and practice, and thus be on the way to evidence-based policy making in this important field. Where does this leave us? We know that there is a range of activities that police can undertake with some chances of success, and we need to encourage and assist in a positive and knowledgeable way. In the next section I will discuss some of those things.

### **Police approaches to drug law enforcement**

There are traditional police approaches to limiting supply, which include covert surveillance, undercover operations, highly visible patrols, police raids and street sweeps. There are also a number of new approaches many of which are multi-agency activities. The reality is we need multi-agency approaches because many of the clients of police are also clients of social security, education, housing, treatment agencies and GPs/hospitals/ambulance services. Police are engaged in a range of new initiatives to tackle illicit drugs and crime. Three initiatives I want to briefly mention today are:

- A. integrated street level enforcement;
- B. strategic intelligence systems; and
- C. diversion schemes.

#### ***A. Integrated street level enforcement***

Operation Mantle was an approach developed by the South Australian Police to reduce the amount of trafficking in illicit drugs. It was run initially from October 1998 until ~~March-September~~ 1999 and later extended in a modified form to the present day. Operation Mantle 'employed a problem solving, situational crime prevention approach' and had four explicit objectives (Williams et al, 2001):

1. An increase in the level of integration and coordination between specialist and non-specialist drug law enforcement activities;
2. A reduction in the impact of drug related crime;
3. An increase in the diversion and retention of illicit drug user/ dealers into rehabilitation; and
4. Disruption of the activities of the illicit drug market at all levels.

~~The AIC is currently evaluating Operation Mantle~~In 2001 the AIC completed a 3-year ~~evaluation of Operation Mantle~~. Results from ~~an-the~~ evaluation of ~~objective 2~~ found that ~~while~~ Operation Mantle, ~~in its initial stages~~ was successful in stabilising rates of drug related crime. It was also found however, that ~~did not turn the tide on the growth of drug~~

~~related crime it did stabilise the rates of drug-related crime (Williams et al, 2001). Furthermore there was no evidence of displacement in the absence of continued renewal of initiatives, momentum was rapidly lost and post-implementation failure returned drug related crime to levels equivalent to the period prior to implementation.~~ This issues is currently being rectified. Nonetheless, Operation Mantle demonstrated that fully resourced and supported, problem-oriented policing strategies can be effective in the management of drug related crime.

The evaluation showed that perhaps the most important aspect of initiatives is sustainability. As with any new initiative sustaining commitment, resources and staffing can often be problematic. In the long term, police need to work with other agencies to ensure that common objectives are achieved and that the cost burden is distributed across agencies that have a stake in the outcome. Research from the UK and the US has shown that programs often fail not because they are a bad idea but because they are not sustained, for a variety of reasons, in the long term.

### **B. Strategic intelligence systems**

This project examined the hypothesis that illegitimate commodity markets can be treated like legitimate markets and thus may be influenced by a range of factors (Queensland Police Service, 1999). It was found that in order for the illicit drug market to be examined in terms of a legitimate market there would have to be a fundamental shift in the law enforcement conceptual framework. In order to change the market there was no point in targeting the participants in the market as when one person is removed another simply takes his/ her place. Instead the focus should shift to changing the market conditions (Voltz, 2000). This type of work represents a new strategic approach to policing drug markets. Rather than simply reacting to problems police are actively engaged in trying to assess markets within specific geographical locations. The implementation of strategic assessments will ensure that police can objectively prioritise potential targets rather than simply reacting. With limited resources police are increasingly using systematic intelligence to drive strategies rather than just hunches and best guesses. As part of this process police are engaging in partnerships to build their knowledge base. The DUMA project is an example of this.

### **C. Diversion schemes**

As already mentioned there are a variety of different diversion schemes currently running in Australia. In many of these schemes the police have an active role that has required them to work in partnership with other agencies particularly health and corrective services. Many of the diversion schemes currently running have not been evaluated. Evaluations from the UK suggest that diversionary schemes such as arrest referral schemes can be effective in reducing drug use and drug-related crime (Edmunds *et al.* 1998). Arrest referral schemes involve partnerships between treatment workers/agencies and police and the evaluations suggest a number of components important to the success of such schemes:

- A proactive mode of work;
- A working style which wins the respect and trust of users;

- Adequate resourcing;
- A capacity to provide ongoing support;
- Appropriate treatment services to refer to; and
- Adequately resourced treatment services to refer to.

However this same research has highlighted some pitfalls than we can learn from. An important factor is the different philosophical differences that different agencies bring to the table. These differences have also been noted in evaluations of drug courts in the United States. Essentially the health care system is based on consent and in most cases voluntary participation; criminal justice agencies, including the police, operate in a coercive environment. Burglars do not willingly come forward to be arrested. A productive partnership needs to recognise and accommodate these differences. This can only be achieved in a supportive and trusting environment where there is respect for different views of the world. However, at the end of the day we all seek a common outcome – a world in which individuals do not engage in harmful practices including unsafe illicit drug use or criminal activity.

#### **Where to from here?**

Let me propose 5 strategies to take away with us, and some suggestions for developing multi-agency preventive initiatives. I won't discuss these today but the AIC is happy to discuss them in detail at another time.

- Put time and effort into agreement between all the parties as to the final desired outcome rather than having agencies focussing only on their bit of the turf;
- Develop access to the data for interested parties;
- Retrain staff/ locating new staff to work more inclusively;
- Engage in trust building initiatives and training; and
- Monitor and evaluate to empirically determine if it is 'working'.

#### **Conclusion**

We are looking at partnerships built upon knowledge to advance our work. Some of you here today are researchers, some of you are students, some are practitioners - the doers. Having a solid knowledge base and determining suitable practice standards is an important part of understanding crime, drugs and justice, and their dynamics. Remember, our partnerships involve lofty policy makers, hard-nosed researchers and academics, hard-pressed drug workers, and police on the beat. All have important contributions to make, and we must respect all of the contributions.

In conclusion, the key to success for an inclusive strategy for drug law enforcement will be achieving broad agreement to the need to work cooperatively. New approaches must build on local and international experience, be backed by **research evidence**, and involve all the relevant players.



We all have a role to play in assembling the evidence and in building the partnerships to meet the emerging challenges. The safest communities are not those with the most police and prisons but those with the strongest community structures, including socialising institutions, families, and economic opportunities.

Those opportunities exist and can be moulded. Human beings, who are almost unique in having the ability to learn from the experience of others, are also remarkable for their apparent disinclination to do so, but I am sure that does not apply to those of us here today.

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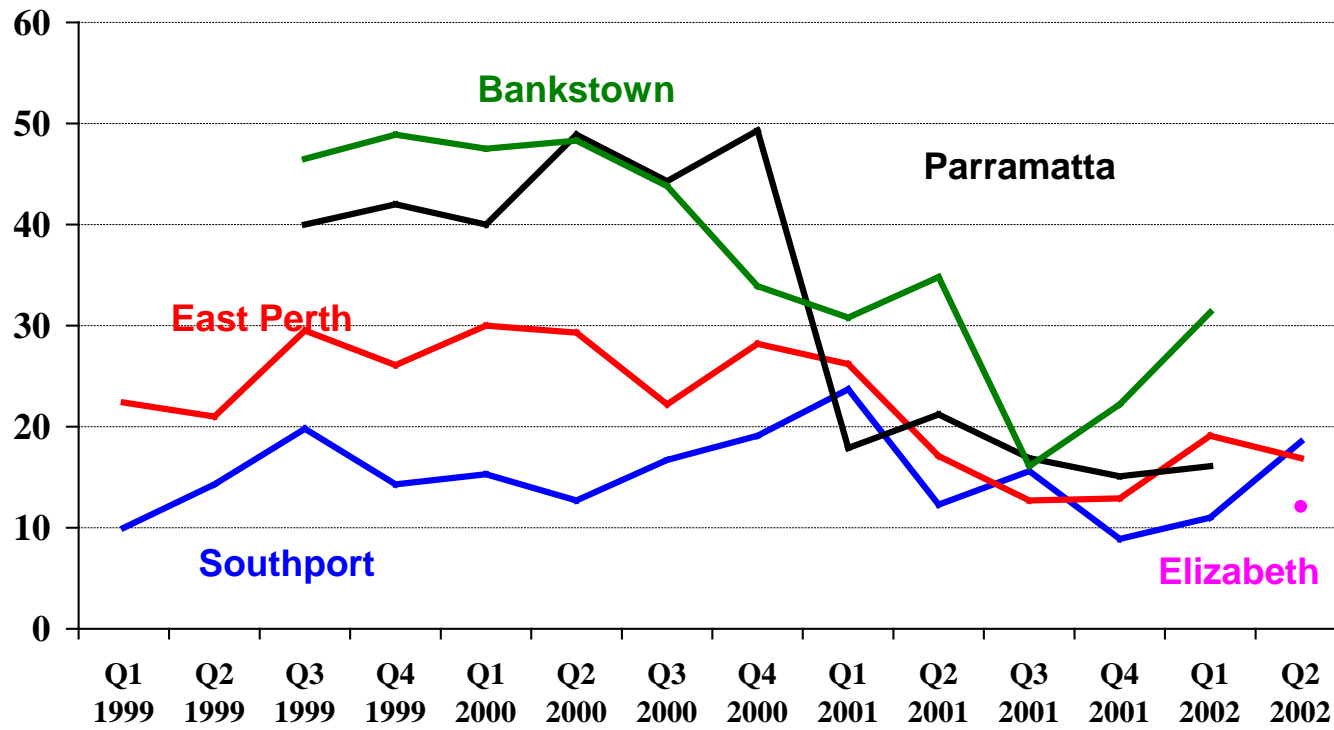
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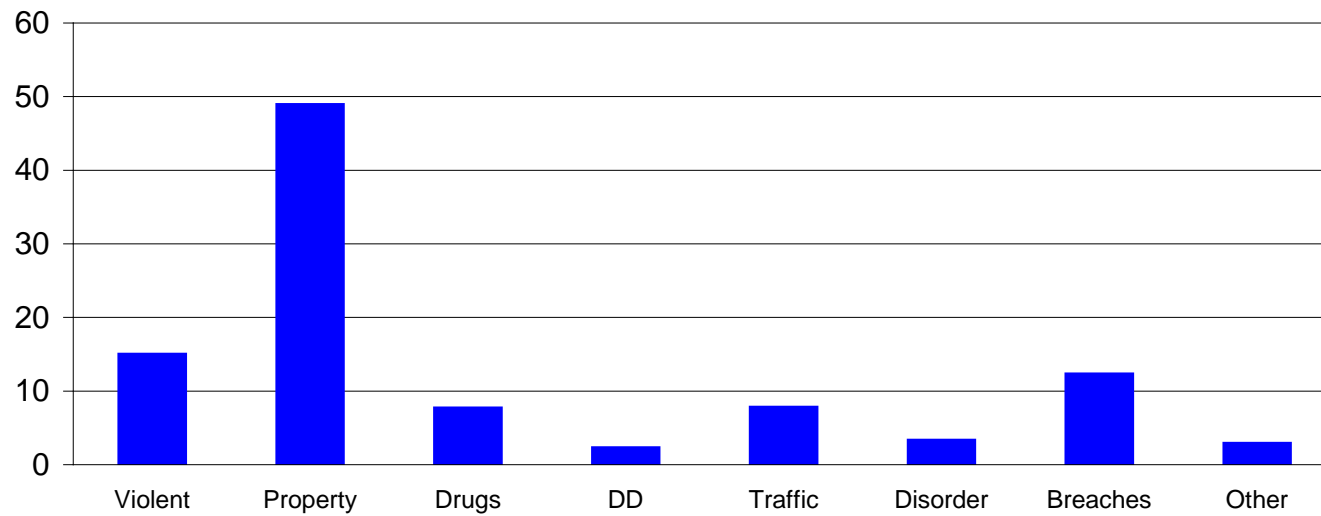
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Source: Source: Australian Institute of Criminology, Duma Collection 1999 - 2002 [Computer File].

Figure 2: Percent Testing Positive to Opiates by Most Serious Offence, Adult Males



Source: Source: Australian Institute of Criminology, Duma Collection 1999 - 2001<sup>10</sup> [Computer File].