

## TRENDS IN POSSESSION AND USE OF NARCOTICS AND COCAINE

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**Aim:** To describe trends in possession and use of narcotics and cocaine, characteristics of these offences and offenders, and court outcomes for those charged with possession and/or use of narcotics or cocaine.

**Method:** Descriptive analyses were conducted on data sourced from the NSW Bureau of Crime Statistics and Research's police recorded criminal incident and person of interest databases as well as from the NSW Reoffending Database and NSW Local Criminal Courts. Data from NSW Health on recorded opioid and cocaine overdoses was also analysed.

**Results:** Recorded incidents of narcotics possession and opioid overdoses fell sharply between 1999 and 2006. Since 2006 both narcotics possession and opioid overdoses doubled, however their levels are still much lower than those recorded prior to the heroin shortage. Recorded incidents of cocaine possession and overdoses have been increasing since 2003 and in 2009, both reached their highest levels in 15 years. Narcotics possession incidents were generally detected on streets and footpaths and at residential premises within Sydney's CBD and in the Fairfield and Liverpool Local Government Areas. Cocaine possession incidents were detected on streets and footpaths, and at licensed and residential premises, located in Sydney's CBD and the Eastern Suburbs. Narcotics and cocaine possession offenders tended to be males aged 20 to 39 years. Almost all offenders convicted of narcotics possession had prior convictions (93%) compared with less than half of those convicted of cocaine possession (49%). Most offenders convicted of these offences in 2008 were issued with fines averaging \$355 for narcotics possession and \$406 for cocaine possession.

**Conclusion:** Taking into account data from other sources, these results suggest that actual levels of narcotics and cocaine use are increasing in NSW.

**Keywords:** narcotics, cocaine, heroin, possession, use, illicit drugs.

### INTRODUCTION

According to the most recent NSW police recorded crime data, in the two years ending March 2010 incidents of both narcotics possession/use and cocaine possession/use recorded by police increased significantly ( $p = .024$  and  $p = .000$ , respectively).<sup>1</sup> Over this time narcotics possession/use increased by 21 per cent and cocaine possession/use increased by 56 per cent. 'Narcotics' includes heroin, methadone or opium, however almost all incidents relate to the possession of heroin. 'Cocaine' includes drugs recorded as either cocaine or crack, with almost all incidents relating to possession of cocaine.

This brief explores police recorded incidents of narcotics and cocaine possession/use as well as the characteristics of those convicted of these offences. To this end, this brief addresses the following five research questions:

- What are the long-term trends in narcotics and cocaine use?
- Where in NSW do recorded incidents of narcotics and cocaine possession occur?

- In which types of premises are these incidents detected?
- Who are the offenders and what are their offending histories?
- What penalties do courts impose on those convicted of these offences?

For the sake of brevity in what follows we refer to incidents of narcotics possession/use simply as incidents of 'narcotics possession' and incidents of cocaine possession/use simply as incidents of 'cocaine possession'.

### METHOD

To address question (a) four sources of data were used: NSW police data on recorded incidents of narcotics and cocaine possession, NSW Health data on recorded opioid (including narcotics) and cocaine overdoses, survey data from the 2007 National Drug Strategy Household Survey, conducted by the Australian Institute of Health and Welfare (AIHW, 2008), and data from the National Drug and Alcohol Research Centre's survey of injecting drug users in NSW (Phillips & Burns, 2010).

To address questions (b), (c) and part of (d) a combination of police recorded incident and person of interest data recorded between January 1999 and December 2009 was used. The NSW Reoffending Database (ROD)<sup>2</sup> was used to answer the remainder of question (d) and NSW Local Criminal Court data was used to address question (e).

It is important to note that none of these data sources provide a perfect guide to trends in narcotics and cocaine use. Police recorded incidents of narcotics and cocaine possession are affected by variations in the level of police enforcement activity. Overdose trends are affected not only by the frequency of drug use but also by drug purity and whether drugs are used in combination with other substances. National surveys do not capture drug use among hard-to-reach populations, such as the homeless. Surveys of injecting drug users do not give a picture of trends in drug use among the non-injecting population. However, the use of multiple data sources does allow us to observe whether trends in one indicator are confirmed by other indicators. To the extent that there is agreement amongst indicators, cautious inferences about trends in drug use can be made.

## RESULTS

### (a) What are the long-term trends in narcotics and cocaine use?

NSW police recorded crime data, NSW Health overdose data, and surveys of injecting drug users as well as those of the general population (in the case of cocaine) all suggest that use of narcotics and cocaine is increasing.

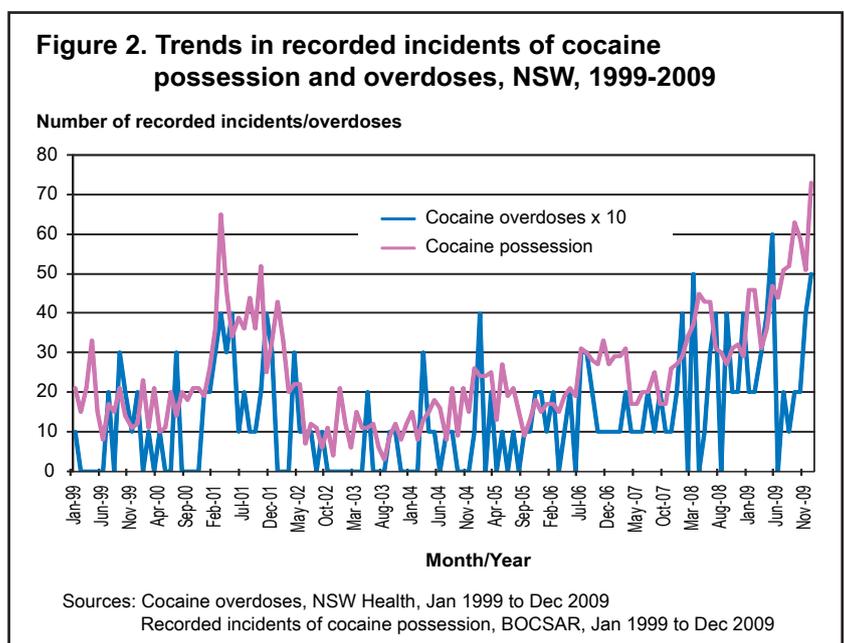
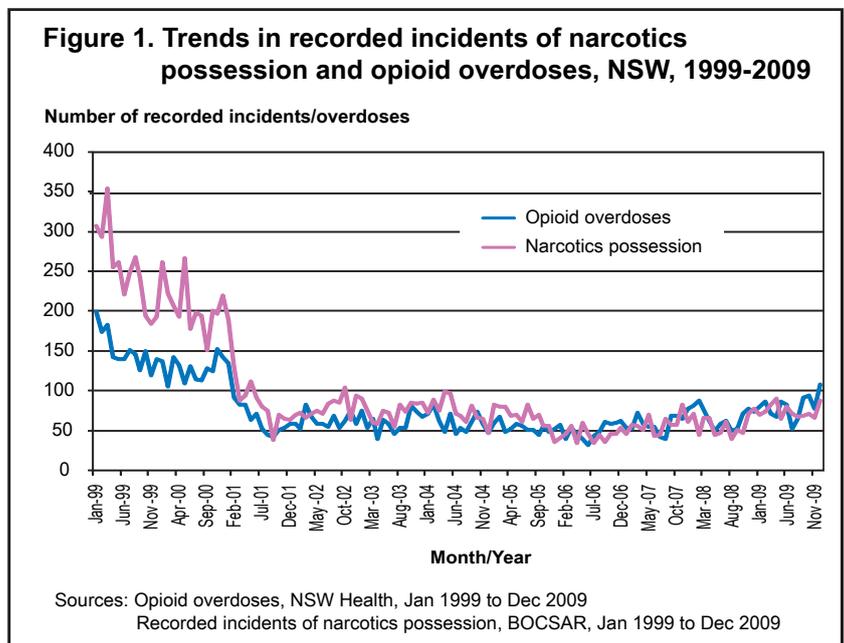
#### Narcotics possession

Figure 1 shows recorded incidents of narcotics possession and opioid overdoses from January 1999 to December 2009 (recorded narcotics possession incidents as well as the 2, 5 and 10 year trends can be seen in Table A1 of the Appendix).

The graph shows that the correlation of opioid overdoses with police recorded narcotics possession incidents is almost perfect (at 0.9) suggesting that recorded narcotics possession data is a very good proxy for actual use and availability of the drug. From the graph it is evident that both recorded incidents of narcotics possession and opioid overdoses fell sharply between 1999 and 2006, when the monthly number of both hovered around 50. Although the number of narcotics possession incidents and opioid overdoses have approximately doubled since then, levels of both are still much lower than those recorded in 1999 prior to the heroin shortage. Data from the Illicit Drug Reporting System (IDRS) (Phillips & Burns, 2010) also shows that the proportion of injecting drug users reporting recent use of heroin increased significantly between 2008 and 2009 (from 83% in 2008 to 94% in 2009).

#### Cocaine possession

Figure 2 below shows recorded incidents of cocaine possession and cocaine overdoses from January 1999 to December 2009 (recorded cocaine possession incidents as well as the 2, 5 and 10 year trends can be seen in Table A1 of the Appendix). In the graph below the cocaine overdose series has been scaled up by a factor of 10 so that the trend can be more easily compared to cocaine possession. The pattern is very different to that in Figure 1. Firstly, while there is some correspondence between the two series (e.g. both show peaks in 2001 and 2009) the relationship between them is not as strong as that observed for incidents of narcotics possession and opioid overdoses (the correlation of recorded possession incidents with overdoses for cocaine is 0.5 whereas for narcotics it is 0.9). Secondly, where the narcotics possession incident and opioid overdose series



show a steep decline over time, the cocaine possession incident and cocaine overdose series both rise sharply during 2008 and 2009. Indeed, in 2009 recorded incidents of cocaine possession were at a 15 year high (with 592 incidents).

Survey data also indicates a recent increase in cocaine possession and use. Results from the latest National Drug Strategy Household Survey (AIHW, 2008) showed that the proportion of Australians aged 14 years or older reporting recent cocaine use increased significantly from 1.0 per cent in 2004 (169,400 people) to 1.6 per cent in 2007 (281,100 people). The IDRS survey of injecting drug users (Phillips & Burns, 2010) also found that the proportion who use cocaine has increased in recent years (from 53% in 2003 to 61% in 2009).

**(b) Where in NSW do recorded incidents of narcotics and cocaine possession occur?**

*In 2009, narcotics possession was concentrated in three Local Government Areas (LGAs) – Sydney, Fairfield and Liverpool, which accounted for half of all incidents in NSW. Cocaine possession was even more localised, with 60 per cent of all incidents occurring in either Sydney, Woollahra, Randwick or Waverley LGAs.*

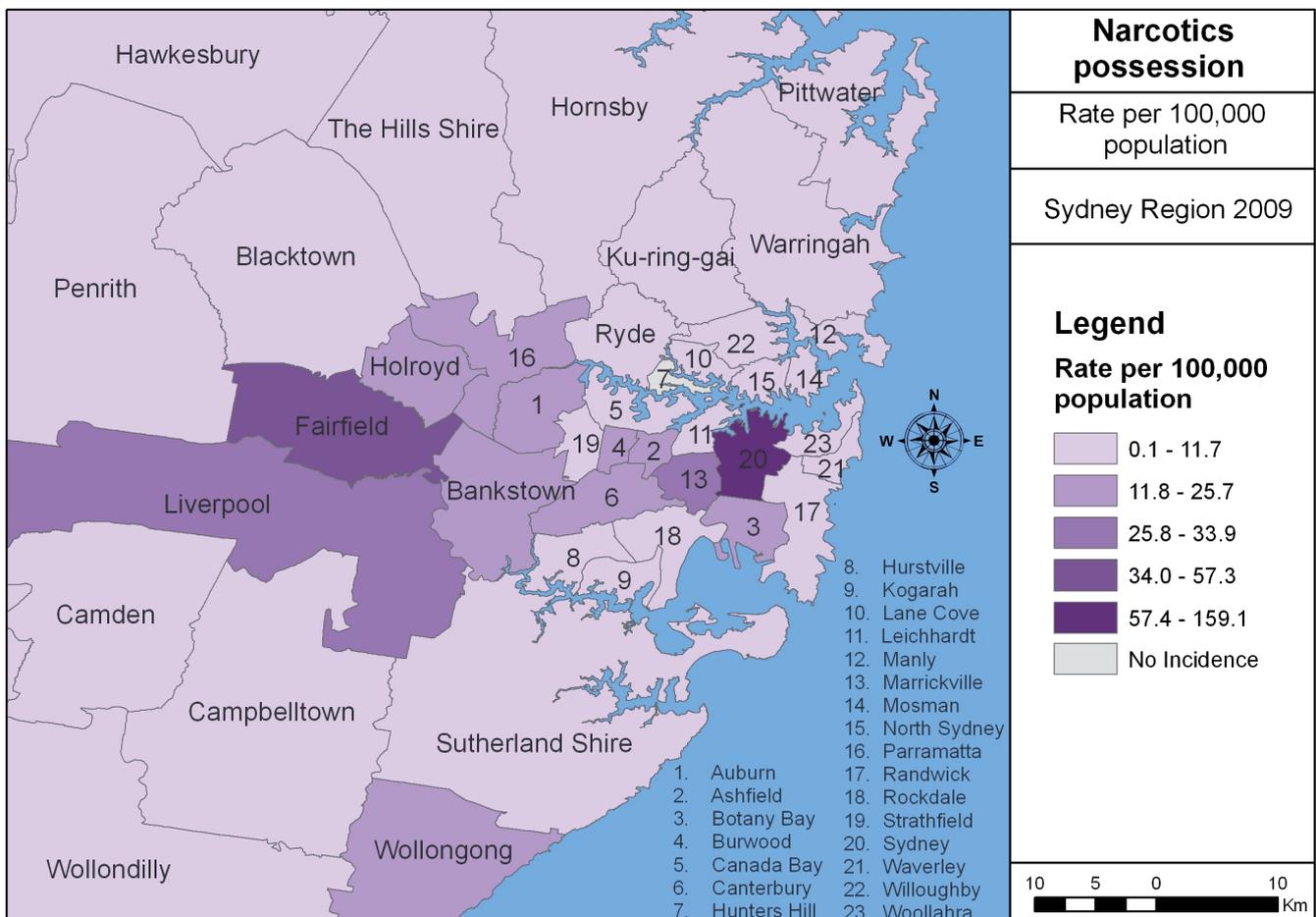
Maps A and B display the rate of narcotics and cocaine possession in Sydney LGAs in 2009. The maps show that for both of these offences, incidents were concentrated in a few

metropolitan regions. Incident counts, percentages and rates per 100,000 resident population are presented in Table A2 in the Appendix.

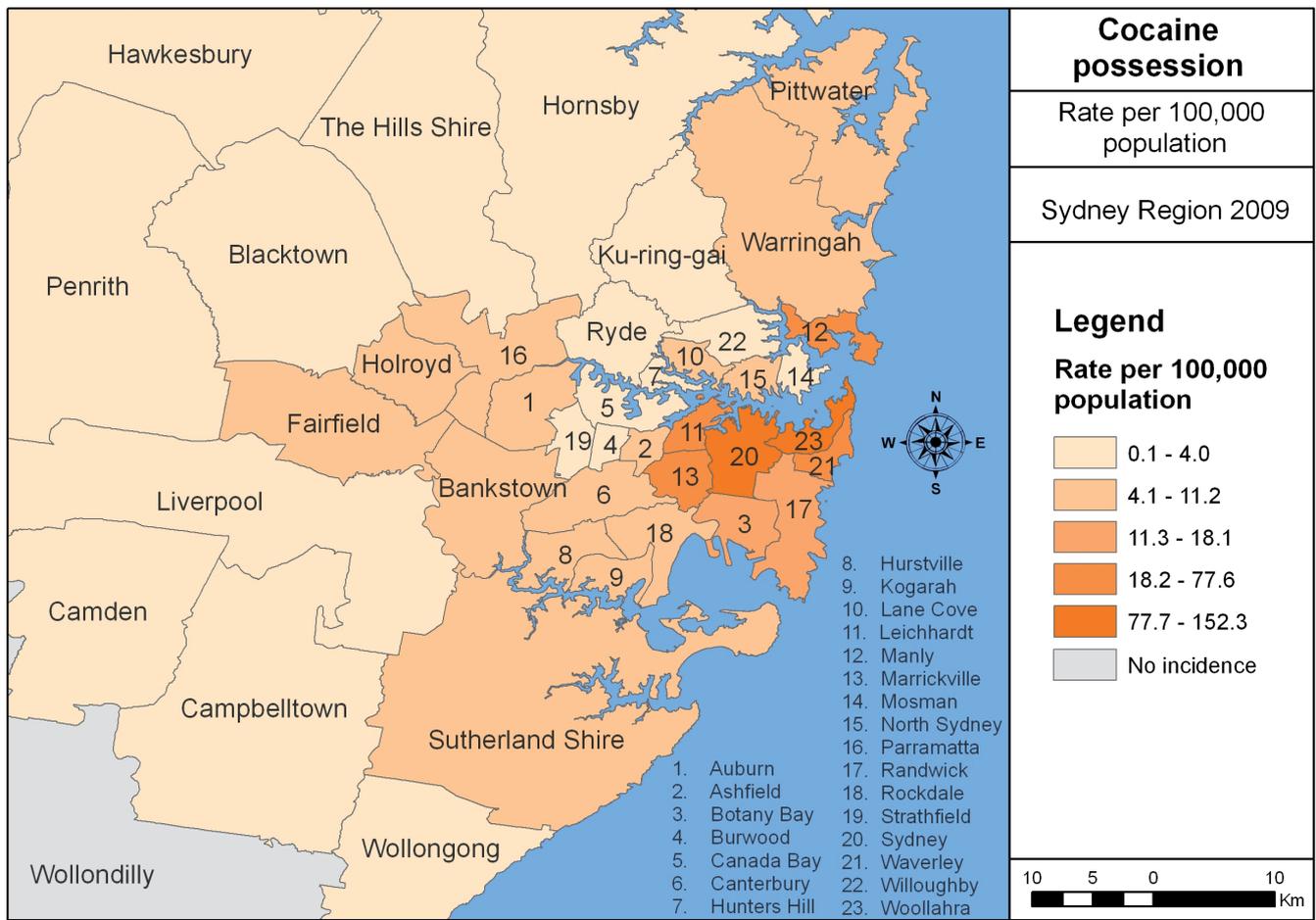
Nearly a third of all narcotics possession incidents in 2009 occurred in the Sydney LGA (32% of incidents or 289 incidents). A sizeable proportion also occurred in Fairfield LGA, where Cabramatta is located (12% of incidents or 111 incidents) and Liverpool LGA (6% of incidents or 56 incidents). Taken together, 50 per cent of all narcotics possession incidents in NSW occurred in one of these LGAs. However, just 8 per cent of the NSW population reside in these LGAs. There were also a moderate number of narcotics possession incidents in the LGAs of Newcastle (4% of incidents or 33 incidents), Parramatta and Wollongong (each with 3% of incidents or 31 incidents).

Cocaine possession was even more geographically centralised, with the offence rarely occurring beyond a handful of inner Sydney locations. Nearly half (49%) of incidents occurred in the Sydney LGA. A further 12 per cent of incidents were detected in the Eastern Suburbs (either Woollahra, Randwick or Waverley LGA). The only location outside Sydney to report cocaine possession in a noteworthy volume was Byron LGA with 12 incidents which, given the small residential population, corresponds to quite a high rate of 37.4 incidents per 100,000 resident population.<sup>3</sup>

**Map A. Hotspot map for rates of recorded incidents of narcotics possession, Sydney Region, 2009**



## Map B. Hotspot map for rates of recorded incidents of cocaine possession, Sydney Region, 2009



### (c) In which types of premises are these incidents detected?

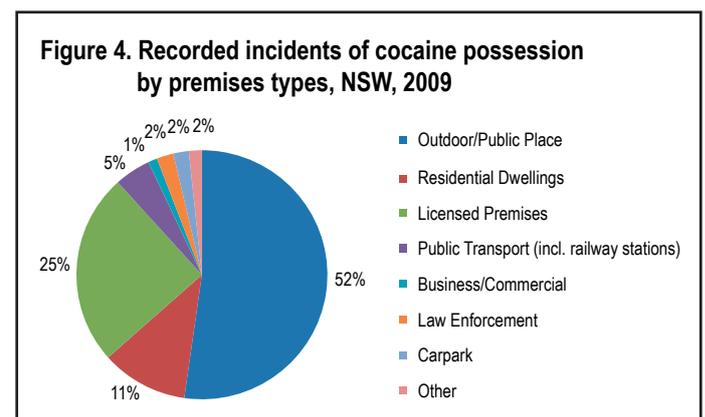
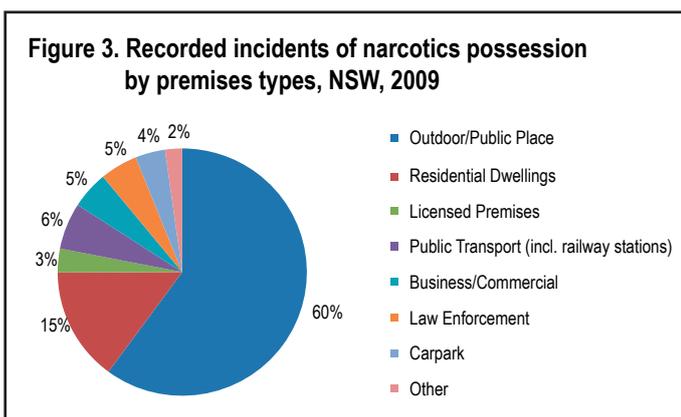
For both narcotics and cocaine the majority of possession incidents in 2009 were recorded by police as having been detected in outdoor public places, specifically on streets and footpaths.

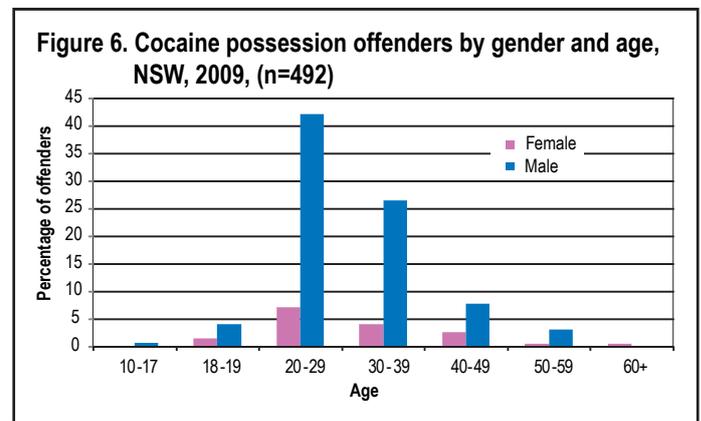
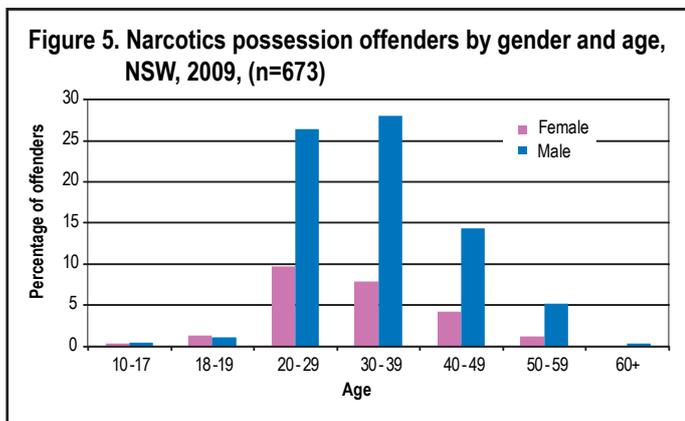
Figures 3 and 4 below display the premises types where incidents of narcotics and cocaine possession were detected in 2009.

Figure 3 shows the largest proportion of narcotics possession incidents were detected outdoors and in public places (60% or 542 incidents), with most of these occurring on streets

or footpaths (88% or 477 incidents). Residential dwellings accounted for 15 per cent of these incidents (or 134 incidents) followed by railway stations where 5 per cent (or 49 incidents) occurred.

For cocaine possession, Figure 4 shows that the majority of these incidents were detected outdoors and in public places (52% or 313 incidents), specifically on streets or footpaths (91% of incidents occurring outdoors or 285 incidents). A quarter of all incidents occurred on licensed premises (149 incidents). The next most prevalent place for cocaine possession incidents to be detected was at residential dwellings (11% or 67 incidents).





#### (d) Who are the offenders and what are their offending histories?

The offenders in both narcotics and cocaine possession incidents in 2009 were predominantly male and aged between 20 to 39 years. Almost all offenders convicted of narcotics possession had prior convictions (93%) compared with less than half of those convicted of cocaine possession (49%).

##### Age and gender

Figures 5 and 6 above show the number of offenders proceeded against by police for narcotics and cocaine possession by gender and age.

For narcotics possession offenders, there were considerably more male offenders than females (75% were male). Just over a third of narcotics possession offenders were aged 20 to 29 and another third were aged 30 to 39 (both 36%). The average age of narcotics possession offenders was 33 years.

Similarly, for cocaine possession, the majority of offenders were male (84%). Most offenders were aged 20 to 39 years (80%) with almost half aged 20 to 29 years (49%). The average age of cocaine possession offenders was 30 years.

These findings are supported by those in the most recent National Drug Strategy Household Survey (AIHW, 2008). According to this survey, males were more than twice as likely to have recently used heroin than females (in 2007 0.3% or 25,900 males compared with 0.1% or 10,300 females). While the recorded crime data showed that most narcotics possession offenders were males aged 30 to 39 years followed by those aged 20 to 29 years, the survey data found that males aged 20 to 29 years had the highest rate of recent heroin use among all age groups (in 2007 0.7% or 10,700 users). However, this survey also reported that males aged 30 to 39 years were the most likely to have ever used heroin (3.2% or 47,300 males in this age group).

These population survey results also support the current findings on cocaine possession. In the National Drug Strategy Household Survey (AIHW, 2008) males were more than twice as likely to have recently used cocaine than females (in 2007 2.2% or 190,700 males compared with 1.0% or 90,700 females). Like the recorded crime data, males aged 20 to 29 years were

the most likely group to have recently used cocaine (7.0% or 103,700 users) and between 2004 and 2007 there was a significant increase in recent cocaine use for this group (from 3.7% to 7.0%).

##### Offending histories

Table 1 below provides information on the offending histories for persons convicted of narcotics and cocaine possession as their principal offence<sup>4</sup> in NSW Local Courts<sup>5</sup> in 2008.

This table reveals that, of those convicted of narcotics possession, only 7 per cent had no prior proven offences in the past 15 years. Thirty-one per cent (95 offenders) of those convicted of narcotics possession had a prior conviction for the same offence in the previous 15 years. Nearly 20 per cent of these people (or 5% of the total number convicted of this offence) had previously been to prison for narcotics possession. Sixty-two per cent of people convicted of narcotics possession had a prior conviction for an offence other than narcotics possession. These prior offences were diverse, but comprised mainly of dealing/trafficking in illicit drugs (13%), robbery (10%), break and enter and motor vehicle theft (both 9%).<sup>6</sup>

**Table 1. Persons convicted in NSW Local Courts in 2008 for narcotics or cocaine possession<sup>a</sup> and prior proven offences since 1994**

Prior proven offences since 1994		Narcotics offenders	Cocaine offenders
No prior proven offences	No.	23	90
	%	7.4	51.4
Prior proven offences not of same type	No.	193	73
	%	62.1	41.7
Prior proven offences of same type <sup>b</sup> without imprisonment	No.	79	11
	%	25.4	6.3
Prior proven offences of same type <sup>b</sup> with imprisonment	No.	16	1
	%	5.1	0.6
Total	No.	311	175
	%	100.0	100.0

<sup>a</sup> Persons whose most serious offence was narcotics or cocaine possession.

<sup>b</sup> The same second level of Australian Standard Offence Classification (ASOC), possess and/or use illicit drugs, and the same drug type

Fifty-one per cent of those convicted of cocaine possession had no other convictions in the previous 15 years. Seven per cent of those convicted of cocaine possession had a prior cocaine possession offence in the previous 15 years. Forty-two per cent of cocaine possession offenders had a prior conviction for an offence other than cocaine possession. The most serious prior convictions were for regulatory driving offences (21%), assault (15%) and driving license offences (12%).

### (e) What penalties do courts impose on those convicted of these offences?

*The most common penalty for possession of narcotics or cocaine is a fine.*

In 2008 more than 99 per cent of people found guilty in a NSW court whose principal offence was possession of either narcotics or cocaine were dealt with in the Local Court. Table 2 illustrates the penalties imposed on persons found guilty of narcotics or cocaine possession in NSW Local Courts in 2008. The most common sentence imposed was a fine (59% for narcotics; 46% for cocaine), with the average fine amount for narcotics possession being \$355 and for cocaine possession being \$406. The second most common penalty imposed was a bond (26% for narcotics; 39% for cocaine). Eight per cent of narcotics offenders received a sentence of imprisonment.

**Table 2. Number of persons found guilty of narcotics or cocaine possession<sup>a</sup> offences in Local Courts by penalty, NSW, 2008**

Penalty	Narcotics offenders		Cocaine offenders	
	Number	%	Number	%
Imprisonment	24	7.6	1	0.6
Periodic detention	1	0.3	0	0.0
Suspended sentence	8	2.5	0	0.0
Fine	186	59.0	81	46.0
Nominal Sentence	6	1.9	2	1.1
Bond	81	25.7	68	38.6
No conviction recorded	8	2.5	24	13.6
Other proven outcome	1	0.3	0	0.0
Total	315	100.0	176	100.0

<sup>a</sup> Persons whose most serious offence was narcotics or cocaine possession.

## CONCLUSION

The purpose of this brief was to describe trends in possession and use of narcotics and cocaine, characteristics of these offences and offenders, and court outcomes for those charged with these offences. Five questions were posed:

- What are the long-term trends in narcotics and cocaine use?
- Where in NSW do recorded incidents of narcotics and cocaine possession occur?
- In which types of premises are these incidents detected?
- Who are the offenders and what are their offending histories?

- What penalties do courts impose on those convicted of these offences?

The available evidence suggests that use of narcotics has increased over the last few years but remains well below the levels observed in 1999 and 2000. The evidence on cocaine use suggests that use peaked early in 2001, declined in 2002 and 2003 but then began to rise, accelerating from 2007 onwards.

With regard to the location of incidents, narcotics possession incidents in 2009 were concentrated in the LGAs of Sydney, Fairfield and Liverpool. Cocaine possession incidents were even more concentrated, with most occurring in the LGAs of Sydney, Woollahra, Randwick and Waverley.

With reference to premises types, the majority of both narcotics and cocaine possession incidents in 2009 were detected at outdoor public places, particularly on streets and footpaths and at residential dwellings. A quarter of all cocaine possession incidents were detected at licensed premises.

In relation to the characteristics of offenders, in both narcotics and cocaine possession incidents in 2009 offenders were predominantly male and aged between 20 to 39 years. Of persons found guilty in NSW Local Courts in 2008, over 90 per cent of narcotics possession offenders had prior proven offences, compared with almost 50 per cent of cocaine possession offenders. Narcotics possession offenders were more likely to have prior proven offences related to their drug use (for dealing/trafficking in illicit drugs, robbery and break and enter).

In relation to court penalties, most offenders found guilty of narcotics and cocaine possession were issued with fines by magistrates. The average fine amount for narcotics possession was \$355 and for cocaine possession was \$406.

## ACKNOWLEDGEMENTS

I would like to express my gratitude to Dr David McGrath, Director, Mental Health and Drug and Alcohol Programs, NSW Health, for kindly providing the overdose data contained in this report. Special thanks to Jacqueline Fitzgerald, Don Weatherburn, Tracy Painting, Deborah Bradford and Katrina Grech for their helpful comments and feedback on earlier versions of this brief. Thanks also to Bryan Price for creating the maps and to Florence Sin for desktop publishing the report.

## NOTES

- Kendall's rank-order correlation test was used to test for significant trends.
- The Reoffending Database (ROD) is built and maintained by the NSW Bureau of Crime Statistics and Research. ROD uses court appearance data collected from NSW Courts to determine criminal histories for defendants.
- This region like Sydney LGA has a high number of visitors each year relative to the number of people residing there. Rate calculations however are based on residential populations. As such, the rate for cocaine possession in Byron should be treated with caution.

4. Where a person has been found guilty of more than one offence, the offence which received the most serious penalty is the principal offence.
5. These offences are very infrequently finalised in the Children's and Higher Courts.
6. Many offenders have complex offending histories involving multiple priors. This data shows each offender's most serious prior offence between 1994 and 2008 using an index of offence seriousness developed by BOCSAR.

## REFERENCES

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## APPENDIX

**Table A1. Number and trends in recorded incidents of narcotics and cocaine possession, NSW, 1995 – 2009**

Year	Narcotics possession	Cocaine possession
1995	1301	138
1996	1547	119
1997	1900	156
1998	3024	281
1999	3024	203
2000	2490	209
2001	1102	472
2002	952	212
2003	901	117
2004	898	185
2005	814	223
2006	551	284
2007	698	275
2008	694	411
2009	902	599
2-year trend (Jan 08 to Dec 09) and annual % change	30.0	45.7
5-year trend (Jan 05 to Dec 09) and av. annual % change	2.6	28.0
10-year trend (Jan 00 to Dec 09) and av. annual % change	-10.7	12.4

Note. Kendall's rank-order correlation test was used to test for significant upward or downward trend in the monthly number of criminal incidents recorded over a 2, 5 and 10 year period. Where the trend is significant (i.e  $p < .05$ ) the percentage change in the number of incidents between the last 12-month period and the preceding 12-month period is shown. Significant upward trends are highlighted in red; significant downward trends are highlighted in blue.

**Table A2. Number, proportion and rate per 100,000 population of recorded incidents of narcotics and cocaine possession by Local Government Area (LGA), NSW, 2009**

Drug type	LGA	Number of incidents	% of NSW incidents	Rate <sup>a</sup> per 100,000 population
Narcotics	Sydney <sup>b</sup>	289	32.0	162.4
	Fairfield	111	12.3	57.1
	Liverpool	56	6.2	30.7
	Newcastle	33	3.7	21.3
	Parramatta	31	3.4	18.5
	Wollongong	31	3.4	15.4
	Bankstown	29	3.2	15.6
	Prisons etc.	27	3.0	NA
	Canterbury	23	2.5	16.1
	Marrickville	19	2.1	24.3
	Blacktown	19	2.1	6.3
	Rockdale	14	1.6	13.7
	Greater Taree	11	1.2	22.7
	Campbelltown	11	1.2	7.2
Lake Macquarie	11	1.2	5.5	
Auburn	10	1.1	13.1	
Randwick	10	1.1	7.6	
Penrith	10	1.1	5.4	
Cocaine	Sydney <sup>b</sup>	293	48.9	164.7
	Woollahra	34	5.7	61.6
	Parramatta	19	3.2	11.3
	Randwick	18	3.0	13.7
	Waverley	17	2.8	24.9
	Bankstown	17	2.8	9.1
	Byron	12	2.0	37.4
	Canterbury	11	1.8	7.7
	Sutherland Shire	11	1.8	5.0
	Leichhardt	10	1.7	18.3

Note. Only LGAs with 10 or more recorded incidents were included in this table.

<sup>a</sup> For the rate calculations, population data were obtained from the Australian Bureau of Statistics publication: Regional Population Growth, Australia, 2010, Cat. No. 3218.0.

<sup>b</sup> Rate calculations should be treated very cautiously for LGAs that have high visitor numbers relative to their residential population, such as is the case for Sydney LGA. This is because rate calculations are based on estimated residential population and no adjustment has been made for the number of people visiting each LGA per year.