

Indigenous Male Offending and Substance Abuse

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Many Indigenous communities are concerned about substance abuse and community safety. This report confirms what we already know: Indigenous men have higher levels of contact with the criminal justice system, at an earlier age. However, Indigenous patterns of drug use and dependency contribute to the commission of crime in a quite distinct fashion. Indigenous offenders report higher levels of use and dependency on alcohol and cannabis than their non-Indigenous peers. As a result, Indigenous offenders are more likely to attribute their offending to alcohol than to illegal drugs. In terms of risk factors, Indigenous men were younger, reported lower levels of education and were less likely to have been employed. For those seeking to reduce Indigenous offending and drug use, the criminal justice system provides a unique window for developing and implementing specific Indigenous interventions at the local level. However, such interventions require an intensive holistic approach that does not focus on a single factor; such interventions will be significantly challenging for those trying to successfully implement them.

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The fact that Indigenous Australians are over-represented in the criminal justice system is well documented (for example Weatherburn, Lind & Hua 2003). There are also data that suggest higher rates of drug use among Indigenous Australians (Ministerial Council on Drug Strategy 2003). The 2001 National drug household survey found that lifetime use of alcohol and use in the past 12 months by Indigenous Australians was comparable to non-Indigenous Australians. However, illicit drug use and smoking were both significantly higher among Indigenous Australians (Australian Institute of Health and Welfare 2003).

Government and community responses to Indigenous drug use have focused on individual and community harms, with not always an explicit connection to the role drug abuse plays in precipitating offences or offending, or its contribution to victimisation rates. Certainly there are data that suggest alcohol abuse is often involved in violent incidents, for example, alcohol-caused assault hospitalisations (National Drug Research Institute 2002). Alcohol abuse seems strongly linked to Indigenous violence, for example to homicide (Mouzos 2001), although it has been stressed that alcohol should not be seen as the single or primary cause of violence (Memmott et al. 2001).

This paper compares Indigenous and non-Indigenous male offenders' drug use and offending in order to identify how better to prevent and respond to drug-related crime. The results indicate that Indigenous male offenders are more likely to have earlier and more serious contact with the criminal justice system. It also seems that urban Indigenous male offenders have similar experiences with illicit drugs to their non-Indigenous counterparts, including intravenous use, dependency and involvement in the illicit drug trade. However, overall it is alcohol that seems to be most directly associated with adult Indigenous male offending, as alcohol intoxication was directly attributed as a cause of the most recent crime by many Indigenous male offenders.

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Sources of data

The data are from two sources:

- a survey of male adult prisoners (the Drug use careers of offenders project, or DUCO); and
- an ongoing collection of data from police detainees (the Drug use monitoring in Australia program, DUMA) (see Box 1).

It is important to note that there are differences between the two samples. For example, the most recent offending history of the DUCO sample, as a group of incarcerated offenders, is likely to be more serious than the DUMA sample. Nevertheless, although questions were not necessarily identical, there is a major overlap in the issues covered in both survey instruments. As the DUCO survey is exclusively made up of adult male offenders, analysis of the DUMA data has also been restricted to adult male detainees. Separate analysis will be undertaken of Indigenous and non-Indigenous female offenders following completion of the DUCO adult female prisoner study.

Socio-demographic characteristics

The differences in socio-demographic characteristics between Indigenous and non-Indigenous offenders were consistent across both prisoners and police detainees. The overall profile illustrates that Indigenous offenders were, on average, younger, less educated (63 per cent had completed Year 10 or less), less likely to be employed (approximately three-quarters of both samples were unemployed at the time of the major offence), less likely to have stable living arrangements, more likely to have dependent children and more likely to be married.

Offending histories

As expected, an examination of the most serious offence for which people were detained (DUMA) or imprisoned (DUCO) highlights a major difference between the samples. A far greater proportion of the Indigenous and non-Indigenous prisoners were incarcerated for violent offences, compared to police detainees. There was a greater spread

Box 1: Sources of data

The DUMA program collects information, on a quarterly basis, from police detainees in seven police stations or watchhouses across Australia (Queensland, WA, SA, NSW). Detainees are asked to take part in a structured interview and to supply a urine sample that is screened for specific drugs, namely cannabis, opiates, cocaine, methadone, amphetamines and benzodiazepines. Further details about the DUMA collection can be found elsewhere (Makkai 2000; Milner, Mouzos & Makkai 2004).

This paper examines data for 2002 and 2003. Of a total of 5,797 adult male police detainees, 702 (12%) identified as being Indigenous. Due to the location of the sites, the sample has an urban bias and is not a reflection of the overall number of Indigenous people processed through the individual watchhouses or police stations, nor necessarily a random sample of all Indigenous people detained by police.

The DUCO study examines lifetime offending and drug use careers of adults and juveniles in correctional facilities. This paper presents the findings from a survey, conducted in 2001, of 2,135 adult male prisoners incarcerated in prisons in four Australian jurisdictions (Queensland, WA, NT and Tasmania). Indigenous offenders represented 25 per cent of the sample, which reflects the higher number of Indigenous inmates in three of the participating jurisdictions (Queensland, WA and NT). For further detail on the methodology and results of the DUCO adult male survey, see Makkai and Payne (2003).

of most serious offence categories for police detainees, notably for breaches of orders and disorder offences, and a higher proportion of property offences. As Table 1 shows, there were very few differences for the most serious offence category between Indigenous and non-Indigenous offenders, the only consistent difference across both samples being the higher percentage of breaches for Indigenous offenders and a higher percentage of drug offences for non-Indigenous offenders.

For a more complete picture of offending profiles it is important to consider measures other than the most recent serious offence. Male prisoners in the DUCO study provided information on their lifetime offending and regular offending across 13 different offence types (see Table 2). Using this data it becomes apparent that non-Indigenous prisoners reported higher rates of

having ever and regularly traded in stolen goods, committing fraud and armed robberies, and buying and selling illegal drugs. In contrast, a greater proportion of Indigenous prisoners reported ever and regularly committing physical assault.

As would be expected from the literature, self-reported experiences of the criminal justice system by male offenders indicated that more Indigenous offenders than non-Indigenous offenders had been incarcerated in the past and had been in juvenile detention. Although non-Indigenous male prisoners reported a higher number of charges and convictions over their lifetime, Indigenous male prisoners had more extensive experience of both juvenile detention and prison. Nearly half of the Indigenous prisoners (42 per cent) had been in juvenile detention and 80 per cent had previously been in adult prison,

Table 1: Most serious offence category by Indigenous status (%)*

	DUCO		DUMA	
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous
Violent	58	57	28	25
Property	20	17	27	30
Drugs	1	9	3	6
Drink driving	4	1	3	5
Traffic offence	7	6	8	10
Breaches	5	3	19	14
Disorder	1	1	10	6
Other	4	4	3	4
Total (n)	(517)	(1,615)	(701)	(5,071)

Source: Australian Institute of Criminology DUMA collection 2002–2003 [computer file]; Australian Institute of Criminology DUCO male survey 2001 [computer file]

compared with 26 per cent of non-Indigenous prisoners in juvenile detention and 58 per cent in adult prison.

The DUMA data on police detainees indicates that while the overall prevalence rates of prior incarceration are lower than for the prisoner population, the disparity between Indigenous and non-Indigenous offenders is the same. Over one-third of Indigenous police detainees (35 per cent) had been in prison and 63 per cent had been arrested in the past 12 months, compared with 20 per cent of non-Indigenous police detainees who had been in prison and 55 per cent who had been arrested in the past year.

Drug use histories

With self-reported *lifetime* use of drugs, non-Indigenous male prisoners were more likely to have ever used all types of drugs, except for inhalants, which Indigenous male prisoners were more likely to have used in their lifetime. However non-Indigenous male detainees were no more likely to have ever tried heroin, amphetamines or benzodiazepines than Indigenous detainees. Indigenous police detainees had significantly higher lifetime use of cannabis than non-Indigenous detainees.

Overall, among both prisoners and police detainees, Indigenous male offenders were more likely to have *recently* used alcohol, while non-Indigenous offenders were more likely to have recently used a wide range of illicit drugs including cocaine, heroin, morphine, hallucinogens and ecstasy (see Table 3). Recent cannabis use was the same for Indigenous and non-Indigenous prisoners, but there was a noticeable difference in recent use of cannabis by Indigenous and non-Indigenous police detainees, with Indigenous detainees significantly more likely to self-report using in their lifetime, in the past 12 months and in the past 30 days, and to test positive to cannabis.

There was a significant difference in recent amphetamine use between Indigenous and non-Indigenous male offenders, and between Indigenous detainees and Indigenous prisoners. Indigenous prisoners were less likely to report using amphetamines than non-

Indigenous prisoners in the six months prior to incarceration, while Indigenous detainees were significantly more likely than non-Indigenous detainees to have used amphetamines in the past 30 days.

To summarise differences between Indigenous and non-Indigenous prisoners' and detainees' drug use histories:

- Indigenous male prisoners, when compared with non-Indigenous male prisoners, were less likely to have used in their lifetime all types of drugs except for alcohol, tobacco and inhalants;
- with recent use, Indigenous male prisoners were less likely than non-Indigenous male prisoners to have used all drugs, except for alcohol, cannabis and inhalants;
- Indigenous male police detainees, when compared with non-Indigenous male detainees, had comparable or less lifetime use for all drugs except cannabis, and they had more recent use of alcohol, cannabis and amphetamines; and
- Indigenous male police detainees and Indigenous male prisoners had comparable recent use of heroin; it was non-Indigenous prisoners who had the highest rates of ever trying and recent use of heroin.

Available evidence, which is limited to research in urban settings, indicates that injecting drug use among Indigenous people occurs at a higher rate than among the non-Indigenous population (Ministerial Council on Drug Strategy 2003). Responses to questions on injection practices among male police detainees showed that an overwhelming majority of detainees (90 per cent) who had used heroin or amphetamines in the past 12 months injected the drug.

There was no difference in injection rates of heroin among Indigenous and non-Indigenous detainees, but Indigenous detainees were significantly more likely to have injected amphetamines than non-Indigenous detainees. Although the number of Indigenous detainees who had used street methadone and cocaine in the past 12 months was small, a substantial proportion injected the drug (73 per cent for methadone and 59 per cent for cocaine). Injection rates for illegal benzodiazepines (23 per cent), ecstasy (21 per cent) and hallucinogens (15 per cent) were lower, and comparable between Indigenous and non-Indigenous detainees.

Table 2: Self-reported lifetime offending – DUCO (%)

	Ever		Regular	
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous
Property offences				
Break and enter	61	56*	32	32
Stealing without break in	48	53*	24	23
Motor vehicle theft	52	51	23	20*
Traded in stolen goods	34	53**	21	30**
Vandalism	33	31	9	7*
Fraud	12	32**	4	10**
Violent offences				
Physical assault	72	58**	29	16**
Robbery without a weapon	24	23	9	7*
Armed robbery	19	30**	6	10*
Sex offence	13	14	3	4
Killed someone	8	11*	0	0
Drug offences				
Bought illegal drugs	56	73**	46	62**
Sold illegal drugs	30	51**	18	37**
Multiple offences				
Three or more offences	68	76**	35	43*
Three or more property offences	46	51*	20	19

Statistically significant difference at *p<0.05 and **p<0.01

Source: Australian Institute of Criminology DUMA collection 2002–2003 [computer file]; Australian Institute of Criminology DUCO male survey 2001 [computer file]

Age of first offending and drug use

Indigenous male police detainees were, on average, first arrested at a much younger age than non-Indigenous male detainees (14 years compared to 19 years). Although the mean age of first offence for Indigenous and non-Indigenous prisoners was the same when aggregated across all offence types (15 years), comparisons for individual offences indicate some interesting differences. Indigenous male prisoners were younger than non-Indigenous offenders when they first committed property offences (13 years compared to 14 years) and violent offences (19 years compared to 20 years). Indigenous prisoners also started regularly offending (15 years compared to 17 years), regularly committing property offences (14 years compared to 16 years) and violent offences (18 years compared to 20 years) at a younger age than the non-Indigenous prisoners (Makkai & Payne 2003).

There was no significant or consistent difference between Indigenous and non-Indigenous male offenders (both detainees and prisoners) for the average age of first use and regular use of a wide range of drugs. In general, both Indigenous and non-Indigenous offenders had first used and regularly used tobacco, alcohol, cannabis and inhalants in their mid-teens. The average age range for first and regular use of ecstasy, hallucinogens and illegal benzodiazepines ranged from 15 to 21 years. First and regular use of amphetamines, cocaine and heroin was, on average, as young adults (in the 18 to 22 year age range).

Intoxication, dependency and offending

Key aspects of the complex relationship between drug use and crime are drug intoxication at the time of committing an offence and drug dependency motivating the commission of crime. A much higher proportion of Indigenous male offenders (both prisoners and police detainees) reported using alcohol prior to arrest or the commission of the offence. Approximately two-thirds (69 per cent) of Indigenous male prisoners and 43 per cent of Indigenous male police

Table 3: Recent self-reported drug use by Indigenous status (%)

	Used in six months prior to imprisonment (DUCO)		Used in past 30 days (DUMA)	
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous
Alcohol	90	76**	59	50**
Amphetamines	28	46**	40	35*
Cannabis	61	61	70	58**
Cocaine	8	19**	2	4
Heroin	15	31**	13	16*
Illegal benzodiazepines (a)	15	25**	7	9
Inhalants/glue/petrol	4	2*	–	–
LSD/hallucinogens/ecstasy	15	26**	7	10*

(a) May include legal use of benzodiazepines
 Statistically significant difference at *p<0.05 and **p<0.01
 Source: Australian Institute of Criminology DUMA collection 2002–2003 [computer file]; Australian Institute of Criminology DUCO male survey 2001 [computer file]

detainees had used alcohol at the time of arrest or commission of the offence, compared with 27 per cent of non-Indigenous prisoners and 28 per cent of non-Indigenous police detainees.

Self-reported addiction/dependency varied between prisoners and detainees and by Indigenous status. Prisoners were asked if they were addicted to the drug(s) they had said they used in the six months prior to incarceration.

Analysis of these results showed:

- among cannabis and alcohol users, Indigenous male prisoners were significantly more likely to report dependency on cannabis (45 per cent) and alcohol (42 per cent) compared to their non-Indigenous counterparts (32 per cent and 19 per cent respectively);
- among heroin users, non-Indigenous male prisoners were more likely to say that they were dependent on heroin (67 per cent compared with 53 per cent); and
- among amphetamine users, Indigenous and non-Indigenous male prisoners had similar levels of amphetamine dependency (40 per cent and 42 per cent respectively).

A similar question was asked of police detainees' dependency on drugs reported to have been used in the past 12 months. The analysis showed:

- among heroin users, non-Indigenous male detainees (55 per cent) were significantly more likely to state they were dependent on heroin than Indigenous male detainees (44 per cent);

- among alcohol users, Indigenous male detainees were significantly more likely to report being dependent on alcohol (25 per cent) compared with non-Indigenous male detainees (17 per cent); and
- among amphetamine and cannabis users, the proportion who stated they were dependent on amphetamines (26 per cent) and cannabis (33 per cent) was almost identical for Indigenous and non-Indigenous male detainees.

In terms of the actual number of Indigenous male prisoners who had used a particular drug and said they were dependent, the most common was alcohol, followed by cannabis, amphetamines and heroin. Three times as many Indigenous prisoners said they were addicted to cannabis in comparison to both amphetamines and heroin.

With Indigenous male police detainees, the most common drug of dependency was cannabis, followed by alcohol, amphetamines and then heroin. Just under four times as many Indigenous detainees said they were dependent on cannabis in the past 12 months compared with the number who said they were dependent on heroin.

Although offenders may be intoxicated by illicit drugs or alcohol at the time of offending, or they are dependent on drugs, these factors are not necessarily a cause of the crime. Results from the DUCO male study were analysed to estimate the extent that the most recent serious offence was attributed directly to intoxication, addiction or a combination

of both (Makkai & Payne 2003). When the causal attribution model is applied to Indigenous prisoners, it produces significantly different results to that of non-Indigenous prisoners (see Table 4).

Half of the Indigenous male prisoners attributed the most recent serious incident to drugs, compared to 35 per cent of non-Indigenous male prisoners. However, this difference is due largely to the high proportion of crime attributed to intoxication, either under the influence of alcohol or under the influence of both alcohol and illicit drugs.

Although a larger percentage of Indigenous prisoners compared to non-Indigenous prisoners attributed the most recent serious incident to an addiction to alcohol or to both alcohol and illicit drugs, the actual percentages were quite small (five per cent for alcohol and five per cent for both alcohol and illicit drugs). On the other hand, twice as many non-Indigenous prisoners (22 per cent) compared to Indigenous prisoners (11 per cent) attributed the incident to their illicit drug addiction.

With male police detainees, an equivalent proportion of Indigenous and non-Indigenous detainees attributed their most recent offending to illicit drugs, either because of their dependency and/or because they were affected by the drug(s) at the time of committing the crime. However, similar

to prisoners, a significantly greater proportion of Indigenous male detainees in comparison to non-Indigenous detainees attributed their most recent offending to alcohol. Not only were Indigenous detainees 10 times more likely to be using at the time of the crime and twice as likely to be dependent on alcohol and using at the time of the crime, nearly twice as many attributed the crime to alcohol.

Illicit drug markets

Another way that drug use can be linked to crime is the commission of drug crime, such as the supply of illicit drugs. The data show that, in their lifetime, non-Indigenous male offenders were more likely to have participated in the illicit drug trade by selling drugs. Half of the non-Indigenous male prisoners said they had ever sold drugs compared to 30 per cent of Indigenous prisoners, while 42 per cent of non-Indigenous police detainees had ever sold drugs compared to 33 per cent of Indigenous police detainees. In addition, over a lifetime 37 per cent of non-Indigenous male prisoners had regularly sold illegal drugs compared to 18 per cent of Indigenous male prisoners (see Table 2).

Among male prisoners there was a high association between involvement in the illicit drug trade and addiction, with 78 per cent of those who self-reported

being involved in selling illicit drugs also indicating they were addicted to one or more of the illicit drugs. Non-Indigenous male prisoners were still twice as likely to be involved in the sale of illicit drugs irrespective of whether they were addicted to any illicit drug or not. Compared with other illicit drugs, a greater proportion of heroin addicts were involved in selling illicit drugs. Non-Indigenous male prisoners dependent on heroin required more money to support their addiction, as their average weekly expenditure on heroin was 1.7 times higher than that of their Indigenous counterparts.

In contrast to the findings that show greater lifetime participation by non-Indigenous offenders in selling drugs, there were few discernible differences among Indigenous and non-Indigenous male police detainees in relation to their *recent* involvement in selling illicit drugs. The same proportion (13 per cent) of Indigenous and non-Indigenous male police detainees reported making money from drugs in the past month. Self-reported sources of illegal income for the past month also indicated that, among heroin users, 40 per cent of heroin-dependent Indigenous male detainees had made money from selling drugs, compared with 32 per cent of non-Indigenous heroin-dependent male detainees.

Policy implications

Compared with non-Indigenous male offenders, Indigenous male offenders are younger, more likely to be married, less educated and mostly unemployed. This underlines the importance of efforts to address underlying factors that lead to substance abuse and offending, as well as programs that provide educational and vocational opportunities for Indigenous offenders, and assistance for their families and with stable living arrangements.

A significant proportion of Indigenous male offenders were involved in property crime, both recently and over their lifetime. A significant difference, when compared with non-Indigenous male prisoners, was the lower self-reported lifetime rates for fraud and trade in stolen goods. A further difference among prisoners was the

Table 4: Model causal attribution of crime to drugs by Indigenous status

	Indigenous prisoners	Non-Indigenous prisoners	Total DUCO sample*
Addicted to:			
Illegal drugs only	11	22	19
Alcohol only	5	2	3
Both	5	2	3
(Total)	(21)	(26)	(25)
Intoxicated by:			
Illegal drugs only	5	12	11
Alcohol only	25	5	10
Both	14	6	8
(Total)	(44)	(23)	(29)
Combined:			
Illegal drugs only	8	22	18
Alcohol only	24	4	9
Both	19	9	12
(Total)	(50)	(35)	(39)

* Figures may differ from Makkai and Payne (2003) as estimates exclude offenders where Indigenous status was not recorded.

Source: Australian Institute of Criminology, DUCO male survey 2001 [computer file]

higher Indigenous self-reported lifetime rate of violent offending and a higher recent history among Indigenous male detainees of breaches of court orders. There has been a range of interventions that aim to reduce and prevent Indigenous violence (Memmott et al. 2001) but less attention has been paid to interventions that successfully reduce the rate of property crime and breaches of court orders by Indigenous offenders.

In terms of early intervention and prevention, the results suggest an emphasis on interventions with young Indigenous men when they first have contact with the juvenile justice system. Indigenous offenders were involved in the criminal justice system at an earlier age and had more extensive experience of juvenile detention and prison.

Drug diversion and treatment programs for Indigenous young men need to focus on the drugs they are likely to be regularly using (that is, alcohol, cannabis and inhalants). Nevertheless, any interventions (whether through the juvenile court or in a juvenile detention setting or post-detention) that reduce the likelihood of an Indigenous young male continuing to be involved in a criminal lifestyle could prevent later use of illicit drugs like heroin and amphetamines.

Situational crime prevention measures that reduce excessive alcohol intoxication, alone or in combination with illicit drugs, should have a significant impact on Indigenous adult male offending. This is suggested by the high number of Indigenous male offenders who attributed their most recent serious crime to intoxication at the time of the offence.

There was a strong causal relationship between offending and dependency on

illicit drugs among non-Indigenous prisoners, and if they were addicted to heroin, this appeared to contribute to their greater involvement in the illicit drug market.

Further research, however, is required to examine the relationship between acquisitive crime by Indigenous male offenders in urban settings and illicit drug dependency, as Indigenous detainees who used and were dependent on heroin had higher rates of income generation in the past month through drug dealing and other criminal activities than their non-Indigenous counterparts.

Both Indigenous and non-Indigenous male offenders had extensive histories and recent use of a wide range of drugs, with the most common (in order of prevalence) being alcohol, cannabis and amphetamines. Drug demand and harm-reduction strategies, however, have to be sensitive to the use patterns of different groups in specific locations. Interventions through the criminal justice system should be tailored to address differences in recent drug use by Indigenous offenders compared with non-Indigenous offenders, and by Indigenous prisoners compared with Indigenous police detainees in urban settings.

In general, self-reported rates of dependency among Indigenous male offenders who had recently used drugs indicates that the most need is for cannabis treatment followed by treatment for alcohol, amphetamine and heroin use. The findings also suggest that Indigenous community awareness and drug education should focus on alcohol, cannabis and amphetamines but not exclude other drugs, with an emphasis among Indigenous young

people on inhalants and an emphasis among Indigenous male detainees, in cities, on safe injecting practices.

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