



PsychLaw

Drug-Related Offences

Drug-related offences are a significant problem within the community. Crimes can be classed as drug-related when they include:

- Drug offences (possession, sale, dealing or trafficking, importing or exporting, or manufacture of drugs);
- Offences that are directly linked to intoxication (driving intoxicated or assault);
- Offences committed to support drug use (theft).

Statistics

The Australian Bureau of Statistics recorded in 2017–18, offenders of illicit drug offences and Acts intended to cause injury accounted for the largest number of offenders. Over two thirds (67%) had a principal offence of Possess and/or use illicit drugs.¹

Recent figures show that between 50% and 80% of Australian detainees are in prison for drug-related offences or were drug affected or dependent at the time they committed the crime.²

Socioeconomic Status

Individuals of a lower socioeconomic status have been found to be at a greater risk of engaging in drug-related violence. Research suggests that social structure and social learning of drug-use in childhood, as well as a lack of education surrounding drug-related harm, contributes to this discrepancy.

External stressors

Exposure to stress is often a precursor to increased drug use and drug-related offences.

Stressors can occur at various points throughout the lifespan, and have varying degrees of severity. Specifically, financial stressors have been shown to be correlated with an increased risk of engaging in drug-related offences.

Mental Illness & Co-morbidity

There is a substantial overlap between certain personality disorders and substance use, with research suggesting that personality disorders and drug use share common genetic pathways. This is particularly problematic within individuals diagnosed with antisocial personality disorder, as it is characterised by known precursors of drug-related violence; impulsivity, recklessness and a disregard for the safety of themselves and others.

How can we help?

After an offence there multiple opportunities for diversion occur throughout the criminal justice process. Diversion is increasingly becoming treatment-focused as offenders' criminal careers and drug problems increase.

- **Pre-arrest:** when an offence is first detected there may be a referral for an assessment and treatment.
- **Pre-sentence:** a Court report can be written which focuses on offending behaviour.
- **Post-sentence & Post-release:** as part of sentencing, treatment is continued.

“...offenders of illicit drug offences account for the largest number of offenders.”

“Treatment is becoming prevalent as a means for reducing future drug-related offences”.

¹ Australian Bureau of Statistics (2017-18). 4513.0 - Criminal Courts, Australia.

² O'Callaghan, F., Sonderegger, N., & Klag, S. (2004). Drug and crime cycle: Evaluating traditional methods versus diversion strategies for drug-related offences. *Australian Psychologist*, 39(3), 188-200.



Treatment.

Current Research

Research has revealed a strong relationship between substance abuse and crime. However, there is considerable debate in the current literature in regards to the apparent ineffectiveness of incarceration as a crime prevention technique. An alternative to incarceration involves the use of therapeutic interventions that can reduce alcohol/drug consumption and the problems associated with substance abuse. Treatment is becoming prevalent as a means for reducing future drug-related offences.

If an individual is found to present with significant drug-related problems, a comprehensive assessment is conducted, consisting primarily of the following:

- The offender's knowledge regarding the risks of drug use
- Examination of the offender's mental state
- Management and treatment plan

Sydney Office

Hengrove Hall
Level 5, Suite 28
193 Macquarie St
Sydney NSW 2000

Tel: +61 2 8667-3206
Fax: +61 2 8078-6002

emma@stephensbradley.com.au

Wollongong Office

Level 2, Suite 14
39 Market Street
Wollongong NSW 2500

Tel: +61 2 4254-1026
Fax: +61 2 8078-6002

taylah@stephensbradley.com.au

Intervention

In severe cases, it is recommended that the offender participates in an intensive detoxification program as a lone treatment. Thus, intensive treatment is recommended for offenders who show severe drug-related problems. Intensive treatment examples include counselling services, self-help programs and medication.

Counselling services

Counselling and psychotherapy focus upon relapse prevention strategies that can minimise destructive drug-related behaviours. These strategies are individualised to the client and aid offenders in identifying situations that contribute towards excessive drug use, as well as avoiding risk. Psychotherapy is built upon a Cognitive Behavioural Therapy (CBT) framework, which incorporates healthy coping mechanisms, self-regulation, mood deficits and/or anxiety-related issues.

Treatment interventions will employ strategies that offer an integrated approach to changing an individual's behavioural patterns and incorporate educational components that focus on communication skills, assertion training, anger management, self-esteem, building of healthy relationships, stress management, and goal setting.

Such interventions view illicit drug use as a health rather than a criminal justice issue, thereby requiring a major cultural shift in thinking, particularly from individuals in the criminal justice system, including the police and courts.

Substance abuse may result from a multitude of triggers. Many engage in substance abuse as part of the social fabric and then become addicted and engage in offending. Some engage in substance use to 'forget' past trauma and become addicted. Some just use drugs as part of their social activity and lifestyle.

What We Do.

At Stephens & Bradley Forensic & Clinical Psychological Services we provide treatment from short term intervention to long-term therapy, to both adolescent and adult clients.

Our services include:

- *Diagnoses of DSM-5 disorder(s)*
- *Clinical neuropsychological and personality assessments*
- *Clinical treatment to both forensic (offending) and non forensic clients*
- *Diagnosis and treatment of alcohol/drug related disorders*
- *Assessment of offenders with intellectual disability*
- *Section 32 Mental Health (Forensic Provisions) Act 1990 assessment*
- *Fitness to Plead assessment (Presser)*
- *Offender Risk/Needs analysis*
- *Recommendations for incarceration or diversion to alternate rehabilitation programs*
- *Assessment and opinion for the likelihood of re-offending*
- *Offender behaviour modification assessment and treatment (DV, violence)*
- *Sex Offender/Child Pornography treatment*
- *Forensic court reports*
- *Immigration/Visa assessment and reports*
- *Firearm license revocation assessment and reports*