Alcohol Management Plan Review

Breach of alcohol restrictions in Indigenous communities and associated contact with the criminal justice system

provided for

Department of Aboriginal and Torres Strait Islander and Multicultural Affairs

prepared by

Demography and Indigenous Statistics Team

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Overview

From 30 December 2002, Alcohol Management Plans (AMPs) were progressively rolled out across Queensland's 19 discrete Indigenous communities covering 15 Local Government Areas. The AMPs aimed to reduce alcohol-related violence and harm, particularly against women and children. They included restrictions on the type and quantity of liquor (alcohol restrictions). It is an offence under Sections 168B and C of the *Liquor Act 1992* (the Act) to possess alcohol or attempt to bring alcohol into the communities in excess of the carriage limit set by the alcohol restrictions.

Some communities have raised concerns that community residents are acquiring a criminal history and having contact with the police solely due to breaching the alcohol restrictions. Concerns about the impact of these convictions on employment opportunities have also been raised.

The State Government is currently reviewing the AMPs (the Review). The Review's Terms of Reference include assessing the impact of the AMPs, including the alcohol restrictions, on community members.

The Government Statistician's office has undertaken research into the criminal histories of individuals with AMP offences on behalf of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA).

A total of 5,676 unique persons, who were convicted of breaching Sections 168B and C of the Act (*breach of alcohol restrictions*) between 31 December 2002 and 30 June 2012, were identified and matched within the courts database[1] to determine their conviction history over the 10 year period between 1 July 2002 and 30 June 2012.

The main objective of this research was to assess the impact of AMPs on community residents by determining the number and proportion of individuals obtaining a criminal history solely due to breaching the alcohol restrictions (*obtain a criminal history*). Other objectives included investigation into the:

- Demographic characteristics of individuals convicted of breaching alcohol restrictions.
- Proportion and demographic characteristics of individuals who:
    - have more than one conviction for breaching alcohol restrictions
    - have convictions prior to the date of their first conviction for breaching alcohol restrictions
    - have convictions subsequent to the date of their first conviction for breaching alcohol restrictions.
- Offence types and Australian Standard Offence Classification (ASOC) divisions of prior and subsequent convictions for individuals with other offence convictions.

Please note that the reported findings are indicative only as offender criminal histories prior to 1 July 2002 were not available for this study. Therefore, the number of persons obtaining a criminal history due to breaching alcohol restrictions may be over-estimated.

Key findings

- Of the 5,676 persons with a conviction for breaching alcohol restrictions, 860 (15.2%) had no convictions for other offence types during the 10 year study period.
    - Of these 860, only 177 had subsequent convictions for a breach of alcohol restrictions.
- Only 449 (7.9%) of these 5,676 persons had a conviction recorded for a breach of alcohol restrictions, and no convictions recorded for any other offence types during the 10 year study period.
- Offenders who were female, non-Indigenous, and aged 40 years and over were the most likely to obtain a criminal history due to alcohol restriction related offences.
- Over 50 per cent of non-Indigenous offenders (51.9%) and offenders aged 60 years and over (51.3%) had no other convictions for other offence types. However, these proportions drop to 12.0% and 15.8% respectively, when only examining those with no other convictions recorded on their criminal history.

[1] Not all matches could be confirmed or identified due to inconsistencies in the names and dates of birth recorded for individuals across court appearances.

- The majority (87.5%) of convictions prior to a person's first alcohol breach conviction were for 'other' offences[2], followed by offences against the person (50.5%) and offences against property (34.9%).

Methodology

Data

The in-scope population for this research project was any individual convicted of breaching Sections 168B or C of the Act between 31 December 2002 and 30 June 2012. A list of 5,799 unique persons[3] breaching alcohol restrictions during this period was provided by the Department of Justice and Attorney-General (DJAG), and consisted of an offender's given names, surname, and date of birth. This list was cleaned and matched to all cases in the courts database between the 1 July 2002 and 30 June 2012. A total of 1,711,669 unique cases[4] were extracted from the courts database, with an offender's given names, initials, surname, gender and date of birth.

A total of 5,676 unique persons with alcohol breach convictions were successfully matched to the courts database, with 45,182 court appearances for 82,981 charges[5] (resulting in a conviction), and 96,929 penalties. A further 123 persons could not be successfully matched to records from the Queensland Wide Interlinked Courts System (QWIC)[6], however, for some of these people, their alcohol breach charges were not finalised or did not result in a conviction.

Data cleaning on the matched offence dataset was undertaken. Where inconsistent demographic information was present for an individual across cases, the following actions were taken:

- Where gender was inconsistent, a person's given names were inspected and the most likely gender associated with that name was retained. Where there was still uncertainty, the gender recorded most often was retained.
- Where Indigenous status was inconsistent, for example, if a person identified as being of Aboriginal or Torres Strait Islander origin and as being of non-Indigenous origin, they were coded to the Indigenous group to which they identified at one point. If a person identified as being of Aboriginal origin and also identified as being of Torres Strait Islander origin, they were coded as being of 'Aboriginal and Torres Strait Islander' origin.
- Where date of birth was inconsistent, the date of birth from a person's most recent court appearance was retained, as newer data was generally more reliable.

For all alcohol breach offences, the location of the offence and the defendant's usual place of residence were coded to the 19 Indigenous communities with AMPs. If there was insufficient address information, the location was coded as 'Unknown'. If the address was located outside of the 19 communities with AMPs, the location was coded to 'Other'.

Linkage

Data linkages were conducted through Febrl using fuzzy-matching techniques, and matches were reviewed and confirmed using SAS. Offenders' first name, first middle name, surname, alias first name, alias surname, and date of birth were used for matching purposes. Offender's given names and surnames were parsed to separate names from alias names, and to separate first names from each middle name. Some records did not have a date of birth, and some records only provided initials for given names.

When linking datasets, each record in the first dataset could potentially be compared to each record in the second dataset. As this would result in an exponential number of comparisons when linking large datasets, 'indexing' or 'blocking' of records is employed to reduce the number of record pair comparisons. Due to inconsistencies in the names and dates of birth recorded for individuals across court appearances, the datasets to be linked were blocked separately on date of birth and surname. All records with the same date of birth or phonetic surname were compared, resulting in a total of 21,960,080 record pair comparisons to be reviewed.

[2] *Other offences* include illicit drug use, traffic offences, public drunkenness, breaches against justice procedures, vagrancy, weapons offences, and other miscellaneous offences.
[3] A total of 6,944 persons were originally provided, of which 5,848 were identified by DJAG as unique persons. However, during the matching process a number of duplicate persons were further identified.
[4] Cases with no conviction or with an out of scope outcome were later excluded for reporting purposes.
[5] The charge number and most serious charge penalty flag was used to identify each unique charge.
[6] Charges for alcohol breach offences were manually searched for in the courts database for this group of people.

Table 1 summarises the variable comparisons made between each dataset for each record pair comparison. All string variables (in this case, the given name and surname variables) used the Winkler approximate string comparison to calculate the similarity between the two strings, while the date of birth variables used a key difference comparison to calculate the number of character differences between the two values. Each variable comparison produced an agreement weight between zero and one, with a weight of one indicating a perfect match. Based on clerical review of the possible matches, rules using the comparison weights for classifying a record pair as a true match were applied.

Table 1: Variable comparisons for each record pair

DJAG variable	Courts variable	Comparison type
First name	First name	Winkler
	Alias first name	Winkler
	Middle name	Winkler
	Surname	Winkler
Middle name	Middle name	Winkler
	First name	Winkler
Surname	Surname	Winkler
	Alias surname	Winkler
	First name	Winkler
Date of birth	Date of birth	Key difference

The full offence history for records classified as true matches was then extracted from the courts database, including where available, the offence location, the offender's residential address, the date of offence, and the offender's single person identifier (SPI). Further clerical review of the matches was undertaken using all available information to remove any incorrect or uncertain matches[7].

It should be noted that not all true matches could be identified or confirmed through the matching process. For example, if an offender's name or date of birth differed dramatically across court appearances, it is unlikely that their records would be successfully linked. Although the SPI was able to supplement the confirmed matches, SPI was missing for many of the records as the process of adding this identifier to historic records is not yet complete. Court appearances before 2005-06 were also more difficult to link as these earlier data were not collected as robustly as more recent data.

The offence data that was matched and analysed also represented a finite time period (from 2002-03 to 2011-12). As such, offender's whose first alcohol breach conviction occurred towards the beginning or end of the 10 year study period may be less likely to have their prior or subsequent convictions identified, simply because these convictions occurred before 2002-03 or after 2011-12. It is therefore likely that the criminal histories analysed did not represent the full offence profiles for all individuals.

Statistical methods

Unique individuals and their unique offence convictions at each court appearance were identified and analysed. Statistical analysis was performed at both the individual offender level and the offence conviction level. As the criminal histories analysed represented a finite time period, the proportion of offenders with prior and/or subsequent convictions was not analysed over time. The most serious offence for each court case was also identified, and it was these convictions that were examined when analysing offender's prior and subsequent conviction offence types.

Proportional data were analysed using Pearson's chi-squared test or logistic regression techniques. The 'statistical significance' of the test results is usually determined by a probability threshold of 0.05. This is the cut-off point or 'significance level' below which we consider the probability of obtaining the observed results to be too small to have arisen by chance if the null hypothesis was true. However, due to the large sample size and large number of post-hoc comparisons conducted, a higher threshold of 0.01 was adopted. It should be noted that setting a lower threshold may result in more test results being statistically significant, however, this increases the risk of assuming that differences due to random variation are real trends.

[7] For example, if an offender's street address changed across matches, their date of birth differed by more than 10 years across matches, or they were matched to more than one SPI or more than one person on the list provided by DJAG, all matches relating to that person were manually reviewed.

Results

Demographic characteristics

Over the 10 year period from 2002-03 to 2011-12, 5,676 unique people were linked to 11,378 alcohol breach convictions. Approximately three quarters (74.3%, 8,451) of these convictions were recorded on the offender's criminal history. Almost all (96.8%) offenders were of Aboriginal or Torres Strait Islander origin (see Table 2), most likely to be male (66.1%), and primarily aged between 20-29 (29.3%), 30-39 (30.0%), and 40-49 years (21.3%) (see Table 3). *For brevity, offenders who identified as being of Aboriginal and Torres Strait Islander origin at the time of their offence are subsequently referred to as Indigenous offenders in this report.* As shown in Figure 1, male and female offenders displayed a similar age pattern. However, female offenders were significantly more likely than male offenders to be aged 20-29 years, while male offenders were significantly more likely than female offenders to be aged 50 years and over.

Table 2: Number of Sections 168B and C offence convictions by Indigenous status

Indigenous status	Number	Per cent [(a)]
Non-Indigenous	336	3.0
Indigenous	11,016	96.8
Aboriginal	*9,675*	*85.0*
Torres Strait Islander	*32*	*0.3*
Aboriginal and Torres Strait Islander	*1,309*	*11.5*
Unknown	26	0.2
Total	**11,378**	**100.0**

(a) Per cent of all offences.

Table 3: Number of Sections 168B and C offence convictions by age and gender

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
10-16	85	1.1	34	0.9	119	1.0
17-19	557	7.4	299	7.7	856	7.5
20-29	2,046	27.2	1,287	33.3	3,333	29.3
30-39	2,294	30.5	1,115	28.9	3,409	30.0
40-49	1,604	21.3	823	21.3	2,427	21.3
50-59	723	9.6	249	6.4	972	8.5
60 +	207	2.8	54	1.4	261	2.3
Unknown	1	0.0	0	0.0	1	0.0
Total	**7,517**	**66.1**	**3,861**	**33.9**	**11,378**	**100.0**

(a) Per cent of all offences.

The majority (85.9%) of alcohol breach offences occurred in the community where the offender resided (see Table 4). It should be noted that 86.4% of alcohol breach offences in the Northern Peninsula Area (NPA) were committed by local residents, however, there was a high degree of mobility *between* communities within the NPA. Less than two-fifths (38.1%, 56) of alcohol breach offences in each NPA community (Bamaga, Injinoo, New Mapoon, Seisia, and Umagico) were actually committed by residents of that community.

Figure 1: Proportion of male and female offenders in each age group

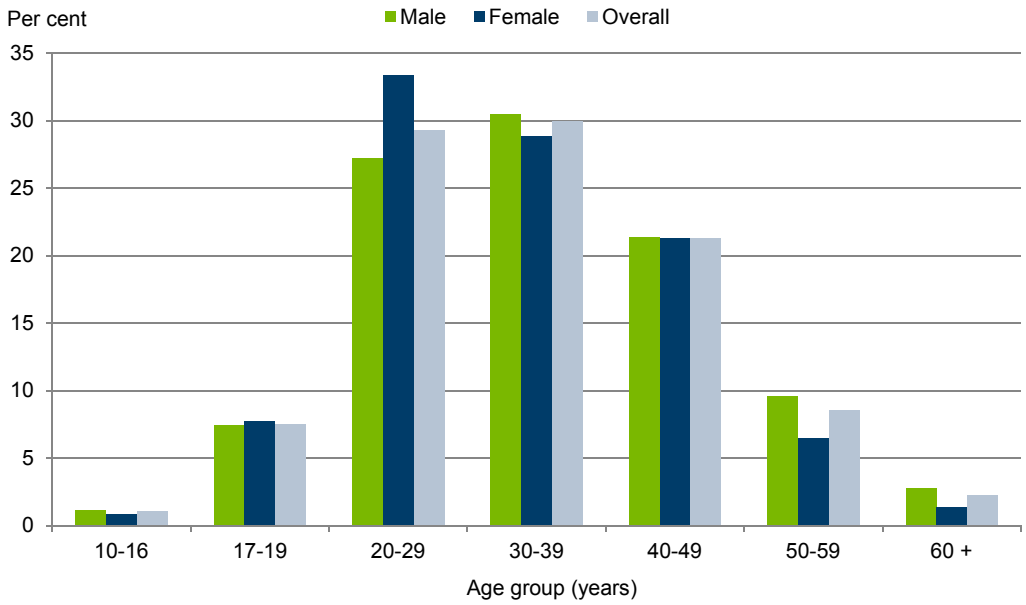


Table 4: Number of Sections 168B and C offence convictions committed by offenders residing in the community

Community	Number of offences[a]	Offences within own community – number –	Offences within own community – % –[b]	Number of offenders residing in community
Aurukun	1,222 (1,033)	920	89.1	985
Cherbourg	1,364 (1,358)	1,047	77.1	1,052
Doomadgee	516 (411)	349	84.9	357
Hope Vale	1,027 (939)	787	83.8	800
Kowanyama	732 (629)	581	92.4	593
Lockhart River	448 (362)	314	86.7	327
Mapoon	37 (32)	22	68.8	68
Mornington Island	1,273 (1,109)	1,073	96.8	1,091
Napranum	1,133 (900)	695	77.2	735
Northern Peninsula Area[c]	168 (147)	127	86.4	132
Palm Island	762 (757)	620	81.9	634
Pormpuraaw	244 (199)	174	87.4	199
Woorabinda	1,185 (1,040)	931	89.5	953
Wujal Wujal	364 (334)	295	88.3	309
Yarrabah	889 (855)	742	86.8	772
Other	-	-	-	1,101
Unknown	14 (3)	-	-	1,270
Overall	**11,378 (10,108)**	**8,677**	**85.9**	**-**

(a) Number of offences where defendant address was known is shown in brackets.
(b) Per cent based on convicted offences where both the offence location and defendant address were known.
(c) Comprised of Bamaga, Injinoo, New Mapoon, Seisia, and Umagico.

Almost all offenders (95.4%, 5,413) breached alcohol restrictions within a single community.

Less than five per cent (4.5%, 256) of offenders breached restrictions in two communities, and just 0.1% (seven offenders) breached restrictions in three communities.

In most communities (13 out of 15), over ninety per cent of offenders residing in the community breached alcohol restrictions locally. There was limited mobility of offenders across the state, with breaches committed outside of an offender's residential community usually occurring in a neighbouring community (see Table 5). A large proportion (66.2%) of Mapoon offenders breached alcohol restrictions in Napranum, with less than one-third (32.4%) of Mapoon offenders breaching restrictions locally.

Table 5: Number of Sections 168B and C offence convictions by offence location and offender residence location

	Offence location [a]															
Offender residence location	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	17
1. Aurukun	920	-	-	-	-	2	-	-	60	-	-	3	-	-	-	-
2. Cherbourg	-	1,047	-	-	-	-	-	-	-	-	-	-	4	-	1	-
3. Doomadgee	-	-	349	-	-	-	-	8	-	-	-	-	-	-	-	-
4. Hope Vale	-	-	-	787	-	-	-	-	-	-	-	-	-	12	1	-
5. Kowanyama	-	-	-	-	581	-	-	1	3	-	-	7	-	1	-	-
6. Lockhart River	1	-	-	2	-	314	-	-	9	-	-	-	-	1	-	-
7. Mapoon	1	-	-	-	-	-	22	-	45	-	-	-	-	-	-	-
8. Mornington Island	3	-	13	2	-	-	-	1,073	-	-	-	-	-	-	-	-
9. Napranum	34	-	-	-	-	3	2	-	695	1	-	-	-	-	-	-
10. Northern Peninsula Area[b]	1	-	-	-	-	1	-	-	3	127	-	-	-	-	-	-
11. Palm Island	1	1	2	-	-	-	1	-	-	-	620	-	1	-	8	-
12. Pormpuraaw	19	-	-	2	3	-	-	-	-	-	-	174	-	-	1	-
13. Woorabinda	-	18	-	3	-	-	-	-	-	-	-	-	931	-	1	-
14. Wujal Wujal	1	-	-	9	-	-	-	-	-	-	-	-	-	295	4	-
15. Yarrabah	-	5	-	9	2	-	-	-	-	-	13	-	1	-	742	-
16. Other	52	287	47	125	43	42	7	27	85	19	124	15	103	25	97	3
17. Unknown	189	6	105	88	103	86	5	164	233	21	5	45	145	30	34	11

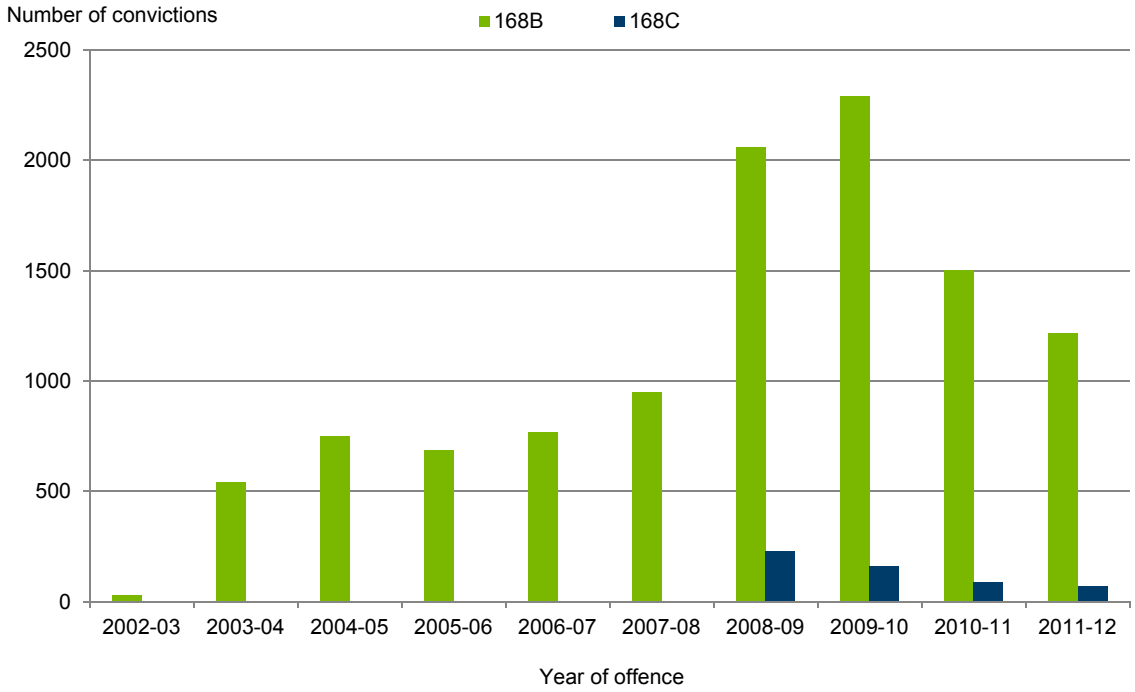
(a) Numbers correspond to communities listed under 'Offender residence location'.
(b) Comprised of Bamaga, Injinoo, New Mapoon, Seisia, and Umagico.

Change in police powers and offence codes

An increase in police search powers and a new offence for those attempting to bring alcohol into a restricted area were introduced on 1 July 2008 (attempt offence). The number of offences resulting in convictions more than doubled in 2008-09 and 2009-10, with 7,607 convicted offences occurring between 2008-09 and 2011-12, compared with just 3,728 convicted offences occurring between 2002-03 and 2007-08[8].

As shown in Figure 2, the introduction of the new attempt offence accounted for a modest amount (7.1%, 541) of offence convictions after 1 July 2008.

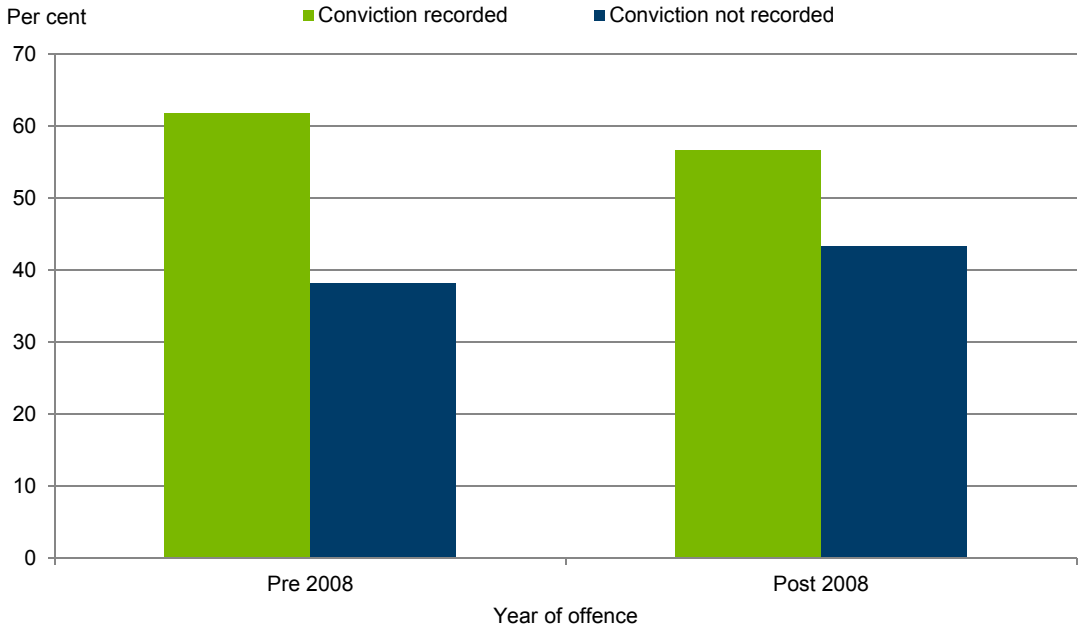
Figure 2: Number of Sections 168B and C offences resulting in convictions over time



[8] The date the offence occurred was not known for 43 of the 11,378 AMP offences analysed.

Although a significantly larger number of convicted AMP offences occurred between 2008-09 and 2011-12, first time offenders were significantly less likely (56.7%, 1,764) to have the conviction recorded on their criminal history than those who first offended between 2002-03 and 2007-08 (61.8%, 1,583) (see Figure 3).

Figure 3: Proportion of offenders with first AMP offence conviction recorded on their criminal history, before and after 1 July 2008



After 1 July 2008, significantly more offences occurred in a community where the offender did not reside (15.5%, compared with 12.9% before 1 July 2008), and a significantly greater proportion of offenders were Indigenous (97.8%, compared with 94.7% before 1 July 2008) (see Table 6), were female (35.6%, compared with 30.5% before 2008-09), and aged 10-16 or 40-49 years (see Table 7 and Figure 4).

Male offenders were significantly more likely to be aged 10-16 years, and significantly less likely to be aged 20-29 years, while female offenders were significantly more likely to be aged 40-49 years, and significantly less likely to be aged 30-39 years (see Figure 5 and Figure 6).

Table 6: Number of Sections 168B and C offence convictions by Indigenous status, before and after 1 July 2008

	Pre 2008		Post 2008	
Indigenous status	– number –	– % – [(a)]	– number –	– % – [(a)]
Non-Indigenous	194	5.1	142	1.9
Indigenous	3,573	94.7	7,443	97.8
Aboriginal	*3,046*	*80.8*	*6,629*	*87.1*
Torres Strait Islander	*16*	*0.4*	*16*	*0.2*
Aboriginal and Torres Strait Islander	*511*	*13.6*	*798*	*10.5*
Unknown	4	0.1	22	0.3
Total	**3,771**	**33.1**	**7,607**	**66.9**

(a) Per cent of all offences within each time period.

Table 7: Number of Sections 168B and C offence convictions by age and gender, before and after 1 July 2008

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
			Pre 2008			
10-16	14	0.5	9	0.8	23	0.6
17-19	174	6.6	96	8.3	270	7.2
20-29	767	29.3	385	33.4	1,152	30.5
30-39	818	31.2	368	32.0	1,186	31.5
40-49	536	20.5	207	18.0	743	19.7
50-59	232	8.9	70	6.1	302	8.0
60 +	78	3.0	16	1.4	94	2.5
Unknown	1	0.0	0	0.0	1	0.0
Total	**2,620**	**69.5**	**1,151**	**30.5**	**3,771**	**100.0**
			Post 2008			
10-16	71	1.4	25	0.9	96	1.3
17-19	383	7.8	203	7.5	586	7.7
20-29	1,279	26.1	902	33.3	2,181	28.7
30-39	1,476	30.1	747	27.6	2,223	29.2
40-49	1,068	21.8	616	22.7	1,684	22.1
50-59	491	10.0	179	6.6	670	8.8
60 +	129	2.6	38	1.4	167	2.2
Unknown	0	0.0	0	0.0	0	0.0
Total	**4,897**	**64.4**	**2,710**	**35.6**	**7,607**	**100.0**

(a) Per cent of all offences within each time period.

Figure 4: Proportion of offenders in each age group, before and after 1 July 2008

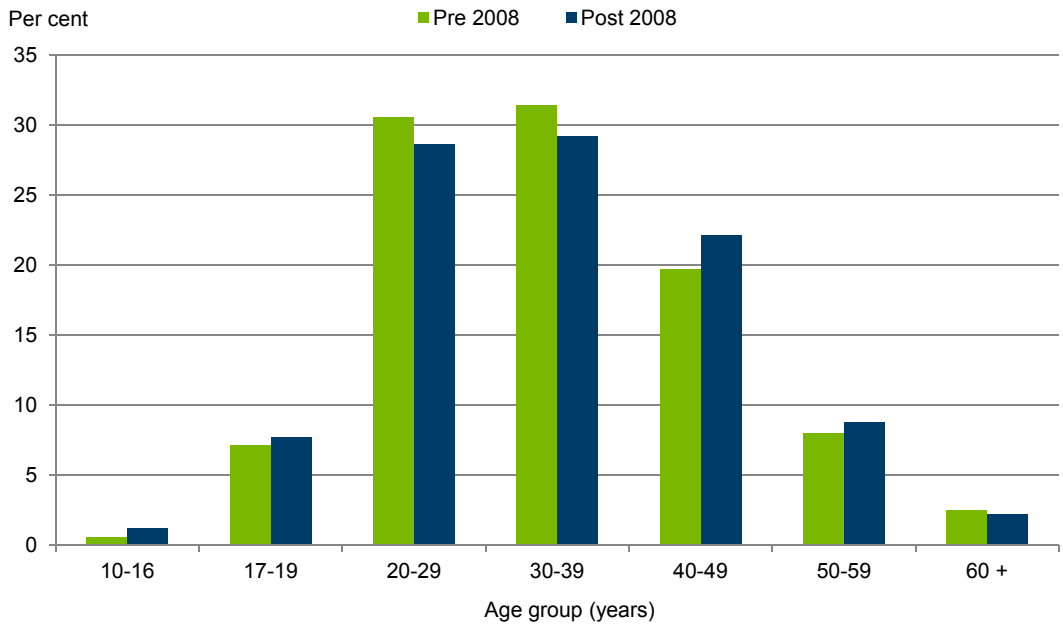


Figure 5: Proportion of male offenders in each age group, before and after 1 July 2008

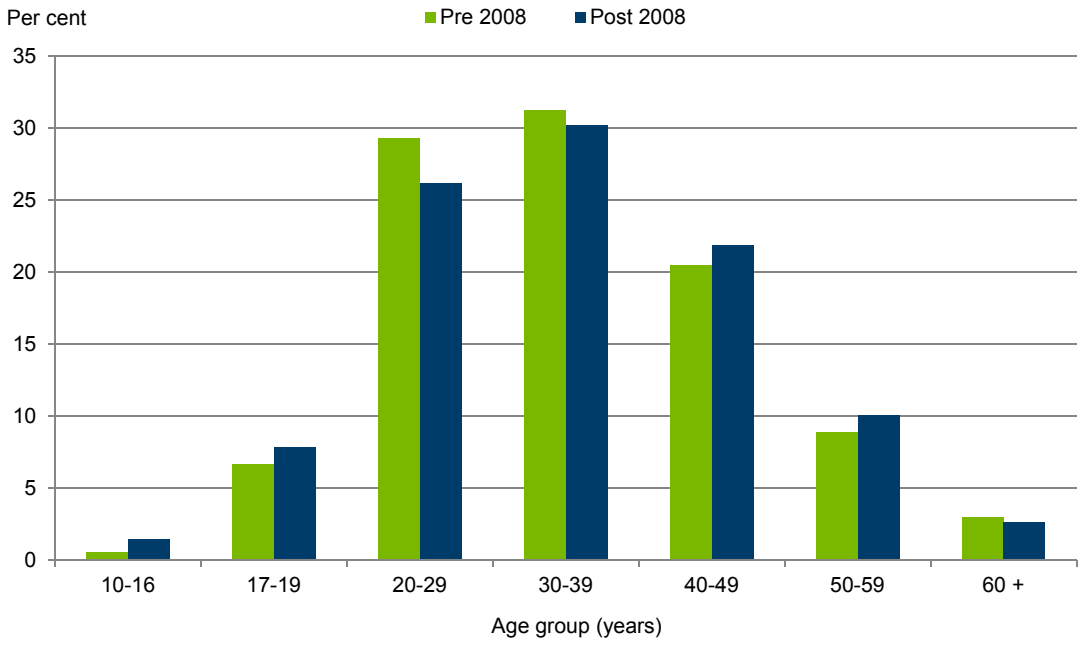
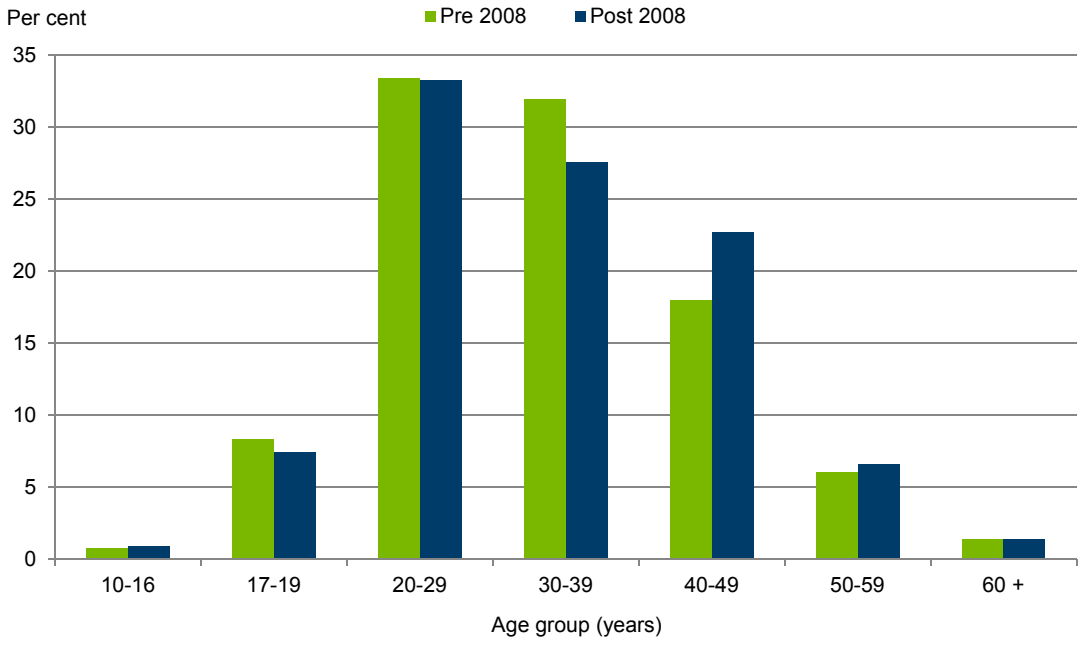


Figure 6: Proportion of female offenders in each age group, before and after 1 July 2008



Repeat offenders

More than two-fifths (43.3%, 2,459) of offenders had more than one conviction for an AMP offence, with some offenders recording up to 20 separate convictions (see Table 8). First time Indigenous offenders were significantly more likely to reoffend (45.5%) than non-Indigenous offenders (7.9%) (see Table 9), and males were significantly more likely to reoffend (45.2%) than females (40.0%) (see Table 10).

First time offenders aged 60 years and over were the least likely to reoffend (21.5%), while those aged 30-39 (47.5%) and 40-49 (46.0%) years were the most likely to reoffend. As shown in Figure 7, male offenders displayed a similar age pattern for reoffending to the overall age pattern, while female offenders differed slightly, with those aged 20-29 years the most likely to reoffend.

Table 8: Number of Sections 168B and C offence convictions for each offender

Number of convictions	Number of offenders	Per cent [(a)]
1	3,217	56.7
2	1,170	20.6
3	562	9.9
4	288	5.1
5	166	2.9
6	97	1.7
7	61	1.1
8	43	0.8
9	22	0.4
10	17	0.3
11	10	0.2
12	7	0.1
13	5	0.1
14	3	0.1
15	3	0.1
16	2	0.0
17	2	0.0
20	1	0.0
Total	**5,676**	**100.0**

(a) Per cent of all offenders within each category.

Table 9: Number of offenders with more than one offence conviction by Indigenous status

Indigenous status	Number	Per cent [(a)]
Non-Indigenous	23	7.9
Indigenous	2,436	45.5
Aboriginal	*2,162*	*45.9*
Torres Strait Islander	*3*	*10.3*
Aboriginal and Torres Strait Islander	*271*	*43.4*
Unknown	0	0.0
Total	**2,459**	**43.3**

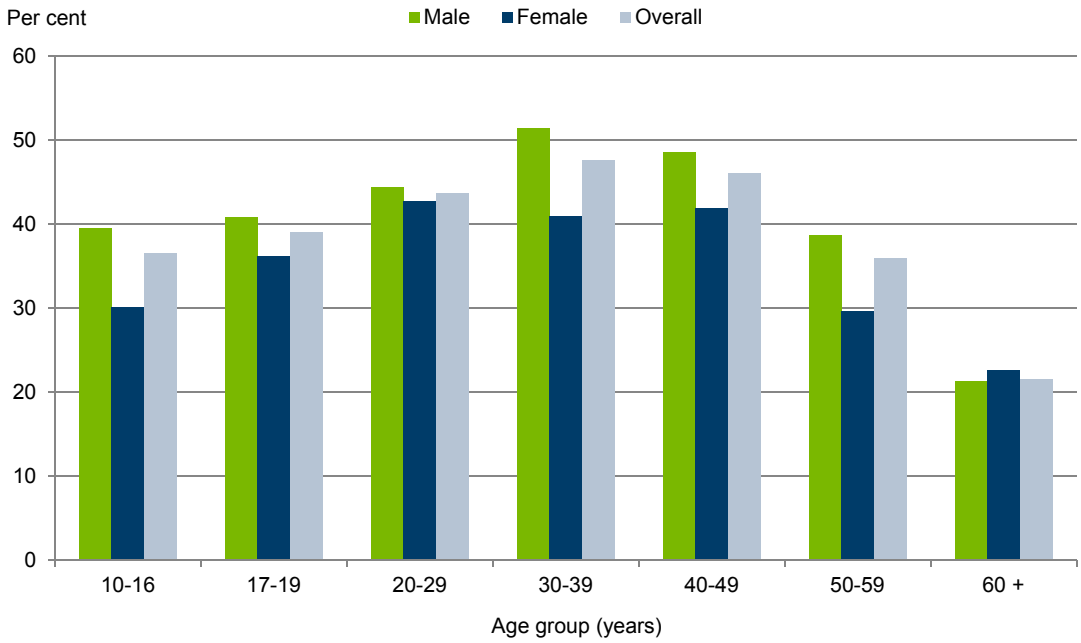
(a) Per cent of all offenders within each category.

Table 10: Number of offenders with more than one offence conviction by age and gender

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
10-16	26	39.4	9	30.0	35	36.5
17-19	160	40.7	83	36.1	243	39.0
20-29	477	44.3	300	42.6	777	43.6
30-39	510	51.4	232	40.8	742	47.5
40-49	314	48.5	165	41.9	479	46.0
50-59	113	38.6	36	29.5	149	35.9
60 +	27	21.3	7	22.6	34	21.5
Unknown	0	0.0	0	0.0	0	0.0
Total	**1,627**	**45.2**	**832**	**40.0**	**2,459**	**43.3**

(a) Per cent of all offenders within each category.

Figure 7: Proportion of offenders with more than one offence conviction in each age group



A logistic regression model was performed to determine the characteristics that best predict problematic reoffenders (those with three or more offence convictions for alcohol breaches). Age, gender, Indigenous status, and prior convictions for other offence types were all found to be significant independent predictors of problematic reoffending. Prior convictions for offences against property and offences against the person were not significant predictors. Interactions between the demographic variables were not found to be significant after the main effects had been controlled for.

Criminal histories

Convictions for other offence types

Of the 5,676 unique AMP offenders, 860 (15.2%) had no convictions for other offence types during the 10 year study period (see blue shaded boxes in Figure 8).

A further 84.8 per cent (4,816) of AMP offenders were convicted of another type of offence between 2002-03 and 2011-12. Specifically:

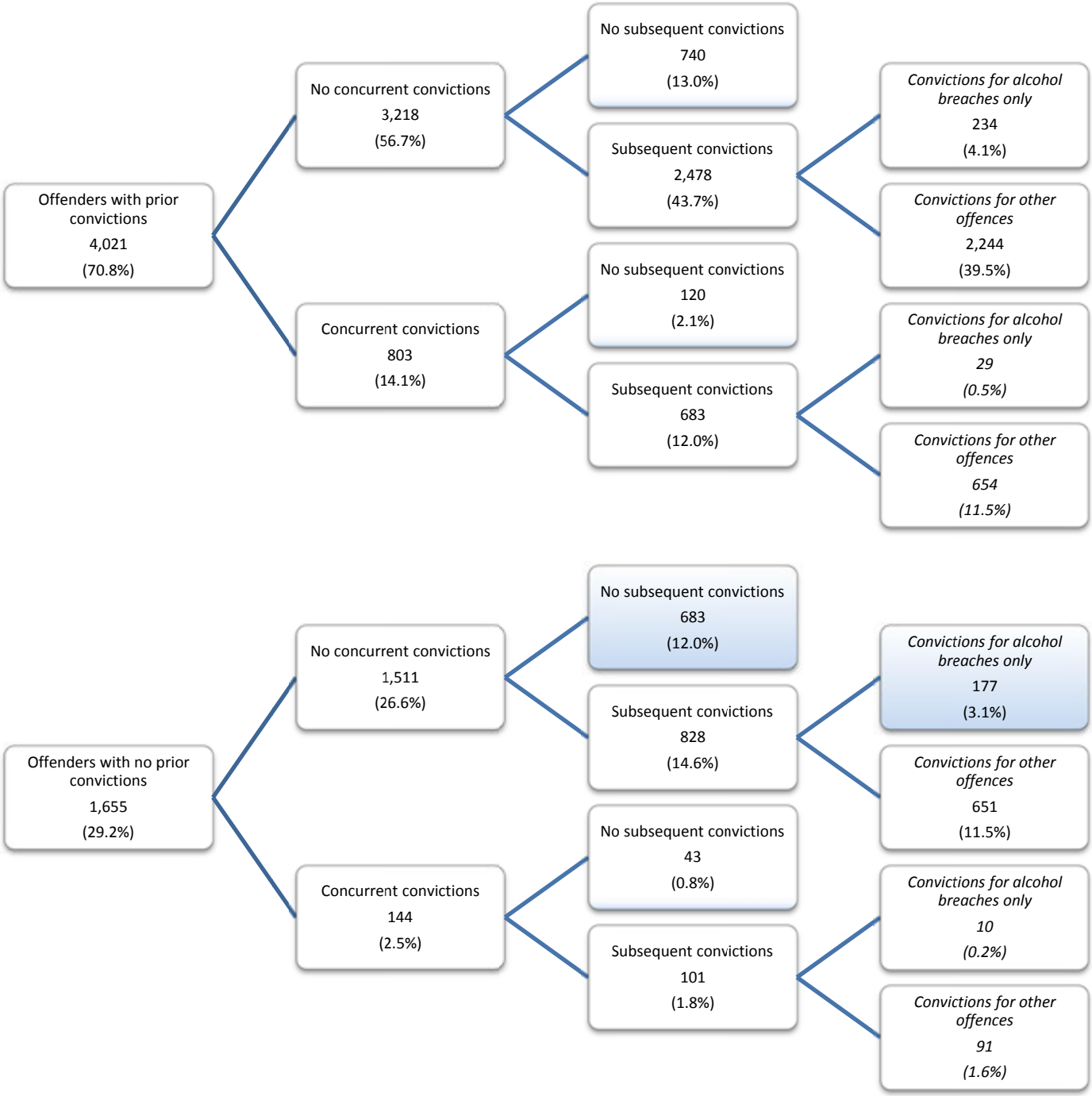
- 70.8 per cent (4,021) were convicted of another offence prior to their first alcohol breach conviction, including;
  - 740 with no concurrent or subsequent convictions
  - 120 with concurrent but no subsequent convictions
- 64.1 per cent (3,640) were convicted of a different offence type after their first alcohol breach conviction, including;
  - 2,898 with prior convictions (including 2,244 with no concurrent convictions)
  - 742 with no prior convictions (including 651 with no concurrent convictions)
- 16.7 per cent (947) were convicted of another offence at the same time as their first alcohol breach conviction[9], including;
  - 144 with no prior convictions
  - 803 with prior convictions.

Of the 860 offenders (15.2%) with an alcohol breach conviction and no convictions for other offence types, 177 had subsequent convictions for alcohol breaches, while 683 had no other convictions at all.

As these 860 offenders have no convictions for another type of offence, it could be argued that this group of individuals have obtained a criminal history solely due to breaching the alcohol restrictions.

[9] Date of offence was used to determine whether offences occurred prior to, at the same time as, or subsequent to an offender's first alcohol breach conviction. Where date of offence was not available, the date of finalisation for the court case was used.

Figure 8: Offenders with prior, concurrent or subsequent convictions to their first alcohol breach conviction



The proportion of offenders who obtained a criminal history before (14.9%, 381), and after (15.4%, 479) the changes introduced on 1 July 2008 did not differ significantly. Offenders who were significantly more likely to obtain a criminal history due to a breach of alcohol restrictions were:

- Non-Indigenous offenders (51.9%) compared with Indigenous offenders (12.8%) (see Table 11).
- Female (21.0%) compared with male offenders (11.8%) (see Table 12).
- Offenders in older age groups (40 years and older) compared with offenders in younger age groups (under 40 years of age), with approximately half of offenders aged 60 years and over criminalised (52.0% of male offenders and 48.4% of female offenders).

Male offenders aged 50 years and over were significantly more likely to obtain a criminal history than male offenders under 50 years of age, and those aged 40-49 years were significantly more likely to obtain a criminal

history than those aged between 17 and 39 years. A similar pattern was evident for female offenders (see Figure 9).

Table 11: Number of offenders with no convictions for other offence types by Indigenous status

Indigenous status	Number	Per cent [(a)]
Non-Indigenous	151	51.9
Indigenous	685	12.8
Aboriginal	*641*	*13.6*
Torres Strait Islander	*15*	*51.7*
Aboriginal and Torres Strait Islander	*29*	*4.6*
Unknown	24	92.3
Total	**860**	**15.2**

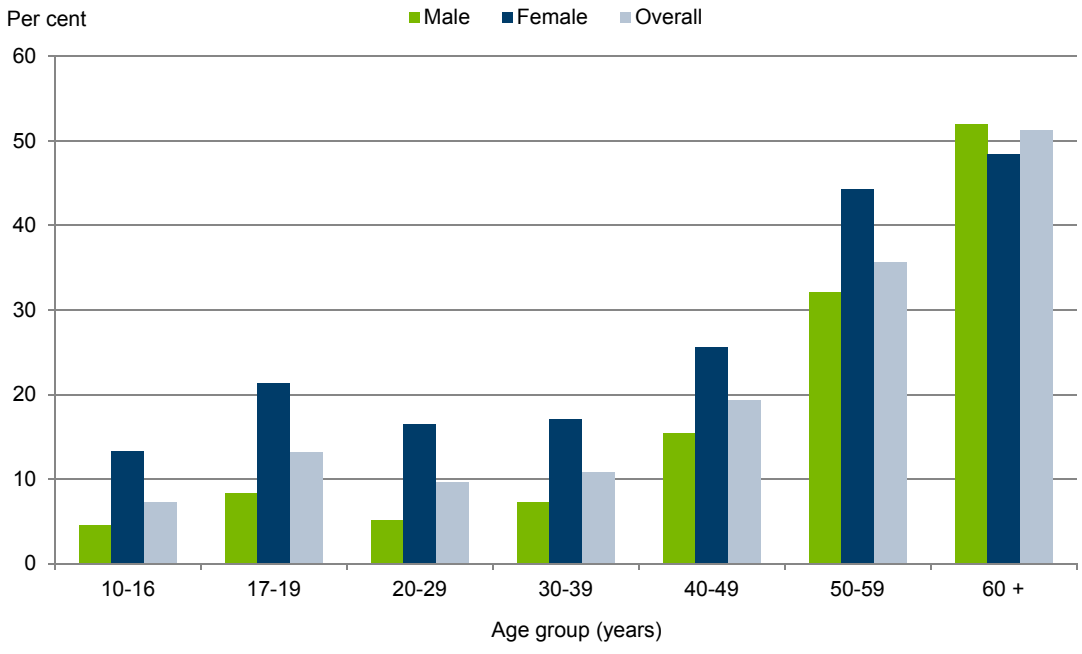
(a) Per cent of all offenders within each category.

Table 12: Number of offenders with no convictions for other offence types by age and gender

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
10-16	3	4.5	4	13.3	7	7.3
17-19	33	8.4	49	21.3	82	13.2
20-29	55	5.1	116	16.5	171	9.6
30-39	72	7.3	97	17.1	169	10.8
40-49	100	15.5	101	25.6	201	19.3
50-59	94	32.1	54	44.3	148	35.7
60 +	66	52.0	15	48.4	81	51.3
Unknown	1	100.0	0	0.0	1	100.0
Total	**424**	**11.8**	**436**	**21.0**	**860**	**15.2**

(a) Per cent of all offenders within each category.

Figure 9: Proportion of offenders with no convictions for other offence types in each age group



Of the 860 persons who obtained a criminal history due to a breach of alcohol restrictions, and had no convictions for other offence types, at least 555 were resident in one of the discrete Indigenous communities at the time of their offence. There was no recorded address information for a further 124 (14.4%) of these 860 persons.

Of the 555 persons living in a discrete Indigenous community, 20.7 per cent gave Yarrabah as their address. In contrast, the average population of Yarrabah over the 10 year period was estimated to be 2,459, or only 14.3% of the total average community population. By this relative measure, Yarrabah residents were over-

represented in these data. Similarly, Hope Vale residents comprised 12.4 per cent of community offenders, but only 5.2 per cent of the average population.

Table 13: Number of offenders with no convictions for other offence types by community of residence

	Number	Per cent [(a)]	Contribution to total community ERP[(b)] Per cent
Aurukun	32	5.8	7.0
Cherbourg	54	9.7	7.0
Doomadgee	20	3.6	7.1
Hope Vale	69	12.4	5.2
Kowanyama	17	3.1	6.2
Lockhart River	30	5.4	3.3
Mapoon	7	1.3	1.5
Mornington Island	27	4.9	6.4
Napranum	38	6.8	5.0
Northern Peninsula Area	22	4.0	12.7
Palm Island	63	11.4	13.1
Pormpuraaw	16	2.9	3.8
Woorabinda	24	4.3	5.5
Wujal Wujal	21	3.8	1.9
Yarrabah	115	20.7	14.3
Community total	**555**	**100.0**	**100.0**
Other	*181*		*n.a.*
Unknown	*124*		*n.a.*
Total	**860**		**n.a.**

(a) Per cent of all offenders from discrete Indigenous communities with no other convictions.

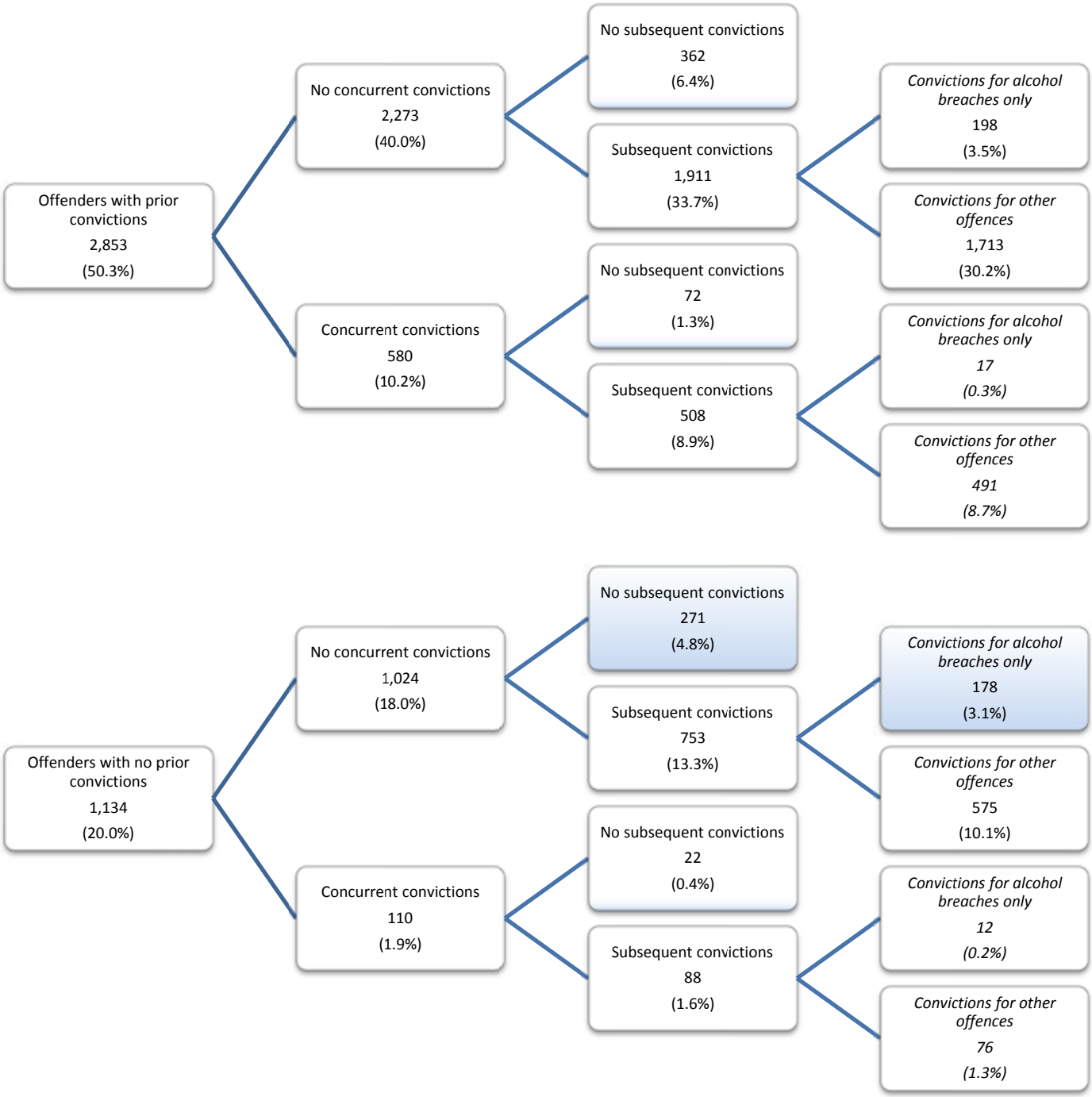
(b) The percentage contribution made by each community to the overall community estimated resident population - averaged over the 10 years 2002-03 to 2011-12

A logistic regression model was performed to determine the demographic characteristics that best predicted who obtained a criminal history due to a breach of alcohol restrictions. Age, gender, and Indigenous status were all found to be significant independent predictors for obtaining a criminal history. Interactions between the demographic variables were not found to be significant after the main effects had been controlled for.

Recorded convictions for other offence types

Although all offenders discussed above were convicted of an offence, not all offenders had their convictions recorded[10] against their name. Only 449 (7.9% of all offenders) with no convictions for other offence types, had a conviction recorded for their AMP offence (see Figure 10).

Figure 10: Offenders with an alcohol breach conviction recorded on their criminal history with prior, concurrent or subsequent convictions recorded



The patterns among this group were similar to those in Figure 8, with the proportion of offenders obtaining a criminal history before (8.2%, 210) and after (7.7%, 239) the changes introduced on 1 July 2008 not differing significantly. Offenders who were significantly more likely to obtain a criminal history due to breaching the alcohol restrictions were:

- Non-Indigenous offenders (12.0%) compared with Indigenous offenders (7.6%) (see Table 14).
- Female (11.6%) compared with male offenders (5.8%) (see Table 15).

[10] See Section 11 of the *Penalties and Sentencing Act, 1992*.

- Offenders in older age groups compared with offenders in younger age groups, with no offenders aged 10-16 years criminalised (see Table 15).

Male offenders aged 50 years and over were significantly more likely to obtain a criminal history than male offenders under 40 years of age, and those aged 40-49 years were significantly more likely to obtain a criminal history than those aged 20-29 and 30-39 years (see Figure 11). For female offenders, only those aged 40-49 and 50-59 years were significantly more likely to obtain a criminal history than those aged 30-39 years.

Table 14: Number of offenders with only AMPs related offences recorded on their criminal history, by Indigenous status

Indigenous status	Number	Per cent [(a)]
Non-Indigenous	35	12.0
Indigenous	407	7.6
Aboriginal	*385*	*8.2*
Torres Strait Islander	*2*	*6.9*
Aboriginal and Torres Strait Islander	*20*	*3.2*
Unknown	7	26.9
Total	**449**	**7.9**

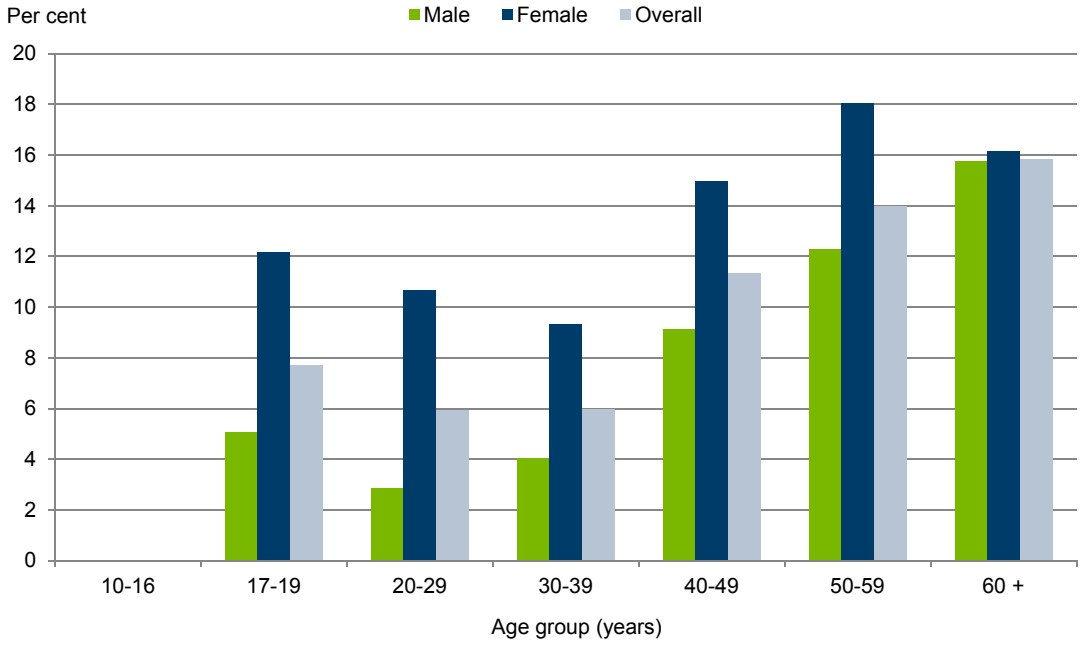
(a) Per cent of all offenders within each category.

Table 15: Number of offenders with only AMPs related offences recorded on their criminal history, by age and gender

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
10-16	0	0.0	0	0.0	0	0.0
17-19	20	5.1	28	12.2	48	7.7
20-29	31	2.9	75	10.7	106	6.0
30-39	40	4.0	53	9.3	93	6.0
40-49	59	9.1	59	15.0	118	11.3
50-59	36	12.3	22	18.0	58	14.0
60 +	20	15.7	5	16.1	25	15.8
Unknown	1	100.0	0	0.0	1	100.0
Total	**207**	**5.8**	**242**	**11.6**	**449**	**7.9**

(a) Per cent of all offenders within each category.

Figure 11: Proportion of offenders with only AMPs related offences recorded on their criminal history in each age group



Prior convictions

Offenders with prior convictions were significantly more likely (68.6%, 2,757) to have their first alcohol breach conviction recorded on their criminal history than offenders with no prior convictions (35.7%, 590). Of the offenders with prior convictions, 34.9% had prior convictions for offences against property, 50.5% for offences against the person, and 87.5% for other offences (see Table 16).

Table 16: Offence type and ASOC division of prior convictions

Offence Type	ASOC Division	– number –[(a)]	– % –[(b)]
Offences against property		**1,396**	**34.9**
	Unlawful entry with intent/burglary, break & enter	571	14.3
	Theft & related offences	677	16.9
	Fraud, deception & related offences	75	1.9
	Property damage & environmental pollution	635	15.9
Offences against the person		**2,021**	**50.5**
	Homicide & related offences	2	0.0
	Acts intended to cause injury	1,503	37.5
	Sexual assault & related offences	89	2.2
	Dangerous or negligent acts endangering persons	744	18.6
	Abduction, harassment & other offences against the person	51	1.3
	Robbery, extortion & related offences	29	0.7
Other offences		**3,503**	**87.5**
	Illicit drug offences	429	10.7
	Prohibited & regulated weapons & explosives offences	204	5.1
	Public order offences	2,076	51.8
	Traffic & vehicle regulatory offences	1,323	33.0
	Offences against justice procedures, government security & government operations	1,928	48.1
	Other offences	74	1.8

(a) Only the most serious offence and charge was retained for each case.
(b) Per cent based on the number of offenders with at least one prior conviction that was the most serious offence appeared for in a case (n=4,005).

Indigenous offenders were significantly more likely (73.2%) to have convictions prior to their first alcohol breach conviction than non-Indigenous offenders (34.4%) (see Table 17). They were also significantly more likely to have offences against the person (51.0%) than non-Indigenous offenders (30.0%). There was no significant difference between Indigenous and non-Indigenous offenders in rates of prior convictions for offences against property (35.1% and 27.0% respectively) or other offences (87.5% and 87.0% respectively).

Table 17: Number of offenders with prior convictions by Indigenous status

Indigenous status	Number	Per cent [(a)]
Non-Indigenous	100	34.4
Indigenous	3,921	73.2
Aboriginal	*3,407*	*72.4*
Torres Strait Islander	*8*	*27.6*
Aboriginal and Torres Strait Islander	*506*	*81.1*
Unknown	0	0.0
Total	**4,021**	**70.8**

(a) Per cent of all offenders within each category.

Male offenders were significantly more likely (75.9%) than female offenders (62.1%) to have prior convictions (see Table 18), with male offenders significantly more likely to have offences against property (37.8%) and the person (56.3%) than female offenders (28.6% and 38.2% respectively). There was no significant difference between male (87.4%) and female (87.7%) offenders in rates of other offences.

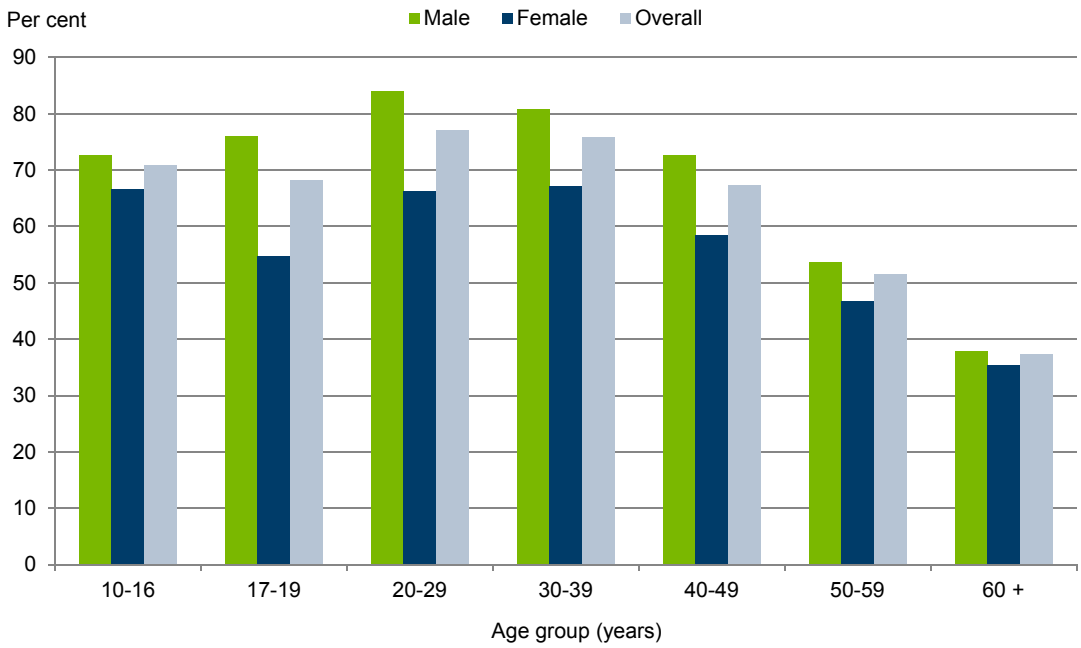
Offenders aged less than 50 years were significantly more likely than offenders aged 50 years and over to have prior convictions, with those aged 20-29 and 30-39 years the most likely (see Figure 12). The age pattern for male offenders with prior convictions was almost identical to the overall age pattern. A similar pattern was evident for female offenders, with those aged 20-29 and 30-39 years significantly more likely than those aged 17-19 and 40 years and over to have prior convictions.

Table 18: Number of offenders with prior convictions by age and gender

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
10-16	48	72.7	20	66.7	68	70.8
17-19	299	76.1	126	54.8	425	68.2
20-29	905	84.0	467	66.3	1,372	77.0
30-39	802	80.8	381	67.1	1,183	75.8
40-49	470	72.6	230	58.4	700	67.2
50-59	157	53.6	57	46.7	214	51.6
60 +	48	37.8	11	35.5	59	37.3
Unknown	0	0.0	0	0.0	0	0.0
Total	**2,729**	**75.9**	**1,292**	**62.1**	**4,021**	**70.8**

(a) Per cent of all offenders within each category.

Figure 12: Proportion of offenders with prior convictions in each age group



For offenders with prior convictions, there was a trend for younger age groups to be significantly more likely than older age groups to have convictions for offences against property, and older age groups to be significantly more likely than younger age groups to have convictions for other offences (see Figure 13). Offenders aged between 20 and 49 years were the most likely to have prior convictions for offences against the person. A similar age pattern in prior conviction offence types was evident for male and female offenders (see Figure 14 and Figure 15).

Figure 13: Proportion of offenders with prior convictions in each offence type by age group

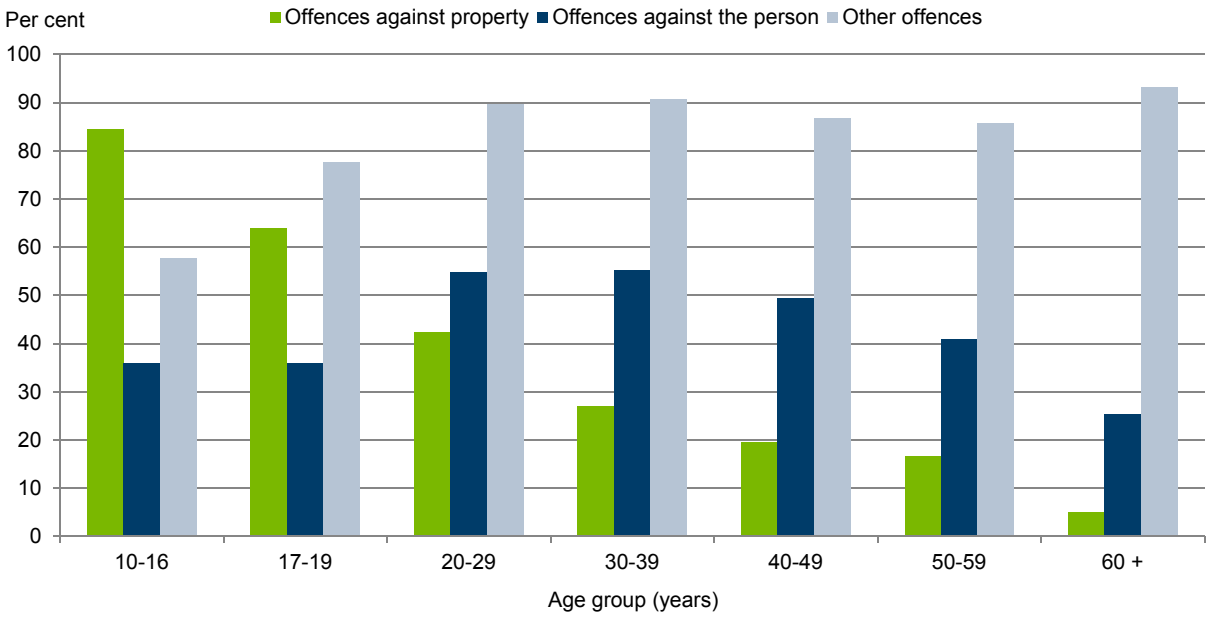


Figure 14: Proportion of male offenders with prior convictions in each offence type by age group

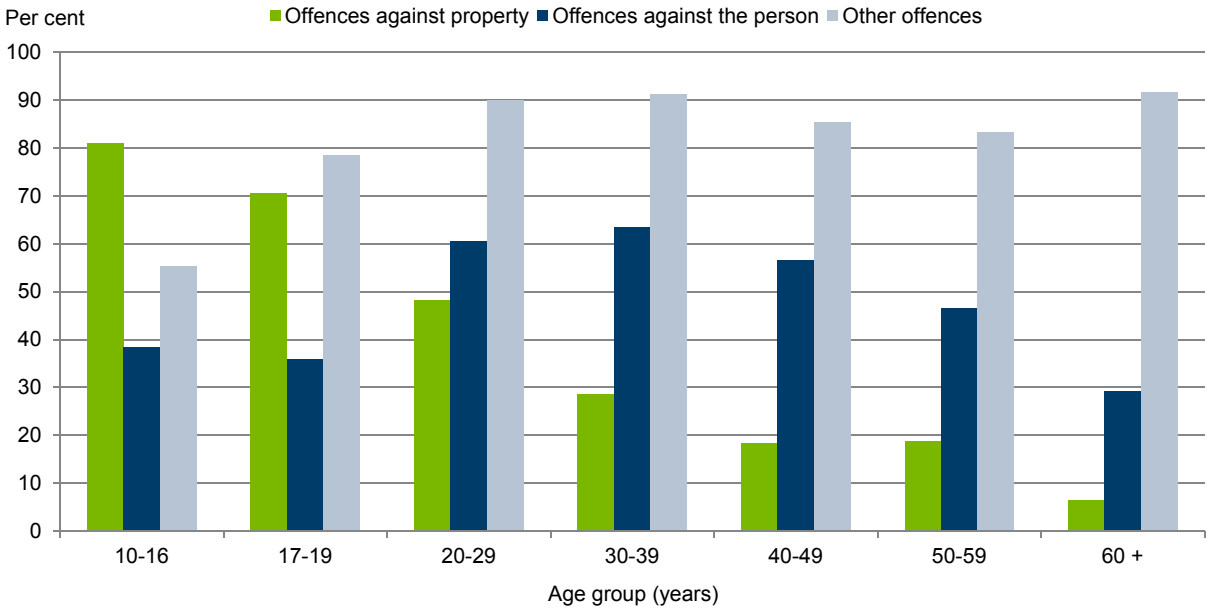
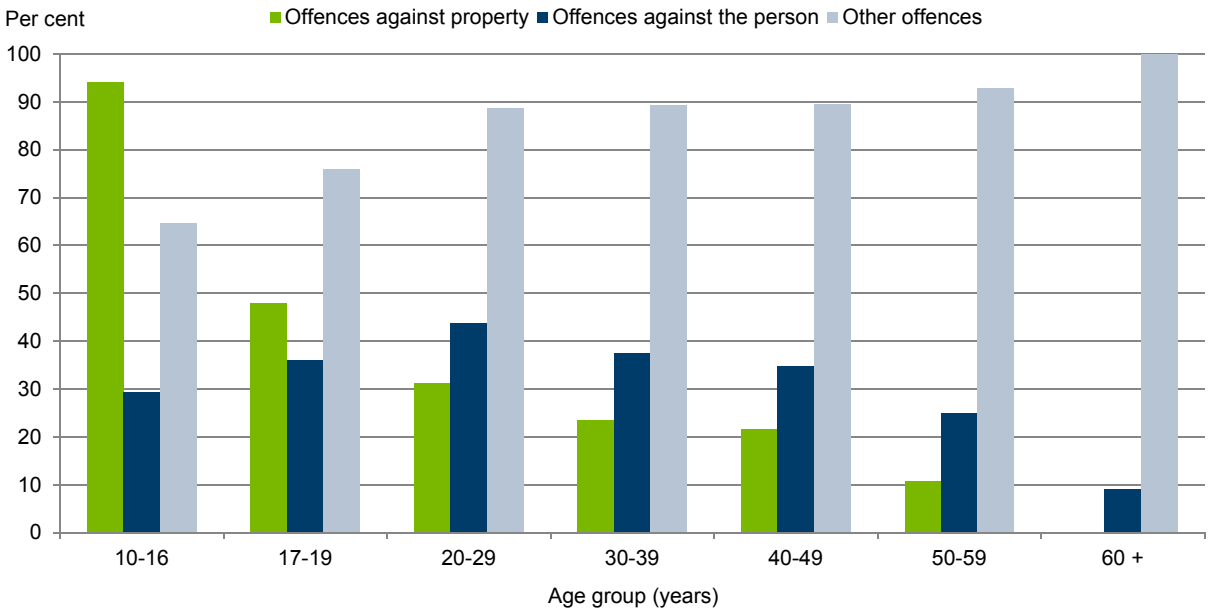


Figure 15: Proportion of female offenders with prior convictions in each offence type by age group



Subsequent convictions

Of the offenders with subsequent convictions for other offence types, 23.6% had subsequent convictions for offences against property, 43.6% for offences against the person, and 91.1% for other offences (see Table 19).

Table 19: Offence type and ASOC division of subsequent convictions [a]

Offence Type	ASOC Division	– number –[b]	– % –[c]
Offences against property		**854**	**23.6**
	Unlawful entry with intent/burglary, break & enter	250	6.9
	Theft & related offences	356	9.8
	Fraud, deception & related offences	41	1.1
	Property damage & environmental pollution	413	11.4
Offences against the person		**1,577**	**43.6**
	Homicide & related offences	2	0.1
	Acts intended to cause injury	1,095	30.3
	Sexual assault & related offences	48	1.3
	Dangerous or negligent acts endangering persons	678	18.7
	Abduction, harassment & other offences against the person	20	0.6
	Robbery, extortion & related offences	9	0.2
Other offences		**3,296**	**91.1**
	Illicit drug offences	486	13.4
	Prohibited & regulated weapons & explosives offences	153	4.2
	Public order offences	1,904	52.6
	Traffic & vehicle regulatory offences	1,324	36.6
	Offences against justice procedures, government security & government operations	1,764	48.8
	Other offences	55	1.5

(a) Alcohol breach convictions subsequent to an offender's first alcohol breach conviction have been excluded.
(b) Only the most serious offence and charge was retained for each case.
(c) Per cent based on the number of offenders with at least one subsequent conviction that was the most serious offence appeared for in a case (n=3,617).

Indigenous offenders were significantly more likely (66.5%) than non-Indigenous offenders (26.1%) to have subsequent convictions (see Table 20). They were also significantly more likely to have offences against property (24.0%) than non-Indigenous offenders (5.3%). There was no significant difference between Indigenous and non-Indigenous offenders in rates of subsequent convictions for offences against the person (43.9% and 30.3% respectively) or other offences (91.3% and 84.2% respectively).

Table 20: Number of offenders with subsequent convictions by Indigenous status

Indigenous status	Number	Per cent [(a)]
Non-Indigenous	76	26.1
Indigenous	3,564	66.5
Aboriginal	*3,059*	*65.0*
Torres Strait Islander	*5*	*17.2*
Aboriginal and Torres Strait Islander	*500*	*80.1*
Unknown	0	0.0
Total	**3,640**	**64.1**

(a) Per cent of all offenders within each category.

Male offenders (69.1%) were significantly more likely than female offenders (55.6%) to have subsequent convictions (see Table 21), with significantly more offences against property (25.4%) and the person (49.8%) than female offenders (19.7% and 30.3% respectively). There was no significant difference in rates of subsequent other offences for male (91.2%) and female (91.0%) offenders.

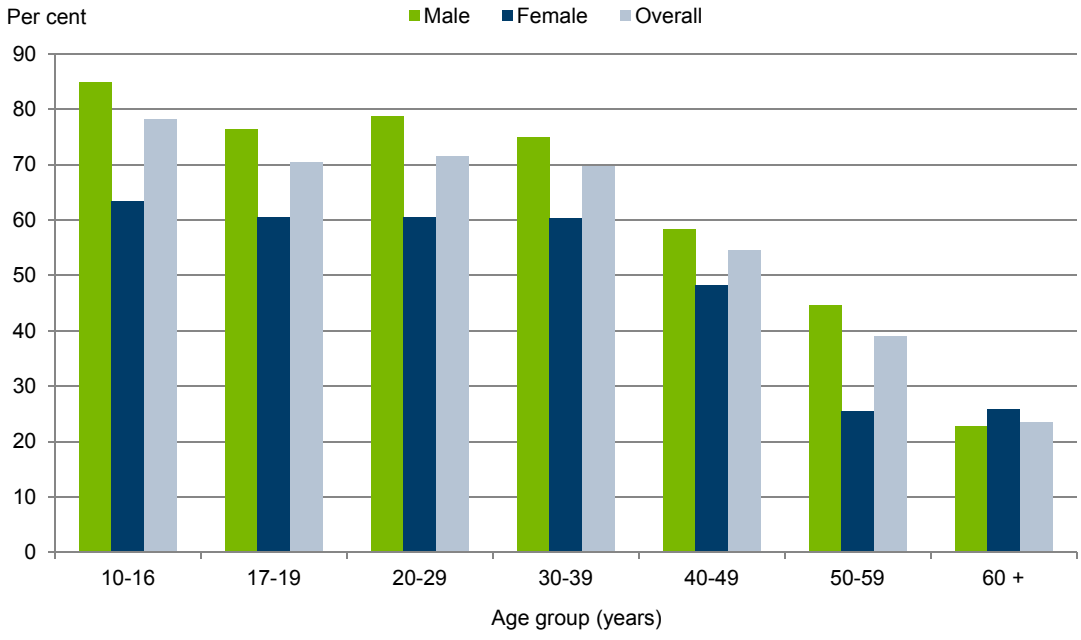
The rates of offenders with subsequent convictions generally decreased with age, with first time AMP offenders under 40 years significantly more likely than offenders aged 40 years and over to have subsequent convictions (see Figure 16). The age pattern for male and female offenders with subsequent convictions was similar to the overall age pattern.

Table 21: Number of offenders with subsequent convictions by age and gender

	Male		Female		Overall	
Age group	– number –	– % – [(a)]	– number –	– % – [(a)]	– number –	– % – [(a)]
10-16	56	84.8	19	63.3	75	78.1
17-19	300	76.3	139	60.4	439	70.5
20-29	847	78.6	426	60.5	1,273	71.5
30-39	744	74.9	343	60.4	1,087	69.6
40-49	377	58.3	190	48.2	567	54.5
50-59	131	44.7	31	25.4	162	39.0
60 +	29	22.8	8	25.8	37	23.4
Unknown	0	0.0	0	0.0	0	0.0
Total	**2,484**	**69.1**	**1,156**	**55.6**	**3,640**	**64.1**

(a) Per cent of all offenders within each category.

Figure 16: Proportion of offenders with subsequent convictions in each age group



For offenders with subsequent convictions, there was a trend for younger age groups to be significantly more likely than older age groups to have convictions for offences against property and offences against the person (see Figure 17). There was little variation in the rates of offenders with other offences, ranging from a low of 81.1% in offenders aged 10-16 years to a high of 93.3% of offenders aged 17-19 years. A similar age pattern in subsequent conviction offence types was evident for male and female offenders (see Figure 18 and Figure 19).

Figure 17: Proportion of offenders with subsequent convictions in each offence type by age group

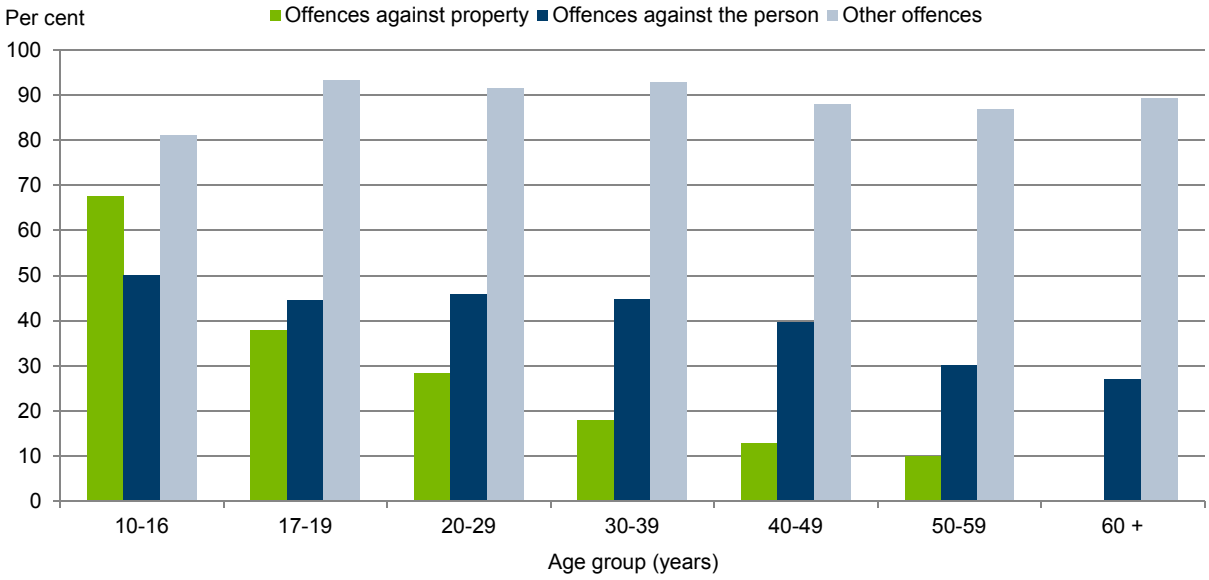


Figure 18: Proportion of male offenders with subsequent convictions in each offence type by age group

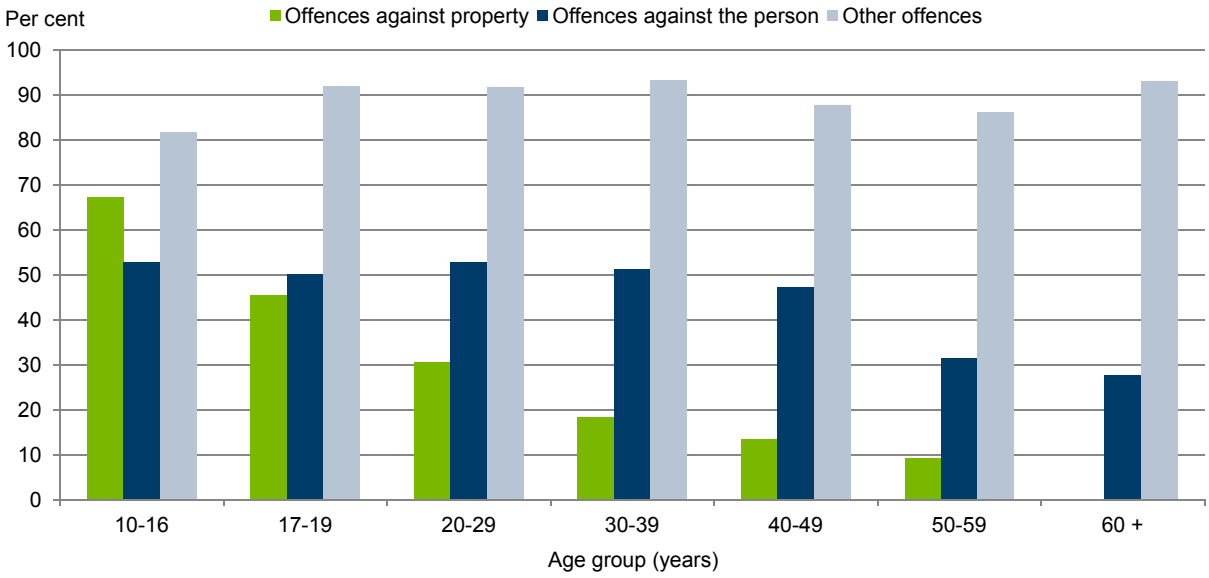
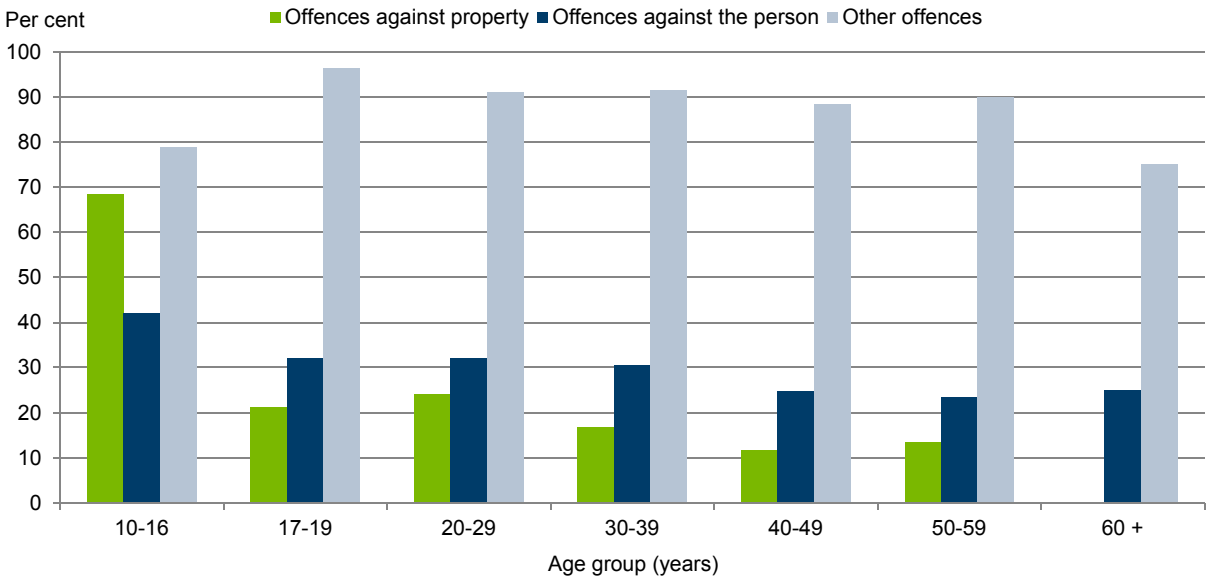


Figure 19: Proportion of female offenders with subsequent convictions in each offence type by age group



Data statement

Originating request

Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA) and Government Statistician have entered a partnership whereby Government Statistician provides data brokering, processing and analysis for a range of data required by DATSIMA for the quarterly and annual reports on key indicators in Queensland's discrete communities.

Data brokering

Data contained in this report are brokered by the Government Statistician from the Queensland Department of Justice and Attorney-General.

Data are securely stored within the Government Statistician, as agreed with each relevant agency.

Role of data custodian

Data are provided to the Government Statistician by data custodians in an agreed format, with required fields. Agencies provide statements of quality regarding the data and provide context as to changes which may have occurred with the data collection over the relevant period.

The Government Statistician undertakes processing of the data on behalf of each agency and provides output including derived tables and analytical text to each custodial agency to approve prior to releasing the output to DATSIMA.

Data brokered for this report include:

- Defendants breaching Sections 168B and 168C of the *Liquor Act 1992.*
- Charges under Sections 168B and 168C of the *Liquor Act 1992.*
- Offence details including location and date of offence.
- Defendant demographic details including place of usual residence, age and sex.
- Details relating to all other charges against defendants breaching Sections 168B and 168C of the *Liquor Act 1992,* that were made during 1 July 2002 and 30 June 2012.

Data notes

1. The definition of a 'Person' for this data collection is based on the Defendant being able to be matched to other records through either automated linkage or manual inspection.
2. People convicted of breaching alcohol carriage restrictions have been counted in each location they have been convicted of committing the offence.
3. A 'Defendant' has been defined based on the counting methodology used for the Report on Government Services.
4. The 'Number of Persons convicted', 'Number of Defendants convicted' and 'Number of charges resulting in a conviction' includes charges finalised where an order is made that no conviction be recorded on the Defendants' criminal history.
5. Data for Cherbourg includes offences committed prior to the commencement date of the Alcohol Management Plan.
6. A single offender can be convicted of multiple charges.
7. Records with a code of 'Out of scope penalty' were excluded from these analyses.

Source: Queensland Wide Interlinked Courts (QWIC) system.