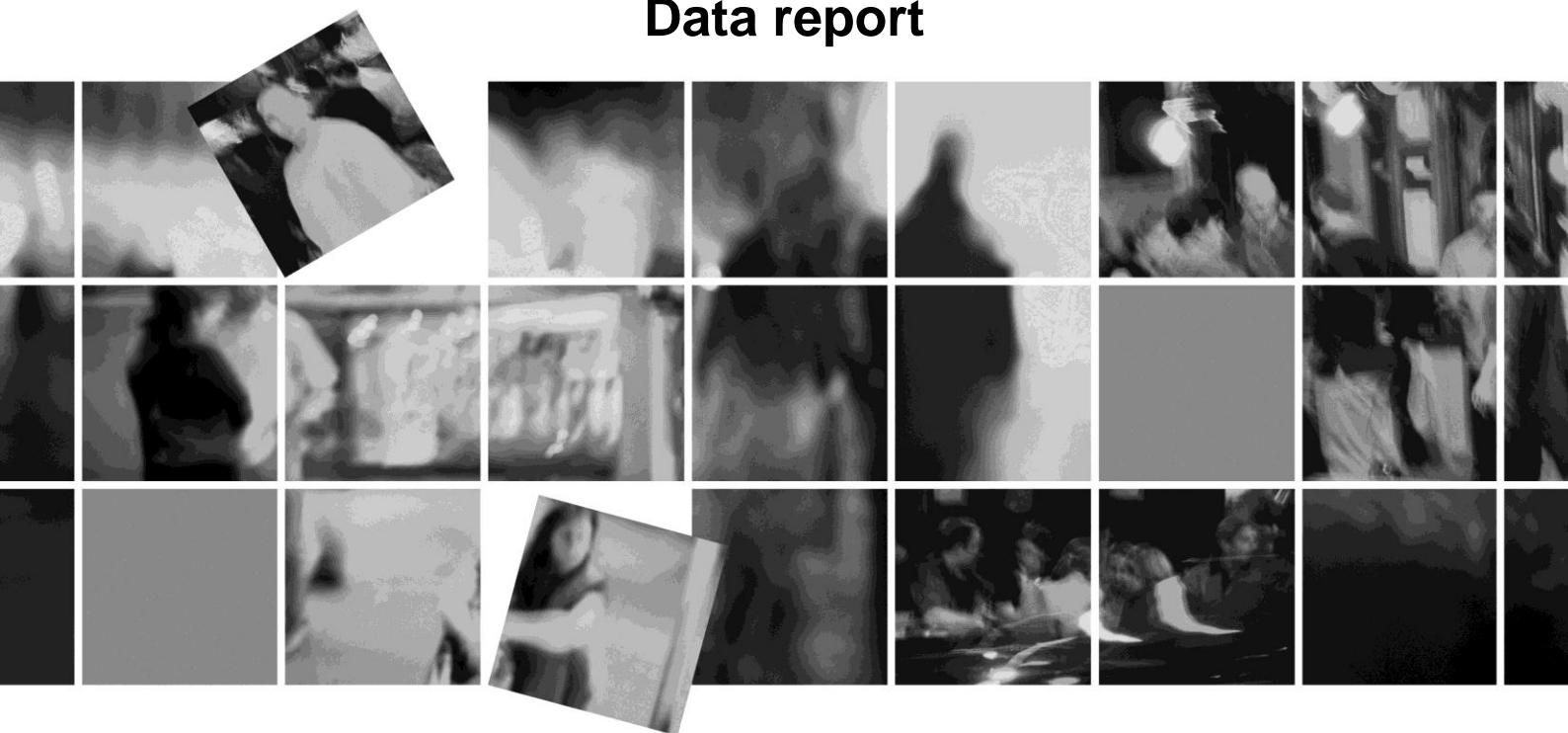


POLICE MOVE-ON POWERS

A CMC review of their use

Data report



CRIME AND
MISCONDUCT
COMMISSION



QUEENSLAND

December 2010

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CRIME AND
MISCONDUCT
COMMISSION



QUEENSLAND

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CMC vision:

That the CMC make a unique contribution to protecting Queenslanders from major crime, and promote a trustworthy public sector.

CMC mission:

To combat crime and improve public sector integrity.

Acknowledgments

This data report was prepared by the Research Unit of the Crime and Misconduct Commission (CMC). The report was prepared for publication by the Communications Unit.

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Abbreviations and acronyms

CMC	Crime and Misconduct Commission
OR	odds ratio
QPS	Queensland Police Service
QPRIME	Queensland Police Records and Information Management Exchange
QWIC	Queensland-wide Interlinked Courts
SPER	State Penalties Enforcement Registry

Glossary

Adult	Aged 17 years or over (17+ years).
Juvenile	Aged less than 17 years (0–16 years).
Young adult	Aged between 17 and 24 years.
Move-on incident	A situation in which a move-on direction is issued.
Move-on laws	Used in reference to legislation.
Move-on powers	Used in reference to the use of the move-on laws.
Move-on subjects	We refer to people who have been given a move-on direction as ‘move-on subjects’.
Disobey move-on offence	We refer to the offence of contravene a direction which involves a breach of a move-on direction as a ‘disobey move-on offence’.
Disobey move-on subjects	We refer to people who have disobeyed a move-on direction as ‘disobey move-on subjects’.
Disobey move-on only subjects	People who have only disobeyed a move-on direction, and have committed no other offence.
Disobey plus other subjects	People charged with disobeying a move-on direction as well as some other type of offence.
Recidivist disobey move-on subjects	People who have disobeyed a move-on direction more than once.
Disobey move-on defendants	People who have been charged with disobeying a move-on direction.
Community service orders	A court-ordered penalty requiring offenders to perform a specified number of hours of unpaid community work.
Community/youth justice conferences	A police-initiated or court-ordered meeting based on restorative justice principles; the offender meets with the people affected by their crime.
Monetary orders	Monetary penalties requiring offenders to make a payment of a specified sum. The most common monetary order imposed is a fine.
Recognisance/good behaviour orders	Penalties where offenders are ordered to be of good behaviour for a specified period and where a breach thereof may be taken into account if the offender re-offends during the period of the order.
Statewide expansion	Refers to the geographical expansion of move-on powers on 1 June 2006.

Introduction

Overview

This data report is a companion document to the report *Police move-on powers: a CMC review of their use* (henceforth referred to as the ‘main report’). The data report provides the specifics of the review’s methodology and data analyses. For more information about the review, as well as its findings and recommendations, see the main report, which is available from the publications section of the CMC website, <www.cmc.qld.gov.au>.

We have created two separate documents so that readers who are interested in the specifics of the data analyses can have access to them. The data report is divided into six parts, each part corresponding to a section in Chapter 3 of the main report.

Part 1 examines recorded applications of the use of move-on powers by police:

- the number and rate of move-on incidents recorded by police
- where and when move-on powers are most often applied
- the impact of the statewide expansion of move-on powers.

Part 2 examines the people recorded as being given a move-on direction:

- their demographic characteristics (gender, age and Indigenous status)
- whether the statewide expansion of move-on powers led to a change in the characteristics of people who were given a move-on direction
- the number and proportion of people who were given a move-on direction on multiple occasions, and the demographic characteristics of these people.

Part 3 explores the frequency with which move-on directions are disobeyed:

- the number and rate of recorded disobey move-on incidents in Queensland
- where and when move-on directions are most often given
- whether there have been any changes over time, particularly after the statewide expansion of move-on powers.

Part 4 examines the people who have disobeyed a move-on direction:

- their demographic characteristics (gender, age and Indigenous status)
- whether the statewide expansion of move-on powers was associated with a change in the characteristics of people who were recorded as disobeying a move-on direction
- the characteristics of recidivist disobey move-on subjects (that is, those subjects who disobeyed a move-on direction more than once)
- the characteristics of subjects who were also charged with other offences at the time of their disobey move-on offence.

Part 5 looks at how police respond to disobey move-on subjects:

- the kinds of action (for example, arrest, notice to appear) taken by police
- whether there are any differences between how police deal with Indigenous and non-Indigenous disobey move-on subjects
- impacts of the statewide expansion of move-on powers.

Part 6 examines the courts' response to disobey move-on charges:

- the gender, age and Indigenous status of our sample of disobey move-on defendants
- the results of the courts process
- the penalties imposed on disobey move-on defendants who are found guilty
- fines imposed that are referred to the State Penalties Enforcement Registry (SPER) for enforcement.

Methodology

This section explains the types of data we used.

Quantitative data

For this review, we analysed various types of quantitative data. Although this report mainly discusses police and courts data, the review analysed all of the data listed below. Appendixes A–C give further specifics of what data we requested and received, how we sampled and analysed the data and the associated limitations.

Queensland Police Records and Information Management Exchange (QPRIME) data

We analysed QPRIME data that related to all recorded move-on incidents and all recorded disobey move-on offences in Queensland. To take into account incidents that occurred before and after the statewide expansion of move-on powers, we analysed data from 1 June 2004 to 31 May 2008 (see Figure 1). Throughout this report, we refer to QPRIME data as 'police data' or 'QPRIME data' (see also Appendix A).

These data were provided by the Queensland Police Service (QPS).

Queensland-wide Interlinked Courts (QWIC) data

To determine how Queensland courts respond to disobey move-on offences, we analysed QWIC data after the statewide expansion of the move-on powers, from 1 June 2006 to 28 February 2009. We analysed a sample of 285 adult defendants and all juvenile defendants that we could locate in the QWIC data ($n = 88$). Throughout this report, we refer to QWIC data as 'courts data' (see also Appendix B).

These data were provided by the Department of Justice and Attorney-General.

State Penalties Enforcement Registry (SPER) data

We used SPER data to examine the debt status of 225 adult disobey move-on offenders who were ordered by the courts to pay a monetary fine during the period 1 June 2006 to 28 February 2009 (see also Appendix C).

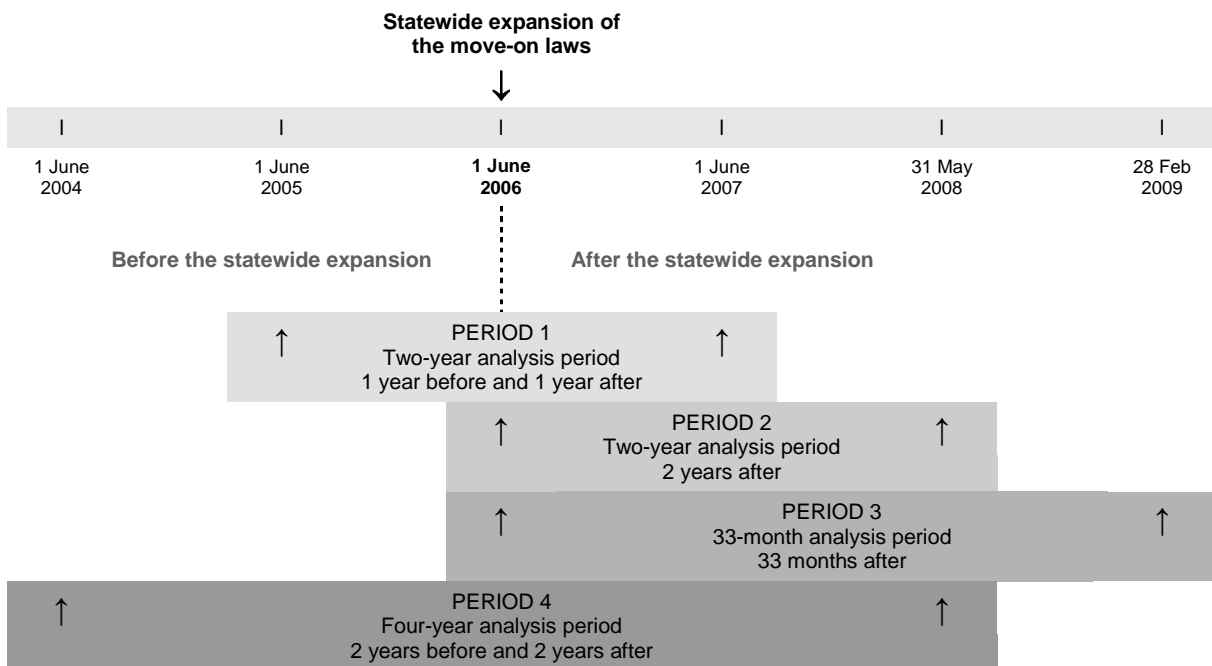
These data were provided by the Department of Justice and Attorney-General.

Period of data analysis

Much of our data analyses are focused on four time periods associated with the statewide expansion of move-on powers on 1 June 2006 (see Figure 1):

- **Period 1:** 1 June 2005 to 31 May 2007 (one year before and one year after the statewide expansion of move-on powers). We compare police data from these two years to assess the impact of the statewide expansion.
- **Period 2:** 1 June 2006 to 31 May 2008 (two years after the statewide expansion of move-on powers). We compare police data from the first year and second year after the statewide expansion to assess any changes since the statewide expansion.
- **Period 3:** 1 June 2006 to 28 February 2009 (33 months after the statewide expansion of move-on powers). We examine matters finalised in the courts and referred to SPER (if relevant) in this extended time period.
- **Period 4:** 1 June 2004 to 31 May 2008 (two years before and two years after the statewide expansion of move-on powers). We assess the longer-term trends in police data over this period.

Figure 1: Time periods for the review data analysis



The statistical analyses we used

We used both descriptive and inferential statistics to analyse the data relevant to the review.

Descriptive statistics

Descriptive statistics describe results and the parameters of the dataset, and provide basic comparisons between the incidents and offenders recorded during the periods under review. The descriptive statistics used in this review include percentages and measures of central tendency such as means (average scores), medians (the middle score in a sample) and modes (the most common score in a sample). We also use raw numbers and rates per 100 000 population. Rates provide simple but meaningful comparisons, and are a way of measuring one quantity in relation to another.

The following is an example that explains the way we calculate rates:

Example: The number of recorded move-on incidents for one month is 113 and the Queensland population for that month is 3 994 858. If we want to know the rate of move-on incidents per 100 000 people for that month, we would calculate it as $(113/3\ 994\ 858) \times 100\ 000 = 2.83$ recorded move-on incidents per 100 000 people.

Inferential statistics

Inferential statistics aim to test whether changes in, or differences between, the numbers, rates, percentages and measures of central tendency are ‘statistically significant’. We have therefore used inferential statistics to determine whether any differences, changes or trends may have arisen by chance alone. When a change or difference is found to be statistically significant, it is unlikely that the change or difference occurred by chance alone. Given the nature of the police and courts data, it is anticipated that change and variation will occur over time. Statistically significant changes, however, are of such a level that they go beyond expected variation over time. The main types of tests we used are outlined below:

- We used **Kendall’s Rank Order Correlation Test** (Kendall’s tau-b) to test for significant trends in the rate and number of recorded move-on and disobey move-on incidents during the 24-month period of analysis.
- We used the **Mann-Whitney U Test** to test for significant differences between the rate and number of move-on and disobey move-on incidents recorded during the 12 months before the statewide expansion of move-on powers and the 12 months after.
- We used the **Binomial Z Test** to test for differences between the proportion of recorded move-on subjects and disobey move-on subjects in the sample who demonstrated a particular attribute (for example, were Indigenous, were aged 17 to 24 years) and the proportion of the Queensland population who demonstrated that attribute.
- We used the **Chi-square Median Test** to compare the ages of people who have been moved on across QPS regions.
- We generated **odds ratios (ORs)** and used the **Mantel-Haenszel Chi-square Test** to test for significant differences between the pre– and post–statewide expansion periods. We also used ORs to test for significant differences in the characteristics of or outcomes for particular groups (for example, recidivism among males versus females; police actions taken against adult versus juvenile accused; court outcomes for Indigenous versus non-Indigenous defendants).

The larger the OR, the greater the association between the predictor or risk factor (such as the move-on offender’s age, gender, Indigenous status) and the outcome (such as being arrested, being found guilty, being ordered to pay a monetary fine). The closer the OR is to 1, the smaller the association between the predictor or risk factor and the outcome. For example, an OR of 2.5 indicates that the outcome is two and a half times more likely to occur in the predictor or risk factor group than in other groups. An OR of 0.5 indicates that the outcome is half as likely to occur in the predictor or risk factor group as in other groups.

- **Confidence intervals** indicate the variability in the OR estimate, and therefore the precision of the findings and the confidence we can place in the estimated OR. For example, a confidence interval of 1.3–1.5 indicates a smaller degree of variability in the OR than an OR with a confidence interval of 1.3–6.8, and gives a better indication of the true magnitude of the OR.

For all statistical tests throughout the review, a ‘significant’ finding refers to one that was statistically significant at the 5 per cent (or $p < .05$) level. We use the following symbols and abbreviations to denote whether a result was statistically significant or not, or whether odds ratios were calculated:

- ‘*’ indicates that a result was statistically significant
- ‘ns’ indicates that a result was not statistically significant
- ‘†’ indicates that odds ratios were not calculated.

Appendixes A–C provide further information about the different types of data we used and the associated limitations.

Limitations of the methodology

Our review seeks to determine how police use move-on powers. In doing so, we use official data to examine general trends in move-on incidents and disobey move-on incidents. We also examine the penalties handed down to those who disobey a move-on direction. As all official data have limitations, it is important that we highlight the general limitations associated with these data. Further information about the limitations in police and courts data and the steps we have taken to minimise their impacts can be found in Appendixes A and B.

More broadly, we are limited in our ability to move beyond these analyses and put some context around these findings. We cannot examine the broader question of whether the law or its operation achieves its stated policy objectives of maintaining public safety and order and diverting people from the criminal justice system. This is simply because we are unable to disentangle the effects of the move-on provisions from a host of other factors (policing and other) that contribute to public safety and order.

Other questions that cannot be answered arise as a result of data that are not currently captured by QPS data collection practices. In particular, there are no current, reliable recording practices to capture:

- whether police have complied with the prescribed procedures and safeguards when issuing move-on directions and charging for contraventions
- the circumstances in which a person is moved on (that is, the officer's actions, and the particulars and reasons for the move-on)
- whether the move-on is associated with any escalating or de-escalating effects (such as other charges or criminal justice diversions).

Lack of data also means that we are unable to answer a key question about whether or not move-on powers have a disproportionate impact on homeless people. There are also no current data or other evidence available to allow us to assess why police are selecting move-on directions as their preferred option, among the policing options that might be available for responding to the conduct and maintaining public order. We are unable to assess in what circumstances police officers are more likely to use 'observe' only, informal cautions, formal cautions, welfare diversions, move-on, public nuisance ticketing (where available), notices to appear or arrest and charge.

Notwithstanding these limitations, where possible and appropriate in the main report, we use information from our consultations, together with reviews of the literature and other resources, to pose possible explanations for our more robust analyses. In particular, the qualitative information we gathered during our consultations does give some indication of how the use of the powers is perceived by the community (that is, whether they are perceived as being used 'properly, fairly and effectively'). However, this information must be treated with some caution as these perceptions may reflect particular interests or an incomplete or distorted understanding of the intended objectives and empirical operation of the powers.

PART 1:

How police use move-on powers

In Part 1, we discuss:

- how many move-on incidents are recorded by police
- when move-on powers are most often used (temporal trends)
- where move-on powers are most often used (spatial trends).

Consideration is also given to whether the statewide expansion of move-on powers was associated with any changes in these areas.

Introduction

Part 1 focuses on how often, when and where police use move-on powers. To understand how move-on powers are being applied by police, we obtained and examined QPRIME data about recorded move-on incidents.

It is important to note that QPRIME records information based on incidents (referred to as ‘occurrences’ within the QPRIME system). A move-on incident is a situation that requires police attention during which a move-on direction is issued. One incident may involve more than one person and multiple move-on directions may be issued. For example, four men are involved in an altercation outside a nightclub; police attend and issue a move-on direction to all four men. This is recorded in QPRIME as one incident.

We present the number and rate of incidents to show how often police record the use of move-on powers. Incidents provide the best indicator of how many times police record their reliance on the move-on powers to deal with public order situations. If we counted the number of recorded move-on directions issued, we would be overestimating how often the move-on power is being used to respond to public order situations, as several directions may relate to the same incident. For example, in the period 1 June 2005 to 31 May 2007, there were 4478 move-on incidents involving 6245 separate move-on directions being issued.

We analysed police data for the whole of Queensland as well as for each QPS region (for a map of the regions, see Appendix 5 of the main report). We analysed the recorded move-on incidents using the three time periods of analyses discussed in Appendix A of this data report.

Number of recorded move-on incidents

We examined the total number of recorded move-on incidents to see whether there were any changes over time in the number of incidents in which police used move-on powers after the statewide expansion of the move-on powers.

Number of recorded move-on incidents, 1 June 2005 to 31 May 2007

Our analysis of the police data showed that 4478 move-on incidents were recorded in the two-year period from 1 June 2005 to 31 May 2007. These 4478 move-on incidents involved 6245 people who were recorded as being directed to move on.

When we initially analysed these 4478 recorded move-on incidents, we identified a concentrated spike in the number of incidents in November 2006. Further examination showed that 236 of these incidents were recorded as occurring on Vulture Street, Woolloongabba, between 23 and 27 November 2006. These dates coincide with the first match of the 2006–07 Ashes cricket series played at the Brisbane Cricket Ground ('The Gabba').¹ Given that these incidents are likely to be associated with a specific event, and may not necessarily represent the 'average' use of move-on powers in that month, we conducted our analyses both with and without these 236 incidents. The results reported throughout this data report — and in the main report — are for those analyses conducted *without* these 236 incidents, unless otherwise stated. Therefore, our analysis is based on 4242 recorded move-on incidents.

We recognise that there are a number of other events in Queensland (particularly in South-East Queensland) that also involve large numbers of people. Our examination of the data did not reveal any other concentrated spikes in recorded move-on incidents during a short time period like that for the cricket event noted above.

Our analysis of the police data showed that, of the 4242 move-on incidents recorded in the 12-month periods before and after the statewide expansion of move-on powers:

- 41.4 per cent ($n = 1758$) of incidents were recorded before the statewide expansion
- 58.6 per cent ($n = 2484$) of incidents were recorded after the statewide expansion.

Analysis of this two-year period revealed that the number of recorded move-on incidents increased by 41.3 per cent after the statewide expansion of move-on powers. The median number of recorded move-on incidents per month also increased, from 141.5 incidents to 209 incidents (a 47.7% increase). This increase was statistically significant.^{2, 3}

Number of move-on directions per incident

A move-on incident may involve more than one person and may involve multiple move-on directions being issued. We examined the number of recorded move-on incidents further to determine how many people were involved in each incident.

Of the 4242 move-on incidents recorded by police in the two-year period of interest:

- the majority (81.1%, $n = 3441$) of incidents involved only one person being given a move-on direction
- the remaining incidents (18.9%, $n = 801$) involved more than one person being moved on by police or, more specifically:
 - 9.3 per cent ($n = 394$) involved two people
 - 4.1 per cent ($n = 175$) involved three people
 - 5.5 per cent ($n = 232$) involved four or more people.

The largest number of people issued with move-on directions in the one incident was 20.

When we compared the 12-month period before the statewide expansion of move-on powers with the 12-month period after, we found that there was no significant change in the proportion of incidents that involved groups of people being given move-on directions (20.2%, $n = 355$, before the statewide expansion and 18.0%, $n = 446$, after) (see Table 1.1 for more details).

¹ The Brisbane Cricket Ground ('The Gabba') is a 42 000-seat sports venue; see <www.thegabba.org.au>.

² When we included the 236 directions that occurred in Woolloongabba in November 2006 in our analyses, the increase in the median monthly number of directions was the same. The yearly number, however, increased by 54.7 per cent (rather than 41.3%) after the expansion.

³ $Z = -3.466, p < .001^*$.

Table 1.1: Recorded number of people given move-on directions in each move-on incident — analysis of changes after the statewide expansion of move-on powers

Number of people given move-on directions	Number of move-on incidents		% of move-on incidents		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
One only	1403	2038	79.8	82.0	1.2 ^{ns}
More than one	355	446	20.2	18.0	0.9 ^{ns}
<i>Two</i>	171	223	9.7	9.0	†
<i>Three</i>	89	86	5.1	3.5	†
<i>Four</i>	38	63	2.2	2.5	†
<i>Five</i>	22	32	1.3	1.3	†
<i>Six or more</i>	35	42	2.0	1.7	†

Source: Police data.

Note: Percentage total does not equal 100.0 because of rounding.

Part 2 of this report discusses in greater detail the characteristics of people who have been given recorded move-on directions.

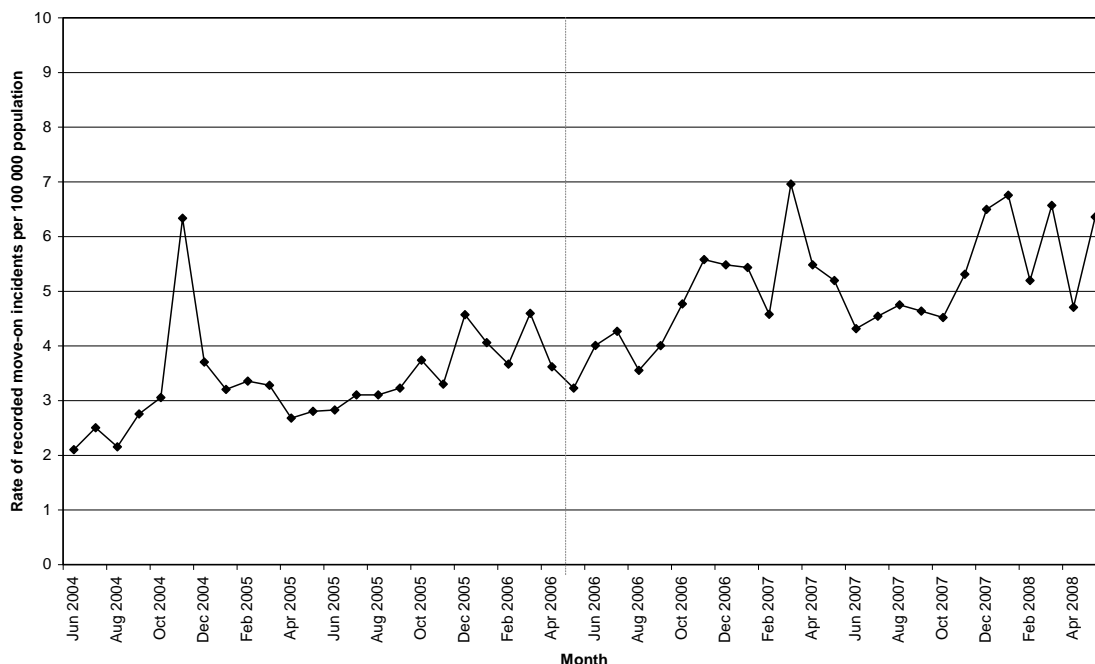
Rate of recorded move-on incidents

Simply presenting the number of recorded move-on incidents as above does not take into account the growth of Queensland's population over time. To account for this, we examined the number of recorded move-on incidents as a rate per 100 000 Queensland residents.

Longer-term trends in the rate, 1 June 2004 to 31 May 2008

To identify longer-term trends in the recorded use of move-on powers, we examined police data for the four-year period between 1 June 2004 and 31 May 2008. Figure 1.1 shows the monthly rate of recorded move-on incidents per 100 000 population in this period.

Figure 1.1: Four-year trend of recorded move-on incidents per 100 000 population per month (1 June 2004 to 31 May 2008)



Source: Police data.

Notes: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers. The records for 69 of these recorded move-on incidents were based on information about the contravention of the move-on direction where the disobey move-on offence was recorded on the first day of a month. For the purposes of our analyses, these records were counted in the same month as the disobey offence, although it is recognised that the actual move-on direction may have been given on the previous day and therefore in the previous month. We therefore also ran our analyses without these records, and found that including them made no difference to the overall significance of any results. All results presented in this data report are with these records included.

It can be seen that there was a significant upward trend in the rate of recorded move-on incidents per 100 000 population during the four-year period since data collection for our review began on 1 June 2004. In June 2004, there were 2.1 move-on incidents per 100 000 population. By May 2008, the rate had increased to 6.4 incidents per 100 000 population (a 204.8% increase).⁴

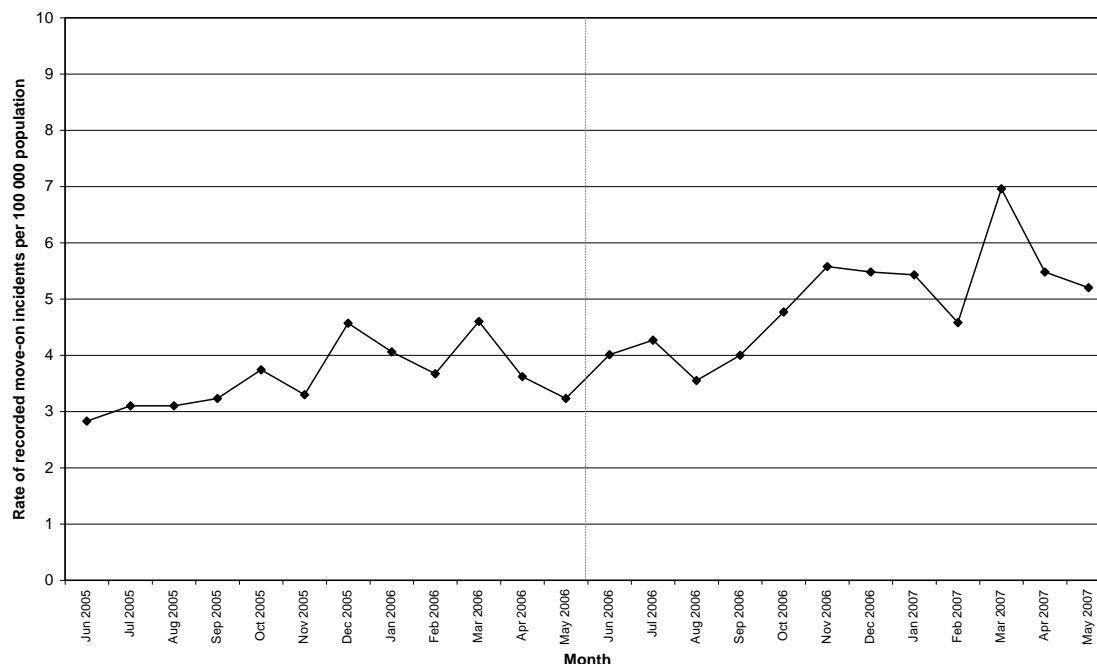
This trend is to be expected, given the increasing number of places where police have been able to use move-on powers over this period. For example, between 1 June 2004 and 31 May 2005, there were 17 notified areas in which police could use move-on powers for the whole 12-month period. Between 1 June 2005 and 31 May 2006, this number increased to 24 (see Appendix 6 of the main report for a list of the notified areas).

Trends in the rate, 1 June 2005 to 31 May 2007

We then examined annual trends in the year before and the year after the statewide expansion of police move-on powers on 1 June 2006. Figure 1.2 shows the Queensland monthly rate of recorded move-on incidents per 100 000 population for the two-year period between 1 June 2005 and 31 May 2007.

⁴ Kendall's tau-b = 0.626, $p < .001^*$.

Figure 1.2: Recorded move-on incidents per 100 000 population per month (1 June 2005 to 31 May 2007)



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

When we compared the two 12-month periods before and after the statewide expansion of move-on powers, we found that:

- the *yearly* (or *annual*) rate of move-on incidents increased by 37.6 per cent after the statewide expansion, from 43.1 incidents per 100 000 population during 1 June 2005 to 31 May 2006 to 59.3 incidents per 100 000 population during 1 June 2006 to 31 May 2007
- the median *monthly* rate of move-on incidents also increased after the statewide expansion of move-on powers on 1 June 2006, from 3.5 incidents per 100 000 population to 5.0 incidents per 100 000 population (a 42.9% increase); this rate increase was statistically significant.^{5, 6}

We also examined the trend in the rate of move-on incidents over the full two-year period and found a statistically significant increase in the rate of move-on incidents per 100 000 population, from 2.8 incidents per 100 000 population in June 2005 to 5.2 incidents per 100 000 population in May 2007.⁷

Our findings for this two-year period are therefore consistent with longer-term trends dating back to before the statewide expansion. Altogether, these findings lead us to believe that increases over time in the rate of recorded move-on incidents, including in the 12-month period immediately after the statewide expansion, are more likely to be related to the geographic expansion of move-on powers in Queensland rather than to other factors such as overzealous policing.

⁵ When we included the 236 incidents that occurred in Woolloongabba in November 2006 in our analyses, the increase in the median monthly rate of incidents was the same. The yearly rate, however, increased by 51 per cent (rather than 37.6%) after the expansion.

⁶ $Z = -3.293, p < .001^*$.

⁷ Kendall's tau-b = 0.630, $p < .001^*$.

Trends in the rate, 1 June 2006 to 31 May 2008

It is also worth noting that we found further support for this conclusion when we compared data from the first year after the statewide expansion (1 June 2006 to 31 May 2007) with data from the second year after the statewide expansion (1 June 2007 to 31 May 2008), and found no significant change in the median monthly rate of recorded move-on incidents (which remained at 5.0 incidents per 100 000 population). This finding suggests a stabilisation in the use of move-on powers in the second year of expansion.

Temporal trends

Using the police data from 1 June 2005 to 31 May 2007, we examined temporal trends in the police use of move-on powers. We examined variation by day and month, and seasonal variation (that is, summer versus winter months), by looking at 4242 move-on incidents.

Variation by day

Table 1.2 shows the number and percentage of move-on incidents recorded on each day of the week during the two-year period between 1 June 2005 and 31 May 2007.

Table 1.2: Recorded move-on incidents by day of the week

Day	Number of move-on incidents	% of move-on incidents
Monday	376	8.9 ^a
Tuesday	394	9.3 ^b
Wednesday	426	10.0 ^c
Thursday	619	14.6 ^{ns}
Friday	681	16.1 ^d
Saturday	984	23.2 ^e
Sunday	762	18.0 ^f
Total	4242	100.0

Source: Police data.

Notes: Percentage total does not equal 100.0 because of rounding.

^a Z (hypothesised value = 14.3%, actual value = 8.9%), $p < .001^*$.

^b Z (hypothesised value = 14.3%, actual value = 9.3%), $p < .001^*$.

^c Z (hypothesised value = 14.3%, actual value = 10.0%), $p < .001^*$.

^d Z (hypothesised value = 14.3%, actual value = 16.1%), $p < .01^*$.

^e Z (hypothesised value = 14.3%, actual value = 23.2%), $p < .001^*$.

^f Z (hypothesised value = 14.3%, actual value = 18.0%), $p < .001^*$.

Our analysis of the data for the whole two-year period revealed that move-on powers were most often recorded as being used by police on weekends, from Friday to Sunday (57.2%, $n = 2427$, of all incidents). We found that the proportion of recorded move-on incidents occurring on these three days was significantly larger than what we would expect if police used move-on powers equally across all days of the week. Move-on powers were recorded as being used least often between Monday and Wednesday (28.2%, $n = 1196$, of incidents).

We again examined the police data for any changes after the statewide expansion of move-on powers and found that, in the 12 months after the expansion, there were more recorded move-on incidents occurring on a Sunday (from 16.5%, $n = 290$, of incidents to 19.0%, $n = 472$, of incidents), and fewer recorded move-on incidents occurring on a Monday (from 10.1%, $n = 178$, to 8.0%, $n = 198$) (see Table 1.3). These were both relatively small changes, and we cannot identify any obvious factor that might explain them.

Table 1.3: Recorded move-on incidents by day of the week — analysis of changes after the statewide expansion of move-on powers

Day	Number of move-on incidents		% of move-on incidents		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Monday	178	198	10.1	8.0	0.8 ^a
Tuesday	171	223	9.7	9.0	0.9 ^{ns}
Wednesday	163	263	9.3	10.6	1.2 ^{ns}
Thursday	251	368	14.3	14.8	1.0 ^{ns}
Friday	291	390	16.6	15.7	0.9 ^{ns}
Saturday	414	570	23.5	22.9	1.0 ^{ns}
Sunday	290	472	16.5	19.0	1.2 ^{ab}

Source: Police data.

Notes: ^a OR = 0.769 (0.622, 0.951), $\chi^2 = 5.648$, $p < .05^*$.

^b OR = 1.188 (1.011, 1.395), $\chi^2 = 4.216$, $p < .05^*$.

Variation by month

The number and percentage of move-on incidents recorded in each month of the year are shown in Table 1.4.

Table 1.4: Recorded move-on incidents by month

Month	Number of move-on incidents	% of move-on incidents
January	394	9.3 ^a
February	342	8.1 ^{ns}
March	480	11.3 ^b
April	378	8.9 ^{ns}
May	350	8.3 ^{ns}
June	277	6.5 ^c
July	306	7.2 ^d
August	276	6.5 ^e
September	300	7.1 ^f
October	353	8.3 ^{ns}
November	369	8.7 ^{ns}
December	417	9.8 ^g
Total	4242	100.0

Source: Police data.

Notes: ^a Z (hypothesised value = 8.3%, actual value = 9.3%), $p < .05^*$.

^b Z (hypothesised value = 8.3%, actual value = 11.3%), $p < .001^*$.

^c Z (hypothesised value = 8.3%, actual value = 6.5%), $p < .001^*$.

^d Z (hypothesised value = 8.3%, actual value = 7.2%), $p < .01^*$.

^e Z (hypothesised value = 8.3%, actual value = 6.5%), $p < .001^*$.

^f Z (hypothesised value = 8.3%, actual value = 7.1%), $p < .001^*$.

^g Z (hypothesised value = 8.3%, actual value = 9.8%), $p < .001^*$.

Our analysis of this data showed that:

- Move-on powers were used and recorded least frequently in the colder or winter months of the year — for example, June (6.5%, $n = 277$, of all recorded move-on incidents), July (7.2%, $n = 306$), August (6.5%, $n = 276$) and September (7.1%, $n = 300$). We found that the proportion of recorded move-on incidents occurring in these four months was significantly smaller than what we would expect if move-on powers were used equally across all months of the year (see Table 1.5). This is consistent with the general trend of good order offences as reported by the QPS (QPS 2010).
- Move-on powers were used and recorded most frequently in March (11.3%, $n = 480$, of all recorded move-on incidents), December (9.8%, $n = 417$) and January (9.3%, $n = 394$). We found that the proportion of recorded move-on incidents occurring in these three months was significantly larger than we would expect if police used move-on powers equally across all months of the year (see Table 1.5).

We also analysed the police data for any changes after the statewide expansion of the move-on powers. When we compared the two 12-month periods before and after the statewide expansion, we found that there were no significant changes in the distribution of recorded move-on incidents across the months of the year (see Table 1.5).

Table 1.5: Recorded move-on incidents by month — analysis of changes after the statewide expansion of move-on powers

Month	Number of move-on incidents		% of move-on incidents		Odds ratio 1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	
January	166	228	9.4	9.2	1.0 ^{ns}
February	150	192	8.5	7.7	0.9 ^{ns}
March	188	292	10.7	11.8	1.1 ^{ns}
April	148	230	8.4	9.3	1.1 ^{ns}
May	132	218	7.5	8.8	1.2 ^{ns}
June	113	164	6.4	6.6	1.0 ^{ns}
July	127	179	7.2	7.2	1.0 ^{ns}
August	127	149	7.2	6.0	0.8 ^{ns}
September	132	168	7.5	6.8	0.9 ^{ns}
October	153	200	8.7	8.1	0.9 ^{ns}
November	135	234	7.7	9.4	1.3 ^{ns}
December	187	230	10.6	9.3	0.9 ^{ns}

Source: Police data.

Generally speaking, the pattern of recorded move-on incidents as shown above is that move-on powers are most often recorded as being used by police on the weekends and in the warmer months. This finding is consistent with the temporal clustering reported in our review of the public nuisance offence (CMC 2008), in that both move-on incidents and public nuisance offences are more likely to be recorded in the warmer months and during the weekend period.

Spatial trends

Based on information obtained from recorded move-on incidents, we examined spatial patterns by reviewing police use of move-on powers within QPS regions and at specific scene locations. These analyses used police data for the two-year period from 1 June 2005 to 31 May 2007.

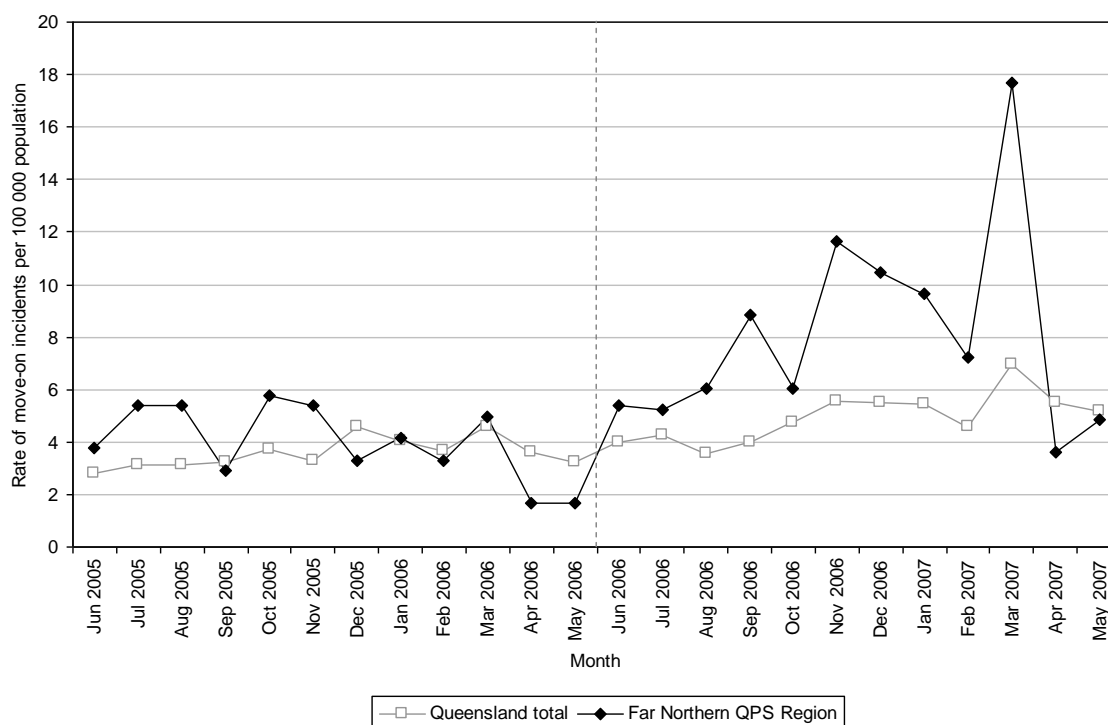
QPS regions

We analysed the 4242 move-on incidents recorded in the two-year period of interest to determine the monthly number and rate per 100 000 population of move-on incidents in each QPS region.

Figures 1.3 to 1.10 show the monthly rate of recorded move-on incidents per 100 000 population for each QPS region in the 12-month periods before and after the statewide expansion. As these figures illustrate, we found that there were differences among the QPS regions in the rate of recorded move-on incidents. More specifically, we found:

- The monthly rates of recorded move-on incidents in the Metropolitan North, Central and Northern Regions were generally above the average monthly state rate.
- The Metropolitan South, North Coast, Southern and South Eastern Regions had monthly rates generally below the average monthly state rate.
- In the Far Northern Region, the monthly rate of move-on incidents was similar to the state average in the 12 months before the statewide expansion, but was considerably higher than the state average in the 12 months after.

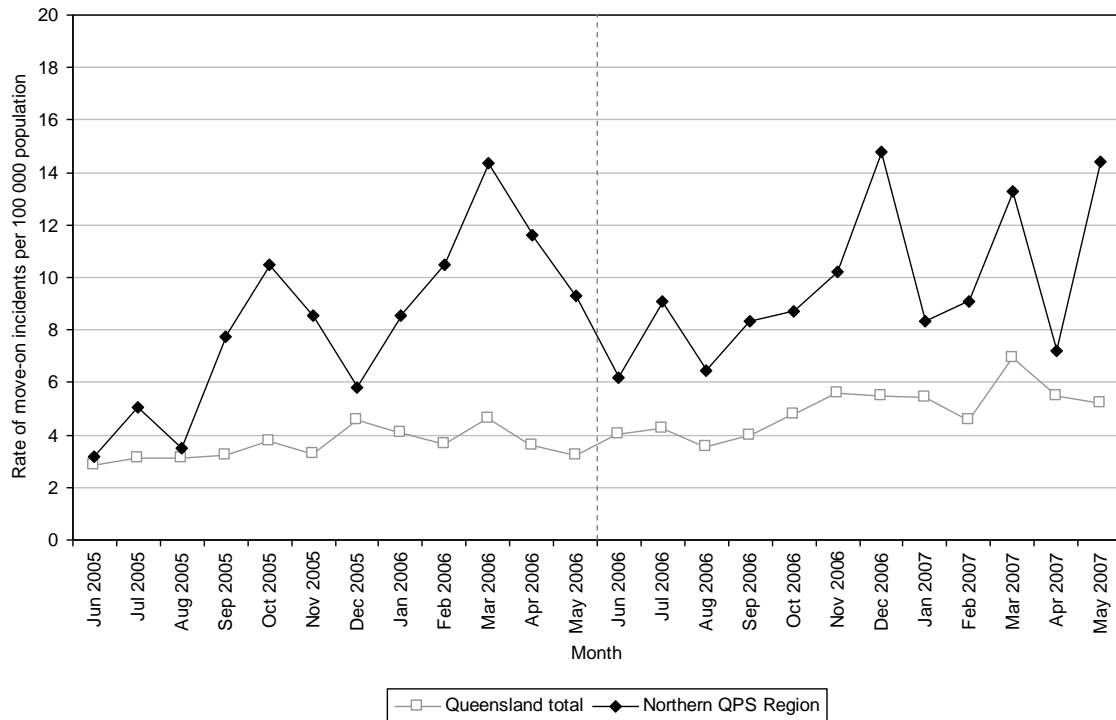
Figure 1.3: Recorded move-on incidents per 100 000 population per month for Far Northern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

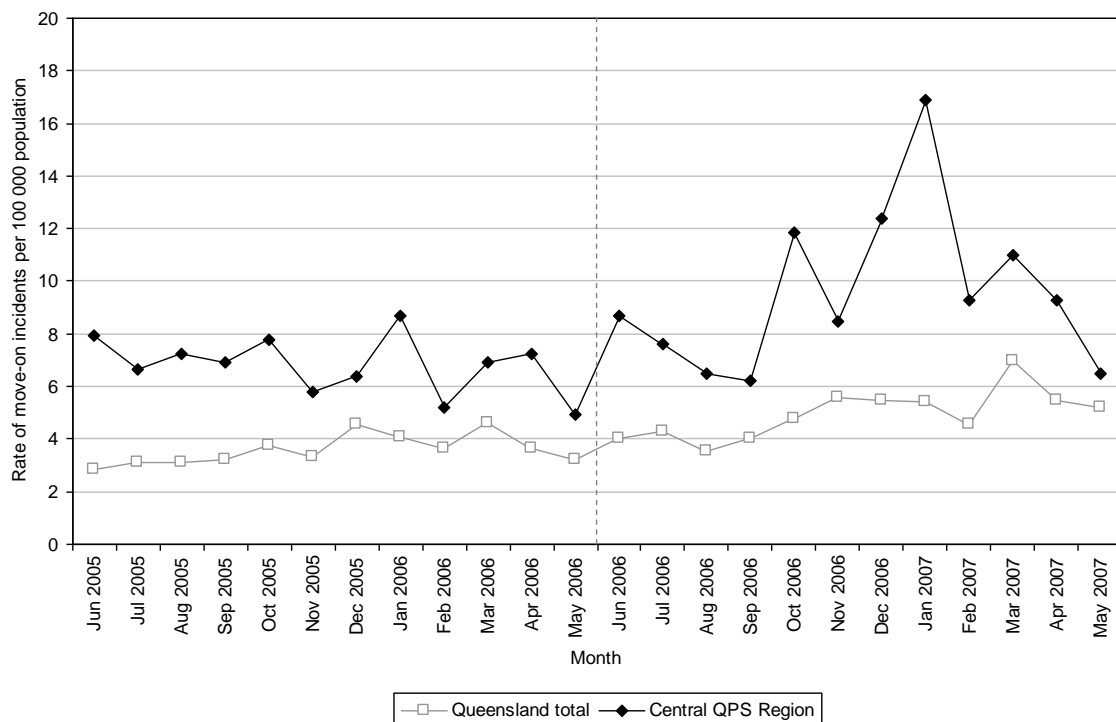
Figure 1.4: Recorded move-on incidents per 100 000 population per month for Northern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

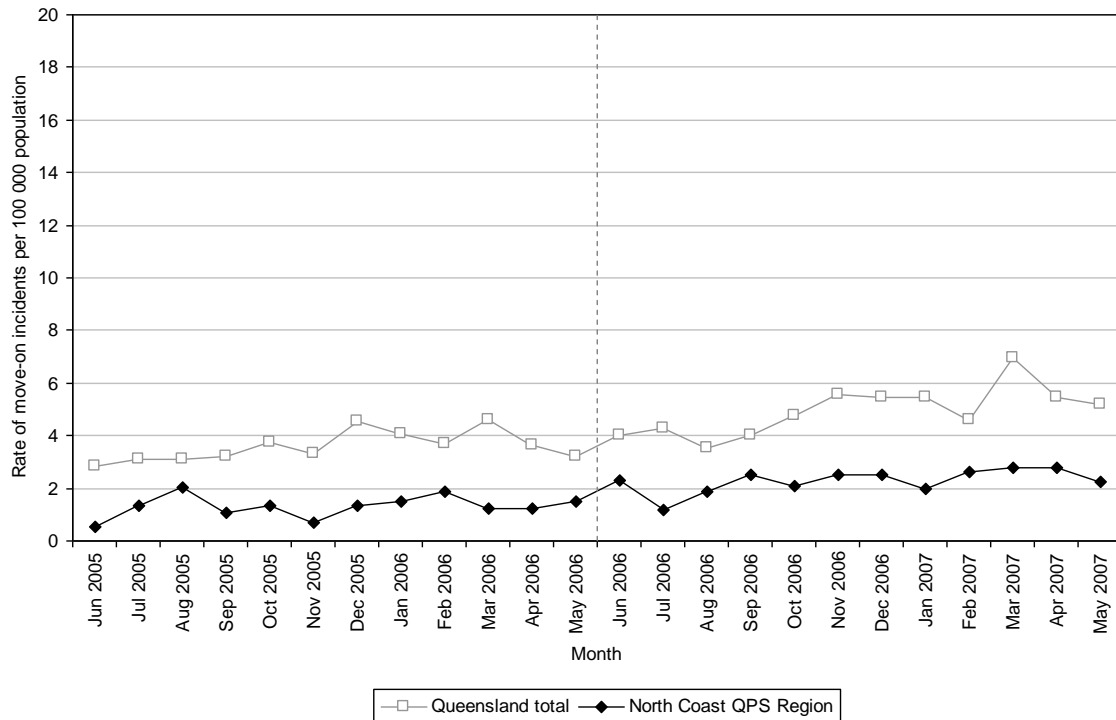
Figure 1.5: Recorded move-on incidents per 100 000 population per month for Central Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

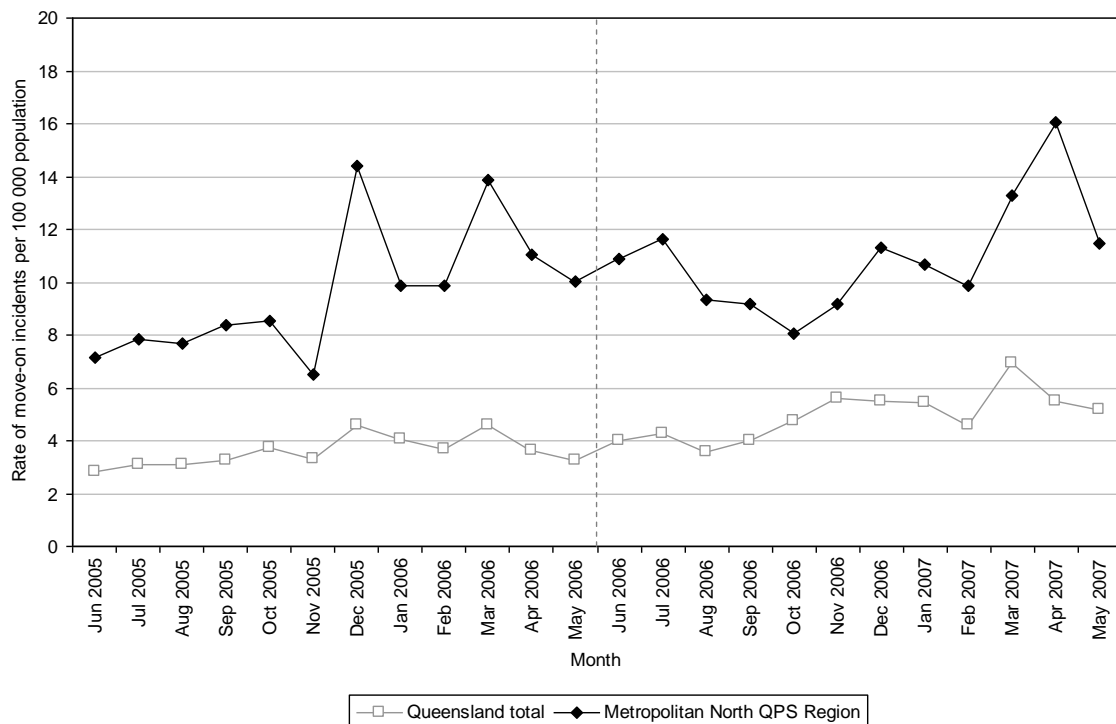
Figure 1.6: Recorded move-on incidents per 100 000 population per month for North Coast Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

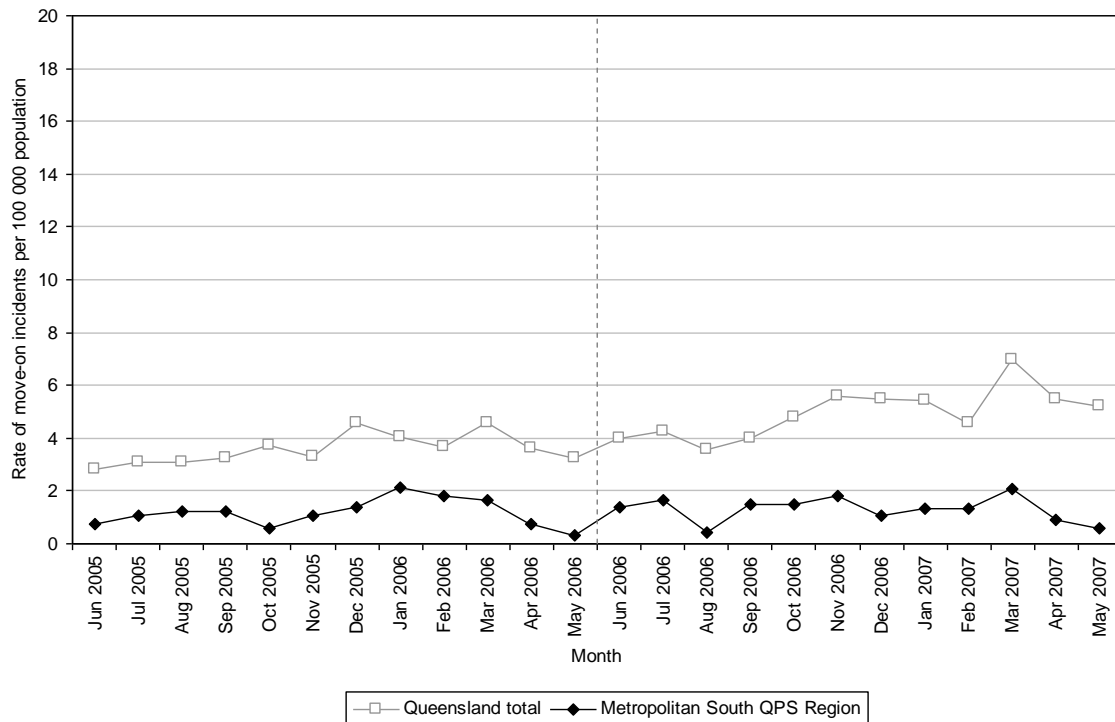
Figure 1.7: Recorded move-on incidents per 100 000 population per month for Metropolitan North Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

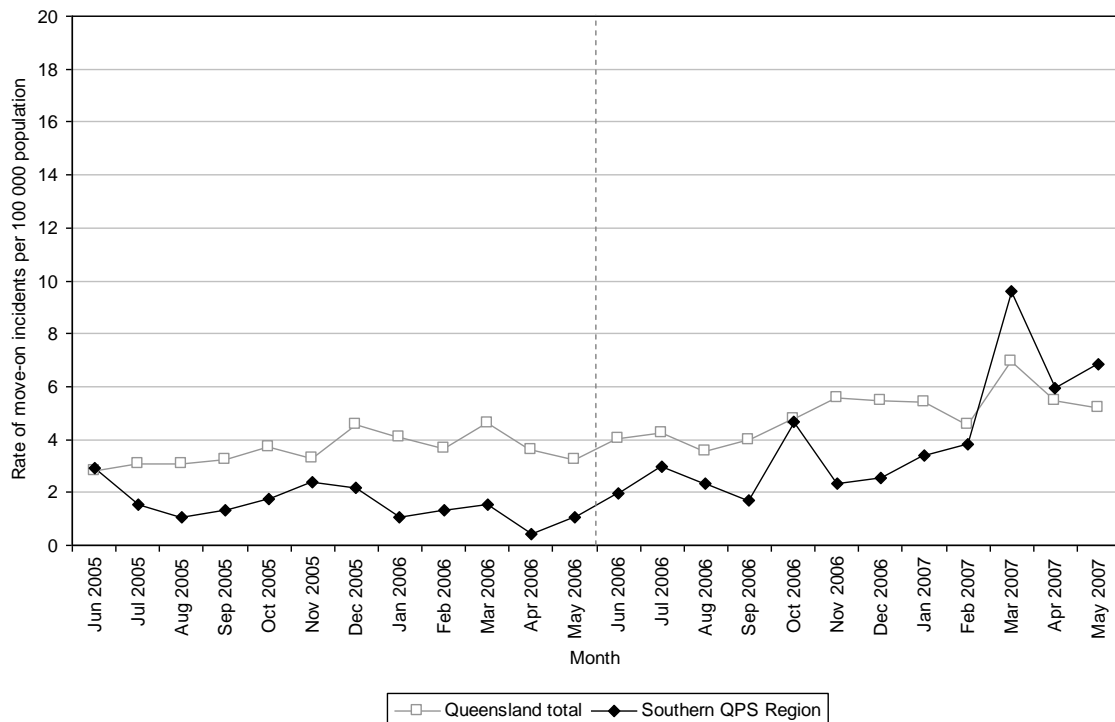
Figure 1.8: Recorded move-on incidents per 100 000 population per month for Metropolitan South Region



Source: Police data.

Notes: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers. The graph excludes 236 incidents that occurred in Woolloongabba over 23–27 November 2006.

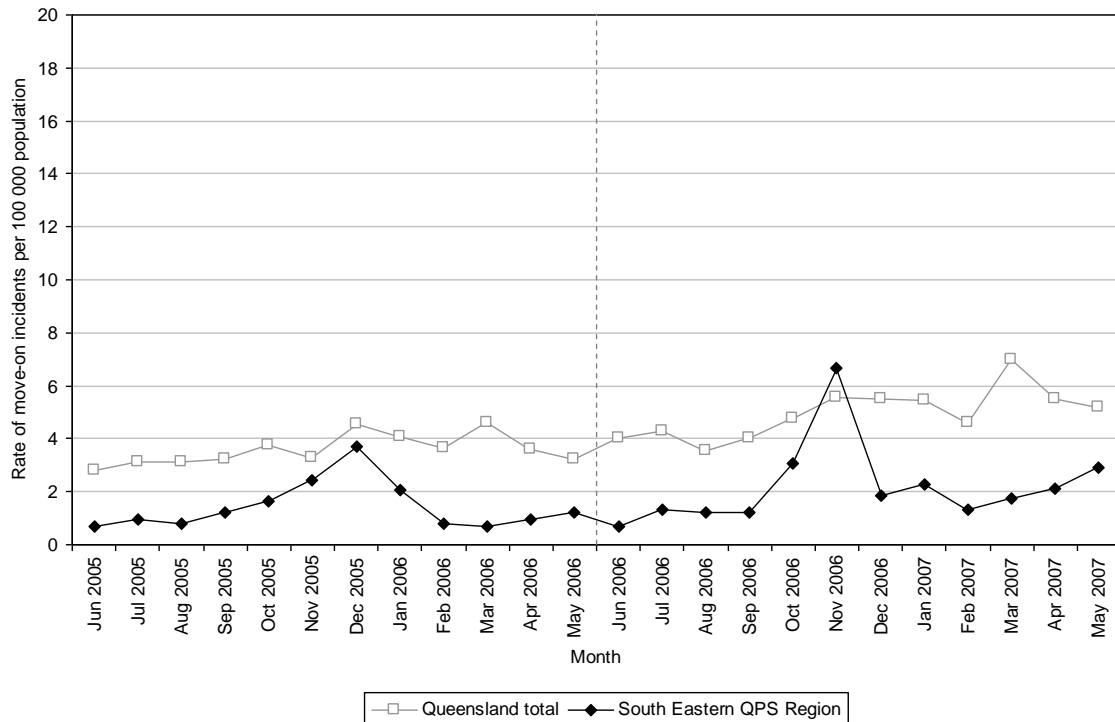
Figure 1.9: Recorded move-on incidents per 100 000 population per month for Southern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

Figure 1.10: Recorded move-on incidents per 100 000 population per month for South Eastern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

We also looked for any changes in the rates of recorded move-on incidents in the QPS regions after the statewide expansion of move-on powers. We found that the statewide expansion was associated with different effects in different regions (see Figures 1.3 to 1.10 and Table 1.6):

- There were significant increases in the median monthly rate of move-on incidents in the Southern (a 128.6% increase), North Coast (84.6%), Far Northern (65.0%) and Central (30.4%) Regions in the year after the statewide expansion.
- The statewide expansion was associated with no significant changes in the median monthly rate of move-on incidents in the Northern, Metropolitan North, Metropolitan South and South Eastern Regions. This may be attributable in part to the fact that the main sites of move-on directions in these regions (Flinders Street and The Strand in Northern Region, New Farm and the Brisbane CBD in Metropolitan North Region, South Bank in Metropolitan South Region, and Surfers Paradise in South Eastern Region) were all notified areas before the statewide expansion.

Table 1.6: Number, rate and median monthly rate of recorded move-on incidents in each QPS region

QPS region	Number of move-on incidents			Rate of move-on incidents per 100 000 population			Median rate of move-on incidents per 100 000 population per month		
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	% change	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	% change	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	% change
Far Northern	115	240	108.7	47.6	96.7	103.2	4.0	6.6	65.0 ^{*a}
Northern	254	306	20.5	98.7	116.2	17.7	8.5	8.9	4.7 ^{ns}
Central	282	406	44.0	81.6	114.6	40.4	6.9	9.0	30.4 ^{*b}
North Coast	116	207	78.4	15.7	27.4	74.5	1.3	2.4	84.6 ^{*c}
Metropolitan North	688	797	15.8	115.2	130.9	13.6	9.2	10.8	17.4 ^{ns}
Metropolitan South	92	104	13.0	13.9	15.5	11.5	1.1	1.4	27.3 ^{ns}
Southern	85	226	165.9	18.5	48.2	160.5	1.4	3.2	128.6 ^{*d}
South Eastern	126	198	57.1	17.2	26.4	53.5	1.1	1.8	63.6 ^{ns}

Source: Police data.

Notes: ^a $Z = -3.098, p < .01^*$.

^b $Z = -2.456, p < .05^*$.

^c $Z = -3.472, p < .001^*$.

^d $Z = -3.469, p < .001^*$.

Locations

We further analysed 2881 recorded move-on incidents to examine the specific locations associated with the use of move-on powers. While a total of 4242 move-on incidents were recorded in the two-year period (as stated earlier), we excluded the records of 1361 move-on incidents from our analyses as QPRIME primarily contained information related to the corresponding disobey move-on records only. The information on scene/location in these excluded records therefore relates to the recorded disobey move-on incident and not necessarily the original scene/location of the move-on direction.

Appendix A explains how we recoded 66 QPRIME scene keywords into 15 revised scene locations (see also Table A.4 of Appendix A). Here we have only analysed incidents recorded as occurring in the 14 known locations — that is, incidents where the location was recorded as ‘Unknown’ were excluded. The results of these analyses need to be interpreted with caution as, before the statewide expansion on 1 June 2006, move-on laws could only be applied in limited areas.

Over the two-year period, we found that the most common scene locations associated with the recorded application of move-on powers were:

- streets (46.8%, $n = 1347$)
- businesses or agencies (24.2%, $n = 698$)
- recreational spaces (11.4%, $n = 329$)
- licensed premises (6.4%, $n = 183$)
- transport terminals such as railway stations and airports (4.0%, $n = 115$).

Further information about the scene location of move-on incidents is provided in Table 1.7.

Table 1.7: Scene location of recorded move-on incidents

Scene location	Number of move-on incidents	% of move-on incidents
Street	1347	46.8
Business/agency	698	24.2
Recreational space	329	11.4
Licensed premises	183	6.4
Terminal	115	4.0
Government agency/facility	68	2.4
Dwelling	45	1.6
Medical	35	1.2
Education	22	0.8
Community centre/facility	18	0.6
Church	6	0.2
Marine	3	0.1
In transit	1	0.03
Other	11	0.4
Total	2881	100.0

Source: Police data.

Note: The revised scene classification 'Unknown' has been omitted from this table.

We examined whether there were any changes in the number of recorded move-on incidents occurring in the most common scene locations after the statewide expansion of the powers (see Table 1.8). Although there were no dramatic differences between the pre- and post-expansion periods in terms of the location of recorded move-on incidents, we found that after the statewide expansion of move-on powers in 2006 there was:

- a statistically significant but slight increase in the proportion of move-on incidents occurring on the street (from 43.4%, $n = 500$, to 49.0%, $n = 847$)
- a small but significant increase in the proportion of move-on incidents occurring in recreational spaces (from 9.9%, $n = 114$, to 12.4%, $n = 215$)
- a significant decrease in the proportion of move-on incidents occurring in businesses (from 29.7%, $n = 343$, to 20.5%, $n = 355$).

There were no significant changes in the proportion of move-on incidents occurring in and around licensed premises or transport terminals.

Table 1.8: Scene location of recorded move-on incidents — analysis of changes after the statewide expansion of move-on powers

Scene of incident	Number of move-on incidents		% of move-on incidents		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Street	500	847	43.4	49.0	1.3 ^a
Business/agency	343	355	29.7	20.5	0.6 ^b
Recreational spaces	114	215	9.9	12.4	1.3 ^c
Licensed premises	70	113	6.1	6.5	1.1 ^{ns}
Transport terminals	45	70	3.9	4.1	1.0 ^{ns}
Dwelling	14	31	1.2	1.8	†
Government agency/facility	31	37	2.7	2.1	†
Medical	10	25	0.9	1.4	†
Community centre/facility	8	10	0.7	0.6	†
Education	9	13	0.8	0.8	†
In transit	1	0	0.1	0.0	†
Marine	1	2	0.1	0.1	†
Church	5	1	0.4	0.1	†
Other	2	9	0.2	0.5	†

Source: Police data.

Notes: The revised scene classification 'unknown' has been omitted from this table.

^a OR = 1.256 (1.081, 1.459), $\chi^2 = 8.643$, $p < .01^*$.

^b OR = 0.611 (0.514, 0.725), $\chi^2 = 31.406$, $p < .001^*$.

^c OR = 1.295 (1.018, 1.647), $\chi^2 = 4.212$, $p < .05^*$.

Move-on 'hotspots'

We also analysed the police data according to the street and suburb of move-on incidents to identify any 'hotspot' areas where move-on powers were used at a particularly high level. The following locations all had 30 or more recorded move-on incidents over the two-year period 1 June 2005 to 31 May 2007:

- Brunswick Street/Brunswick Street Mall, Fortitude Valley, Brisbane (354 incidents)
- Flinders Street/Flinders Street East, Townsville (133 incidents)
- Brunswick Street, New Farm, Brisbane (77 incidents)
- Queen Street/Queen Street Mall, Brisbane City (70 incidents)
- Kent Street, New Farm, Brisbane (60 incidents)
- East Street, Rockhampton City (41 incidents)
- Quay Street, Rockhampton City (40 incidents)
- McLeod Street, Cairns City (39 incidents)
- Margaret Street, Toowoomba City (37 incidents)
- Bourbong Street, Bundaberg Central (31 incidents)
- Cavill Avenue, Surfers Paradise, Gold Coast (30 incidents)
- Shute Harbour Road, Airlie Beach (30 incidents).

The relatively high number of recorded move-on incidents for many of these streets (such as Brunswick Street, Flinders Street, Queen Street and Cavill Avenue) can probably be explained by the high volumes of people who frequent these areas, particularly for recreational purposes and often at night.

Summary

Even after taking into account growth of the Queensland population, the median monthly rate of recorded move-on incidents increased after the statewide expansion of move-on powers on 1 June 2006, from 3.5 to 5.0 incidents per 100 000 population. It is important to note that there was no change in the monthly rate of move-on incidents from the first year after the expansion of move-on powers to the second year after the expansion. Increases in the rate of move-on incidents recorded by police since 1 June 2006 are thus likely to be related to the geographic expansion of move-on powers.

Generally speaking, the temporal and spatial patterns of recorded move-on incidents as shown here are that move-on powers were most often recorded as being used by police:

- on the weekends
- in warmer months
- at or in the vicinity of entertainment areas (streets, businesses or agencies, recreational spaces and licensed premises).

These findings are similar to those of the public nuisance review undertaken by the CMC (2008), where it was shown that public nuisance offences were most likely to be recorded in the warmer months and on weekends.

Across the eight QPS regions, we found that the North Coast, Metropolitan South, Southern and South Eastern QPS Regions generally had monthly rates of move-on incidents below the state average, while the Northern, Central and Metropolitan North QPS Regions generally had monthly rates above the state average. The Far Northern Region had rates of move-on incidents that were considerably higher than the state average after the statewide expansion of move-on powers.

Our analysis of the data indicated that there were no dramatic differences between the pre- and post-expansion periods in terms of the timing and location of recorded move-on incidents. We have, however, noted that slightly more recorded move-on incidents occurred in streets and recreational spaces after the expansion of move-on powers.

PART 2:

The people who are moved on by police

In Part 2, we examine:

- the characteristics of people recorded as being given a move-on direction
- the number and proportion of people who were given a move-on direction on one occasion only or on multiple occasions
- the characteristics of people given a move-on direction on multiple occasions.

We also consider whether the statewide expansion of move-on powers was associated with any changes in these aspects.

Introduction

To gain an understanding of the kinds of people most commonly recorded as being given a move-on direction, we examined available demographic data contained in QPRIME for the two-year period of interest between 1 June 2005 and 31 May 2007 (the 12 months before and the 12 months after the statewide expansion of move-on powers).

We were interested in determining whether disadvantaged groups were particularly affected by the move-on powers but, unfortunately, the nature of the police data does not allow us to comment on whether a person issued with a move-on direction is considered to be homeless. As we reported in *Policing public order: a review of the public nuisance offence* (CMC 2008), homelessness is not specifically recorded by police. Police may record a person's address as 'no fixed address' but this does not necessarily mean that person would regard themselves as homeless. In addition, even when an address was recorded in the data, we could not accurately determine if this was the person's address on the date they were given the move-on direction. For this reason, we are not able to provide empirical evidence on the use or impact of move-on powers on people who are homeless.

Characteristics of move-on subjects

From the police data, we identified a total of 6245 recorded move-on subjects in the period between 1 June 2005 and 31 May 2007.⁸ The number of people recorded as being given a move-on direction exceeds the number of recorded move-on incidents ($n = 4478$) because some incidents involved multiple subjects, as explained in Part 1.

Our ability to draw information from all 6245 recorded move-on subjects was limited because not all move-on directions included complete demographic information for the subjects. Our analyses below have therefore been conducted using all available data, which varies from analysis to analysis. We now examine the gender, age and Indigenous status of move-on subjects for the period 1 June 2005 to 31 May 2007.

⁸ The record for one of these people was based on information about their contravention of the move-on direction. The date of the disobey move-on offence was recorded as 1 June 2006 (the first day of the statewide expansion period). This record was included in the post-expansion period, although it is recognised that the actual move-on direction may have been given on the previous day (that is, before the statewide expansion). We therefore also ran our analyses without this record, and found that including it made no difference to the overall significance of any results. All results presented in Part 2 are with this record included.

Gender

We were able to identify the gender of 6114 of the 6245 recorded move-on subjects between 1 June 2005 and 31 May 2007. Overall, males were more commonly recorded as being given a move-on direction than females, accounting for 77.3 per cent ($n = 4726$) of people moved on.

When we compared the 12 months before the statewide expansion of move-on powers with the 12 months after, we found that the proportion of male move-on subjects increased significantly (from 75.6%, $n = 1911$, to 78.5%, $n = 2815$) after the statewide expansion (see Table 2.1).

The proportion of females decreased from 24.4 per cent ($n = 616$) to 21.5 per cent ($n = 772$) over the same period.

Table 2.1: Gender of recorded move-on subjects — analysis of changes after the statewide expansion of move-on powers

Gender	Number of move-on subjects		% of move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Male	1911	2815	75.6	78.5	1.2 ^a
Female	616	772	24.4	21.5	0.9 ^b

Source: Police data.

Notes: The gender of 131 people was not known. These records were excluded from all gender analyses in Part 2 of this data report.

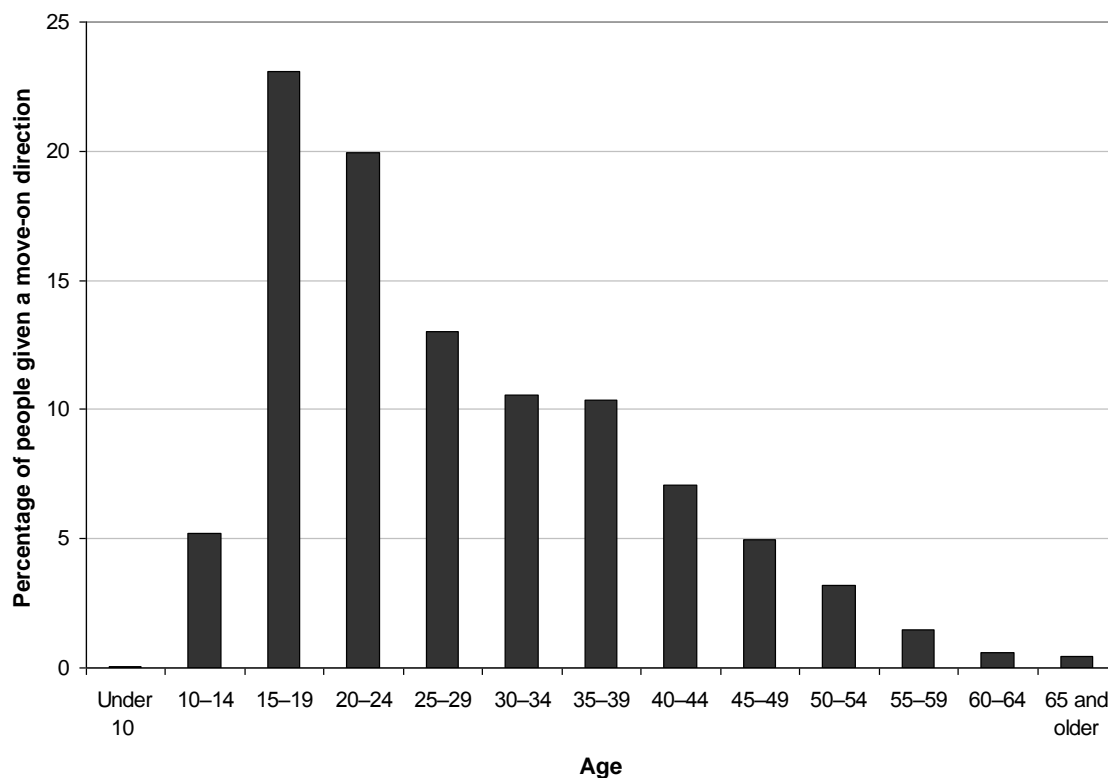
^a $OR = 1.175$ (1.042, 1.326), $\chi^2 = 6.721$, $p < .05^*$.

^b $OR = 0.851$ (0.754, 0.960).

Age

We were able to identify the age of 6067 of the 6245 recorded move-on subjects during the 12-month periods before and after the statewide expansion of move-on powers. Figure 2.1 presents the age distribution of these move-on subjects. The oldest person issued with a move-on direction was 82 years old, and the youngest was 6 years old.

Figure 2.1: Age of recorded move-on subjects



Source: Police data.

Our examination of the police data revealed that:

- the vast majority (86.9%, $n = 5272$) of people moved on were adults (that is, aged 17 years or older)
 - more than half (51.7%, $n = 3136$) of the recorded move-on subjects were aged 25 years or older
 - about one-third (35.2%, $n = 2136$) were young adults aged 17 to 24 years
- 13 per cent ($n = 795$) were juveniles (that is, aged 16 years or younger).

We further found that juveniles aged between 10 and 16 years and young people aged between 17 and 24 years were significantly more likely to receive a move-on direction than were other age groups:

- Juveniles aged between 10 and 16 years comprised 13.0 per cent of recorded move-on subjects, but over the same period accounted for only 9.8 per cent of the Queensland population.⁹
- Young people aged between 17 and 24 comprised 35.2 per cent of recorded move-on subjects, but over the same period accounted for only 11.4 per cent of the Queensland population.¹⁰

In contrast, juveniles under the age of 10 years and adults over the age of 24 years were significantly underrepresented among people given move-on directions:

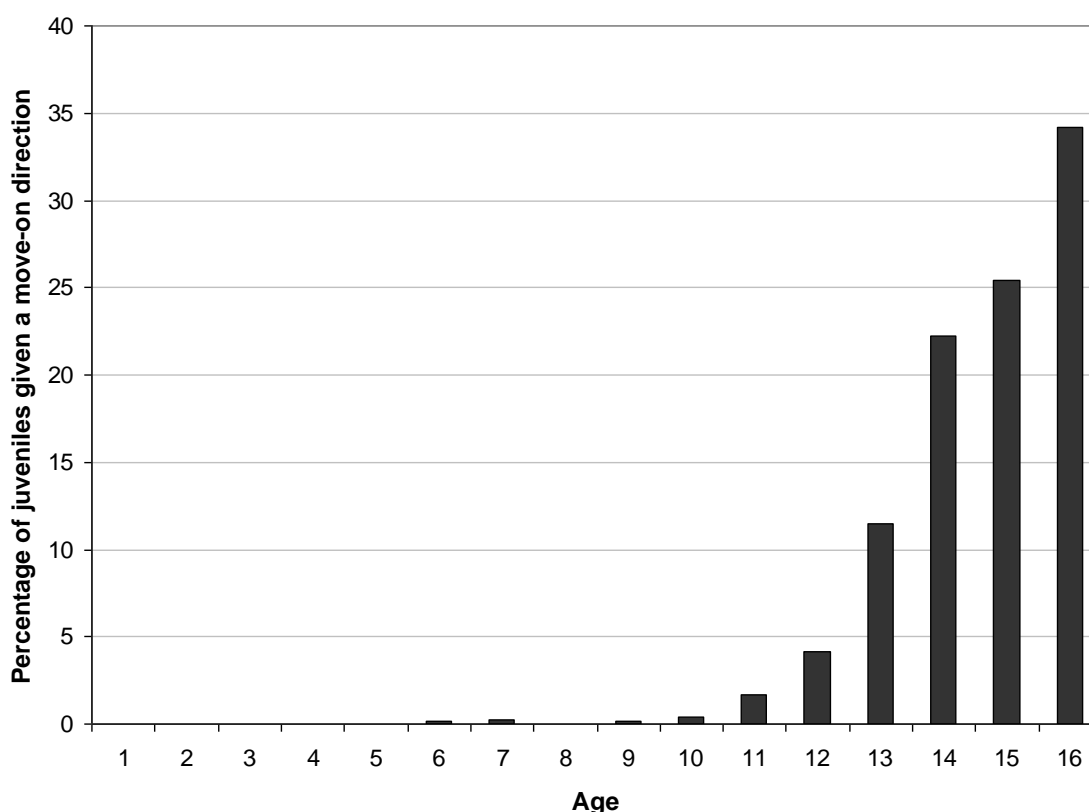
⁹ Z (hypothesised value = 9.8%, actual value = 13.0%), $p < .001^*$.

¹⁰ Z (hypothesised value = 11.4%, actual value = 35.2%), $p < .001^*$.

- Juveniles under the age of 10 years comprised just 0.1 per cent of move-on subjects, but over the same period accounted for 13.3 per cent of the Queensland population.¹¹
- Adults aged 25 years and older comprised 51.7 per cent of move-on subjects, but over the same period accounted for 65.6 per cent of the Queensland population.¹²

One particular concern we identified through our examination of the data was that the youngest person issued with a recorded move-on direction was 6 years old and that 144 directions were issued to juveniles aged 13 years or under. Figure 2.2 presents the age distribution of recorded juvenile move-on subjects.

Figure 2.2: Age of recorded juvenile move-on subjects



Source: Police data.

As illustrated:

- The majority of juvenile move-on subjects (81.9%, $n = 651$, or 10.7% of all recorded move-on subjects) were aged 14 to 16 years.
- Around 18 per cent (17.6%, $n = 140$, or 2.3% of all recorded move-on subjects) were aged 10 to 13 years.
- Less than 1 per cent (0.5 per cent, $n = 4$, or 0.1% of all recorded move-on subjects) were younger than 10 years. One was aged 6, two were aged 7 and one was aged 9.

¹¹ Z (hypothesised value = 13.3%, actual value = 0.1%), $p < .001^*$.

¹² Z (hypothesised value = 65.6%, actual value = 51.7%), $p < .001^*$.

We further examined the details of the individual move-on directions issued to the juveniles aged under 10 years. Three of the cases occurred in the pre–statewide expansion period and one occurred in the post–statewide expansion period. The QPRIME data for all four juveniles indicated that the directions were issued in the daytime, and when the juveniles were in the company of other teenagers. Three incidents occurred in shopping areas and one in a fast-food restaurant.

The median age of recorded move-on subjects was 25 years. This median age varied significantly among the different QPS regions, ranging from 18 years old in the Southern Region to 34 years old in the Northern Region (see Table 2.2).

Table 2.2: Median age of recorded move-on subjects by QPS region

QPS region	Median age of move-on subjects (years)
Northern	34
Far Northern	32
Metropolitan North	25
Metropolitan South	25
Central	24
South Eastern	22
North Coast	19
Southern	18
Queensland (all regions)	25 ^a

Source: Police data.

Note: ^a Chi-square median test: $\chi^2(7, N = 6067) = 544.394, p < .01^*$.

We also examined the police data to determine whether there were any changes to this age distribution after the statewide expansion of move-on powers. Significantly, as a proportion of the total number of people moved on, fewer juveniles aged between 10 and 16 years (12.1%, $n = 431$) received a move-on direction in the 12 months after the statewide expansion of move-on powers in 2006 than they did in the 12 months before the expansion (14.4%, $n = 360$). However, despite this reduction, juveniles in this age group remained significantly overrepresented in the recorded data. The age profile of people given move-on directions otherwise remained relatively unchanged (see Table 2.3).

Table 2.3: Age of recorded move-on subjects — analysis of changes after the statewide expansion of move-on powers

Age	Number of move-on subjects		% of move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Under 10 years old (juvenile)	3	1	0.1	0.0	0.2 ^{ns}
10 to 16 years old (juvenile)	360	431	14.4	12.1	0.8 ^a
17 to 24 years old	845	1291	33.8	36.2	1.1 ^{ns}
25 years and older	1289	1847	51.6	51.7	1.0 ^{ns}

Source: Police data.

Notes: The age of 178 people was not known. These records were excluded from these analyses.

^a OR = 0.815 (0.701, 0.947), $\chi^2 = 6.917$, $p < .01^*$.

Indigenous status

For the same two-year period, we were able to identify the Indigenous status of 6092 of the 6245 recorded move-on subjects. (For a full explanation of how we identified Indigenous status, see Appendix A.) A substantial proportion of the people in the police data we analysed had more than one entry recorded against their name in the QPRIME ‘race’ field. For the purposes of our analyses, people whose race was recorded as Aboriginal and/or Torres Strait Islander on at least one occasion were classified as Indigenous, while all others were classified as non-Indigenous.

Our analysis of these 6092 move-on subjects showed that, in the two-year period, 42.6 per cent ($n = 2594$) of recorded move-on subjects were Indigenous. As Indigenous people accounted for just 3.6 per cent of the Queensland population over the same period, this means that Indigenous people — as a proportion of the population — were 20.0 times more likely to be given a recorded move-on direction than were non-Indigenous people. Our results show that this overrepresentation of Indigenous people was statistically significant.¹³

Again, we looked for any impact of the statewide expansion of the move-on laws on the proportion of move-on subjects who were Indigenous. When we compared the 12-month periods before and after the statewide expansion, we found no significant change in the relative proportion of Indigenous and non-Indigenous move-on subjects (see Table 2.4).

¹³ Z (hypothesised value = 3.6%, actual value = 42.6%), $p < .001^*$.

Table 2.4: Indigenous status of recorded move-on subjects — analysis of changes after the statewide expansion of move-on powers

Indigenous status	Number of move-on subjects		% of move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Indigenous	1078	1516	42.8	42.4	1.0 ^{ns}
Non-Indigenous	1441	2057	57.2	57.6	1.0 ^{ns}

Source: Police data.

Note: Indigenous comprises those subjects ever recorded as Aboriginal and/or Torres Strait Islander.

We also compared the 12-month periods before and after the statewide expansion for each QPS region. Here we found that, in the 12 months after the statewide expansion of move-on powers, there was:

- a significant increase in the proportion of move-on subjects in the Central Region who were Indigenous (from 55.9%, $n = 298$, to 65.6%, $n = 465$)
- a significant decrease in the proportion of move-on subjects in the Metropolitan North Region who were Indigenous (from 25.7%, $n = 204$, to 21.3%, $n = 187$).

We also examined whether there were any differences among the QPS regions in the number and proportion of move-on subjects who were Indigenous (Table 2.5). Our analysis of the police data showed that the Northern (72.0%, $n = 738$), Central (61.4%, $n = 763$) and Far Northern (57.9%, $n = 259$) Regions had the highest proportion of recorded Indigenous move-on subjects. These findings reflect the larger Indigenous populations in these regions, but still show that Indigenous people are overrepresented among people given move-on directions.

Table 2.5: Indigenous recorded move-on subjects by QPS region

QPS region	Number of Indigenous move-on subjects	% of all move-on subjects in region
Far Northern	259	57.9
Northern	738	72.0
Central	763	61.4
North Coast	116	24.3
Southern	225	48.3
South Eastern	30	7.9
Metropolitan North	391	23.4
Metropolitan South	72	18.9

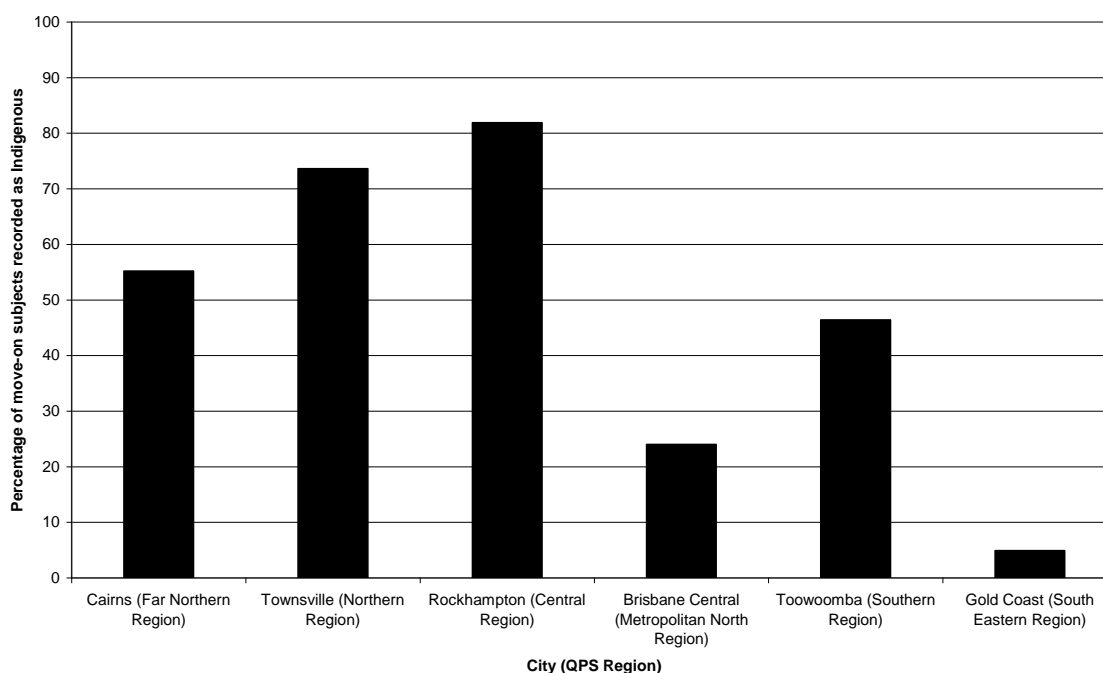
Source: Police data.

In submissions and during consultations, a number of people raised specific concerns that move-on directions in Cairns (Far Northern Region), Townsville (Northern Region) and Rockhampton (Central Region) were mostly being issued to Indigenous people. We therefore further analysed data relating to recorded move-on subjects in these cities to assess whether there were high numbers of Indigenous people recorded as being given move-on directions in these cities. We also considered whether the recorded number of Indigenous move-on subjects was reflective of larger Indigenous populations or the overrepresentation of Indigenous people as recorded move-on subjects. For comparison purposes, we also analysed data from three additional cities — Toowoomba (Southern Region), Brisbane Central (Metropolitan North Region) and the Gold Coast (South Eastern Region).

It is important to note that the calculations on which the following findings are based are not precise. The QPS was not able to provide us with population data for the QPS divisions we used in our analysis. We therefore relied on estimated populations based on the identification of roughly comparable geographical areas for which Australian Bureau of Statistics data were available. We believe that the general pattern of findings would not change if more precise population numbers were used, but the magnitude of underrepresentation or overrepresentation may not be 100 per cent accurate and is best considered as an estimate.

Figure 2.3 shows the overall percentage of move-on subjects recorded as Indigenous in the two-year period between 1 June 2005 and 31 May 2007 in the six cities mentioned above.

Figure 2.3: Recorded move-on subjects in six major Queensland cities who were Indigenous



Source: Police data.

Consistent with what we had been told during our consultations, we did find relatively high proportions of Indigenous move-on subjects in Cairns (55.2%, $n = 197$), Townsville (73.6%, $n = 593$) and Rockhampton (81.9%, $n = 683$). Among our comparison cities, we also found a relatively high proportion of Indigenous subjects in Toowoomba, but lower proportions in Brisbane Central and on the Gold Coast (see Table 2.6 for details).

We found that the cities with higher proportions of Indigenous recorded move-on subjects do indeed have high Indigenous populations. Indigenous people comprise around 10 per cent of the population in Cairns, around 6 per cent in Rockhampton and around 5 per cent in Townsville, compared with 3 per cent in Toowoomba and less than 1 per cent in Brisbane Central and on the Gold Coast. Nevertheless, this did not fully account for the relatively high proportions of Indigenous recorded move-on subjects in these cities, and we found that Indigenous people were still significantly overrepresented as recorded move-on subjects in each city (see Table 2.6).

Table 2.6: Indigenous status of recorded move-on subjects in six major Queensland cities

City	Number of Indigenous move-on subjects	% of move-on subjects who were Indigenous	Number of Indigenous people in population	% of population who were Indigenous	Population odds ratio (move-on subjects/population)
Cairns	197	55.2	4357	10.4	10.6 ^a
Rockhampton	683	81.9	3616	5.9	71.6 ^b
Townsville	593	73.6	4868	5.3	49.7 ^c
Toowoomba	90	46.4	2955	3.1	27.0 ^d
Brisbane Central	366	24.0	488	0.9	35.9 ^e
Gold Coast	14	4.9	1646	0.9	5.3 ^f

Source: Police data.

Notes: Data for the six cities were based on Cairns QPS Division; Rockhampton and North Rockhampton QPS Divisions; Townsville QPS Division; Toowoomba QPS Division; Brisbane City and Fortitude Valley QPS Divisions; and Surfers Paradise, Southport and Broadbeach QPS Divisions.

^a Z (hypothesised value = 10.4%, actual value = 55.2%), $p < .001^*$.

^b Z (hypothesised value = 5.9%, actual value = 81.9%), $p < .001^*$.

^c Z (hypothesised value = 5.3%, actual value = 73.6%), $p < .001^*$.

^d Z (hypothesised value = 3.1%, actual value = 46.4%), $p < .001^*$.

^e Z (hypothesised value = 0.9%, actual value = 24.0%), $p < .001^*$.

^f Z (hypothesised value = 0.9%, actual value = 4.9%), $p < .001^*$.

People moved on more than once

We examined the police data for the period of interest (1 June 2005 to 31 May 2007) to determine:

- the numbers and proportions of people who were recorded as being moved on once only, or on multiple occasions
- the gender, age and Indigenous status of people moved on more than once
- whether or not the statewide expansion of move-on powers was associated with a change in the proportions and characteristics of people moved on once only or on multiple occasions.

Number of occasions

Our analysis of the police data over the two-year period revealed that 5234 unique people were recorded as being given move-on directions. We were able to identify most unique subjects according to their name or date of birth. However, we also included in our analyses 130 people for whom no identifying information (name or date of birth) was recorded. Each of these records was taken as representing one unique person who was moved on once only within the period.

Whether a subject had been given more than one move-on direction was measured within each 12-month period separately. Because of possible differences in how subjects' names and dates of birth are recorded in the police data, the data presented here may underestimate the number of people recorded as being moved on more than once. The data may also underestimate the number of recorded move-on directions given to some unique subjects.

Table 2.7 shows the number of recorded move-on directions received by unique subjects in the two-year period of interest.

Table 2.7: Number of move-on directions recorded for each unique move-on subject

Number of move-on directions	Number of unique move-on subjects	% of unique move-on subjects
One	4694	89.7
More than one	540	10.3
<i>Two</i>	341	6.5
<i>Three</i>	102	1.9
<i>Four</i>	40	0.8
<i>Five</i>	20	0.4
<i>Six to ten</i>	33	0.6
<i>More than ten</i>	4	0.1
Total	5234	100.0

Source: Police data.

As shown, we found that:

- the majority (89.7%, $n = 4694$) of recorded move-on subjects were moved on once only
- 6.5 per cent ($n = 341$) were moved on twice
- 3.8 per cent ($n = 199$) were moved on three times or more.

The maximum number of recorded move-on directions identified for a single unique subject either before or after the statewide rollout was 27. Further examination revealed that this person was a non-Indigenous female moved on from around the New Farm/Fortitude Valley area in Brisbane 27 times in the 12-month period after the statewide expansion. The second most frequently moved-on person was also a non-Indigenous female moved on from the New Farm/Fortitude Valley area 13 times in the 12-month period after the statewide expansion.

When we compared the 12-month periods before and after the statewide expansion, we found that there was a very small decrease in the proportion of people recorded as being given more than one move-on direction (from 10.8%, $n = 231$, to 10.0%, $n = 309$), but this was not statistically significant (see Table 2.8).

Table 2.8: Number of move-on directions recorded for each unique move-on subject — analysis of changes after the statewide expansion of move-on powers

Number of move-on directions	Number of unique move-on subjects		% of unique move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
One	1907	2787	89.2	90.0	1.1 ^{ns}
More than one	231	309	10.8	10.0	0.9 ^{ns}
<i>Two</i>	153	188	7.2	6.1	†
<i>Three</i>	41	61	1.9	2.0	†
<i>Four</i>	15	25	0.7	0.8	†
<i>Five</i>	9	11	0.4	0.4	†
<i>Six to ten</i>	13	20	0.6	0.6	†
<i>More than ten</i>	0	4	0.0	0.1	†

Source: Police data.

Characteristics of recidivist move-on subjects

We further examined the demographic characteristics of the 540 unique people who were recorded as being moved on more than once — our recidivist move-on subjects. Our findings are discussed below.

Gender

We found that, of the 540 subjects recorded as being moved on more than once during the two-year period of interest, 70.0 per cent ($n = 378$) were male.

We compared the total number of male and female move-on subjects with the number of males and females who were moved on more than once. We found that there was a higher proportion of females moved on more than once than for move-on subjects in general. Consistent with this difference, when we examined the proportion of male and female move-on subjects being moved on more than once (see Table 2.9), we found that female subjects (16.0%, $n = 162$) were significantly more likely than male subjects (9.2%, $n = 378$) to be moved on more than once.

Table 2.9: Recidivism status of unique recorded move-on subjects — comparison between males and females

Gender	Number of unique move-on subjects		% of unique move-on subjects within gender		Odds ratio
	Moved on once only	Moved on more than once	Moved on once only	Moved on more than once	Group of interest / other group (more than once/once only)
Male	3714	378	90.8	9.2	0.5 ^a
Female	849	162	84.0	16.0	1.9 ^b

Source: Police data.

Notes: The gender of 131 unique subjects was not known. These records were excluded from these analyses.

^a $OR = 0.533$ (0.437, 0.651), $\chi^2 = 38.735$, $p < .001^*$.

^b $OR = 1.875$ (1.537, 2.287).

To examine the impact of the statewide expansion of move-on powers on whether someone receives multiple move-on directions, we made two kinds of comparisons between the 12-month periods before and after the statewide expansion:

- whether there were any changes in the gender profile of those subjects who were moved on more than once
- whether there were any changes in the proportion of subjects of each gender who were moved on more than once (as opposed to once only).

As shown in Table 2.10, we found that:

- the proportion of males among people moved on more than once increased significantly in the 12 months after the statewide expansion (from 63.6%, $n = 147$, of people moved on more than once to 74.8%, $n = 231$); the inverse is true for females (from 36.4%, $n = 84$, of people moved on more than once to 25.2%, $n = 78$)
- there were no significant changes in the proportion of either male or female move-on subjects who were moved on more than once (as opposed to once only).

Table 2.10: Gender of unique recorded subjects moved on more than once — analysis of changes after the statewide expansion of move-on powers

Gender	Number of unique move-on subjects moved on more than once		% of all unique move-on subjects moved on more than once		Odds ratio 1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (group of interest/ other group)	% of unique move-on subjects within gender		Odds ratio 1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (more than once/ once only)
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007		1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	
Male	147	231	63.6	74.8	1.7 ^a	8.8	9.6	1.1 ^{ns}
Female	84	78	36.4	25.2	0.6 ^b	18.6	14.0	0.7 ^{ns}

Source: Police data.

Notes: ^a $OR = 1.692 (1.168, 2.453)$, $\chi^2 = 7.251$, $p < .01^*$.

^b $OR = 0.591 (0.408, 0.856)$.

Age

Of the 540 people who were moved on more than once during the two-year period:

- the majority (63.1%, $n = 341$) were 25 years or older
- 22.4 per cent ($n = 121$) were aged 17 to 24 years
- 14.4 per cent ($n = 78$) were juveniles; this included 15 juveniles aged between 11 and 13 years who were moved on more than once¹⁴
- no-one under the age of 10 was moved on more than once.

¹⁴ The 15 juveniles comprised two 11-year-olds, four 12-year-olds and nine 13-year-olds.

We compared the total number of move-on subjects in each age group with the number of people in each age group who were moved on more than once. We found that juvenile move-on subjects aged 10 to 16 years (11.6%, $n = 78$) were no more or less likely than other age groups to be moved on more than once. Move-on subjects aged 17 to 24 years old (6.3%, $n = 121$), however, were significantly less likely than other age groups to be moved on more than once, while adult subjects aged 25 years or older (13.8%, $n = 341$) were significantly more likely to be moved on more than once (see Table 2.11).

Table 2.11: Recidivism status of unique recorded move-on subjects — comparison between different age groups

Age	Number of unique move-on subjects		% of unique move-on subjects within age group		Odds ratio
	Moved on once only	Moved on more than once	Moved on once only	Moved on more than once	Age group of interest/ all other age groups (more than once/ once only)
Under 10 years old (juvenile)	4	0	100.0	0.0	†
10 to 16 years old (juvenile)	597	78	88.4	11.6	1.1 ^{ns}
17 to 24 years old	1787	121	93.7	6.3	0.4 ^{*a}
25 years and older	2128	341	86.2	13.8	1.9 ^{*b}

Source: Police data.

Notes: In the case of those people given more than one move-on direction in a period, their age at the time of the last move-on direction was used for analysis.

The age of 178 unique subjects was not known. These records were excluded from these analyses.

^a OR = 0.441 (0.357, 0.545), $\chi^2 = 59.728$, $p < .001^*$.

^b OR = 1.923 (1.599, 2.312), $\chi^2 = 48.934$, $p < .001^*$.

When we looked for any effects associated with the statewide expansion of move-on powers, we found that there were no significant changes to the age profile of people moved on more than once (see Table 2.12). We also determined that there were small decreases in the proportions of juvenile subjects (aged 10 to 16 years) and young adult subjects (aged 17 to 24 years) who were moved on more than once in the 12 months after the statewide expansion, but these decreases were not significant (see Table 2.12).

**Table 2.12: Age of unique recorded subjects moved on more than once
— analysis of changes after the statewide expansion of move-on powers**

Age	Number of unique move-on subjects moved on more than once		% of all unique move-on subjects moved on more than once		Odds ratio	% of unique move-on subjects within age group		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (age group of interest/all other age groups)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (more than once/ once only)
Under 10 years old (juvenile)	0	0	0.0	0.0	†	0.0	0.0	†
10 to 16 years old (juvenile)	39	39	16.9	12.6	0.7 ^{ns}	12.7	10.6	0.8 ^{ns}
17 to 24 years old	50	71	21.6	23.0	1.1 ^{ns}	6.6	6.2	0.9 ^{ns}
25 years and older	142	199	61.5	64.4	1.1 ^{ns}	13.8	13.8	1.0 ^{ns}

Source: Police data.

Indigenous status

When we examined the police data for the two-year period of interest, we found that 70.7 per cent ($n = 382$) of the 540 people recorded as being moved on more than once were Indigenous.

As shown in Table 2.13, we found that, over the two-year period, Indigenous move-on subjects were 4.9 times more likely to be moved on more than once than were non-Indigenous move-on subjects (20.4%, $n = 382$, of all unique Indigenous subjects versus 4.9%, $n = 158$, of all unique non-Indigenous subjects).

**Table 2.13: Recidivism status of unique recorded move-on subjects
— comparison between Indigenous and non-Indigenous subjects**

Indigenous status	Number of unique move-on subjects		% of unique move-on subjects within Indigenous status		Odds ratio
	Moved on once only	Moved on more than once	Moved on once only	Moved on more than once	Indigenous status of interest/all other groups (more than once/once only)
Indigenous	1491	382	79.6	20.4	4.9 ^a
Non-Indigenous	3050	158	95.1	4.9	0.2 ^b

Source: Police data.

Notes: The Indigenous status of 153 unique subjects could not be determined. These records were excluded from these analyses.

^a OR = 4.946 (4.068, 6.013), $\chi^2 = 296.271$, $p < .001^*$.

^b OR = 0.202 (0.166, 0.246).

However, as with the trends for use of move-on powers on Indigenous people in general, we found no evidence that the statewide expansion of move-on powers significantly increased the likelihood that

an Indigenous person would be moved on more than once. Our comparison of the two 12-month periods before and after the statewide expansion identified a negligible decrease in the proportion of recorded Indigenous subjects who were moved on more than once (from 20.8%, $n = 163$, to 20.1%, $n = 219$, of all unique Indigenous subjects), but this was not statistically significant (see Table 2.14).

Table 2.14: Indigenous status of unique recorded subjects moved on more than once — analysis of changes after the statewide expansion of move-on powers

	Number of unique move-on subjects moved on more than once		% of all unique move-on subjects moved on more than once		Odds ratio	% of unique move-on subjects within Indigenous status		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007		1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	
Indigenous status					1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (group of interest/ all other groups)			1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (more than once/ once only)
Indigenous	163	219	70.6	70.9	1.0 ^{ns}	20.8	20.1	1.0 ^{ns}
Non-Indigenous	68	90	29.4	29.1	1.0 ^{ns}	5.1	4.8	0.9 ^{ns}

Source: Police data.

Summary

For the two-year period of police data we examined, males were more commonly recorded as being given a move-on direction than females. Most of the recorded move-on subjects were adults, but juveniles, as a proportion of the Queensland population, were significantly overrepresented in the recorded move-on data. Indigenous people as a proportion of the population were also significantly overrepresented among move-on subjects.

Most people given a move-on direction during the two-year period of analysis were only moved on once. Those subjects moved on more than once were most commonly males, adults and Indigenous people. Move-on subjects who were female, over the age of 24 or Indigenous were significantly more likely to be moved on more than once when compared with subjects who were male, aged 24 years or younger, or non-Indigenous.

After the statewide expansion of move-on powers on 1 June 2006:

- There was a small but significant increase in the proportion of move-on subjects who were male.
- There was a small but significant decrease in the proportion of move-on subjects who were juveniles aged 10 to 16 years.
- The proportion of move-on subjects who were Indigenous did not change — Indigenous people were still overrepresented among people given move-on directions by police.
- There was no significant change in the proportion of move-on subjects who were moved on more than once.
- Juvenile move-on subjects and Indigenous move-on subjects were no more or less likely to be recorded as being moved on more than once.

PART 3:

Recorded disobey move-on incidents

In Part 3, we discuss:

- how many incidents where a person fails to comply with a move-on direction are recorded by police
- broad spatial and temporal patterns in disobey move-on incidents.

Consideration is also given to whether the statewide expansion of move-on powers was associated with any changes in these aspects.

Introduction

We examined recorded disobey move-on incidents in much the same way as with our analyses of recorded move-on incidents in Part 1, relying on data extracted from QPRIME.

A disobey move-on incident is a situation in which an individual or a group of people have failed to comply with a move-on direction given by police. A single disobey move-on incident may involve more than one person being charged with a disobey move-on offence. If we only presented the number of recorded disobey move-on offences, we would overestimate how often move-on powers are being used and disobeyed, as several disobey move-on offences may relate to the same incident.

For example, in the period 1 June 2005 to 31 May 2007, there were 2330 disobey move-on incidents, of which 2219 were ‘solved’ (that is, there was sufficient evidence that the person involved may have committed an offence and some kind of police action was taken). There were 2444 separate charges of disobey move-on arising from these 2219 incidents.

Most of the analyses presented in Part 3 of this data report are focused on the two 12-month periods before and after the statewide expansion of the move-on powers (1 June 2005 to 31 May 2007). We also present longer-term trends in disobey move-on incidents over the four-year period from 1 June 2004 to 31 May 2008.

Number of recorded disobey move-on incidents

We examined the total number of recorded disobey move-on incidents to see whether there were any changes over time in how often move-on directions were recorded as being disobeyed.

Number of recorded disobey move-on incidents, 1 June 2005 to 31 May 2007

Our examination of the police data revealed that there were 2330 disobey move-on incidents recorded between 1 June 2005 and 31 May 2007. Of these:

- 37.8 per cent ($n = 881$) were recorded during the 12 months before the statewide expansion of move-on powers
- 62.2 per cent ($n = 1449$) were recorded during the 12 months after the statewide expansion.

Of the 2330 disobey move-on incidents recorded by police, 95.2 per cent ($n = 2219$) were described as being 'solved'. An incident is recorded as 'solved' if police believe there is sufficient evidence that the person involved has committed an offence and some kind of police action has been taken. The type of action police may take includes charging, cautioning or counselling the person. An incident may also be recorded as solved if police believe the person did commit the offence but there is some reason the person should not be charged (for example, the person is a juvenile).

Of the remaining 111 disobey move-on incidents, 106 were described as 'crime: unfounded' (0.3%, $n = 7$), 'crime: unsolved' (0.2%, $n = 4$) or 'non-crime: unfounded' (4.1%, $n = 95$). A further 5 incidents (0.2%) had duplicate records, where the incident was described as both 'solved' and 'crime: unfounded'. The results reported in Part 3 are based on the 2219 disobey move-on incidents listed only as 'solved' in the police data.

Of the 2219 'solved' incidents:

- 37.2 per cent ($n = 826$) were recorded during the 12 months before the statewide expansion of move-on powers
- 62.8 per cent ($n = 1393$) were recorded during the 12 months after the statewide expansion.

This represents a 68.6 per cent increase in the number of disobey move-on incidents after the statewide expansion of move-on powers. The median number of disobey move-on incidents per month in these two periods also increased, from 72.0 incidents to 108.5 incidents (a 50.7% increase). This increase was statistically significant.¹⁵

Rate of recorded disobey move-on incidents

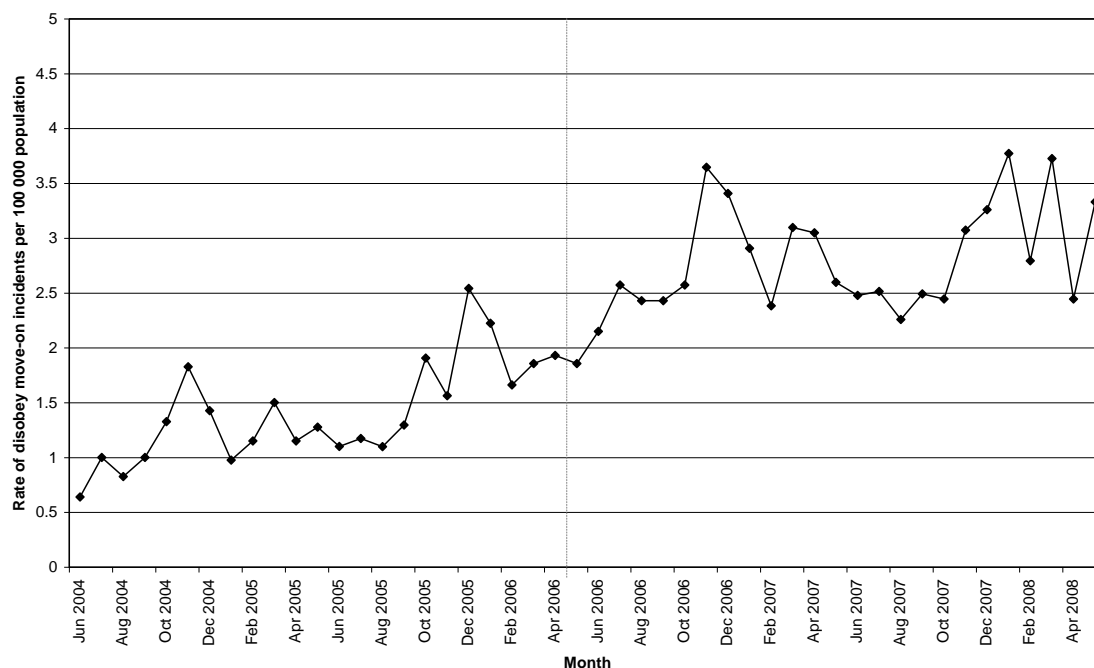
We also examined recorded disobey move-on incidents as a rate per 100 000 population to take account of population growth in Queensland.

Longer-term trends in the rate, 1 June 2004 to 31 May 2008

We examined the trend in the rate of disobey move-on incidents over the four-year period from 1 June 2004 to 31 May 2008. Figure 3.1 shows the monthly rate of recorded disobey move-on incidents in the four-year period.

¹⁵ $Z = -3.871, p < .001^*$.

Figure 3.1: Four-year trend of recorded disobey move-on incidents per 100 000 population per month (1 June 2004 to 31 May 2008)



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

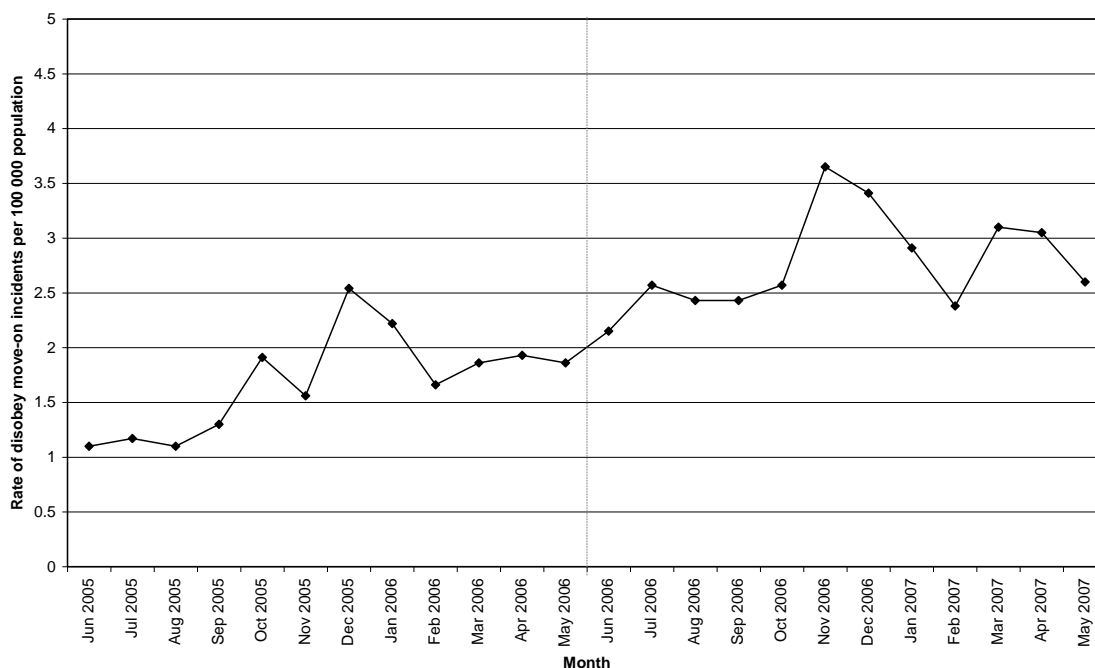
It can be seen that there has been a significant upward trend in the rate of recorded disobey move-on incidents per 100 000 Queenslanders during the four-year period since data collection for our review began on 1 June 2004. In June 2004 there were 0.6 incidents of disobey move-on per 100 000 population. By May 2008, the rate had increased to 3.3 incidents per 100 000 population (a 450.0% increase).¹⁶ This trend is consistent with our finding that there was a significant increase in the rate of recorded move-on incidents over the same period (see Part 1).

Trends in the rate, 1 June 2005 to 31 May 2007

Figure 3.2 shows the monthly rate of disobey move-on incidents per 100 000 Queenslanders for the two-year period between 1 June 2005 and 31 May 2007.

¹⁶ Kendall's tau-b = 0.684, $p < .001^*$.

Figure 3.2: Recorded disobey move-on incidents per 100 000 population per month (1 June 2005 to 31 May 2007)



Source: Police data.

Notes: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers. Data presented in this figure represent only solved disobey move-on incidents ($n = 2219$).

When we compared the two 12-month periods before and after the statewide expansion of move-on powers, we found that:

- the *yearly* (or *annual*) rate of disobey move-on incidents increased by 64.9 per cent after the statewide expansion, from 20.2 incidents per 100 000 population to 33.3 incidents per 100 000 population
- the median *monthly* rate of disobey move-on incidents also increased, from 1.8 to 2.6 incidents per 100 000 population (a 44.4% increase); this increase was statistically significant.¹⁷

These findings are similar to those in Part 1, which showed an increase in the yearly and median monthly rate of recorded move-on incidents.

We also examined the trend in the monthly rate of recorded disobey move-on incidents over the full two-year period between 1 June 2005 and 31 May 2007. We found that there was a statistically significant increase over this period, from 1.1 disobey move-on incidents per 100 000 population in June 2005 to 2.6 disobey move-on incidents per 100 000 population in May 2007 (a 136.4% increase).¹⁸

¹⁷ $Z = -3.871, p < .001^*$.

¹⁸ Kendall's tau-b = 0.681, $p < .001^*$.

Trends in the rate, 1 June 2006 to 31 May 2008

We also compared the rate of disobey move-on incidents in the first full year after the statewide expansion (1 June 2006 to 31 May 2007) with the rate of disobey move-on incidents in the second full year after the statewide expansion (1 June 2007 to 31 May 2008). As we did in Part 1 with respect to recorded move-on incidents, we found no significant change in the monthly rate of disobey move-on incidents per 100 000 population (from 2.6 incidents per 100 000 population in the first year to 2.7 incidents per 100 000 population in the second year).

Temporal trends

We used the police data from 1 June 2005 to 31 May 2007 to examine temporal trends in the variation of disobey move-on incidents by day and month, as well as seasonal variation (that is, summer versus winter months). As with our findings for move-on incidents, the number of disobey move-on incidents recorded by the QPS appears to show some seasonal variation. Higher numbers of disobey move-on incidents tended to be recorded between November and January (summer months) while lower numbers tended to be recorded between June and August (winter months) (see Figures 3.1 to 3.10).

A notable peak in disobey move-on incidents was identified in November 2006 (see Figure 3.1). This peak can possibly be attributed to incidents occurring at the annual ‘Schoolies’ festival on the Gold Coast (QPS South Eastern Region).¹⁹ The corresponding peak in disobey move-on incidents in the South Eastern Region shown in Figure 3.10 provides some support for this explanation.

Spatial trends

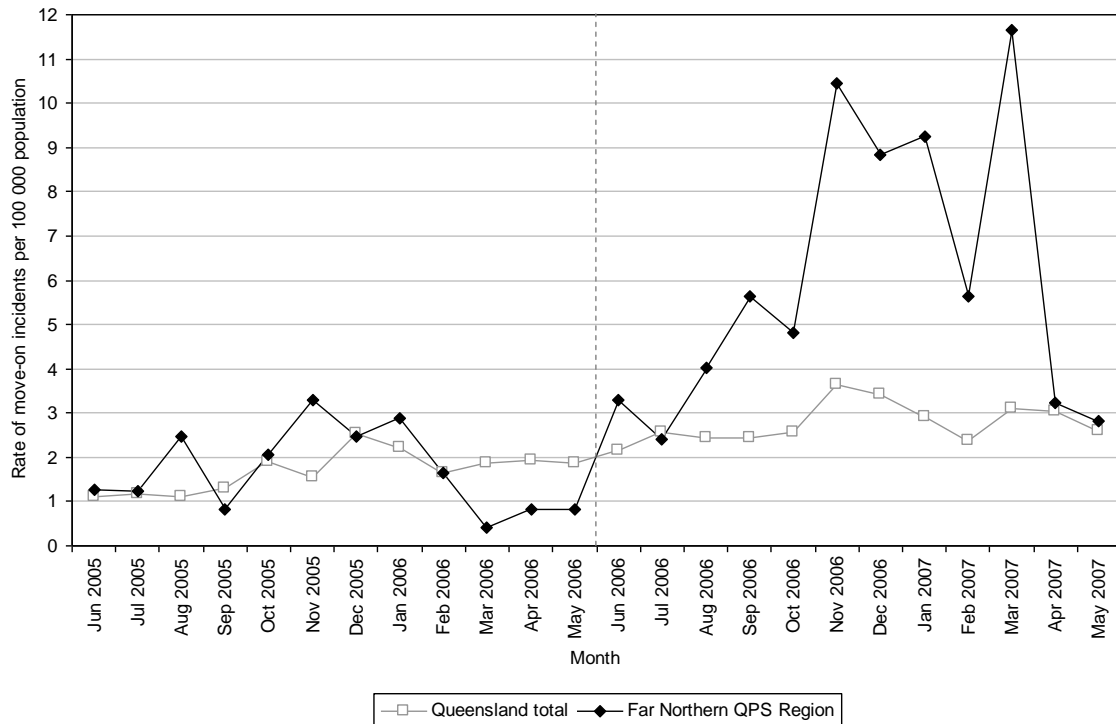
Using the 1 June 2005 to 31 May 2007 police data, we examined spatial patterns in the 2219 recorded disobey move-on incidents by reviewing the distribution of offences (the monthly number and rate per 100 000 population of disobey move-on incidents) in each QPS region.

The regional differences we found in the rate of recorded disobey move-on incidents — as shown in Figures 3.3 to 3.10 — were much the same as those we found in the rate of recorded move-on incidents:

- The monthly rates of disobey move-on incidents over the two-year period in the Metropolitan North, Central and Northern Regions were again generally above the average monthly state rate.
- The Metropolitan South, North Coast, Southern and South Eastern Regions had monthly rates generally below the average monthly state rate.
- In the Far Northern Region, the monthly rate of recorded disobey move-on incidents was similar to the state average in the 12 months before the statewide expansion, but was considerably higher than the state average in the 12 months after.

¹⁹ ‘Schoolies’ is an annual celebration for thousands of Australian senior (high school) school leavers; see <www.schoolies.qld.gov.au>.

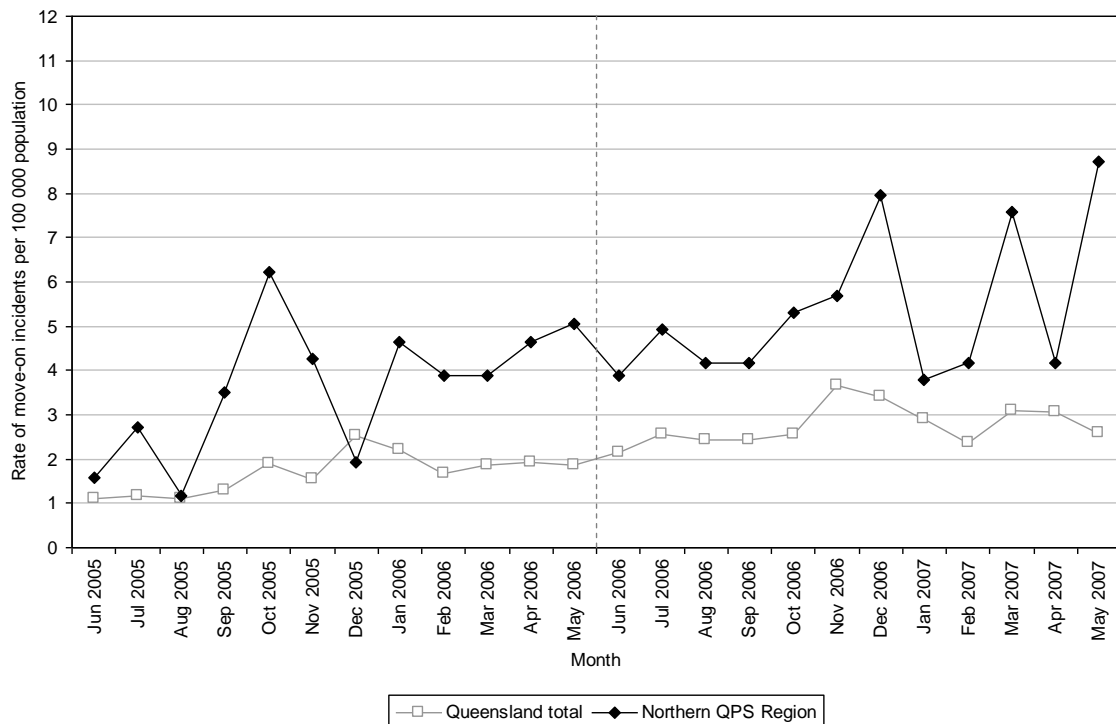
Figure 3.3: Recorded disobey move-on incidents per 100 000 population per month for Far Northern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

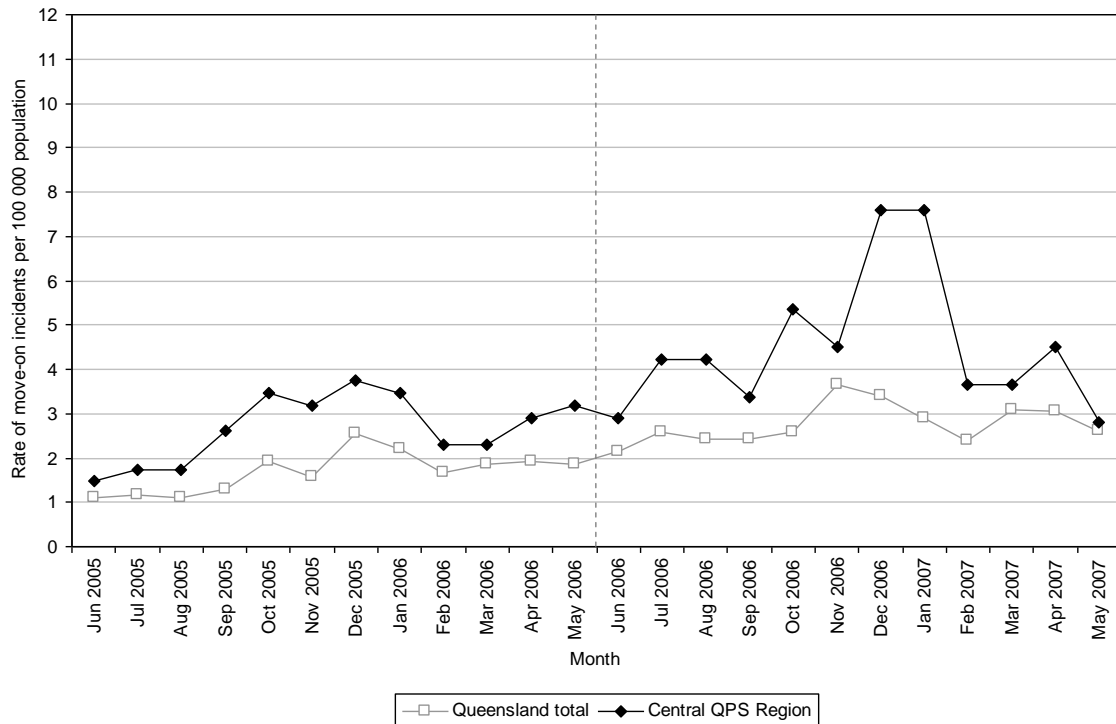
Figure 3.4: Recorded disobey move-on incidents per 100 000 population per month for Northern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

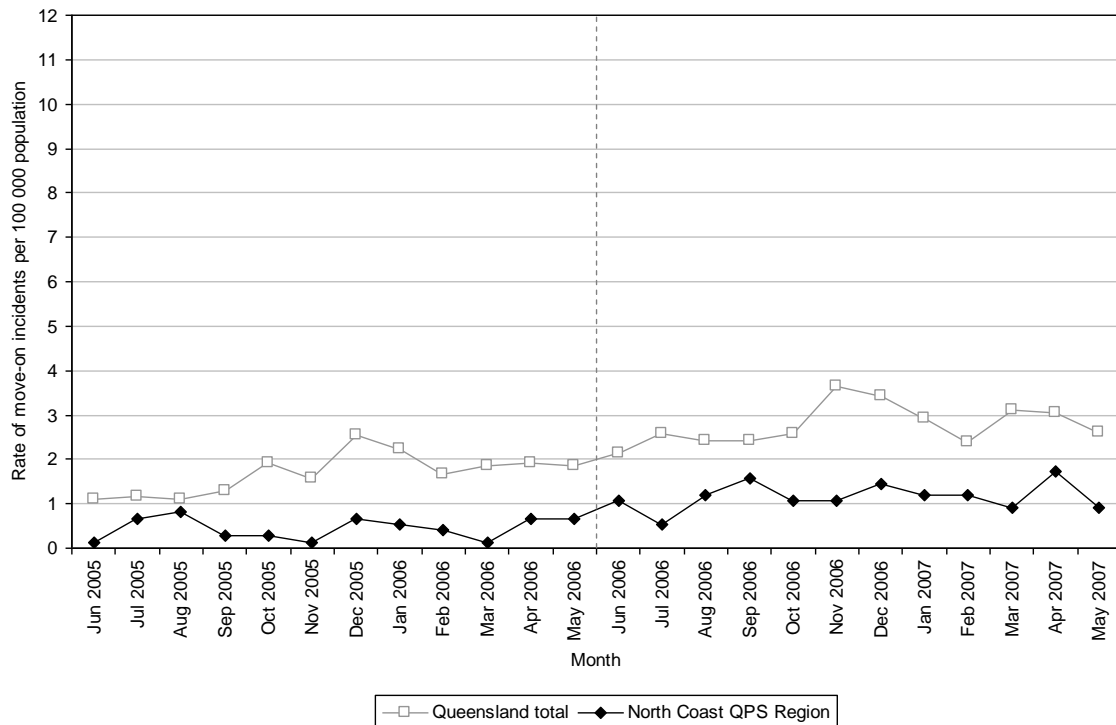
Figure 3.5: Recorded disobey move-on incidents per 100 000 population per month for Central Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

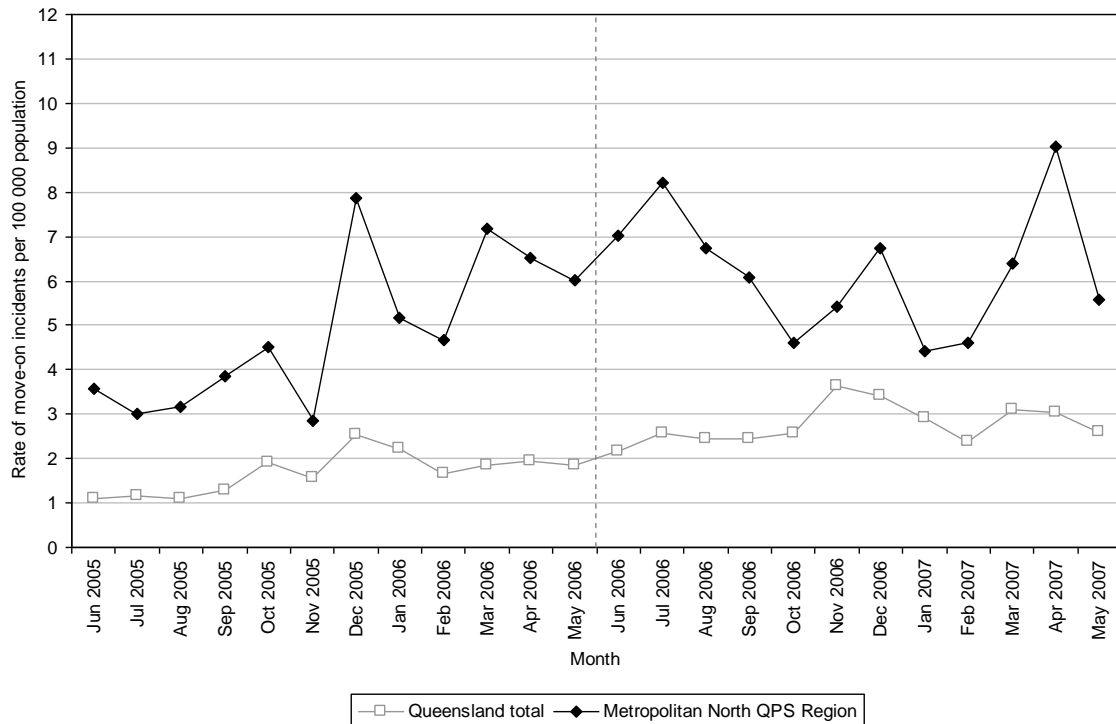
Figure 3.6: Recorded disobey move-on incidents per 100 000 population per month for North Coast Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

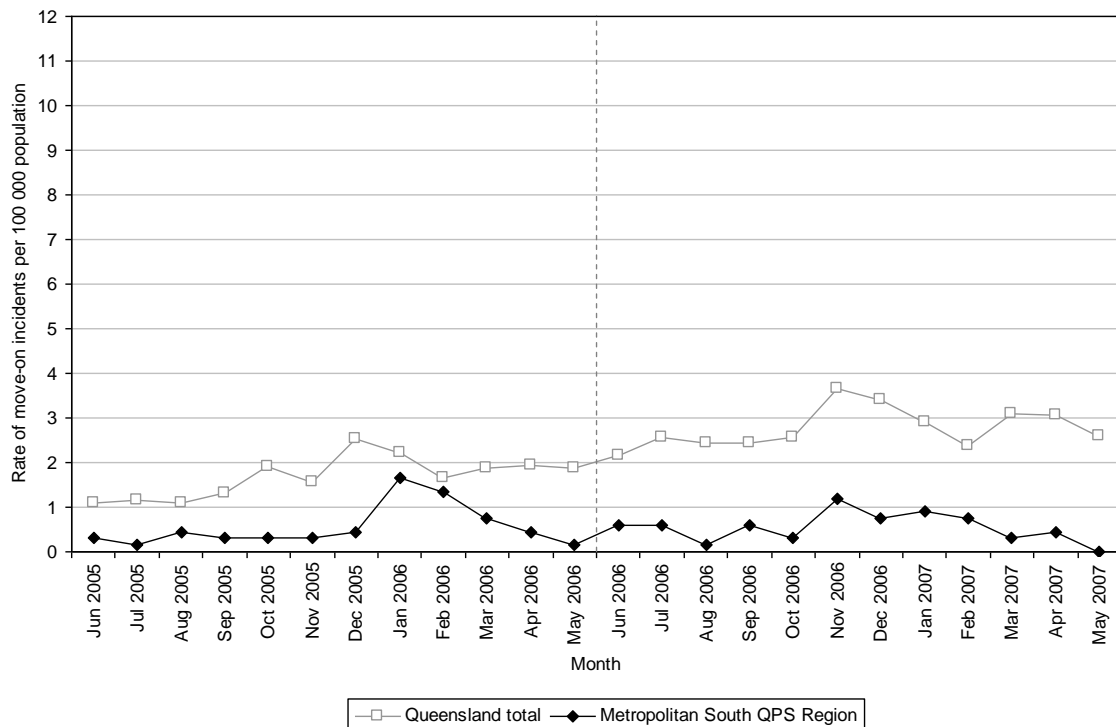
Figure 3.7: Recorded disobey move-on incidents per 100 000 population per month for Metropolitan North Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

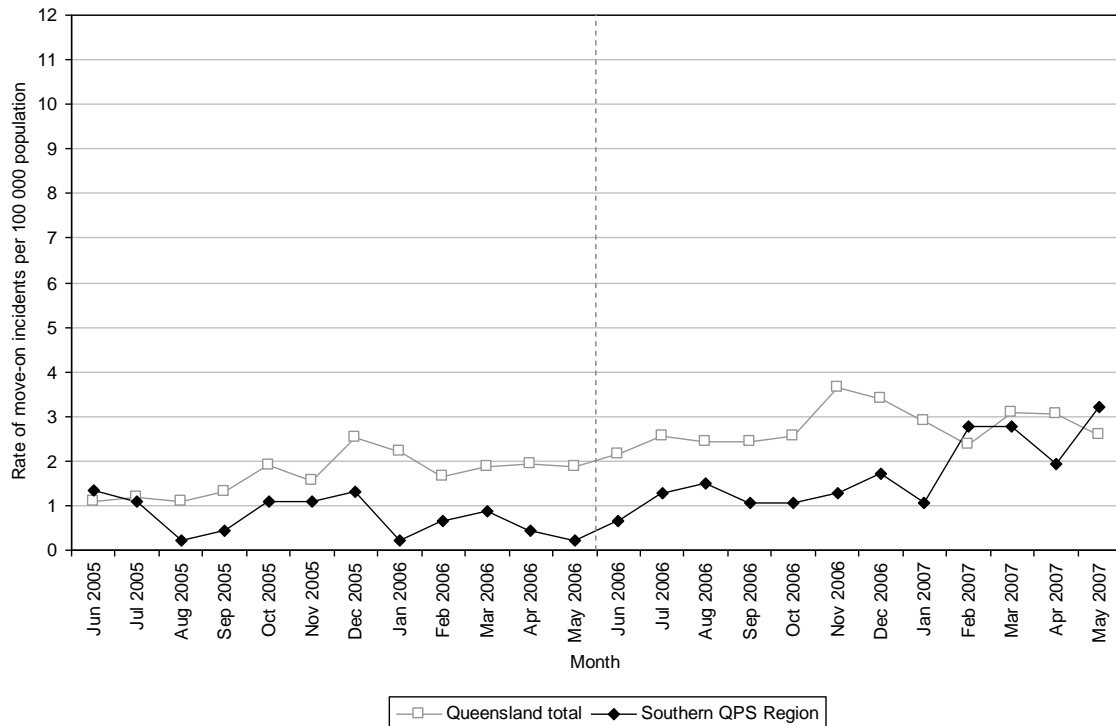
Figure 3.8: Recorded disobey move-on incidents per 100 000 population per month for Metropolitan South Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

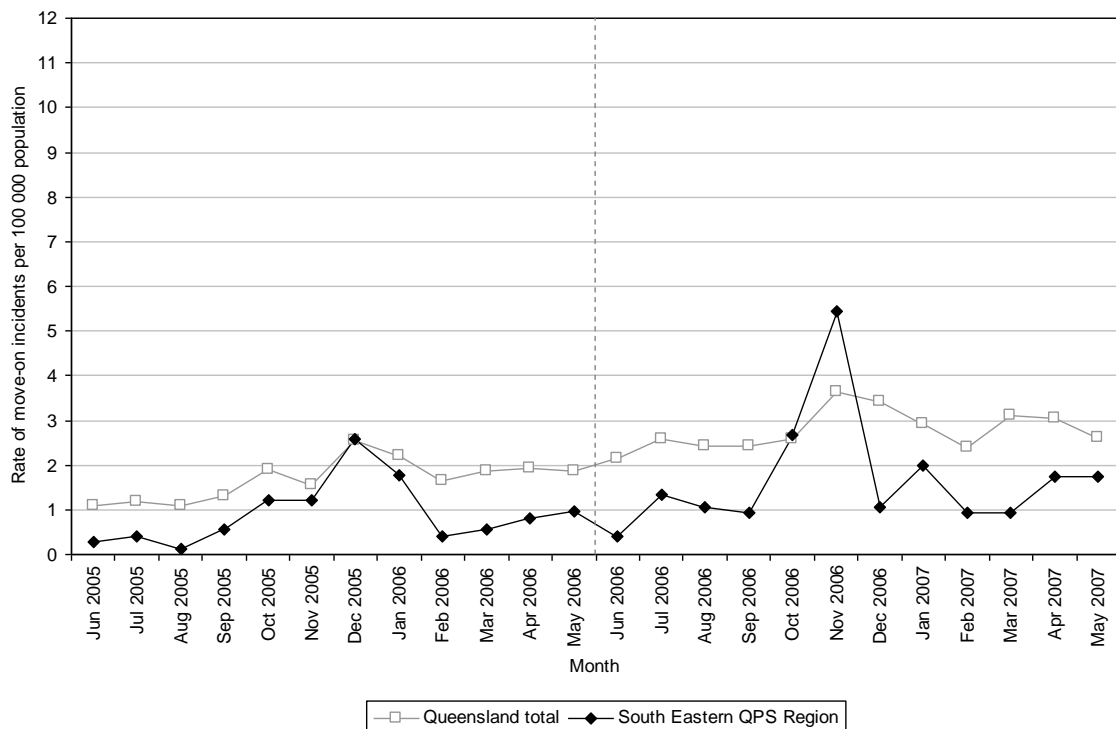
Figure 3.9: Recorded disobey move-on incidents per 100 000 population per month for Southern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

Figure 3.10: Recorded disobey move-on incidents per 100 000 population per month for South Eastern Region



Source: Police data.

Note: The vertical dotted line bisecting the plot indicates the statewide expansion of the move-on powers.

As we did for move-on incidents, we looked for any changes in the rates of recorded disobey move-on incidents in the QPS regions after the statewide expansion of move-on powers. Again, we found that the statewide expansion of move-on powers was associated with different effects in different regions (see Figures 3.3 to 3.10 and Table 3.1):

- There were significant increases in the median monthly rate of disobey move-on incidents in the Far Northern (a 246.7% increase), North Coast (120.0%), Southern (75.0%), Central (55.6%) and Northern (17.9%) Regions in the year after the statewide expansion.
- The statewide expansion was associated with no significant changes in the median monthly rate of disobey move-on incidents in the Metropolitan North, Metropolitan South and South Eastern Regions.

Table 3.1: Number, rate and median monthly rate of recorded disobey move-on incidents in each QPS region

QPS region	Number of disobey move-on incidents			Rate of disobey move-on incidents per 100 000 population			Median rate of disobey move-on incidents per 100 000 population per month		
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	% change	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	% change	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	% change
Far Northern	49	179	265.3	20.3	72.1	255.2	1.5	5.2	246.7 ^{*a}
Northern	112	170	51.8	43.5	64.6	48.5	3.9	4.6	17.9 ^{*b}
Central	111	193	73.9	32.1	54.5	69.8	2.7	4.2	55.6 ^{*c}
North Coast	40	105	162.5	5.4	13.9	157.4	0.5	1.1	120.0 ^{*d}
Metropolitan North	349	455	30.4	58.4	74.8	28.1	4.6	6.2	34.8 ^{ns}
Metropolitan South	44	44	0.0	6.6	6.5	-1.5	0.4	0.6	50.0 ^{ns}
Southern	41	95	131.7	8.9	20.3	128.1	0.8	1.4	75.0 ^{*e}
South Eastern	80	152	90.0	10.9	20.3	86.2	0.7	1.2	71.4 ^{ns}

Source: Police data.

Notes: ^a $Z = -3.730, p < .001^*$.

^b $Z = -2.027, p < .05^*$.

^c $Z = -3.211, p < .01^*$.

^d $Z = -3.826, p < .001^*$.

^e $Z = -2.694, p < .01^*$.

Summary

As with the rate of recorded move-on incidents, the median monthly rate of recorded disobey move-on incidents increased after the statewide expansion of move-on powers, from 1.8 to 2.6 incidents per 100 000 population. Importantly, the median monthly rate of recorded disobey move-on incidents did not change significantly from the first year after the statewide expansion of move-on powers to the second year after statewide expansion.

As with recorded move-on incidents, recorded disobey move-on incidents tended to occur more frequently in warmer (summer) months and less frequently in colder (winter) months.

The North Coast, Metropolitan South, Southern and South Eastern QPS Regions generally had monthly rates of disobey move-on incidents below the state average, while the Northern, Central and Metropolitan North QPS Regions generally had monthly rates above the state average. The Far Northern Region had rates of disobey move-on incidents that were considerably higher than the state average after the statewide expansion of move-on powers.

PART 4:

The people who have disobeyed a move-on direction

In Part 4, we examine:

- **the characteristics of people recorded as having disobeyed a move-on direction**
- **the number and proportion of people who were charged with more than one disobey move-on offence, and the characteristics of these people**
- **the number and proportion of people who were charged with additional offences at the time of their disobey move-on offence, and the characteristics of these people.**

We also examine whether the statewide expansion of move-on powers was associated with any changes in these aspects.

Introduction

In much the same way as we undertook our analyses in Part 2, we analysed police data for the two 12-month periods before and after the statewide expansion of the move-on powers to examine the characteristics of people who have been recorded as disobeying a move-on direction. We refer to these people as ‘disobey move-on subjects’.

Within this group, we refer to those who have disobeyed more than once as ‘recidivist disobey move-on subjects’. People who were involved in more than one disobey move-on incident within one of two periods (in either the 12 months before or the 12 months after the statewide expansion) were classified as a recidivist for that period. Those who were involved in just one disobey move-on incident in a period were not classified as a recidivist.

We refer to people who, in a single incident, were charged with disobeying a move-on direction as well as some other type of offence as ‘disobey plus other subjects’.

Characteristics of disobey move-on subjects

There were 2444 disobey move-on subjects recorded for the two-year period between 1 June 2005 and 31 May 2007. The number of people recorded as disobeying a move-on direction is higher than the number of recorded disobey move-on incidents ($n = 2219$) because some incidents involved multiple subjects.

Not all 2444 recorded disobey move-on subjects had full demographic information recorded. Our analyses below have therefore been conducted using all available data, which varies from analysis to analysis.

Gender

We were able to identify the gender of all 2444 disobey move-on subjects in the police data for the two-year period of interest. Almost 85 per cent (84.6%, $n = 2068$) of disobey move-on subjects were male.

When we compared the 12 months before the statewide expansion of move-on laws with the 12 months after, we found that the relative proportions of recorded male and female disobey move-on subjects did not change (see Table 4.1).

Table 4.1: Gender of recorded disobey move-on subjects — analysis of changes after the statewide expansion of move-on powers

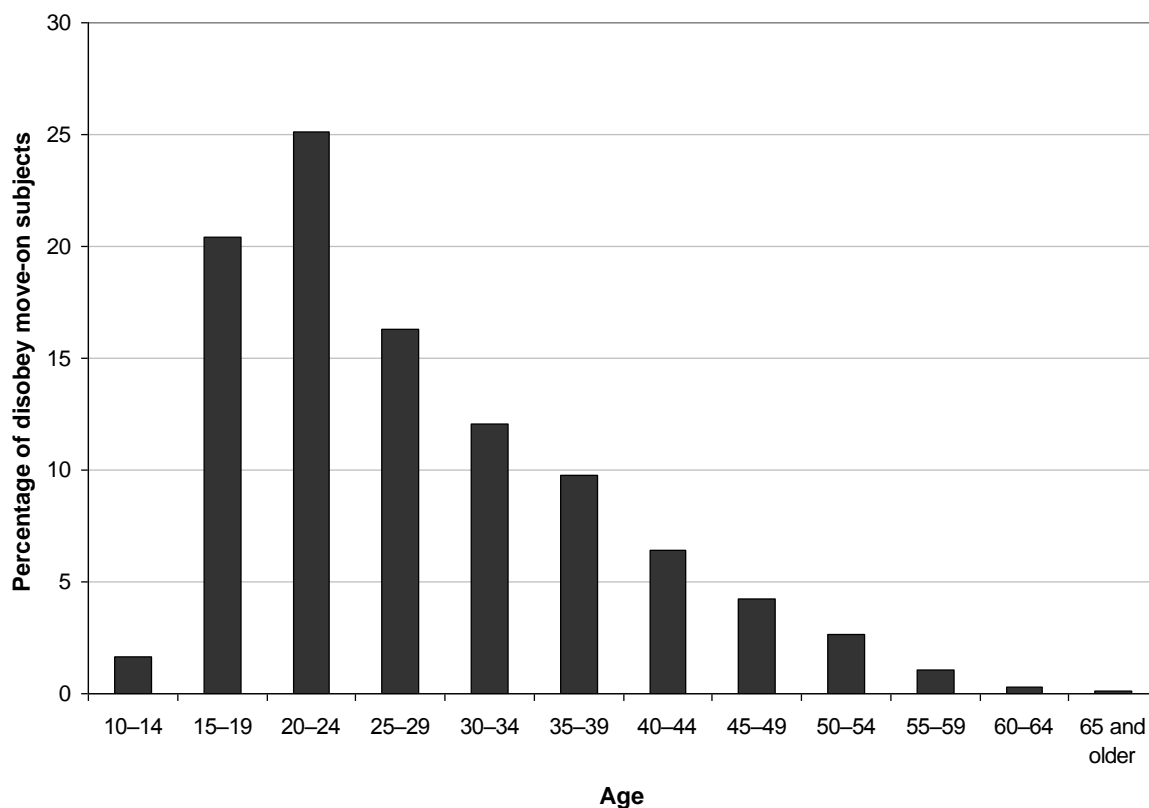
Gender	Number of disobey move-on subjects		% of disobey move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Male	753	1315	84.4	84.7	1.0 ^{ns}
Female	139	237	15.6	15.3	1.0 ^{ns}

Source: Police data.

Age

We were able to determine the age of 2442 of the 2444 recorded disobey move-on subjects from the period of interest. Figure 4.1 presents the age distribution of these disobey move-on subjects. The youngest person who disobeyed a move-on direction was 10 years old, and the oldest was 72 years old.

Figure 4.1: Age of recorded disobey move-on subjects



Source: Police data.

Our examination of this data showed that:

- about 95 per cent (94.6%, $n = 2309$) of recorded disobey move-on subjects were adults
 - more than half (52.9%, $n = 1291$) were adults aged 25 years or older
 - 41.7 per cent ($n = 1018$) were young adults aged 17 to 24 years
- about 5 per cent (5.4%, $n = 133$) were juveniles, And of these:
 - 89.5 per cent ($n = 119$, or 4.9% of all recorded disobey move-on subjects) were aged 14 to 16 years
 - 10.5 per cent ($n = 14$, or 0.6% of all recorded disobey move-on subjects) were aged 10 to 13 years.

We further found that young people aged between 17 and 24 years were significantly overrepresented among disobey move-on subjects; they comprised 41.7 per cent ($n = 1018$) of all disobey move-on subjects, but over the same period made up only 11.4 per cent of the Queensland population.²⁰

In contrast, juveniles and adults aged 25 years and over, as a proportion of the Queensland population, were significantly underrepresented as disobey move-on subjects:

- Juveniles aged between 10 and 16 years comprised just 5.4 per cent of disobey move-on subjects, but accounted for 9.8 per cent of the Queensland population.²¹
- Adults aged 25 years and older comprised 52.9 per cent of disobey move-on subjects, but accounted for 65.6 per cent of the Queensland population.²²

The median age of disobey move-on subjects was 25 years. Once again, we found that the median age of subjects varied significantly among the different QPS regions, ranging from 19 years old in the Southern Region to 34 years old in the Far Northern Region (see Table 4.2).

Table 4.2: Median age of recorded disobey move-on subjects by QPS region

QPS region	Median age of disobey move-on subjects
Far Northern	34
Northern	32
Central	26
Metropolitan North	25
Metropolitan South	25
South Eastern	22
North Coast	21
Southern	19
Queensland (all regions)	25 ^a

Source: Police data.

Note: ^a Chi-square median test: $\chi^2(7, N = 2442) = 214.469, p < .001^*$.

²⁰ Z (hypothesised value = 11.4%, actual value = 41.7%), $p < .001^*$.

²¹ Z (hypothesised value = 9.8%, actual value = 5.4%), $p < .001^*$.

²² Z (hypothesised value = 65.6%, actual value = 52.9%), $p < .001^*$.

We also examined the data to determine whether the statewide expansion of move-on powers had any effect on the age of disobey move-on subjects (Table 4.3). When we compared the two 12-month periods before and after the statewide expansion, we found that juveniles aged 10 to 16 years comprised a significantly larger proportion of disobey move-on subjects in the 12 months after the statewide expansion (6.2%, $n = 96$) than in the 12 months before (4.2%, $n = 37$). The age profile of disobey move-on subjects otherwise remained relatively unchanged (see Table 4.3).

Table 4.3: Age of recorded disobey move-on subjects — analysis of changes after the statewide expansion of move-on powers

Age	Number of disobey move-on subjects		% of disobey move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Under 10 years old	0	0	0.0	0.0	†
10 to 16 years old (juvenile)	37	96	4.2	6.2	1.5 ^a
17 to 24 years old	371	647	41.6	41.7	1.0 ^{ns}
25 years and older	483	808	54.2	52.1	0.9 ^{ns}

Source: Police data.

Notes: The age of 2 disobey move-on subjects was not known. These records were excluded from these analyses.

^a OR = 1.523 (1.033, 2.246), $\chi^2 = 4.171$, $p < .05^*$.

Indigenous status

We were able to classify the Indigenous status for 2432 of the 2444 recorded disobey move-on subjects over the two-year period of analysis (see Appendix A for details about how we did this). Our analysis showed that one-third (33.1%, $n = 805$) of the recorded disobey move-on subjects were Indigenous. As Indigenous people accounted for just 3.6 per cent of the Queensland population, this means that Indigenous people — as a proportion of the population — were 13.0 times more likely to be recorded as disobey move-on subjects than were non-Indigenous people.²³

We also examined whether or not there were any differences in the proportion of Indigenous disobey move-on subjects among the QPS regions (see Table 4.4). We found that the Northern (68.9%, $n = 246$) and Far Northern (58.4%, $n = 149$) Regions had the highest proportion of recorded Indigenous disobey move-on subjects. Although these findings reflect the larger Indigenous populations in these regions, Indigenous people remain overrepresented in the recorded disobey data.

²³ Z (hypothesised value = 3.6%, actual value = 33.1%), $p < .001^*$.

Table 4.4: Indigenous recorded disobey move-on subjects by QPS region

QPS region	Number of Indigenous disobey move-on subjects	% of all disobey move-on subjects in region
Far Northern	149	58.4
Northern	246	68.9
Central	137	39.3
North Coast	28	17.7
Southern	66	43.1
South Eastern	14	5.8
Metropolitan North	147	17.8
Metropolitan South	18	19.6

Source: Police data.

When we looked for any changes after the statewide expansion of move-on powers for each QPS region, we found that there was a significant increase in the Central Region in the proportion of Indigenous disobey move-on subjects (from 27.7%, $n = 36$, in the 12 months before the expansion to 46.1%, $n = 101$, in the 12 months after). There were no significant changes in any other QPS region.

We also looked for any impact of the statewide expansion of move-on powers on the proportion of disobey move-on subjects who were Indigenous. As shown in Table 4.5, our comparison of the two 12-month periods before and after the statewide expansion of move-on powers showed that there was a significant increase in the proportion of Indigenous disobey move-on subjects after the statewide expansion (from 30.1%, $n = 267$, to 34.8%, $n = 538$).

Table 4.5: Indigenous status of recorded disobey move-on subjects — analysis of changes after the statewide expansion of move-on powers

Indigenous status	Number of disobey move-on subjects		% of disobey move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Indigenous	267	538	30.1	34.8	1.2 ^a
Non-Indigenous	621	1006	69.9	65.2	0.8 ^b

Source: Police data.

Notes: Indigenous comprises those subjects ever recorded as Aboriginal and/or Torres Strait Islander. The Indigenous status of 12 disobey move-on subjects was not known. These records were excluded from these analyses.

^a OR = 1.244 (1.041, 1.486), $\chi^2 = 5.594$, $p < .05^*$.

^b OR = 0.804 (0.673, 0.960).

Recidivist disobey move-on subjects

We examined the police data from 1 June 2005 to 31 May 2007 to determine:

- the numbers and proportions of people who were recorded as disobeying a move-on direction once only, or on multiple occasions
- the gender, age and Indigenous status of those people who disobeyed a move-on direction more than once (referred to here as ‘recidivist disobey move-on subjects’)

- whether the statewide expansion of move-on powers was associated with a change in the proportions and characteristics of people who disobeyed a move-on direction once only or on multiple occasions.

Number of occasions people disobeyed move-on directions

Our analysis of the police data over the two-year period revealed that 2245 unique people were recorded as disobey move-on subjects. We identified unique subjects by their full name and date of birth. We then included one record per individual in our analyses relating to how many times people were charged with disobeying a move-on direction, as well as the characteristics of recidivist disobey move-on subjects.

Recidivism was measured within each 12-month period separately (the 12 months before and the 12 months after the statewide expansion). People who were involved in more than one disobey move-on incident within a period were classified as a recidivist. Those who were involved in just one disobey move-on incident in a period were not classified as recidivist. Because of possible differences in how people's names and dates of birth were recorded in the police data, the data presented here may underestimate the number of recidivist disobey move-on subjects. The data may also underestimate the number of disobey move-on offences attributed to some subjects.

Table 4.6 shows the number of disobey move-on offences recorded for unique subjects during the two-year period of interest.

Table 4.6: Number of disobey move-on offences recorded for each unique disobey move-on subject

Number of disobey move-on offences	Number of unique disobey move-on subjects	% of unique disobey move-on subjects
One	2111	94.0
More than one	134	6.0
<i>Two</i>	<i>103</i>	<i>4.6</i>
<i>Three</i>	<i>16</i>	<i>0.7</i>
<i>Four</i>	<i>7</i>	<i>0.3</i>
<i>Five</i>	<i>6</i>	<i>0.3</i>
<i>Six to ten</i>	<i>1</i>	<i>0.04</i>
<i>More than ten</i>	<i>1</i>	<i>0.04</i>

Source: Police data.

We found that:

- the vast majority (94.0%, $n = 2111$) of disobey move-on subjects had only one disobey move-on offence
- 134 subjects (6.0%) had more than one offence:
 - less than 5 per cent (4.6%, $n = 103$) had two disobey move-on offences
 - about 1 per cent (1.4%, $n = 31$) had three or more disobey move-on offences.

The maximum number of recorded disobey move-on offences identified for a single unique subject either before or after the statewide expansion of move-on powers was 11.

When we compared the 12-month periods before and after the statewide expansion, we found that there was a small increase in the number of recidivist disobey move-on subjects after the statewide expansion, but this was not statistically significant (see Table 4.7).

Table 4.7: Number of disobey move-on offences recorded for each unique disobey move-on subject — analysis of changes after the statewide expansion of powers

Number of disobey move-on offences	Number of unique disobey move-on subjects		% of unique disobey move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
One	789	1322	94.8	93.6	0.8 ^{ns}
More than one	43	91	5.2	6.4	1.3 ^{ns}
<i>Two</i>	34	69	4.1	4.9	†
<i>Three</i>	4	12	0.5	0.8	†
<i>Four</i>	2	5	0.2	0.4	†
<i>Five</i>	3	3	0.4	0.2	†
<i>Six to ten</i>	0	1	0.0	0.1	†
<i>More than ten</i>	0	1	0.0	0.1	†

Source: Police data.

Characteristics of recidivist disobey move-on subjects

We further examined the demographic characteristics of the 134 unique people who were recorded as having more than one disobey move-on offence, as discussed below.

Gender

We found that, in the two-year period of analysis, 74.6 per cent ($n = 100$) of the 134 recidivist disobey move-on subjects were male, while 25.4% ($n = 34$) were female.

We compared the total number of male and female disobey move-on subjects with the number of males and females who were recidivist disobey move-on subjects. We found that there was a higher proportion of female recidivist subjects than for disobey move-on subjects in general. Consistent with this difference (see Table 4.8), we found that female disobey move-on subjects (10.9%, $n = 34$) were significantly more likely than males (5.2%, $n = 100$) to be recidivist subjects rather than ‘once only’ disobey move-on subjects.

Table 4.8: Recidivism status of unique recorded disobey move-on subjects — comparison between males and females

Gender	Number of unique disobey move-on subjects		% of unique disobey move-on subjects within gender		Odds ratio
	One time only	Recidivist	One time only	Recidivist	Gender of interest/other gender (recidivist/one time only)
Male	1832	100	94.8	5.2	0.4 ^a
Female	279	34	89.1	10.9	2.2 ^b

Source: Police data.

Notes: ^a $OR = 0.448 (0.298, 0.674)$, $\chi^2 = 14.517$, $p < .001^*$.

^b $OR = 2.233 (1.483, 3.361)$.

To identify any effects of the statewide expansion of move-on powers, we made two kinds of comparisons between the 12-month periods before and after the statewide expansion and examined:

- whether there were any changes in the gender profile of those recorded recidivist disobey move-on subjects
- whether there were any changes in the proportion of recorded subjects in each gender who were recidivist disobey move-on subjects (as opposed to having only one disobey move-on offence).

As shown in Table 4.9, our comparisons of the 12-month periods before and after the statewide expansion showed that:

- there were no significant changes in the relative proportions of male and female recidivist disobey move-on subjects
- there were no significant changes in the proportion of either male or female disobey move-on subjects who were involved in more than one disobey move-on offence (as opposed to only one disobey move-on offence).

Table 4.9: Gender of unique recorded recidivist disobey move-on subjects — analysis of changes after the statewide expansion of powers

Gender	Number of unique recidivist disobey move-on subjects		% of unique recidivist disobey move-on subjects		Odds ratio	% of unique disobey move-on subjects within gender		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (group of interest/ other group)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (recidivist/ one time only)
Male	33	67	76.7	73.6	0.8 ^{ns}	4.6	5.5	1.2 ^{ns}
Female	10	24	23.3	26.4	1.2 ^{ns}	8.3	12.4	1.6 ^{ns}

Source: Police data.

Age

Of the 134 recidivist disobey move-on subjects in the two-year period of interest:

- the majority (72.4%, $n = 97$) were 25 years or older
- 22.4 per cent ($n = 30$) were aged 17 to 24 years
- only 5.2 per cent ($n = 7$) were juveniles.

We compared the total number of disobey move-on subjects in each age group with the number of people in each age group who were recidivist subjects. We found that adult disobey move-on subjects aged 25 years and older were significantly more likely to be disobey move-on recidivists than were juveniles and young adults (8.5%, $n = 97$, of all subjects aged 25 years and older, 3.1%, $n = 30$, of all subjects aged 17 to 24 years and 5.6%, $n = 7$, of all subjects aged 10 to 16 years) (see Table 4.10).

Table 4.10: Recidivism status of unique recorded disobey move-on subjects — comparison between different age groups

Age	Number of unique disobey move-on subjects		% of unique disobey move-on subjects within age group		Odds ratio
	One time only	Recidivist	One time only	Recidivist	Age group of interest/all other age groups (recidivist/one time only)
10 to 16 years old (juvenile)	117	7	94.4	5.6	0.9 ^{ns}
17 to 24 years old	947	30	96.9	3.1	0.4 ^{**a}
25 years and older	1045	97	91.5	8.5	2.7 ^{*b}

Source: Police data.

Notes: In the case of recidivist subjects, their age at the time of their last disobey move-on offence was used for analysis. The age of two unique subjects was not known. These records were excluded from these analyses.

^a OR = 0.354 (0.234, 0.536), $\chi^2 = 25.060$, $p < .001^*$.

^b OR = 2.669 (1.810, 3.935), $\chi^2 = 25.379$, $p < .001^*$.

When we looked for any effects associated with the statewide expansion of move-on laws, we found that there were no significant changes to the age profile of recidivist disobey move-on subjects (see Table 4.11). We also found that the proportion of juvenile subjects who were recidivists increased in the 12 months after the statewide expansion; however, we were unable to ascertain if this change was significant, given the small sample size.

Table 4.11: Age of unique recidivist recorded disobey move-on subjects — analysis of changes after the statewide expansion of powers

Age	Number of unique recidivist disobey move-on subjects		% of unique recidivist disobey move-on subjects		Odds ratio	% of unique disobey move-on subjects within age group		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (age group of interest/all other age groups)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (recidivist/one time only)
10 to 16 years old (juvenile)	1	6	2.3	6.6	†	2.8	6.8	†
17 to 24 years old	10	20	23.3	22.0	0.9 ^{ns}	2.8	3.2	1.2 ^{ns}
25 years and older	32	65	74.4	71.4	0.9 ^{ns}	7.3	9.2	1.3 ^{ns}

Source: Police data.

Indigenous status

When we examined the police data for the two-year period of interest, we found that 70.9 per cent ($n = 95$) of the 134 recidivist disobey move-on subjects were Indigenous.

As shown in Table 4.12, Indigenous disobey move-on subjects (14.3%, $n = 95$) were significantly more likely than non-Indigenous disobey move-on subjects (2.5%, $n = 39$) to be recidivists.

Table 4.12: Recidivism status of unique recorded disobey move-on subjects — comparison between Indigenous and non-Indigenous subjects

Indigenous status	Number of unique disobey move-on subjects		% of unique disobey move-on subjects within Indigenous status		Odds ratio
	One time only	Recidivist	One time only	Recidivist	Indigenous status of interest/ all other subjects (recidivist/ one time only)
Indigenous	571	95	85.7	14.3	6.5 ^a
Non-Indigenous	1528	39	97.5	2.5	0.2 ^b

Source: Police data.

Notes: The Indigenous status of 12 unique subjects could not be determined. These records are excluded from these analyses.

^a $OR = 6.518$ (4.436, 9.579), $\chi^2 = 112.758$, $p < .001^*$.

^b $OR = 0.153$ (0.104, 0.225).

A comparison of the two 12-month periods before and after the statewide expansion of move-on powers showed no significant changes in either the Indigenous profile of recidivist disobey move-on subjects or the proportion of Indigenous or non-Indigenous disobey move-on subjects who were recidivists (see Table 4.13).

Table 4.13: Indigenous status of unique recorded recidivist disobey move-on subjects — analysis of changes after the statewide expansion of powers

Indigenous status	Number of unique recidivist disobey move-on subjects		% of unique recidivist disobey move-on subjects		Odds ratio	% of unique disobey move-on subjects within Indigenous status		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (group of interest/ other group)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (recidivist/ one time only)
Indigenous	27	68	62.8	74.7	1.8 ^{ns}	12.1	15.4	1.3 ^{ns}
Non-Indigenous	16	23	37.2	25.3	0.6 ^{ns}	2.6	2.4	0.9 ^{ns}

Source: Police data.

Disobey move-on subjects charged with other offences

We examined the police data for the two 12-month periods before and after the statewide expansion of move-on powers to determine:

- how frequently disobey move-on subjects were also charged with other offences
- the gender, age and Indigenous status of those subjects charged with disobeying a move-on direction plus other offences (referred to here as ‘disobey plus other’ subjects)
- whether the statewide expansion of move-on powers was associated with a change in the proportions and characteristics of disobey move-on only subjects and disobey move-on subjects charged with other offences.

Number of disobey move-on subjects charged with other offences

Our consideration of all 2444 unique disobey move-on subjects recorded in the police data over the two-year period from 1 June 2005 to 31 May 2007 showed that most subjects (77.8%, $n = 1901$) were charged with disobeying a move-on direction only and were not charged with other types of offences. Of those 543 disobey move-on subjects charged with other offences, our analysis found that:

- 9.3 per cent ($n = 227$) were also charged with offences against police (such as resist arrest, obstruct police, assault police)
- 9.1 per cent ($n = 222$) were also charged with other offences (such as public nuisance)
- 3.8 per cent ($n = 94$) were charged with both offences against police and other offences.

Our comparison of the 12-month periods before and after the statewide expansion showed that there was a significant increase in the proportion of disobey move-on subjects who were charged only with disobeying a move-on direction (from 75.0%, $n = 669$, to 79.4%, $n = 1232$). On the other hand, there was a significant decrease in the proportion of disobey move-on subjects charged with any other offences (from 25.0%, $n = 223$, to 20.6%, $n = 320$). This was driven especially by a significant decrease in the proportion of subjects being additionally charged with both offences against police and other offences (down from 4.9%, $n = 44$, to 3.2%, $n = 50$) (see Table 4.14).

Table 4.14: Disobey move-on offences and other offences recorded against subjects

Types of offences recorded	Number of disobey move-on subjects		% of disobey move-on subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Disobey move-on only	669	1232	75.0	79.4	1.3 ^a
Disobey move-on and other offences	223	320	25.0	20.6	0.8 ^b
<i>Disobey move-on and offences against police</i>	92	135	10.3	8.7	0.8 ^{ns}
<i>Disobey move-on and other offences (not against police)</i>	87	135	9.8	8.7	0.9 ^{ns}
<i>Disobey move-on and both offences against police and other offences</i>	44	50	4.9	3.2	0.6 ^c

Source: Police data.

Notes: ^a OR = 1.283 (1.056, 1.560), $\chi^2 = 6.039$, $p < .05^*$.

^b OR = 0.779 (0.641, 0.947).

^c OR = 0.642 (0.424, 0.970), $\chi^2 = 4.032$, $p < .05^*$.

Characteristics of disobey move-on subjects charged with other offences

We further examined the demographic characteristics of the 543 subjects we identified in the police data who were charged with offences in addition to disobey move-on. Our findings are discussed below.

Gender

We found that the gender profile of the 543 disobey plus other subjects was similar to the gender profile of all disobey move-on subjects, with 87.3 per cent ($n = 474$) being male.

The likelihood of male (22.9%, $n = 474$) and female (18.4%, $n = 69$) disobey move-on subjects being charged with offences in addition to disobey move-on was not significantly different (see Table 4.15).

Table 4.15: Offence status (disobey move-on only or disobey move-on plus other offences) of recorded disobey move-on subjects — comparison between males and females

Gender	Number of disobey move-on subjects		% of disobey move-on subjects within gender		Odds ratio
	Disobey only	Disobey plus other/s	Disobey only	Disobey plus other/s	Group of interest/ other group (disobey plus other/ disobey only)
Male	1594	474	77.1	22.9	1.3 ^{ns}
Female	307	69	81.6	18.4	0.8 ^{ns}

Source: Police data.

Our comparisons of the 12-month periods before and after the statewide expansion of move-on powers (see Table 4.16) showed that:

- there were no significant changes in the relative proportions of male and female disobey plus other subjects
- the proportions of both male and female disobey move-on subjects who were charged with other offences decreased after the statewide expansion (consistent with the overall decrease for all subjects); only the decrease for males was statistically significant (down from 26.0%, $n = 196$, to 21.1%, $n = 278$).

Table 4.16: Gender of recorded disobey move-on subjects charged with other offences — analysis of changes after the statewide expansion of move-on powers

Gender	Number of disobey plus other subjects		% of disobey plus other subjects		Odds ratio	% of disobey move-on subjects within gender		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (group of interest/ other group)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (disobey plus other/ disobey only)
Male	196	278	87.9	86.9	0.9 ^{ns}	26.0	21.1	0.8 ^{*a}
Female	27	42	12.1	13.1	1.1 ^{ns}	19.4	17.7	0.9 ^{ns}

Source: Police data.

Note: ^a OR = 0.762 (0.618, 0.940), $\chi^2 = 6.200$, $p < .05^*$.

Age

Of the 543 disobey plus other subjects, we found that:

- 51.0 per cent ($n = 277$) were aged 25 years or older
- 44.8 per cent ($n = 243$) were aged 17 to 24 years
- about 4 per cent (4.2%, $n = 23$) were juveniles.

There were no disobey plus other subjects under the age of 14 years. The oldest disobey plus other subject was 72 years old and the median age was 25 years.

When we compared the total number of disobey move-on subjects in each age group with the number of people in each age group who were disobey plus other subjects, we found that juvenile disobey move-on subjects were slightly less likely to be charged with other offences than were adult subjects (17.3%, $n = 23$, of juvenile subjects versus 23.9%, $n = 243$, of adults aged 17 to 24 years and 21.5%, $n = 277$, of adults 25 years or older), but this difference was not statistically significant (see Table 4.17).

Table 4.17: Offence status (disobey move-on only or disobey move-on plus other offences) of recorded disobey move-on subjects — comparison between different age groups

Age	Number of disobey move-on subjects		% of disobey move-on subjects within age group		Odds ratio
	Disobey only	Disobey plus other/s	Disobey only	Disobey plus other/s	Age group of interest/ all other age groups (disobey plus other/ disobey only)
10 to 16 years old (juvenile)	110	23	82.7	17.3	0.7 ^{ns}
17 to 24 years old	775	243	76.1	23.9	1.2 ^{ns}
25 years and older	1014	277	78.5	21.5	0.9 ^{ns}

Source: Police data.

Note: The age of two subjects was not known. These records were excluded from these analyses.

When we compared the 12-month periods before and after the statewide expansion of move-on powers (see Table 4.18), we found:

- Although we were unable to test for significance given the small size, there was an increase in the proportion of disobey plus other subjects who were juveniles (from 1.8%, $n = 4$, to 5.9%, $n = 19$). The age profile of disobey plus other subjects otherwise stayed more or less the same.
- After the statewide expansion, there was a significant decrease in the proportion of disobey move-on subjects aged 17 to 24 years who were charged with other offences (down from 29.6%, $n = 110$, to 20.6%, $n = 133$). For the other age groups, there were no significant changes in the proportion of subjects charged with other offences.

Table 4.18: Age of recorded disobey plus other subjects — analysis of changes after the statewide expansion of powers

Age	Number of disobey plus other subjects		% of disobey plus other subjects		Odds ratio	% of disobey move-on subjects within age group		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006 (age group of interest/all other age groups)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006 (disobey plus other/disobey only)
10 to 16 years old (juvenile)	4	19	1.8	5.9	†	10.8	19.8	†
17 to 24 years old	110	133	49.3	41.6	0.7 ^{ns}	29.6	20.6	0.6 ^a
25 years and older	109	168	48.9	52.5	1.2 ^{ns}	22.6	20.8	0.9 ^{ns}

Source: Police data.

Note: ^a OR = 0.614 (0.458, 0.823), $\chi^2 = 10.224$, $p < .01^*$.

Indigenous status

We were able to identify the Indigenous status of 538 disobey move-on subjects who were charged with other offences. About one-quarter of these disobey plus other subjects (25.8%, $n = 139$) were Indigenous.

We found that Indigenous disobey move-on subjects were significantly less likely to be charged with other offences (17.3%, $n = 139$, of Indigenous disobey move-on subjects) than were non-Indigenous disobey move-on subjects (24.5%, $n = 399$) (see Table 4.19).

Table 4.19: Offence status (disobey move-on only or disobey move-on plus other offences) of recorded disobey move-on subjects — comparison between Indigenous and non-Indigenous subjects

	Number of disobey move-on subjects		% of disobey move-on subjects within Indigenous status		Odds ratio
	Disobey only	Disobey plus other/s	Disobey only	Disobey plus other/s	Group of interest/other group (disobey plus other/ disobey only)
Indigenous status					
Indigenous	666	139	82.7	17.3	0.6 ^{ab}
Non-Indigenous	1228	399	75.5	24.5	1.6 ^b

Source: Police data.

Notes: The Indigenous status of 12 subjects could not be classified. These records were excluded from these analyses.

^a OR = 0.642 (0.518, 0.796), $\chi^2 = 16.036$, $p < .001^*$.

^b OR = 1.557 (1.256, 1.930).

When we compared the 12-month period before the statewide expansion with the 12-month period after (see Table 4.20), we found that:

- there were no significant changes in the Indigenous profile of disobey plus other subjects
- there was a significant decrease in the proportion of Indigenous disobey move-on subjects who were charged with other offences (down from 22.1%, $n = 59$, of all Indigenous disobey move-on subjects to 14.9%, $n = 80$).

Table 4.20: Indigenous status of recorded disobey move-on subjects charged with other offences — analysis of changes after the statewide expansion of powers

	Number of disobey plus other subjects		% of disobey plus other subjects		Odds ratio	% of disobey move-on subjects within Indigenous status		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (group of interest/ all other groups)	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006 (disobey plus other/ disobey only)
Indigenous status								
Indigenous	59	80	26.8	25.2	0.9 ^{ns}	22.1	14.9	0.6 ^{ab}
Non-Indigenous	161	238	73.2	74.8	1.1 ^{ns}	25.9	23.7	0.9 ^{ns}

Source: Police data.

Notes: The Indigenous status of five disobey plus other subjects could not be classified. These records were excluded from these analyses.

^a OR = 0.616 (0.424, 0.895), $\chi^2 = 6.021$, $p < .05^*$.

Summary

For the two-year period of police data we examined, disobey move-on subjects were found to be mainly male, adult or non-Indigenous. Juveniles, as a proportion of the Queensland population, were significantly underrepresented as disobey move-on subjects, while Indigenous people were significantly overrepresented.

The vast majority of disobey move-on subjects were involved in only one disobey incident. We found that, among the small number of recidivist subjects we did identify, subjects were mostly male, adult or Indigenous. Our analyses also showed that disobey move-on subjects who were female, aged 25 years and over or Indigenous were significantly more likely to be recidivist subjects than subjects who were male, under the age of 25 or non-Indigenous.

We also found that the majority of disobey move-on subjects were not charged with other offences at the time of their disobey move-on. Those subjects who were charged with other offences were most commonly males, adults or non-Indigenous. We found that Indigenous disobey move-on subjects were significantly less likely to be charged with other offences than non-Indigenous disobey move-on subjects.

We found that after the statewide expansion of move-on powers on 1 June 2006:

- There was a small but significant increase in the proportion of disobey move-on subjects who were juveniles.
- There was a small but significant increase in the proportion of disobey move-on subjects who were Indigenous.
- There was no significant change in the proportion of disobey move-on subjects who were involved in more than one disobey move-on incident.
- Disobey move-on subjects were less likely to also be charged with other offences; this was especially the case for move-on subjects who were male, aged 17 to 24 years, or Indigenous.

PART 5:

The police response to people who disobey a move-on direction

In this part, we examine the types of actions police take against adult and juvenile disobey move-on subjects. We particularly focus on whether there were any differences in the actions taken by police against Indigenous subjects compared with non-Indigenous subjects.

Introduction

In Part 5, we examine the recorded ‘disobey move-on only’ subjects to determine what actions police take against these people. As explained in Part 4, there were 2444 disobey move-on subjects for the two-year period 1 June 2005 to 31 May 2007, and 1901 of these were charged only with disobeying a move-on direction (that is, they were not also charged with other types of offences). We examine the actions police took against these disobey move-on only subjects for 1789 adults and 110 juveniles separately.²⁴

Adults

We analysed data over the two-year period from 1 June 2005 to 31 May 2007 for 1789 adult disobey move-on only subjects for whom information about the actions police took was available. We found that:

- the majority (69.3%, $n = 1239$) of adult disobey move-on only subjects were arrested
- 30.4 per cent ($n = 543$) were given a notice to appear
- a very small proportion (0.4%) were cautioned ($n = 1$), issued with a complaint and summons ($n = 1$), referred to community conferencing ($n = 1$) or given some other police action ($n = 4$).

To determine whether the statewide expansion of move-on powers had any effect on the actions police took against disobey move-on subjects, we compared the two 12-month periods before and after the statewide expansion of move-on powers. We found that the proportion of recorded adult disobey move-on subjects arrested or given a notice to appear did not change significantly after the statewide expansion (see Table 5.1).

²⁴ We were unable to identify the age of two disobey move-on subjects. These records were excluded from the subsequent analyses in this section.

Table 5.1: Actions taken by police against recorded adult disobey move-on only subjects

Action taken by police	Number of adult disobey move-on only subjects			% of adult disobey move-on only subjects			Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Arrest	449	790	1239	70.7	68.5	69.3	0.9 ^{ns}
Notice to appear	183	360	543	28.8	31.2	30.4	1.1 ^{ns}
Caution	0	1	1	0.0	0.1	0.1	†
Community conference	0	1	1	0.0	0.1	0.1	†
Summons	1	0	1	0.2	0.0	0.1	†
Other	2	2	4	0.3	0.2	0.2	†

Source: Police data.

Note: Percentage totals do not equal 100.0 because of rounding.

Given the concerns raised during consultations and submissions that the move-on laws may unfairly target Indigenous people, we compared how police responded to 1782 Indigenous and non-Indigenous adults for whom Indigenous status could be identified (see Table 5.2). Analysis of the police data for the two-year period indicates that:

- 59.1 per cent ($n = 362$) of Indigenous adult subjects were arrested, in contrast to 74.5 per cent ($n = 871$) of non-Indigenous adult subjects. Our analyses based on these figures found that Indigenous adults were significantly *less* likely to be arrested for disobeying a move-on direction than were non-Indigenous adults.
- 40.6 per cent ($n = 249$) of Indigenous adults were given a notice to appear, in comparison with 25.1 per cent ($n = 294$) of non-Indigenous adults. Indigenous adults were therefore significantly *more* likely than non-Indigenous adults to be dealt by way of notice to appear.

Table 5.2: Actions taken by police against recorded adult disobey move-on only subjects — comparison between Indigenous and non-Indigenous subjects

Action taken by police	Number of adult disobey move-on only subjects		% of adult disobey move-on only subjects within Indigenous status		Odds ratio
	Non-Indigenous	Indigenous	Non-Indigenous	Indigenous	Indigenous/ Non-Indigenous
Arrest	871	362	74.5	59.1	0.5 ^a
Notice to appear	294	249	25.1	40.6	2.0 ^b
Caution	1	0	0.1	0.0	†
Community conference	0	0	0.0	0.0	†
Summons	0	1	0.0	0.2	†
Other	3	1	0.3	0.2	†

Source: Police data.

Notes: The Indigenous status of seven disobey move-on only subjects could not be classified. These records were excluded from these analyses.

^a OR = 0.493 (0.401, 0.607), $\chi^2 = 44.308$, $p < .001^*$.

^b OR = 2.036 (1.653, 2.508), $\chi^2 = 44.674$, $p < .001^*$.

We also examined whether there had been any changes in how either Indigenous or non-Indigenous adult disobey move-on only subjects were dealt with by police after the statewide expansion of move-on powers. We found no significant changes in the proportion of Indigenous adults arrested or given a notice to appear in the 12-month period after the statewide expansion (Table 5.3). There were also no changes in how non-Indigenous disobey move-on only adults were dealt with by police (Table 5.4).

Table 5.3: Actions taken by police against recorded Indigenous adult disobey move-on only subjects

Action taken by police	Number of Indigenous adult disobey move-on only subjects		% of Indigenous adult disobey move-on only subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Arrest	118	244	58.7	59.2	1.0 ^{ns}
Notice to appear	82	167	40.8	40.5	1.0 ^{ns}
Caution	0	0	0.0	0.0	†
Community conference	0	0	0.0	0.0	†
Summons	1	0	0.5	0.0	†
Other	0	1	0.0	0.2	†

Source: Police data.

Table 5.4: Actions taken by police against recorded non-Indigenous adult disobey move-on only subjects

Action taken by police	Number of non-Indigenous adult disobey move-on only subjects		% of non-Indigenous adult disobey move-on only subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Arrest	330	541	76.2	73.5	0.9 ^{ns}
Notice to appear	101	193	23.3	26.2	1.2 ^{ns}
Caution	0	1	0.0	0.1	†
Community conference	0	0	0.0	0.0	†
Summons	0	0	0.0	0.0	†
Other	2	1	0.5	0.1	†

Source: Police data.

Juveniles

In the two-year period, there were 110 recorded juvenile disobey move-on only subjects for whom information about police action was recorded. We found that:

- 41.8 per cent ($n = 46$) of juvenile disobey move-on only subjects were dealt with by way of notice to appear
- 30.0 per cent ($n = 33$) were dealt with by way of arrest (this comprised 1 subject aged 13 years, 5 aged 14 years, 9 aged 15 years and 18 aged 16 years)
- 20.0 per cent ($n = 22$) were cautioned
- 8.2 per cent ($n = 9$) were dealt with through some other police action, including one juvenile who was referred to a community conference.

As we did for adults, we compared data for juveniles from the two 12-month periods before and after the statewide expansion of move-on powers. After the statewide expansion, the proportion of juveniles dealt with by way of arrest or notice to appear increased (from 18.2%, $n = 6$, to 35.1%, $n = 27$, and from 36.4%, $n = 12$, to 44.2%, $n = 34$, respectively). In contrast, the proportion of juveniles who were cautioned decreased (from 27.3%, $n = 9$, to 16.9%, $n = 13$). However, these changes were not significant (see Table 5.5).

Table 5.5: Actions taken by police against recorded juvenile disobey move-on only subjects

Action taken by police	Number of juvenile disobey move-on only subjects			% of juvenile disobey move-on only subjects			Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2007	1 June 2006 to 31 May 2007 / 1 June 2005 to 31 May 2006
Arrest	6	27	33	18.2	35.1	30.0	2.4 ^{ns}
Notice to appear	12	34	46	36.4	44.2	41.8	1.4 ^{ns}
Caution	9	13	22	27.3	16.9	20.0	0.5 ^{ns}
Community conference	1	0	1	3.0	0.0	0.9	†
Summons	0	0	0	0.0	0.0	0.0	†
Other	5	3	8	15.2	3.9	7.3	†

Source: Police data.

As we did for adults, we considered whether there were any differences in how Indigenous and non-Indigenous juvenile subjects were dealt with by police (see Table 5.6). Our analyses — based on small sample sizes — did not indicate that police responded differently to Indigenous juveniles ($n = 52$ over two years) when compared with non-Indigenous juveniles ($n = 58$ over two years):

- Indigenous juvenile subjects were most commonly dealt with by way of notice to appear (46.2%, $n = 24$); this proportion was actually greater than the proportion of non-Indigenous juveniles (37.9%, $n = 22$) given a notice to appear, but this difference was not significant
- 36.5 per cent ($n = 19$) of Indigenous juveniles and 24.1 per cent ($n = 14$) of non-Indigenous juveniles were dealt with by way of arrest; these proportions were not found to be significantly different
- 25.9 per cent ($n = 15$) of non-Indigenous juveniles were cautioned, compared with 13.5 per cent ($n = 7$) of Indigenous juveniles, but this difference was not significant

- 10.3 per cent ($n = 6$) of non-Indigenous juveniles were dealt with by way of some ‘other’ police action, compared with 3.8 per cent ($n = 2$) of Indigenous juveniles, although we could not test for significance because of the small number of Indigenous juveniles.

Table 5.6: Actions taken by police against recorded juvenile disobey move-on only subjects — comparison between Indigenous and non-Indigenous subjects

Action taken by police	Number of juvenile disobey move-on only subjects		% of juvenile disobey move-on only subjects		Odds ratio
	Non-Indigenous	Indigenous	Non-Indigenous	Indigenous	Indigenous/ Non-Indigenous
Arrest	14	19	24.1	36.5	1.8 ^{ns}
Notice to appear	22	24	37.9	46.2	1.4 ^{ns}
Caution	15	7	25.9	13.5	0.4 ^{ns}
Community conference	1	0	1.7	0.0	†
Summons	0	0	0.0	0.0	†
Other	6	2	10.3	3.8	†

Source: Police data.

Given the small sample size, we were largely unable to test for significant differences in the actions taken by police against Indigenous juvenile disobey move-on subjects between the two 12-month periods before and after the statewide expansion of move-on powers. However, little change is apparent in the proportion of subjects being dealt with by way of arrest, notice to appear or caution for either Indigenous or non-Indigenous juveniles (see Tables 5.7 and 5.8).

Table 5.7: Actions taken by police against recorded Indigenous juvenile disobey move-on only subjects

Action taken by police	Number of Indigenous juvenile disobey move-on only subjects		% of Indigenous juvenile disobey move-on only subjects	
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007
Arrest	3	16	42.9	35.6
Notice to appear	3	21	42.9	46.7
Caution	1	6	14.3	13.3
Community conference	0	0	0.0	0.0
Summons	0	0	0.0	0.0
Other	0	2	0.0	4.4

Source: Police data.

Table 5.8: Actions taken by police against recorded non-Indigenous juvenile disobey move-on only subjects

Action taken by police	Number of non-Indigenous juvenile disobey move-on only subjects		% of non-Indigenous juvenile disobey move-on only subjects		Odds ratio
	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2005 to 31 May 2006	1 June 2006 to 31 May 2007	1 June 2006 to 31 May 2007/ 1 June 2005 to 31 May 2006
Arrest	3	11	11.5	34.4	†
Notice to appear	9	13	34.6	40.6	1.3 ^{ns}
Caution	8	7	30.8	21.9	0.6 ^{ns}
Community conference	1	0	3.8	0.0	†
Summons	0	0	0.0	0.0	†
Other	5	1	19.2	3.1	†

Source: Police data.

Comparisons between adults and juveniles

We also compared the actions taken by police against adult disobey move-on subjects and juvenile disobey move-on subjects (see Table 5.9). We found that juveniles were:

- significantly less likely than adults to be arrested (30.0%, $n = 33$, of juveniles compared with 69.3%, $n = 1239$, of adults)
- significantly more likely than adults to be given a notice to appear (41.8%, $n = 46$, compared with 30.4%, $n = 543$)
- more likely than adults to be cautioned (20.0%, $n = 22$, compared with 0.1%, $n = 1$).²⁵

Table 5.9: Actions taken by police against recorded disobey move-on only subjects — comparison between juveniles and adults

Action taken by police	Number of disobey move-on only subjects		% of disobey move-on only subjects		Odds ratio
	Juvenile	Adult	Juvenile	Adult	Adult/Juvenile
Arrest	33	1239	30.0	69.3	5.3 ^a
Notice to appear	46	543	41.8	30.4	0.6 ^b
Caution	22	1	20.0	0.1	†
Community conference	1	1	0.9	0.1	†
Summons	0	1	0.0	0.1	†
Other	8	4	7.3	0.2	†

Source: Police data.

Notes: ^a $OR = 5.256$ (3.454, 8.000), $\chi^2 = 70.409$, $p < .001^*$.

^b $OR = 0.606$ (0.410, 0.897), $\chi^2 = 5.840$, $p < .05^*$.

²⁵ We were unable to test for significant differences between adult and juvenile disobey move-on only subjects given the small number of matters resulting in a caution.

Summary

In the two-year period we examined, we found that the majority of adult disobey move-on only subjects were arrested by police. Indigenous adult subjects were significantly less likely than non-Indigenous adults subjects to be arrested, and significantly more likely to be given a notice to appear.

Of the juvenile disobey move-on only subjects we examined, we found that they were most frequently given a notice to appear. Around one-third were arrested and around one-fifth were cautioned. Indigenous juvenile subjects were slightly more likely to be arrested or given a notice to appear than non-Indigenous juvenile subjects (who were slightly more likely to be cautioned or dealt with through some other action), but none of these differences were significant.

Perhaps not surprisingly, we found that juvenile disobey move-on only subjects were significantly less likely than adult subjects to be arrested, and significantly more likely to be given a notice to appear.

We found that, after the statewide expansion of move-on powers, there were no significant changes in how adult or juvenile disobey move-on only subjects were dealt with by police. Similarly, there were no significant changes in the actions taken by police against Indigenous adult subjects or Indigenous juvenile subjects.

PART 6:

The court response to people who disobey a move-on direction

This part examines how the Queensland Magistrates Courts and the Childrens Courts respond to people who are charged with disobeying a move-on direction.

We discuss:

- the characteristics of a sample of disobey move-on defendants
- how disobey move-on charges proceed through the courts
- the penalties, including fines, imposed on those convicted
- details of the fines imposed that are sent to SPER for enforcement.

Introduction

In this section, we examine 285 adult matters (Magistrates Courts data) and 88 juvenile matters (Childrens Courts data) separately. Appendix B explains how we drew this sample from our police data.

When recording charges relating to the contravention of a direction or requirement of the police, courts data do not distinguish between whether the charge relates to a disobey move-on offence or to another type of conduct giving rise to an offence under the ‘contravene direction or requirement of police’ umbrella. To overcome this limitation in the data, we extracted a stratified random sample of disobey move-on offenders from our police dataset and endeavoured to match these known disobey move-on offenders to defendants listed in our courts dataset. We were able to identify 431 adult and 190 juvenile matters.

Disobey move-on only defendants

We first sought to ascertain whether defendants were charged only with disobey move-on, or whether the disobey move-on charge was accompanied by other types of offence charges.²⁶ Of the adult matters, 66.1 per cent ($n = 285$) involved *only* disobey move-on charges, while 33.9 per cent ($n = 146$) also involved charges for other types of offences (see Table 6.1). In comparison, juveniles were more likely to be charged for disobey move-on as well as other matters (53.7%, $n = 102$) rather than disobey move-on only (46.3%, $n = 88$).²⁷

²⁶ When a defendant appears in court for a disobey move-on charge, the disobey charge may be the only matter heard at the time or it may be heard with other charges.

²⁷ Given the limitations of the courts database, we were unable to ascertain whether these disobey move-on only defendants had other charges against them that were sentenced on the same day but recorded under a different case file or event number.

Table 6.1: Disobey move-on and other offences — comparison between Magistrates Courts and Childrens Courts data

Type of offences	Number of matters		% of matters		Odds ratio
	Magistrates Court	Childrens Court	Magistrates Court	Childrens Court	Magistrates Court/ Childrens Court
Disobey move-on and other offences	146	102	33.9	53.7	0.4 ^a
Disobey move-on only	285	88	66.1	46.3	2.3 ^b

Source: Courts data.

Notes: ^a OR = 0.442 (0.312, 0.626), $\chi^2 = 20.722$, $p < .001^*$.

^b OR = 2.263 (1.598, 3.204).

When considering both adult and juvenile matters ($n = 621$), about 60 per cent of disobey move-on matters prosecuted in court had no other charges associated with them — that is, they were disobey move-on matters only. Where other charges were associated with disobey move-on matters (about 40 per cent), the other charges appeared to be relatively minor offences and most commonly fell under the following statutes:

- *Liquor Act 1992* (Qld)
- *Prostitution Act 1999* (Qld)
- *Summary Offences Act 2005* (Qld)
- *Transport Operations (Road Use Management) Act 1995* (Qld).

In instances where a defendant’s disobey move-on charge/s are heard with other types of charges, the court will impose a sentence/s which reflects the nature and gravity of all the types of charges that a defendant is convicted for. Particularly in instances where the offences arise from the same situation, the court may impose concurrent sentences for each offence.

As a result of this, we have limited our remaining analyses of Magistrates Courts and Childrens Courts data to ‘disobey move-on only’ matters so that we have a better idea of how disobey move-on matters are dealt with by the courts. Our final sample therefore comprises 285 adult and 88 juvenile matters.

Our sample of disobey move-on defendants

As noted in the main report, an adult who has been charged with disobeying a move-on direction will have their matter heard in a Queensland Magistrates Court. A juvenile (a person under 17 years of age) will have their matter heard in the Childrens Court or in the Magistrates Court, where the principles of the *Youth Justice Act 1992* (Qld) will apply.

Tables 6.2 and 6.3 present the odds ratios for our sample of disobey move-on defendants by age and Indigenous status compared with the Queensland population. Overall, we found that young adult and Indigenous people were significantly overrepresented in the Queensland courts data for our sample of disobey move-on matters. In particular, defendants aged between 17 and 24 years of age (37.5%, $n = 140$) were 4.0 times more likely to appear for a disobey move-on charge than were defendants of other ages (62.5%, $n = 233$), and Indigenous defendants (25.8%, $n = 94$) were 9.3 times more likely to appear for a disobey move-on charge than were non-Indigenous defendants (74.2%, $n = 271$).

Table 6.2: Age of disobey move-on only defendants in Magistrates Courts and Childrens Courts sample data compared with Queensland population

Age	Total sample		Queensland population		Population odds ratio
	Number of defendants	% of total defendants	Number in population	% of population	Disobey move-on defendants/ Queensland population
10–16 years	88	23.6	411 984	9.8	2.4 ^{*c}
17–24 years	140 ^a	37.5	476 729	11.4	4.0 ^{*d}
25 years and older	145 ^b	38.9	2 751 141	65.6	0.2 ^{*e}

Source: Courts data.

Notes: ^a Equates to 49.1% of the adult sample.

^b Equates to 50.9% of the adult sample.

^c OR = 2.419 (1.905, 3.072), $\chi^2 = 54.754$, $p < .001^*$.

^d OR = 3.987 (3.233, 4.916), $\chi^2 = 193.489$, $p < .001^*$.

^e OR = 0.205 (0.167, 0.253), $\chi^2 = 270.333$, $p < .001^*$.

Table 6.3: Indigenous status of disobey move-on only defendants in Magistrates Courts and Childrens Courts data compared with Queensland population

Indigenous status	Total sample		Queensland population		Population odds ratio
	Number of defendants	% of total defendants	Number in population	% of population	Disobey move-on defendants/ Queensland population
Indigenous	94	25.8	146 429	3.6	9.3 ^{*a}
Non-Indigenous	271	74.2	3 945 117	96.4	0.1 ^{*b}

Source: Courts data.

Notes: In eight instances, the courts data did not record whether the defendant identified as Indigenous or non-Indigenous. These matters were excluded from analysis.

^a OR = 9.345 (7.391, 11.817), $\chi^2 = 513.381$, $p < .001^*$.

^b OR = 0.107 (0.085, 0.135).

Adults

Of the 285 adult disobey move-on defendants in our sample:

- Gender was identified in 279 matters that we examined. Of these matters, most defendants were male (91.0%, $n = 254$); 9.0 per cent of defendants ($n = 25$) were female (see Table 6.4).
- Defendants ranged in age from 17 to 66 years, with a median age of 25 years (and a mean age of 28 years). About half of the adult sample were aged 17–24 years (49.1%, $n = 140$).
- We were unable to identify Indigenous status in four matters. Where Indigenous status was identified, less than 20 per cent of defendants (18.9%, $n = 53$) were recorded as Indigenous (see Table 6.4).

Juveniles

Of the 88 juvenile disobey move-on defendants in our sample:

- Most were male (82.8%, $n = 72$) — there were only 15 (17.2 %) female juvenile defendants (see Table 6.4). Gender was not specified for one juvenile.

- Defendants ranged in age from 11 to 16 years with a median (and mean) age of 15 years.²⁸ Only juveniles over the age of 10 years can be charged with an offence, and so there is no record of juveniles aged 10 years or under in our sample.
- We were unable to identify Indigenous status in four juvenile matters. Where Indigenous status was identified, about half (48.8%, $n = 41$) of the juveniles were recorded as Indigenous (see Table 6.4).

Table 6.4: Demographic features of adult and juvenile disobey move-on only defendants in Magistrates Courts and Childrens Courts data

Demographic feature	Adult courts sample (disobey move-on only matters)		Juvenile courts sample (disobey move-on only matters)	
	n	%	n	%
Male	254	91.0	72	82.8
Female	25	9.0	15	17.2
Indigenous	53	18.9	41	48.8
Non-Indigenous	228	81.1	43	51.2

Source: Courts data.

Note: The courts data did not indicate whether the adult defendant identified as Indigenous in four instances and did not specify the gender of six adult defendants. In four instances, the courts data did not specify the Indigenous status of the juvenile defendants, nor the gender in one instance.

Results of the courts process

At court, a person charged with disobeying a move-on direction may enter a plea of guilty or may contest the matter by pleading not guilty. A person who fails to attend court for such a charge may have their matter dealt with in their absence, in an *ex parte* proceeding. For a more detailed discussion of this process, refer to Chapter 3 in the main report.

Adults

The median length of time between the date that the disobey move-on offence occurred and the date that the most serious penalty was imposed by the court in relation to the disobey move-on charge was 18 days, with most matters processed in 17 days.²⁹ We have used the date that the most serious penalty was imposed as this predominantly represents the date the matter was disposed of in the courts.

Of the 285 adult disobey move-on only matters we examined:

- More than half of adult defendants (61.8%, $n = 176$) pleaded guilty to the offence.
- In over one-third (35.1%, $n = 100$) of move-on matters, the defendant failed to appear in court, the matter was dealt with by way of an *ex parte* proceeding and the defendant was found guilty.
- Nine matters (3.2%) did not proceed because they were either dismissed or struck out³⁰ by the magistrate (1.4%, $n = 4$) or they were discontinued by the prosecution (1.8%, $n = 5$).

²⁸ Age was not identified in one matter.

²⁹ Considering that the processing time in both the Magistrates Courts and the Childrens Courts ranged from 0 days to nearly 300 days, we identified the median as a more accurate estimate of central tendency than the mean (average). The mean number of days to resolve matters heard in a Magistrates Court was 29 days and for Childrens Court matters it was 25 days.

³⁰ From the data, we were unable to determine the reasons for the matters being dismissed or struck out.

As with our review of public nuisance, our results show that Indigenous adult disobey move-on defendants (62.3%, $n = 33$) were 4.1 times more likely to have their disobey move-on matter dealt with through *ex parte* proceedings than were non-Indigenous defendants (28.9%, $n = 66$), and were less likely to plead guilty to the charge in person (35.8%, $n = 19$, of Indigenous defendants; 67.5%, $n = 154$, of non-Indigenous defendants) (see Table 6.5).

Table 6.5: Results of disobey move-on only matters heard in Magistrates Courts — comparison between Indigenous and non-Indigenous adult defendants

Magistrates Court result	Number of adult disobey move-on only defendants		% of adult disobey move-on only defendants		Odds ratio
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous	Indigenous/Non-Indigenous
Pleaded guilty	19	154	35.8	67.5	0.3 ^a
Found guilty <i>ex parte</i>	33	66	62.3	28.9	4.1 ^b
Dismissed/struck out	0	4	0.0	1.8	†
No evidence to offer/withdrawn	1	4	1.9	1.8	†

Source: Courts data.

Notes: In four instances, the Indigenous status of the defendant was not specified.

^a $OR = 0.269$ (0.144, 0.502), $\chi^2 = 16.882$, $p < .001^*$.

^b $OR = 4.050$ (2.168, 7.565), $\chi^2 = 19.415$, $p < .001^*$.

Juveniles

The median length of time between the date that the disobey move-on offence occurred and the date that the most serious penalty was imposed by the court was 15 days. However, most of these matters were processed within 7 days.

Of the 88 disobey move-on only matters that we examined, 94.3 per cent ($n = 83$) of juveniles pleaded guilty. The remaining small proportion (5.7%, $n = 5$) of juvenile disobey move-on only matters did not proceed — four matters were dismissed or struck out,³¹ and one matter was withdrawn by the prosecution. All of the 41 Indigenous juvenile defendants in our sample pleaded guilty, while all of the matters that did not proceed involved non-Indigenous juvenile defendants.³²

Recording of convictions

After the acceptance or determination of a person's guilt, a magistrate has discretion as to whether or not to record a conviction against the adult or juvenile.³³ Of the adult and juvenile defendants in our sample who were found guilty, we examined the proportion who had a conviction recorded against them.

³¹ From the data, we were unable to determine the reasons for the matters being dismissed or struck out.

³² In four instances, the Indigenous status of the defendant was not specified. We were unable to test for significant differences between Indigenous and non-Indigenous juvenile defendants because of the small number of Indigenous matters resulting in these penalties.

³³ Section 12 of the *Penalties and Sentences Act 1992* (Qld) and ss. 150, 183–184 of the *Youth Justice Act*.

Adults

Of the 285 adults, 96.8 per cent ($n = 276$) resulted in a guilty finding (that is, by either pleading guilty or having the matter dealt with in their absence by *ex parte* proceedings). In the 268 matters where we were able to establish if a conviction was recorded,³⁴ this occurred in over one-third of matters (34.7%, $n = 93$).

Disobey move-on defendants who had their matter dealt with through *ex parte* proceedings (46.7%, $n = 43$) were significantly more likely to have a conviction recorded than were defendants who pleaded guilty in person (28.4%, $n = 50$). A contributing factor for this may be the lack of submissions made to the court to argue against the recording of a conviction.

Table 6.6: Convictions recorded for disobey move-on only matters in the Magistrates Courts — comparison between *ex parte* and in-person adult defendants

Conviction status	Number of adult disobey move-on only defendants		% of adult disobey move-on only defendants		Odds ratio
	<i>Ex parte</i> proceedings	Pleaded guilty in person	<i>Ex parte</i> proceedings	Pleaded guilty in person	<i>Ex parte</i> proceedings/ Pleaded guilty in person
Conviction recorded	43	50	46.7	28.4	2.2 ^a
No conviction recorded	49	126	53.3	71.6	0.5 ^b

Source: Courts data.

Notes: In eight instances where the defendant was convicted for the disobey move-on offence, the conviction status of the defendant was not specified by the court. These instances have been excluded from our analysis.

^a OR = 2.211 (1.309, 3.736), $\chi^2 = 8.137$. $p < .01^*$.

^b OR = 0.452 (0.268, 0.764).

As well, Table 6.7 shows that Indigenous disobey move-on defendants (65.4%, $n = 34$) were significantly more likely to have a conviction recorded against them than were non-Indigenous defendants (27.8%, $n = 59$). This difference in convictions being recorded may not necessarily be from discriminatory sentencing. Rather, it may be the result of differences in prior criminal records and the high level of Indigenous matters that are dealt with by *ex parte* proceedings.

Table 6.7: Convictions recorded for disobey move-on only matters in the Magistrates Courts — comparison between Indigenous and non-Indigenous adult defendants

Conviction status	Number of adult disobey move-on only defendants		% of adult disobey move-on only defendants		Odds ratio
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous	Indigenous/ Non-Indigenous
Conviction recorded	34	59	65.4	27.8	4.9 ^a
No conviction recorded	18	153	34.6	72.2	0.2 ^b

Source: Courts data.

³⁴ In eight matters, the way that the courts database is set up did not allow us to determine whether or not a conviction was recorded.

Notes: In eight instances where the defendant was convicted for the disobey move-on offence, the conviction status of the defendant was not specified by the court. In four instances where the defendant was convicted for the disobey move-on offence, the Indigenous status of the defendant was not specified by the courts. These instances have been excluded from our analysis.

^a OR = 4.898 (2.569, 9.340), $\chi^2 = 24.099$, $p < .001^*$.

^b OR = 0.204 (0.107, 0.389), $\chi^2 = 24.099$, $p < .001^*$.

Juveniles

In our examination of Childrens Court data for disobey move-on matters, of the 83 juveniles found guilty, we were able to establish whether or not a conviction was recorded in 76 matters.³⁵ Of these, convictions were not recorded for almost all juvenile matters (98.7%, $n = 75$). Only one male juvenile had a conviction recorded.³⁶

Table 6.8 shows that, overall, adult disobey move-on defendants (34.7%, $n = 93$) were more likely to have a conviction recorded against them for the disobey move-on offence than were juveniles (1.3%, $n = 1$). This low proportion of juveniles having a conviction recorded for the disobey move-on offence is likely to reflect the juvenile justice principles, as outlined in the Youth Justice Act and as discussed in Chapter 3 of the main report.

Table 6.8: Convictions recorded for disobey move-on only matters in the Magistrates Courts and Childrens Courts — comparison between juvenile and adult defendants

Conviction status	Number of disobey move-on only defendants		% of disobey move-on only defendants		Odds ratio
	Adults	Juveniles	Adults	Juveniles	Adults/Juveniles
Conviction recorded	93	1	34.7	1.3	†
No conviction recorded	175	75	65.3	98.7	0.03 ^a

Source: Courts data.

Notes: In seven instances in the Childrens Courts data and in eight instances in the Magistrates Courts data the conviction status of the defendant was not listed. These 15 instances have been excluded from analyses.

^b OR = 0.025 (0.003, 0.183), $\chi^2 = 31.481$, $p < .001^*$.

The penalties imposed

As discussed in Chapter 3 of the main report, the penalties that may be imposed for a disobey move-on offence are:

- a fine of not more than \$4000
- the conversion of a fine to a fine option order that requires the offender to perform community service
- the release of a person on their own recognisance for a period of time
- the offender being discharged with no further penalty imposed.

³⁵ We were unable to ascertain whether or not seven juveniles had a conviction recorded.

³⁶ This juvenile was recorded as a non-Indigenous male in the courts data. However, information from police data suggests that this juvenile is an Indigenous male.

Although the courts data that we requested for this review were limited to finalised matters, in some instances the same matter required a defendant to return to court multiple times (for example, to change a fine to a fine option order). Additionally, defendants may receive more than one type of penalty. To ensure that we did not double count defendants and/or offences, only the most serious order made in relation to each incident is reported.

Table 6.9 lists the orders made in relation to defendants from most to least serious.

Table 6.9: Orders imposed on disobey move-on only defendants by seriousness rating

Seriousness rating	Order
1	Community service order
2	Community/youth justice conference
3	Monetary order
4	Recognisance/good behaviour order
5	No further punishment imposed

Adults

Our analysis of the orders imposed in the Magistrates Courts for the 276 defendants convicted of the offence in our sample revealed that:

- the majority (81.5%, $n = 225$) of adult defendants received a fine monetary order
- in an additional 5.1 per cent of matters ($n = 14$), another type of monetary order was imposed, most commonly that the defendant's bail was revoked or forfeited as penalty (all of these were matters dealt with by *ex parte* proceedings)
- in a small proportion (6.5%, $n = 18$), a recognisance order was imposed
- a conviction but no further punishment was imposed by the court in 6.9 per cent ($n = 19$) of matters.

Table 6.10 shows that adult Indigenous defendants in our sample who were convicted of a disobey move-on offence (92.3%, $n = 48$) were significantly more likely (3.2 times) than non-Indigenous defendants (79.1%, $n = 174$) to be given a fine monetary order. Although there was a higher number of non-Indigenous matters where a non-fine monetary or recognisance/good behaviour order was imposed (7.7%, $n = 17$) or the defendant was discharged without any further punishment (6.8%, $n = 15$), we were unable to test for significant differences compared with Indigenous defendants, given the small number of Indigenous matters resulting in these penalties (1.9%, $n = 1$, received a recognisance/good behaviour order, while 5.8%, $n = 3$, received no further punishment).

Table 6.10: Orders for disobey move-on only matters heard in Magistrates Courts — comparison between convicted Indigenous and non-Indigenous adult defendants

Magistrates Court order	Number of adult disobey move-on only defendants		% of adult disobey move-on only defendants		Odds ratio
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous	Indigenous/ Non-Indigenous
Monetary order (fine)	48	174	92.3	79.1	3.2 ^a
Monetary order (other)	0	14	0.0	6.4	†
Recognisance	1	17	1.9	7.7	†
No further punishment	3	15	5.8	6.8	†

Source: Courts data.

Notes: In four matters the Indigenous status of the defendants was not specified. These matters have been excluded from the above analyses.

^a OR = 3.172 (1.088, 9.253), $\chi^2 = 4.041$, $p < .05^*$.

Juveniles

Our analysis of all orders imposed in the Childrens Courts in relation to disobey move-on matters ($n = 83$) revealed that:

- the majority (69.9%, $n = 58$) of juvenile defendants were discharged without any further punishment
- a good behaviour/recognisance order was made in 18.1 per cent ($n = 15$) of matters
- a small proportion of defendants (6.0%, $n = 5$) were ordered to attend a community/youth justice conference
- three defendants (3.6%) were ordered to pay a fine
- one defendant (1.2%) received a community service order
- a general order was given to another defendant (1.2%).³⁷

Given the small sample sizes, few comparisons could be made between the orders imposed by the Childrens Courts on convicted Indigenous and non-Indigenous juvenile defendants.³⁸ We found no significant difference in the likelihood of Indigenous ($n = 28$) and non-Indigenous ($n = 28$) juveniles being discharged without any further punishment.³⁹

Monetary orders

We analysed the fine monetary orders for both adult and juvenile disobey move-on defendants in our sample who were convicted and ordered to pay a fine.

³⁷ No further details were provided.

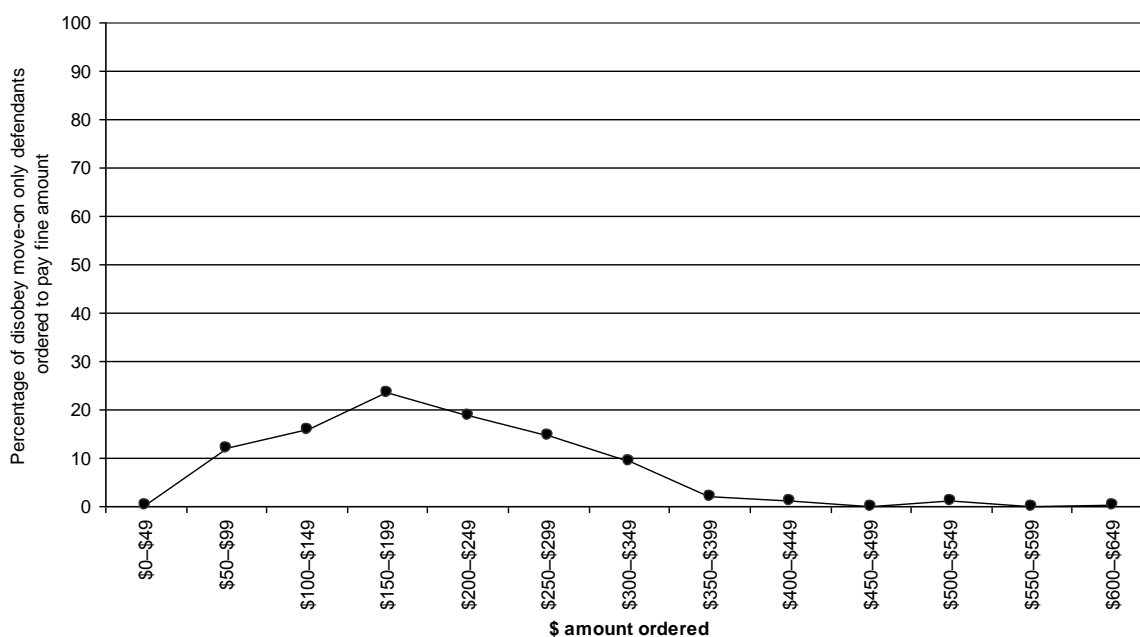
³⁸ Additionally, in four instances the Indigenous status of the defendant was not specified in the courts dataset.

³⁹ Indigenous status was not specified in the courts dataset for two defendants discharged without any further punishment.

Adults

As noted above, the majority of penalties handed down by the court to our sample of convicted adult defendants were fines (81.5%, $n = 225$). These ranged from a minimum of \$40 to a maximum of \$600. The median fine amount ordered was \$175, although the most frequent fine amount was \$150 ($n = 47$).⁴⁰ Figure 6.1 displays the distribution of fine amounts for the 225 adults ordered to pay a fine from the sample we analysed.

Figure 6.1: Magistrates Court fine amounts for adult disobey move-on only defendants



Source: Courts data.

Juveniles

Of our sample of 83 juvenile defendants who pleaded guilty to a disobey move-on offence, only three (3.6%) were ordered to pay a fine. Two defendants were ordered to pay \$100, while the third defendant was ordered to pay a \$50 fine. All were aged 16 years.

Unpaid fines

In Queensland, the State Penalties Enforcement Registry (SPER) is responsible for the collection and enforcement of infringement notice fines and court-ordered monetary fines. When a magistrate orders a monetary fine, they will determine a time in which the fine is to be paid. If a person does not pay the fine within the predetermined time, the fine will be sent to SPER, which will become responsible for its enforcement. In its enforcement capacity, SPER offers payment options such as setting up part-payments through an instalment plan (see Appendix C of this report or Chapter 3 of the main report for further information).

⁴⁰ Given that the data are skewed, the median is a better estimate of central tendency than the mean.

We sought to determine the proportion of fines imposed on our sample of disobey move-on defendants that were referred to SPER for enforcement between 1 June 2006 and 28 February 2009, and the total outstanding fine amounts these defendants owed.

Adults

Of the 225 disobey move-on fines we analysed, the vast majority (93.8%, $n = 211$) were sent to SPER for enforcement. Only a small number of disobey move-on fines issued during this period (6.2%, $n = 14$) were paid in the time allocated by the court.

Of the 211 disobey move-on fines referred to SPER, 41.2 per cent ($n = 87$) were finalised by the defendant and had been paid in full, while 58.8 per cent ($n = 124$) remained outstanding on 28 February 2009.

Our analysis of the 124 outstanding fine amounts revealed:

- the minimum amount owing was \$28.50 and the maximum amount owing was \$500
- the median and most common amount outstanding to SPER was \$150 (and the mean amount was \$180.55)
- 33.1 per cent ($n = 41$) were in compliance with SPER conditions and were on either a payment plan or a community service order
- 66.9 per cent ($n = 83$) were not in compliance with the SPER conditions; that is, they were not on a payment plan or community service order.

This means that almost 40 per cent (39.3%, $n = 83$) of the 211 disobey move-on fines sent to SPER from our sample were not in compliance with SPER conditions at the time our data were extracted.

Juveniles

The three juvenile disobey move-on defendants who were ordered to pay a monetary fine either were not referred to SPER or could not be identified in our dataset. No determination can therefore be made about whether these fines were paid and whether they were in compliance with any order or conditions.

Summary

This chapter examined the manner in which the Queensland Magistrates Courts and the Childrens Courts responded to a sample of 285 adult and 88 juvenile disobey move-on offences. Our analysis shows that:

- An overwhelming majority of adult and juvenile defendants pleaded guilty to disobeying a move-on direction, and very few matters were struck out or dismissed.
- Although over a third of all adults had a conviction recorded for the disobey move-on offence, this only occurred in one juvenile matter. Defendants were significantly more likely to have a conviction recorded if the matter was dealt with *ex parte*.
- Most convicted adult defendants received a fine, most commonly amounting to \$150. In comparison, convicted juveniles rarely received a fine — they were more often than not discharged without further punishment.
- Most fines (almost 94%) were transferred to SPER for enforcement. Of these, less than half either had been paid in full or were in compliance with SPER conditions (usually on a payment plan).
- Indigenous defendants were significantly more likely than non-Indigenous defendants to have their matter dealt with *ex parte* and have a conviction recorded.

APPENDIX A: Queensland Police Records and Information Management Exchange (QPRIME) data

Appendix A provides an overview of QPRIME data and the limitations associated with analysing this type of data.

We used data provided to us by the QPS to examine how extensively move-on powers are used and recorded by police, how often move-on directions are disobeyed, the circumstances in which police use move-on powers, and the characteristics of move-on and disobey move-on offenders.

The data were extracted from QPRIME. It is important to note that QPRIME records information based on incidents (referred to as ‘occurrences’ in QPRIME). Incidents typically refer to those events in which one or more people are alleged to have committed one or more offences that may include one or more victims. For example, one incident could involve three individuals refusing to obey a move-on direction and, during police intervention, one of the offenders assaulting a police officer. In this case, all three individuals may be considered disobey move-on offenders. One of these offenders may also be considered an offender for the assault of the police officer, and the police officer may also be considered to be a victim. In the case of move-on incidents, however, no offence may necessarily have been committed if one or more people were only given a move-on direction. For example, one incident could involve two people who were given a move-on direction that they complied with. In this case, both individuals may simply be considered ‘move-on subjects’ in the move-on incident.

Move-on (1303) and disobey move-on (1302) codes (as well as other offence codes) are applied to incidents regardless of how many move-on directions are given or how many offences are committed in an incident. This has implications for analysing and interpreting QPRIME data, as discussed below.

The statewide expansion of the move-on powers came into effect on 1 June 2006. We requested and obtained data relating to all move-on and disobey move-on incidents recorded by the QPS between 1 January 2004 and 31 December 2008. Not all of these data, however, were included in the analyses we undertook. Although the primary purpose of this review is to examine how police use move-on powers in general, we also sought to examine whether or not the statewide expansion of move-on powers was associated with any changes in the use of these powers.

Counting period

To facilitate our analyses of QPRIME data, we limited our analyses to the three time periods associated with the statewide expansion of move-on powers on 1 June 2006 (see also Figure 1 in the ‘Methodology’ section at the beginning of this data report):

- **1 June 2005 to 31 May 2007** (one year before and one year after the statewide expansion of move-on powers). We compare police data from these two years to assess the impact of the statewide expansion.
- **1 June 2006 to 31 May 2008** (two years after the statewide expansion of move-on powers). We compare police data from the first year and the second year after the statewide expansion to assess any changes since the statewide expansion.

- **1 June 2004 to 31 May 2008** (two years before and two years after the statewide expansion of move-on powers). We assess the longer-term trends in police data over this period.

Data sampling

As mentioned, the incident-based nature of QPRIME influences the way that data from the system can be analysed and interpreted. As one incident could involve more than one subject/offender, only counting the number of incidents would mean *underestimating* the total number of people who were involved in these incidents. To deal with this, we amalgamated the QPRIME occurrence number (an incident's unique identifying number) with each person's surname, first name and date of birth to count the total number of people identified in relation to move-on/disobey move-on incidents. We used these individual subjects/offenders as the basis of our analyses relating to gender, age and Indigenous status, as well as whether or not the person had been charged with other offences and the outcomes of disobey move-on offenders' contact with police (for example, whether they were arrested or cautioned).

We also, however, used single incidents as the basis of some of our other analyses. If we had simply counted the number of subjects/offenders in each recorded incident, we would have *overestimated* the number of situations in which move-on directions were given or disobeyed in certain circumstances. For example, we might have overestimated the number of move-on directions given to separate groups of people where there is a threat of violence. We might then also have overestimated the prevalence of move-on incidents and disobey move-on offences occurring in places where these circumstances most frequently arise, such as in and around licensed premises. For this reason, we used single incidents as the basis of our analyses relating to:

- the date the incident occurred
- the suburb and the QPS region, district and division in which the incident occurred
- the main function of the scene/location where the incident occurred.

Preparing the police data for analysis

The complex nature of QPRIME data means that a number of difficulties were encountered in preparing the extracted data for analysis. The most notable of these are outlined below, along with the ways we attempted to overcome them.

Initially, the police data were contained in five separate databases⁴¹ for both move-on directions and disobey move-on offences. For each incident type there was:

- one database containing details about where the incident occurred, including the QPS region, district and division,⁴² the street address and the location type
- one database containing details about any offences recorded in relation to the move-on incident (for example, disobey move-on direction, public nuisance)

⁴¹ The original data from the QPS also included an extra database containing the addresses of the person/s involved in the incident. However, we appeared to receive every address that had ever been linked to a person in QPRIME, and we had no way of determining their state of residence or address at the time of the move-on direction or disobey move-on offence. In incidents where more than one person was recorded as being involved in the incident, there was also no way for us to match people with their addresses. We therefore excluded such data from any further analysis.

⁴² Eight records in the disobey move-on database and 17 records in the move-on database had 'Interstate' recorded in the QPS region, district and division fields, despite all incidents having The Esplanade, Surfers Paradise or Burleigh Heads listed as the occurrence address. These records were modified to reflect the appropriate QPS region, district and division. Similarly, two records in the disobey move-on database and three records in the move-on database had no information recorded in the QPS region, district and division fields, despite all incidents having full street address information. These records were also modified to reflect the appropriate QPS region, district and division.

- one database containing descriptive information about the incident, such as whether the incident involved a person or persons under the influence of drugs or alcohol, the level of intoxication of the person/s involved, whether the incident was related to licensed premises, and whether the incident was related to domestic violence
- one database containing details about the place of last drink of the person/s involved in the incident
- one database containing details about the person/s involved in the incident, including name, date of birth, gender and race.

For the first four databases, it was important to ensure that they included only one record per incident, given the incident-based nature of the information they contained. Multiple records were merged where necessary to achieve this, ensuring that all of the original information was retained. For example, a number of incidents involved more than one recorded offence. Using the QPRIME occurrence number (an incident's unique identifying number), these were merged from initially separate records to one record with Offence 1, Offence 2 and so on. After this process was completed, these four databases were merged into one larger database containing information from all incident-based variables.

A similar process was used in organising the fifth database containing the personal details of those people involved in the incidents. The vast majority of people had more than one record for the same incident as a result of there being:

- multiple descriptions of their involvement in the incident (for example, 'offender' and 'charged')
- multiple racial identifiers recorded for them over time (for example, recorded as 'Aboriginal' at one time and 'Caucasian' at another — Indigenous status is discussed later in this appendix).

In these cases, the occurrence number and the person's surname, first name and date of birth were used to merge separate but matching records into one record that captured all of the varying information. The result was a database that contained just one record per person per incident. However, there were in some cases more than one record per incident (that is, where more than one person was involved in the incident) and more than one record per person (that is, where the same person was involved in more than one incident between 2004 and 2008).

It should be noted that, in addition to merging records as above, a number of records were deleted entirely from the databases after determining that they did not refer to a person who had been moved on or who was a disobey move-on offender. This is explained below.

- First, we found that a number of the people listed in the databases were recorded as being involved in an incident as a 'witness', 'victim', 'informant' or some other way that was not as a subject of a move-on direction or as a disobey move-on offender. That is, although they had been involved in a move-on or disobey move-on incident and therefore linked to the occurrence in QPRIME, they were not the people we wanted to include in our analyses. Where there was at least one other person with the same occurrence number listed as 'moved on' or as 'offender', 'custody' and/or 'charged', the records of those people who were listed as victims, witnesses and so on were deleted.
- Second, despite QPRIME users being required to enter 'moved on' in the person involvement field when recording a move-on direction, we found that a considerable number of occurrences only involved people described as 'no longer wanted', 'suspect', 'offender', 'subject', 'interviewed', 'custody' or some other label or combination of these. To ensure that these labels were in fact being used as alternatives to 'moved on', at least 10 per cent of these original QPRIME records were accessed and checked by an authorised CMC researcher who had prior experience in using the system. Of the 126 individual records we checked, only four (3.2%) were determined to not be move-on incidents and so were deleted. The remainder of the records with these alternative person descriptions were kept in, although it is acknowledged that a small proportion of these may not in fact be records of people who were moved on. In the same way, we checked the

original QPRIME records for all people whose involvement was described as 'other', as well as all incidents where there was at least one person described as 'moved on' and at least one other person described as, for example, 'no longer wanted' and 'subject'. We then determined whether or not the record should be included in our analyses, and deleted records as necessary.

- Third, we found that a number of move-on and disobey move-on incidents were listed as such in our database, but had some offence other than 'move-on direction' or 'disobey move-on direction' listed in the first offence field (for example, public nuisance). To ensure that these records did in fact refer to move-on or disobey move-on incidents, we again checked the original QPRIME records and deleted and modified the records in our databases as appropriate.

At this stage, the two 'new' databases that were created through the above processes (that is, the database containing all incident-based information and the database containing all person details) were merged into one using QPRIME occurrence numbers to link records.

One problem we encountered with the amalgamated databases was that, in incidents that involved more than one subject/offender and more than one offence, it was not possible to determine from the data which person had been charged with which offence. In these cases, we referred back to the original QPRIME records to see which offender had been charged with which offence. The records in our amalgamated databases were then amended to reflect the information recorded in QPRIME. In some cases, this involved deleting people who had not been moved on or charged with disobeying a move-on direction, but who were charged with another offence in the context of the move-on/disobey move-on incident.

In our amalgamated disobey move-on database, we identified a number of additional problems. In particular, there were a considerable number of records that appeared not to refer to a disobey move-on offence because:

- there was no police action (such as arrest, notice to appear, caution) recorded for the offender, or the police action field read 'subject of a move-on direction'
- there were no offender details
- there was no label describing the person's involvement in the incident
- the person's involvement in the incident was described only as 'moved on' rather than as 'offender', 'charged' or similar.

Given these problems, we suspected that many of these records referred to move-on directions only rather than disobey move-on offences, and had been incorrectly recorded in QPRIME. Given also the large proportion of records that were affected by these problems, we chose to check each of these records in QPRIME rather than simply excluding them from our databases. When we did this, we found that at least 1740 records did in fact refer to a move-on direction that, as far as we could tell from the information available in QPRIME, was not disobeyed. These records were deleted from our disobey move-on database and added to our move-on database. Other records were deleted entirely where necessary. We also used the information available in QPRIME to add the offender details for 142 incidents (161 offenders) where no such details were initially included. We ensured that no duplicate records had arisen after these changes (that is, that there was still only one record per person per incident).

In the process of checking original QPRIME records for various other reasons, we noted that disobey move-on occurrences were in some cases being recorded without corresponding move-on occurrences — that is, some of the records in our disobey move-on database had no matching record in our move-on database. To ensure that we still counted these in our analysis of move-on directions, we amalgamated the offence date, occurrence number and offender name and date of birth so that we could ensure that every solved disobey move-on offence we examined had a corresponding move-on direction. We considered a move-on direction to match to a disobey move-on offence if:

- the offender details were the same
- the locations either matched or were in neighbouring streets or suburbs
- the date of the disobey offence either matched the date of the move-on direction or was the following day. This took into account the possibility that a move-on direction given for 6 hours at 11 pm on a Thursday night, for example, could be disobeyed in the early hours of Friday morning; similarly, a move-on direction given for 24 hours could well be disobeyed the following day.

We also deleted duplicate records where there were multiple disobey move-on offences by the same offender on the same day in the same approximate location, suggesting multiple disobeys of the one move-on direction.

It is possible that, in matching our records in this way, we have underestimated the number of move-on directions given by police — for example, if a person was given two separate move-on directions in the same suburb on the same day, and one of these was disobeyed, we would have counted only one move-on direction. We may also have overestimated the number of move-on directions given by police if, for example, the dates of the direction and offence were entered inaccurately into QPRIME (and therefore could not be matched).

Despite these problems, we consider that the resulting database provides a better estimate of the number of move-on directions than the previous one, given that at least 2000 of the solved disobey offences had no corresponding move-on direction recorded.

Final sample sizes

We also used unique subjects and offenders as the basis of some analyses. We identified unique subjects/offenders by their full name and date of birth. We then included one record per individual in our analyses relating to how many times people are moved on or charged with disobeying a move-on direction, as well as the characteristics of people moved on more than once and recidivist disobey move-on offenders.

Table A.1 shows how many cases from the police data were included in each sample as described above.

Table A.1: Number of recorded move-on and disobey move-on cases in each sample

		Unique incidents 1 June 2004 to 31 May 2008 (longer-term trends only)	Unique incidents 1 June 2005 to 31 May 2007	All subjects/ offenders 1 June 2005 to 31 May 2007	Unique subjects/ offenders 1 June 2005 to 31 May 2007
Move-on directions	Pre-rollout	–	1758	2533	2138
	Post-rollout	–	2720	3712	3096
	Total	8741	4478 ^a	6245	5234
Disobey move-on offences	Pre-rollout	–	826	892	832
	Post-rollout	–	1393	1552	1413
	Total	4265	2219	2444	2245

Source: Police data.

Note: ^a 1361 of these cases were based on records from the disobey move-on database as there was no corresponding entry in the original move-on database. These incidents have therefore been excluded from certain analyses in our review. This is noted where appropriate.

A more detailed breakdown of the number of cases in our person-based samples by gender, age and Indigenous status is provided in Table A.2 and Table A.3.

Table A.2: Number of all recorded move-on subjects and disobey move-on subjects by gender, age and Indigenous status

		Move-on subjects		Disobey move-on subjects	
		1 June 2005 to 31 May 2006 (pre-rollout)	1 June 2006 to 31 May 2007 (post-rollout)	1 June 2005 to 31 May 2006 (pre-rollout)	1 June 2006 to 31 May 2007 (post-rollout)
Gender	Male	1911	2815	753	1315
	Female	616	772	139	237
	Total used for analysis	2527	3587	892	1552
	<i>Missing</i>	6	125	0	0
Age	Under 10 years	3	1	0	0
	10–16 years	360	431	37	96
	17–24 years	845	1291	371	647
	25 years and over	1289	1847	483	808
	Total used for analysis	2497	3570	891	1551
	<i>Missing</i>	36	142	1	1
Indigenous status	Indigenous	1078	1516	267	538
	Non-Indigenous	1441	2057	621	1006
	Total used for analysis	2519	3573	888	1544
	<i>Missing</i>	14	139	4	8

Source: Police data.

Table A.3: Number of unique recorded move-on subjects and disobey move-on subjects by gender, age and Indigenous status

		Move-on subjects		Disobey move-on subjects	
		1 June 2005 to 31 May 2006 (pre-rollout)	1 June 2006 to 31 May 2007 (post-rollout)	1 June 2005 to 31 May 2006 (pre-rollout)	1 June 2006 to 31 May 2007 (post-rollout)
Gender	Male	1680	2412	712	1220
	Female	452	559	120	193
	Total used for analysis	2132	2971	832	1413
	<i>Missing</i>	6	125	0	0
Age	Under 10 years	3	1	0	0
	10–16 years	306	369	36	88
	17–24 years	762	1146	359	618
	25 years and over	1031	1438	436	706
	Total used for analysis	2102	2954	831	1412
	<i>Missing</i>	36	142	1	1
Indigenous status	Indigenous	783	1090	224	442
	Non-Indigenous	1341	1867	604	963
	Total used for analysis	2124	2957	828	1405
	<i>Missing</i>	14	139	4	8

Source: Police data.

How we classified a person's Indigenous status

The police data we examined did not provide information about subjects' self-identified Indigenous status. Rather, QPRIME contained a 'race' field, which provided information about a subject using the following identifiers:

- Aboriginal
- African/Negro
- Caucasian
- European
- Indian
- Latin American
- Middle East/Arab
- Oriental/Asian
- Other
- Pacific Islander
- SE Asian
- Torres Strait Islander
- Unknown.

When preparing the data for analysis, we noted that a substantial proportion of the people in our database had more than one race recorded against their name. This was because the data we received linked to each subject every racial identifier that had ever been recorded for that person, not just the race that had been recorded at the time of the move-on direction. For example, a person's race may have at one time been recorded in the police system as 'Caucasian' and at another time recorded as 'Aboriginal'.

We used information about an individual's race to initially classify their Indigenous status into one of three groups:

- If a person only ever had 'Aboriginal' and/or 'Torres Strait Islander' recorded as their race, we classified them as 'Indigenous'.
- If a person only ever had 'African/Negro', 'Caucasian', 'European', 'Indian', 'Latin American', 'Middle East/Arab', 'Oriental/Asian', 'Other', 'Pacific Islander' and/or 'SE Asian' recorded as their race, we classified them as 'non-Indigenous'.
- If a person had both 'Aboriginal' and/or 'Torres Strait Islander' and some other race (such as 'Caucasian', 'SE Asian', 'Pacific Islander', 'European') recorded against their name, we classified their Indigenous status as 'unclear'.

People who had no racial identifiers recorded against their name or whose race had only ever been recorded as 'unclear' in the original police data were excluded from the classification.

We then used the above categorisation to classify people's Indigenous status into one of two groups based on whether or not their race had ever been recorded as 'Aboriginal' or 'Torres Strait Islander':

- A person whose status was classified as 'Indigenous' or 'unclear', as above, was then classified as 'Indigenous'.
- A person whose status was classified as 'non-Indigenous', as above, was then classified as 'non-Indigenous'.

Again, people for whom data were missing or whose race was only ever listed as 'unknown' in the original data were excluded from the classification.

Ultimately, we analysed Indigenous status as those who were *ever* recorded as Aboriginal and/or Torres Strait Islander and those who were *never* recorded as Aboriginal and/or Torres Strait Islander. Results reported throughout the main report and this data report use this two-group classification of Indigenous status.

How we classified the location of an incident

QPS officers are required to select one of approximately 66 scene keywords to describe the location of an incident or offence when recording the incident or offence in the QPRIME system. The move-on data that we used included reference to at least 58 of these scene classifications. As many of the categories were similar or overlapping, we recoded the police data into 15 scene classifications (this includes the 'unknown' scene classification). Table A.4 gives an overview of the revised 15 scene classifications.

Table A.4: Scene keywords and recoded scene classifications

Recoded scene classification	Original scene keywords
Street	Car park, Street
Business/agency	Adult entertainment, Agency, Bank, Brothel, Business, Chemist, Cinema, Construction site, Financial institution, Food shop, Gaming/gambling, Garage, Mall, Manufacturing, Motel, Office, Post office, Restaurant, Shop, Shopping area, Warehouse, Wholesale
Recreational	Beach, Bushland/scrub, Crown land, Open space, Outside, Recreational, Rest area, River, Waterway
Licensed premises	Club, Hotel, Licensed, Nightclub
Dwelling	Agriculture, Boarding, Caravan park, Dwelling, Farm, Outbuilding, Private grounds, Unit
Terminal	Airport, Railway, Terminal
Government agency/facility	Correctional centre, Court, Government, Military area, Police
Medical	Hospital, Hospital grounds, Medical
Community centre/facility	Community, Library
Education	Education, Primary school, School, Secondary school, University/TAFE
In transit	In transit, Train, Vehicle
Marine	Boat ramp, Marine, Wharf
Church	Church
Other	Other
Unknown ^a	Unknown, Blank/not specified

Source: Police data.

Note: ^a 'Unknown' was excluded from our analyses.

The limitations of the police data

As with all other recorded data about crime and related incidents, the QPRIME data we analysed have several limitations. These are described below.

Recorded data about move-on directions and disobey move-on incidents may not necessarily reflect the actual level of these incidents in the community. Information provided to us in our consultations with police officers around the state suggests that a significant number of move-on directions are not officially recorded in QPRIME. Our data, therefore, most likely underestimate the extent to which move-on powers are used by police, but there is no way of determining how small or large the discrepancy is.

In general, recorded crime levels may reflect the rate at which crime and offenders are reported to or detected by police, and many crimes are not reported or detected. This may also be true for disobey move-on offences. Some people given move-on directions may subsequently disobey that direction without coming to the attention of the police. This may particularly occur in instances where the original move-on directions are not recorded in QPRIME. The rate at which crimes, including disobey move-on offences, are detected can also be influenced by the number of police working in an area and the nature of the policing practices there.

The quality of recorded data naturally depends on the accuracy with which the data are entered. The complexity of QPRIME, the length of time it can take to enter occurrences and the competing demands on police officers may all affect the accuracy of data entered into the system. For example, in preparing our data for analysis, we identified what we believed to be a considerable number of move-on only incidents recorded as disobey move-on offences. We also identified a number of move-on and disobey move-on incidents with only resist arrest or public nuisance offences recorded. The similar offence codes for these events (1303, 1302, 1301 and 1305) suggest that even simple typographical errors may affect the accuracy of recorded data. Although we have attempted to clean the data, it is important to recognise that inaccuracies may remain.

Other general limitations in the recorded data are similar to those identified in *Policing public order: a review of the public nuisance offence* (CMC 2008) — namely, that changes to the number or rate of move-on directions and disobey move-on matters may be caused by other factors, including:

- changes in police numbers, police strategies or recording practices of move-on and disobey move-on matters
- partnerships between government departments and industry stakeholders (such as the Code of Practice for the Responsible Service, Supply and Promotion of Liquor)
- policy initiatives, such as the 3 am lock-out policy in entertainment precincts
- routine improvements to environmental design (such as improved lighting, and refurbishment of train stations)
- changes in the weather
- events that attract large crowds in public places
- changes in societal attitudes to police.

These limitations suggest that our police data, as with all other recorded crime data, should be treated with caution.

How we minimised the impact of the limitations of the police data

To reduce the influence of one-off events on our between-period comparisons, we used the median (middle) number and rate (per 100 000 population) of move-on incidents recorded during each month of each 12-month period to assess the degree of change between the two periods. This process averages the number and rate of move-on incidents recorded over time and therefore reduces the possible impact of unrepresentative measures on our assessment.

Although the use of medians can reduce the influence of one-off events (for example, the 236 move-on incidents recorded over 23–27 November 2006 at the Brisbane Cricket Ground), medians do not provide insurance against the influence of larger-scale events such as government policy changes and changes to local police policies. To control for these types of events, we also compared police data between QPS regions. In doing this, we assumed that, if changes (or lack of changes) were the result of the move-on powers alone, they should impact equally on the number and rate of move-on directions recorded in all regions. If this was not found to be the case, we could conclude that other factors must have at least some responsibility for any changes observed.

APPENDIX B:

Queensland-wide Interlinked Courts (QWIC) data

Appendix B provides an overview of the courts (QWIC) data and the limitations associated with analysing this type of data.

We refer to QWIC data in this data report — and in the main report — as courts data.

When a criminal matter is heard in a Queensland court, court staff are required to register details of the matter on the QWIC system.

The QWIC system is based on cases or ‘matters’. A matter arises when the court hears allegations against a defendant in relation to one or more charges. In instances where more than one charge is heard, the offences may or may not have occurred during the same ‘incident’. That is, charges heard together may have occurred on a different day or at a different time from the first charge. Where this occurs, the QWIC database records the date of the first offence only. Additionally, all the charges heard together are not necessarily linked by a unique case file or event identifier in the QWIC system.

We analysed the following variables within the courts data:

- defendant’s gender
- defendant’s age
- defendant’s self-identified Indigenous status
- date of the offence
- result/finding of the court⁴³
- order/penalty given by the court
- date when order/penalty was given⁴⁴
- if the defendant was found or pleaded guilty, whether or not a conviction was recorded
- amount of fine and/or monetary order.⁴⁵

Counting period

We analysed courts data relating to a sample of defendants charged only with a disobey move-on offence that occurred between 1 June 2006 and 31 December 2008 according to police data and was finalised in either the Magistrates Court or the Childrens Court between 1 June 2006 and 28 February 2009.

⁴³ These include found guilty, pleaded guilty, found guilty *ex parte*, found not guilty, dismissed/struck out, no evidence to offer/withdrawn.

⁴⁴ Orders made in relation to disobey move-on only matters were recoded into five basic categories for our analyses (listed in Table 6.9).

⁴⁵ These data were supplemented with further information about the number of fines for disobey move-on offences that were transferred to SPER.

Courts data for disobey move-on charges heard before the introduction of the new move-on powers were not available for analysis. We therefore do not make any comparisons between the pre- and post-statewide expansion of the move-on powers or estimate if the new laws had any impact on the way that move-on offenders are dealt with in Queensland courts.

Data sampling

When recording charges relating to the contravention of a direction or requirement of the police, courts data do not distinguish whether the charge related to a disobey move-on offence or to another offence under the ‘contravene direction or requirement of police’ umbrella. For this reason, we were unable to estimate what proportion of the courts data related specifically to disobey move-on matters and what proportion related to other ‘contravene direction or requirement of police’ matters.

To overcome this limitation, we extracted a stratified random sample⁴⁶ of disobey move-on offenders from the 4153 disobey move-on offenders in our police data dataset. We then endeavoured to match these known disobey move-on offenders to defendants listed in the courts dataset, based on their surnames, their dates of birth and the date of the offence.

For adult offenders, we aimed to draw a sample of approximately 500 people from the police data that we could then attempt to locate in the courts data. Our sample was stratified on the basis of three key variables:

- the gender of the offender
- the Indigenous status of the offender
- the QPS region where the incident occurred.

As a result of rounding numbers up during the sampling process, the final sample comprised 513 adult offenders.⁴⁷ As spellings of surnames, offence dates and dates of birth may vary between police data and courts data, and given that not all offences would be finalised in the time period allowed, we were unable to locate about 16 per cent of the police data adult sample. In total, the Magistrates Court dataset used for this review comprised 431 defendants (84.0% of the original stratified police data sample).

Given the small number of juvenile offenders charged with a disobey move-on offence ($n = 250$), we attempted to locate all known 250 juvenile offenders listed in the police data. In total, we were unable to locate about a quarter of the juveniles in the courts data ($n = 60$). This could have been for a number of reasons, including those mentioned above, as well as juveniles being dealt with through alternative methods to court proceedings, such as cautioning. In total, the Childrens Court dataset used for this review comprised 190 matters.

⁴⁶ A stratified random sample is a type of probability sampling technique that involves splitting a sample population into groups based on the characteristics of the population and then random sampling each of these groups so that the sample is representative of the population of interest. This involves:

- dividing the complete dataset into subgroups (strata) based on selected characteristics
- determining the proportion of all cases that each of these subgroups comprises
- based on these proportions, drawing random samples of specific sizes within each subgroup
- combining these smaller samples to form the larger sample.

This procedure ensures that the cases in the sample are in the same proportions as the cases in the original dataset. For example, if 30 per cent of a dataset of 1000 people are male, a stratified random sample of these people will also be 30 per cent male.

⁴⁷ We found, for example, that non-Indigenous offenders in the QPS South Eastern Region accounted for around 11.9 per cent of all offenders. This equated to 59.5 offenders in the sample (11.9% of 500), which was rounded up to 60 offenders.

We then sought to ascertain whether defendants were charged only with disobey move-on, or whether the disobey move-on charge was accompanied by other types of offence charges. Of the 431 adult matters, 66.1 per cent ($n = 285$) involved *only* disobey move-on charges, while 33.9 per cent ($n = 146$) also involved charges for other types of offences (see Table B.1). In comparison, juveniles were more likely to be charged for disobey move-on as well as other matters (53.7%, $n = 102$), rather than disobey move-on only (46.3%, $n = 88$).

Table B.1: Disobey move-on and other offences — comparison between Magistrates Courts and Childrens Courts data

Types of offences per matter	Number of matters		% of matters		Odds ratio
	Magistrates Court	Childrens Court	Magistrates Court	Childrens Court	Magistrates Court/ Childrens Court
Disobey move-on and other offences	146	102	33.9	53.7	0.4 ^a
Disobey move-on only	285	88	66.1	46.3	2.3 ^b

Source: Courts data.

Notes: ^a OR = 0.442 (0.312, 0.626), $\chi^2 = 20.722$, $p < .001$.

^b OR = 2.263 (1.598, 3.204), $\chi^2 = 20.722$, $p < .001$.

However, given that the courts database does not necessarily link all of the charges that are brought against a defendant on the same day under one unique case file or event identifier, we cannot say definitively whether or not our ‘disobey move-on only’ defendants were concurrently sentenced for other offences recorded under a different case file or event number.

Adult sample

Table B.2 displays the demographic features of the adults from the police data stratified random sample and the courts data sample analysed for this review. All demographic information in Part 6 of this report is based on the demographics of defendants as provided in the courts dataset.

Table B.2: Demographic features of the police data adult sample and courts data adult sample

Demographic features	Police data sample ($n = 513$)		Courts data sample (disobey move-on only matters) ($n = 285$)	
	<i>N</i>	%	<i>n</i>	%
Male	445	86.7	254	91.0
Female	68	13.3	25	9.0
Total	513	100.0	279	100.0
Indigenous	65	15.5	53	18.9
Non-Indigenous	355	84.5	228	81.1
Total	420	100.0	281	100.0

Source: Police data and courts data.

Note: In 93 instances, the police data did not indicate whether the defendant identified as Indigenous. The courts data did not indicate whether the defendant identified as Indigenous in four instances and did not specify the gender of six defendants.

Juvenile sample

Table B.3 shows the demographic features of all juvenile disobey move-on offenders in the police data sample and the courts data sample analysed in this review.

Table B.3: Demographic features of the police data juvenile sample and courts data juvenile sample

Demographic features	Police data sample (<i>n</i> = 250)		Courts data sample (disobey move-on only matters) (<i>n</i> = 88)	
	<i>n</i>	%	<i>n</i>	%
Male	185	74.0	72	82.8
Female	65	26.0	15	17.2
Total	250	100.0	87	100.0
Indigenous	61	34.5	41	48.8
Non-Indigenous	116	65.5	43	51.2
Total	177	100.0	84	100.0

Source: Police data and courts data.

Note: In 73 instances, the police data did not specify whether the offender identified as Indigenous. Additionally, in four instances, the courts data did not specify the Indigenous status of the defendant, and in one instance they did not specify the gender of the defendant.

APPENDIX C:

State Penalties Enforcement Registry (SPER) data

Appendix C provides an overview of SPER data and the limitations associated with analysing this type of data.

In Queensland, SPER is responsible for the collection and enforcement of infringement notice fines and court-ordered monetary fines. When a magistrate orders a monetary fine, they will determine a time in which the fine is to be paid. If a person does not pay the fine within the predetermined time, the fine will be sent to SPER, which will become responsible for its enforcement. A magistrate may also determine that a fine be sent to SPER immediately; this may be because of a person's limited financial means.

In its enforcement capacity, SPER offers payment options such as setting up part-payments through an instalment plan. However, if a fine is not paid or attended to, SPER has the authority to undertake enforcement actions such as the suspension of driver licences, forced transfers of money, seizure of property or applying to have a warrant issued for a person's arrest.

We analysed SPER data for all disobey move-on only defendants in our courts sample who had been fined and referred to SPER for enforcement between 1 June 2006 and 28 February 2009.

We analysed the following SPER variables:

- original SPER amount
- current SPER outstanding amount
- whether the offender was in compliance.

Although we requested that SPER data be limited to disobey move-on only matters, SPER (as with the courts data) does not specify whether the monetary order related to a disobey move-on charge or another 'contravene direction or requirement of police' charge. In order to ensure that the SPER data were representative of disobey move-on offences, we matched the SPER data to our adult courts sample who were ordered to pay a monetary fine ($n = 225$).

We were unable to locate any of the three juveniles who had been ordered to pay a monetary fine in the SPER dataset. This could have been because they were not referred to SPER or because of differences in the identification number in the SPER and courts datasets.

References

CMC — *see* Crime and Misconduct Commission.

Crime and Misconduct Commission 2008, *Policing public order: a review of the public nuisance offence*, CMC, Brisbane.

QPS — *see* Queensland Police Service.

Queensland Police Service 2010, *Annual statistical review 2009–2010*, QPS, Brisbane.

Legislation

Liquor Act 1992 (Qld)

Penalties and Sentences Act 1992 (Qld)

Prostitution Act 1999 (Qld)

Summary Offences Act 2005 (Qld)

Transport Operations (Road Use Management) Act 1995 (Qld)

Youth Justice Act 1992 (Qld)