

2nd May 2024

REFERENCE: FOI24\45

Dear Sir,

Thank you for your request for information dated 18th April 2024 as detailed below.

'I am writing to make a formal request under the Freedom of Information Act (Northern Ireland) 2000 regarding the number of environmental crime convictions made in Northern Ireland under the Environment Act (2021) over the past seven years, as well as the average fine or sentence given by courts.

Specifically, I would like to request the following information:

1. The total number of convictions for environmental crimes made in Northern Ireland for each year from 2016 to 2023, broken down by year.
2. The average fine imposed by the courts for convictions related to environmental crimes for each year from 2016 to 2023, broken down by year.
3. Alternatively, if sentences other than fines (such as custodial sentences or community service) have been imposed for environmental crime convictions, please provide the average length or type of sentence for each year from 2016 to 2023, broken down by year.'

In relation to your query, figures in relation to cases dealt with at courts up to the end of 2022, do not show any offences prosecuted under the Environment Act 2021.

Figures have been provided in relation to convictions at courts for offences under a number of pieces of 'environmental' type legislation (listed in footnotes to the table) for the period 2016 – 2022, the most recent year for which figures are available.

Convictions at courts for offences under 'environmental' legislation, 2016 - 2022

Year	Total convictions	Average fine imposed (£)
2016	223	540
2017	223	482
2018	203	798
2019	268	445
2020	151	194
2021	179	343
2022	481	169

Notes:

1. Figures relate to initial disposals at court. Appeals are not included.
2. Figures relate to prosecutions by PPS on behalf of police and other Governmental bodies.
3. Figures for average fine imposed relate to offences where a fine was the main penalty imposed. The form of average used is the mean.
4. Figures relate to cases where there was a conviction under at least one of the following pieces of legislation:

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011;

Control of Asbestos Regulations (Northern Ireland) 2012;

Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007;

Environmental Protection Act 1990;

Litter (Northern Ireland) Order 1994;

Pollution Prevention and Control Regulations (Northern Ireland) 2013;

Waste and Contaminated Land (Northern Ireland) Order 1997;

Water (Northern Ireland) Order 1999;

Water and Sewerage Services Northern Ireland Order 2006;

Water Supply (Water Fittings) Regulations (Northern Ireland) 2009.

Cases were mainly dealt with by way of monetary penalty. However, in a relatively small number of cases, other disposals were imposed. Over the period, suspended custodial

sentences were handed down as the main disposal in 31 cases, community sentences were handed down as main disposal in 7 cases and discharges were handed down as the main disposal in 22 cases. No cases received an imprisonment during the period, for the offences concerned. Suspended sentences handed down ranged from 2 months suspended for one year to 3 years suspended for 3 years. Community sentences handed down for these offences were Community Service Orders and ranged from 150 hours to 20 hours. Where a conditional discharge was the main disposal, these ranged from a period of 1 year to 2 years.

If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask him to investigate whether the DoJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

Yours sincerely

Freedom of Information Manager