

12 August 2024

REFERENCE: FOI\24\92

Dear Madam,

Thank you for your request for information dated 29th July 2024, as detailed below.

'Please provide information for each of the following periods: 1st April 2022 – 31st March 2023, 1st April 2023 – 31st March 2024.

In Northern Ireland:

- 1. What was the total number of people who received an out-of-court disposal (OOCd) for possession of a controlled drug under the Misuse of Drugs Act ('MDA')? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 1 table in the Appendix.*
- 2. Of those who received an OOCd for possession of a controlled drug under the MDA, how many received community resolution notices? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 2 table in the Appendix.*
- 3. Of those who received an OOCd for possession of a controlled drug under the MDA, how many were subject to a community based restorative justice scheme? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 3 table in the Appendix.*
- 4. Of those who received an OOCd for possession of a controlled drug under the MDA, how many received an informed warning? Please provide the data*

broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 4 table in the Appendix.

5. *Of those who received an OOCd for possession of a controlled drug under the MDA, how many were subject to a youth conference plan? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 5 table in the Appendix.*

6. *Of those who received an OOCd for possession of a controlled drug under the MDA, how many received a Penalty Notice for Disorder? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 6 table in the Appendix.*

7. *Of those who received an OOCd for possession of a controlled drug under the MDA, how many were subject to an adult caution? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 7 table in the Appendix.*

8. *Of those who received an OOCd for possession of a controlled drug under the MDA, how many were subject to a juvenile caution? Please provide the data broken down by age, gender, and self-identified ethnicity. Please provide the answers in the Question 8 table in the Appendix.*

9. *The OOCd listed in questions 2-8 in this FOI application are based on those listed in 'Court Prosecutions Convictions and Out of Court Disposals Statistics for Northern Ireland 2022' here: <https://www.justice-ni.gov.uk/publications/court-prosecutions-convictions-and-out-of-court-disposals-statistics-northern-ireland-2022>. Please confirm if there are further OOCd that may be available to an individual in possession of a controlled drug under the MDA.*

10. *What was the total number of people who were proceeded against for possession of a controlled drug under the Misuse of Drugs Act ('MDA')? Please provide the data broken down by age, gender, and self-identified ethnicity.*

Please provide the answers in the Question 10 table in the Appendix.'

The Department is able to provide a breakdown of the information requested by gender and also for the majority of the requested age groups. However, the Department is unable to provide a disaggregation by ethnicity, as it does not hold this information as part of its prosecutions or diversions datasets. Additionally, it should be noted that the minimum age of criminal responsibility in Northern Ireland is 10 years of age. Therefore, no child

under that age can receive a diversionary disposal or be prosecuted at court. Hence no figures have been supplied for this age category in your preferred output in the attached Annex.

The Department collates information on prosecutions, convictions and out of court disposals on a calendar year basis for publication of official statistics. The two most recent calendar years for which validated data is available are 2022 and 2023. Therefore, in response to points 1,3,4,5,6,7,8 and 10 of your request (see attached Annex), information has been provided for the calendar years 2022 and 2023.

In relation to part 2 of your request, the Department does not hold information on offences dealt with by way of Community Resolution Notices or Discretionary Disposals. That information may be available from the Police Service of Northern Ireland. You may wish to approach them for information on numbers of those outcomes. They can be contacted at foi@psni.police.uk .

In relation to point 9 of your request, there are no other types of out of court diversionary disposals utilised for possession of controlled drug offences.

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 the Commissioner 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

If you wish to discuss this please contact the Freedom of Information Team using the contact details provided at the top of the first page. Please remember to quote your reference in any correspondence.

Yours sincerely

Freedom of Information Manager

Annex 1

Total number of people who received an out-of-court disposal for possession of a controlled drug under the Misuse of Drugs Act 1971, 2022 and 2023

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	169	197
Male	721	769
Other	*	*
Not stated / unknown	0	*

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	82	#
18 - 24	394	403
25 - 29	129	141
30 and over	285	344
Not stated / unknown	*	*

Total number of people who received a Community Based Restorative Justice disposal for possession of a controlled drug under the Misuse of Drugs Act 1971, 2022 and 2023

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	0	0
Male	0	0
Other	0	0
Not stated / unknown	0	0

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	0	0
18 - 24	0	0
25 - 29	0	0
30 and over	0	0
Not stated / unknown	0	0

**Total number of people who received an informed warning
diversionary disposal for possession of a controlled drug under the
Misuse of Drugs Act 1971, 2022 and 2023**

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	3	#
Male	28	30
Other	0	0
Not stated / unknown	0	0

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	#	32
18 - 24	*	3
25 - 29	0	0
30 and over	*	*
Not stated / unknown	0	0

**Total number of people who received a youth conference plan
diversionary disposal for possession of a controlled drug under the
Misuse of Drugs Act 1971, 2022 and 2023**

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	13	4
Male	43	25
Other	0	0
Not stated / unknown	0	0

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	#	19
18 - 24	#	10
25 - 29	0	0
30 and over	0	0
Not stated / unknown	0	0

Total number of people who received Penalty Notice for Disorder disposal for possession of a controlled drug under the Misuse of Drugs Act 1971, 2022 and 2023

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	0	0
Male	0	0
Other	0	0
Not stated / unknown	0	0

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	0	0
18 - 24	0	0
25 - 29	0	0
30 and over	0	0
Not stated / unknown	0	0

Total number of adults who received a caution diversionary disposal for possession of a controlled drug under the Misuse of Drugs Act 1971, 2022 and 2023

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	150	#
Male	630	690
Other	*	*
Not stated / unknown	0	*

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	n.a.	n.a.
18 - 24	367	390
25 - 29	129	141
30 and over	284	343
Not stated / unknown	*	*

Total number of under 18s who received a caution diversionary disposal for possession of a controlled drug under the Misuse of Drugs Act 1971, 2022 and 2023

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	3	3
Male	20	24
Other	0	0
Not stated / unknown	0	0

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	23	27
18 - 24	n.a.	n.a.
25 - 29	n.a.	n.a.
30 and over	n.a.	n.a.
Not stated / unknown	n.a.	n.a.

Total number of people convicted at courts for possession of a controlled drug under the Misuse of Drugs Act 1971, 2022 and 2023

Ethnicity	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
White	n.a	n.a
Irish Traveller	n.a	n.a
Other Ethnic Group	n.a	n.a
Black	n.a	n.a
Asian	n.a	n.a
Mixed	n.a	n.a
Not specified	n.a	n.a

Gender	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Female	320	406
Male	2,703	2,844
Other	0	0
Not stated / unknown	0	*

Age	Total in the period 1st January 2022 – 31st December 2022	Total in the period 1st January 2023 – 31st December 2023
Under 10	n.a.	n.a.
10 - 17	#	16
18 - 24	715	741
25 - 29	774	759
30 and over	1,498	1,734
Not stated / unknown	*	*

Note:

1. The minimum age for criminal responsibility in Northern Ireland is 10 years old, so no child under that age can be held criminally liable for an offence.
2. Age is at date diversion was issued, at date PND was issued or at age case was dealt with at court.
3. Figures in relevant tables relate to cases where there was an out of court diversionary disposal or conviction at court for at least one offence relating to possession of controlled drugs, prosecuted under Misuse of Drugs Act 1971, whether or not it was the main offence at disposal.

4. Figures for adult and youth cautions relate to age of person receiving the caution at time it was issued.
 5. Figures for convictions at courts relate to initial disposals at courts. Appeals are not included.
 6. Figures relate to diversionary disposals or convictions handed down for all variations of the offence specified.
- * Means a figure of less than 3 has been treated under rules of disclosure.
- # Means a figure of 3 or more has been treated to prevent disclosure of small numbers elsewhere.